

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS  
April 16, 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.
- \* **Alternate Reservoir Applications (ORS 537.409)**  
Applications for storage permits for small ponds filed under a simplified review process.
- \* **Establishment of Mitigation Credits in the Deschutes Basin pursuant to OAR Chapter 690, Division 521 (ORS 537.746)**
- \* **Applications for Limited Licenses**  
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- \* **Surface Water Registration Statement (SWR) Amendments (OAR 690-028-055(1))**
- \* **Application for Instream Lease**  
Application by water right holder to lease existing water rights to instream use.
- \* **Transfer Applications: Regular**  
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- \* **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.

- \* **Transfer Applications: Temporary Transfers**  
Requests to temporarily change place of use and, if necessary to convey the water to the new place of use, to temporarily change the point of diversion or appropriation.
- \* **Transfer Applications: Permit Amendments**  
Requests to amend permits.

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**

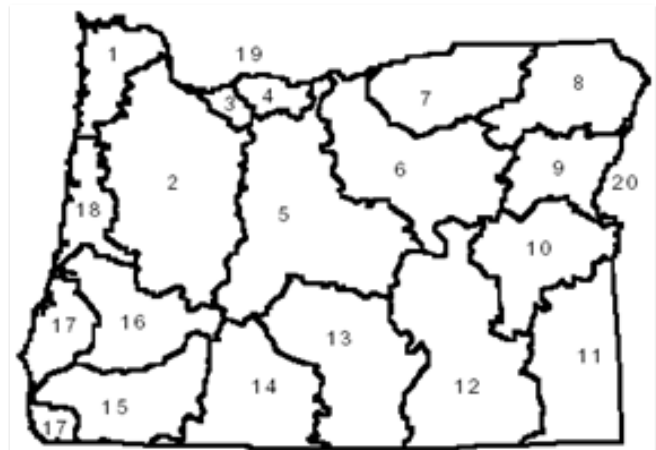
Unit of measure:

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

**Priority Date**

**Stage/Status**

- IR: Initial Review
- PFO: Proposed Final Order



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	

**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, May 16, 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, May 31, 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#	<a href="#">G-19113</a>
County/Basin	Clackamas / Willamette (2)
Applicant Name	B AND L RIVER RANCH LLC C/O BUTCH VOSS PO BOX 1068 CANBY, OR 97013
Sources/TRSQ40Q160	A WELL > MOLALLA RIVER / 4.00S 2.00E 19 NENW A WELL > MOLALLA RIVER / 4.00S 2.00E 19 SENW
Use/Quantity	SUPPLEMENTAL IRRIGATION / 0.545 CFS
Priority Date	04/15/2021
Stage/Status	IR / PROPOSE TO DENY
App#	<a href="#">G-19169</a>
County/Basin	Deschutes / Deschutes (5)
Applicant Name	AVION WATER CO INC. ATTN: JASON WICK 60813 PARRELL RD BEND, OR 97702
Sources/TRSQ40Q160	A WELL > WHYCHUS CREEK / 14.00S 11.00E 17 SWSW
Use/Quantity	QUASI-MUNICIPAL USES / 0.6699 CFS
Priority Date	06/21/2021
Stage/Status	IR / PROPOSE TO DENY
App#	<a href="#">G-19185</a>
County/Basin	Benton / Willamette (2)
Applicant Name	ALPINE RIDGE WATER CO. 24655 JUDY LANE MONROE, OR 97456
Sources/TRSQ40Q160	A WELL > MUDDY CREEK / 14.00S 6.00W 23 NWSE A WELL > MUDDY CREEK / 14.00S 6.00W 23 SWSW
Use/Quantity	QUASI-MUNICIPAL USES / 0.1336 CFS
Priority Date	08/02/2021
Stage/Status	IR / 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-19019](#)  
County/Basin Clackamas / Willamette (2)  
Applicant Name SPRINGWATER ESTATES HOME OWNERS ASSOCIATION INC.  
PO BOX 854  
ESTACADA, OR 97023  
Priority Date 09/03/2020  
Issue Date 04/11/2024  
Status WITHDRAWN

App# [G-19231](#)  
County/Basin Clackamas / Willamette (2)  
Applicant Name T AND K SESTER FAMILY LLC  
ATTN: TED SESTER  
24200 SE HWY 212  
DAMASCUS, OR 97089  
Priority Date 12/13/2021  
Issue Date 04/12/2024  
Status DENIED

App# [R-89428](#)  
County/Basin Yamhill / Willamette (2)  
Applicant Name KING, DAVID  
KING, SARAH  
16520 NE NELSON RD  
NEWBERG, OR 97132