

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS  
March 5, 2024

*This notice is also available on our web page at the following address:  
[http://apps.wrd.state.or.us/apps/misc/wrd\\_notice\\_view/?notice\\_id=21](http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21)*

This publication lists agency activities requiring public notice. It also describes public comment processes and deadlines. Types of water use requests in this week's Public Notice include:

- \* **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**  
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- \* **Applications for Allocation of Conserved Water**  
Applications made by a water user who conserves water to use a portion of the conserved water on additional lands, lease or sell the water, or dedicate the water to instream use.
- \* **Applications for Extensions of Time to Perfect Water Right Permits**  
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- \* **Transfer Preliminary Determinations**  
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.

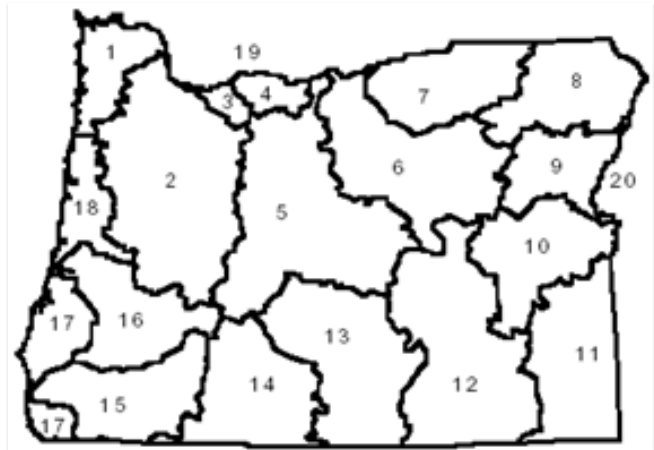
The Public Notice is published each week on the Department's web site at [www.oregon.gov/OWRD](http://www.oregon.gov/OWRD). If you would like to receive a **free** weekly notification when it is published, please send your request to [Tonya.L.Miller@water.oregon.gov](mailto:Tonya.L.Miller@water.oregon.gov).

## How to Read the Listing

**App#:**

- G: Groundwater
- R: Reservoir
- S: Surface water
- I: Instream
- T: Transfer
- LL: Limited License

**County/Basin** (See Map)



**Applicant Name**

**Applicant Address**

**Sources/TRSQ40Q160**

**Use/Quantity**

Unit of measure:

- CFS: Cubic feet per second
- GPM: Gallons per minute
- AF: Acre-feet

**BASINS:**

- |                |                    |               |
|----------------|--------------------|---------------|
| 1. North Coast | 8. Grande Ronde    | 15. Rogue     |
| 2. Willamette  | 9. Powder          | 16. Umpqua    |
| 3. Sandy       | 10. Malheur        | 17. S. Coast  |
| 4. Hood        | 11. Owyhee         | 18. Mid-Coast |
| 5. Deschutes   | 12. Malheur L.     | 19. Columbia  |
| 6. John Day    | 13. Goose/Summer L | 20. Snake     |
| 7. Umatilla    | 14. Klamath        |               |

**Priority Date**

**Stage/Status**

- IR: Initial Review
- PFO: Proposed Final Order

**Commonly used "Type of Use" abbreviations (for definitions, consult Oregon Administrative Rules 690-300):**

- |   |                                 |                         |
|---|---------------------------------|-------------------------|
| AG: Agriculture   | GR: Groundwater recharge        | MU: Municipal           |
| CR: Cranberry uses                                      | GT: Geothermal                  | NU: Nursery use         |
| CM: Commercial  | ID: Irrigation with domestic    | PA: Pollution abatement |
| DI, DN: Domestic including non-commercial lawn & garden | IL: Irrigation with livestock   | PW: Power               |
| DO: Domestic  | IM: Industrial or manufacturing | QM: Quasi-municipal     |
| DS: Domestic & stock                                    | IR: Irrigation                  | RC: Recreation          |
| FI: Fish  | IS: Irrigation, supplemental    | RW: Road construction   |
| FP: Fire protection                                     | LV: Livestock                   | TC: Temperature control |
| FW: Fish & wildlife                                     | LW: Livestock & wildlife        | WI: Wildlife            |
| GD: Group domestic                                      | MI: Mining                      |                         |

## **Initial Review and Proposed Final Orders**

The following pages of this notice list permit applications that the Department is evaluating for compliance with state water law. Public participation and comment is encouraged. Opportunities for public involvement vary according to the stage of the permit evaluation.

Ground water permit applications in the Deschutes Basin (Basin 5) may seek to provide mitigation pursuant to the Deschutes Ground Water Mitigation Rules.

### **Initial Review Stage (IR)**

The Department has given the applicant an initial review of water-use restrictions, water availability and other limitations that affect the agency's decision on whether to issue a permit. The Department welcomes comments from interested persons, agencies and organizations on the proposed water use. **The comment deadline for initial reviews appearing in this public notice is 5pm, Thursday, April 04, 2024.** Although we cannot respond individually to all comments, each will be considered as the agency makes its decision regarding proposed allocations.

### **Proposed Final Order Stage (PFO)**

The proposed final order is the Department's penultimate decision on the water use request. The PFO documents the agency's decision through specific findings, including review of comments received. If appropriate, it includes a draft permit specifying any conditions or restrictions on the use. Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of \$35. (Any person paying \$35 to receive a PFO by mail will also receive a copy of the Final Order when it is issued.) PFO's may be viewed free of charge online at: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>. Those disagreeing with the Department's decision as expressed in the PFO have 45 days to file a protest.

**The protest deadline for proposed final orders appearing in this public notice is 5pm, Friday, April 19, 2024.**

The protest filing fee is \$480 for the applicants and \$950 for non-applicants. Detailed requirements for filing a protest are included in the PFO. Persons who support the PFO may file a "standing" fee of \$270 to retain the ability to participate in future proceedings relating to an application. Before participation in a hearing is allowed, an additional \$680 will be required to request to participate as a party or limited party.

If a protest or comment deadline falls on a day that the office is closed, then the next open business day automatically becomes the deadline date.

## Initial Review and Proposed Final Orders

App# [R-88765](#)  
County/Basin Marion / Willamette (2)  
Applicant Name BIELENBERG RLT, DAVID J.  
16425 HERIGSTAD RD NE  
SILVERTON, OR 97381  
Sources/TRSQ40Q160 PUDDING RIVER > MOLALLA RIVER / 6.00S 1.00W 32 NENW  
PUDDING RIVER > MOLALLA RIVER / 6.00S 1.00W 32 SWNE  
PUDDING RIVER > MOLALLA RIVER / 6.00S 1.00W 29 SESE  
Use/Quantity IRRIGATION AND AESTHETICS / 174.000 AF  
Priority Date 03/22/2019  
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-19147](#)  
County/Basin Baker / Powder (9)  
Applicant Name CLONTS, BILL  
20493 LEE LANE  
BAKER CITY, OR 97814  
Sources/TRSQ40Q160 A SUMP > BALDOCK SLOUGH / 8.00S 40.00E 23 SESW  
Use/Quantity SUPPLEMENTAL IRRIGATION / 1.000 CFS  
Priority Date 06/09/2021  
Stage/Status PFO / PROPOSE TO DENY

## **Final Orders - Permit & Limited License Applications**

Following is a list of applications for new appropriations that have had final orders issued recently. If you would like a hard copy of an order mailed to you, send a request with \$35 for each order to the Water Rights Section, Oregon Water Resources Department, 725 Summer Street NE Suite A, Salem OR 97301. If you have any questions, please contact the Department's customer service staff by dialing 503-986-0900.

App# [G-18208](#)  
County/Basin Harney / Malheur Lake (12)  
Applicant Name ROARING SPRINGS RANCH INC.  
31437 HWY 205  
FRENCHGLEN, OR 97736  
Priority Date 03/04/2016  
Issue Date 02/23/2024  
Status DENIED

App# [G-19205](#)  
County/Basin Washington / Willamette (2)  
Applicant Name CURRIN, CHRISTOPHER C.  
15265 NW LOGIE TRAIL RD  
HILLSBORO, OR 97124  
Priority Date 09/22/2021  
Issue Date 03/01/2024  
Status WITHDRAWN

App# [R-88308](#)  
County/Basin Yamhill / Willamette (2)  
Applicant Name WESTVIEW FARMS LLC  
C/O BEN VAN DYKE  
15521 NW WESTSIDE RD  
YAMHILL, OR 97148  
Priority Date 10/24/2016  
Issue Date 03/01/2024  
Status REJECTED

## **Applications for Allocation of Conserved Water**

The following applications for allocation of conserved water have been received pursuant to ORS 537.455 to 537.500 and OAR Chapter 690, Division 18. In reviewing the applications, the Department will consider whether the diversion for the uses allowed under the original water right will be reduced by the conservation project, whether existing water rights will be protected from injury, and whether the project is in compliance with local comprehensive land use plans.

### **Notice of Application for Allocation of Conserved Water CW-142**

CW-142 filed by Elizabeth M Sarthou, Trustee, P. O. Box 191, Eagle Point, OR 97524-0191, proposes to convert approx. 23.0 acres from flood irrigation to a pump and pivot system under Certificate 17190 with an 1869 priority from the South Fork of Little Butte Creek. The project on the South Fork of Little Butte Creek is expected to conserve approx. 0.10 cfs and a max. duty of 36.3 acre-feet (AF). The applicant also proposes to convert approx. 5.0 acres from flood irrigation to a pump and pivot system under Certificate 76175 with an 1895 priority from the South Fork of Little Butte Creek, a tributary of Little Butte Creek. The project on the South Fork of Little Butte Creek is expected to conserve approx. 0.064 cfs and a max. duty of 23.23 acre-feet (AF). The applicant also proposes to convert approx. 6.7 acres from flood irrigation to a pump and pivot system under Certificate 83471 with a March 7, 1918, priority from the South Fork of Little Butte Creek, tributary to Rogue River. The project on the South Fork of Little Butte Creek is expected to conserve approx. 0.005 cfs and a max. duty of 3.35 acre-feet (AF).

The Applicant proposes 100% of the conserved water (a combined total of 0.169 cfs/62.88 AF) under Certificates 17190, 76175, and 83471, be allocated to the state for instream purposes.

The project appears to be consistent with the requirements under ORS 537.470. Any interested person may submit written comments directly related to CW-142 within 20 days of the last date of newspaper publication, being by 5:00pm on, **April 1, 2024**. Comments should be sent to the attention of the ACW Program, Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301.

## **Proposed Final Orders Regarding Applications for Extensions of Time for Water Right Permits**

ORS 537.230, 537.248, 537.630 and 539.010 authorize the Water Resources Department to extend time limits contained in water right permits for completing construction of water development projects and applying water to full beneficial use. Procedures for permit holders to apply for extensions and for the Department to evaluate and determine whether or not to approve extensions of time are contained in OAR 690-320-0010 for extensions filed before July 1, 2001, and in OAR 690-315-0010 for extensions filed on or after July 1, 2001.

Proposed Final Orders (PFO's) are the Department's preliminary decision on extension requests. They document the agency's decision through specific findings. Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of \$35. (Any person paying to receive a PFO by mail will also receive a copy of the Final Order when it is issued). PFO's may be viewed for free at the Department's Salem Office or at the appropriate watermaster district office.

### **Extension of Time Public Notice and Comment Procedures**

**Written comments on or written protests against a PFO must be submitted on or before April 19, 2024.** There is no fee for submission of comments. The protest filing fee is \$480 for the applicant and \$950 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

App#	<a href="#">G-17109</a>
Permit#	G-16920
County/Basin	Washington / Willamette (2)
Applicant Name	IWASAKI BROS INC. 2555 SE MINTER BRIDGE RD HILLSBORO, OR 97123-5299
Sources/TRSQ40Q160	A WELL > ROCK CREEK / 1.00S 2.00W 8 NWNW A WELL > ROCK CREEK / 1.00S 2.00W 8 SWNW
Use/Quantity	NURSERY USES / 0.330 CFS
App#	<a href="#">S-88365</a>
Permit#	S-55093
County/Basin	Jackson / Rogue (15)
Applicant Name	FLD PARTNERS LLC PO BOX 168 MURPHY, OR 97533
Sources/TRSQ40Q160	APPLEGATE RESERVOIR > APPLEGATE RIVER / 40.00S 4.00W 25 SESE UNNAMED STREAM > APPLEGATE RIVER / 38.00S 4.00W 17 SWSE
Use/Quantity	IRRIGATION / 20.250 AF
App#	<a href="#">R-83756</a>
Permit#	R-12756
County/Basin	Crook / Deschutes (5)
Applicant Name	MILGARD, JAMES 9801 ALLEN POINT GIG HARBOR, WA 98332
Sources/TRSQ40Q160	RUNOFF > DESERT CREEK / 21.00S 21.00E 18 NWSW
Use/Quantity	FISH CULTURE / 318.000 AF

App# [G-18344](#)  
Permit# G-17978  
County/Basin Clackamas / Willamette (2)  
Applicant Name BLUE LOTUS VENTURES LLC  
DOAN, MAI  
7325 N OMAHA AVE  
PORTLAND, OR 97217  
  
FIDDLE LEAF LLC  
WONG, BENTON  
WONG, SHARON  
3720 SW BOND AVE UNIT 1000  
PORTLAND, OR 97239  
Sources/TRSQ40Q160 A WELL > BARGFELD CREEK BASIN / 3.00S 3.00E 5 SESE  
Use/Quantity NURSERY USES / 0.056 CFS



## **Transfer Preliminary Determinations**

A Preliminary Determination provides the Department's conclusion as to whether a proposed change in place of use, point of diversion or appropriation, or character of use of an existing water right should be approved. Changes of water rights may be proposed in an application for transfer (including instream, historic POD, exchange, substitution or ground water registration modification).

The Department has issued preliminary determinations on the transfer applications listed below. In addition to this notice, the Department is complying with ORS 540.520(2) that requires publication of notice in a local newspaper for all transfers except those proposing a change in place of use only or a change in point of diversion of less than ¼ mile where there are no intervening diversion points.

Any person may protest the application and preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-0900, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by a \$950 protest fee for non-applicant and \$480.00 protest fee for applicant. Call (503) 986-0815 to obtain additional information. Protests must be received by the Department on or before April 04, 2024, or within 30 days of the last date of publication in a newspaper, whichever is later. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

[T-14051](#) filed by Ronald and Janice Wood, 1575 Gazley Road, Myrtle Creek, OR 97457, proposes an additional point of diversion and a change in place of use under Certificate 51758. The right allows the use of 0.025 cubic foot per second from the South Umpqua River in Sec.22, T30S, R5W, WM for irrigation in Sec. 22, T30S, R5W, WM. The applicant proposes an additional point of diversion in Sec. 20, T30S, R5W, WM and to change the place of use within Sec. 22, T30S, R5W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-14102](#) filed by Weisz Family, LLC, 14905 Butteville Rd NE, Gervais, OR 97026, proposes a change in point of appropriation under Certificate 36320. The right allows the use of 0.52 cubic foot per second from a well in Sec. 14, T5S, R2W, WM for irrigation in Sects. 13 and 14, T5S, R2W, WM. The applicant proposes to move the point of appropriation to Sects. 14 and 23, T5S, R2W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-14204](#) filed by SPV Hot Lakes Organics LLP, 12119 Stratford Dr, Suite B, Clive, IA 50325 proposes a change in place of use; use under Certificate 46514 and partial cancellation of Certificate 81467. Certificate 46514 allows the use of 2.23 cubic feet per second from a well in Sec. 10, T4S, R39E, WM for irrigation and supplemental irrigation in Sec. 10, T4S, R39E, WM. The applicant proposes to change the place of use to Sec. 10, T4S, R39E, WM.; and to change the character of use from supplemental irrigation to primary irrigation. Certificate 81467 allows the use of .2 cubic feet per second from Catherine Creek for irrigation in Sec. 10, T4S, R39E, WM. The applicant proposes to voluntarily cancel this portion of the right. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13963](#) filed by Westrock Northwest LLC, 1000 Abernathy Road NE, Atlanta, GA 30328, proposes a change in point of diversion, a change in place of use, and a change in character of use under Certificate 90014. The right allows the use of 8.0 cubic feet per second from the Willamette River in Sec. 29, T3S, R2W, WM for manufacturing and fire protection in Sec. 29. The applicant proposes to move the points of diversion within Sec. 29, T3S, 2W, WM, to change the place of use to within the service area boundaries of the City of Newberg, and to change the character of use to municipal. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-14264](#) filed by Sun Ray Farms, PO Box 100, Independence, OR 97351, proposes a change from surface water points of diversion to a groundwater point of appropriation under Certificates 44215, 83391 and 85864. Certificate 44215 allows the use of 0.87 cubic foot per second (cfs) from the Willamette River in Sec. 28, T8S, R4W, WM for irrigation in Sects. 27 and 28, T8S, R4W, WM. Certificate 83391 allows the use of 0.51 cfs from the Willamette River in Sec. 28, T8S, R4W, WM for primary and supplemental irrigation in Sects. 21 and 22, T8S, R4W, WM. Certificate 85864 allows the use of 1.50 cfs from the Willamette River in Sec. 28, T8S, R4W, WM for supplemental irrigation in Sects. 21, 22, 27 and 28, T8S, R4W, WM. The applicant proposes to move the points of diversion to a point of appropriation in Sec. 28, T8S, R4W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-14064](#) filed by Douglas J. Riedweg and Ruth A. Burris, 31670 SW Riedweg Rd., Cornelius, OR, 97113, proposes a point of appropriation change under Certificate 47658. The right allow the use of 0.129 cubic foot per second from a well in Sec. 25, T1S, R3W, WM for irrigation in Sects. 24 and 25, T1S, R3W, WM. The applicant proposes to move the point of appropriation in Sec. 25, T1S, R3W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-14090](#) filed by Hubbard Family, 1145 Raleigh Rd, Glenview, IL 60025, proposes an additional point of diversion under Certificate 14153. The right allows the use of 0.58 cubic foot per second from the Willamette River in Sec. 8, T15S, R4W, WM for irrigation in Sec. 8, T15S, R4W, WM. The applicant proposes an additional point of diversion in Sec. 8, T15S, R4W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-14044](#) filed by Georgia Mayea and Julie Kelleher 205 West Cleveland St Lafayette, CO 80026, proposes an additional point of diversion and change in place of use under Certificate 26303. The right allows the use of .075 cubic foot per second from Elk River in Sec. 27, T32S, R15W, WM for irrigation in Sec. 27, T32S, R15W, WM. The applicant proposes an additional point of diversion within Sec. 27, T32S, R15W, WM and to change the place of use within Sec. 27, T32S, R15W, WM. The Water Resources Department proposes to deny the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

## PUBLIC NOTICE OF WATER USE REQUESTS

March 5, 2024

Use this form to offer comments on water use requests or other items in this notice, or to order copies of proposed and final orders. You are welcome to submit comments on a separate sheet, but please be sure to include your name and address and reference the specific request or document that concerns you. Please mail your comments to the address listed above.

Alternatively, you may use our new Public Comment tool available on our website. Go to our website: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>, and enter identifying information about the application. On the Water Rights Information Query Results page, use the "Submit a Public Comment" link, or under 'View all Scanned Documents' use the "Submit a Public Comment" link.

### Water Use Request Type & File Number

(e.g. "Permit Application G-12345" or "Transfer T-1234"):

Mail me the order

(payment enclosed)\*

### Your Name, Address, and Phone Number:

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\* We are required by law to charge a fee of \$35 to mail a copy of proposed and final orders on a pending permit or permit extension applications to any interested person. Please include a check made out to the Oregon Water Resources Department in the amount of \$35 for each type of order you would like mailed to you. This fee entitles you to also receive a copy of the final order, when issued. Copies of proposed and final orders are also available for viewing (at no charge) at our Salem office, at the local watermaster office, or online.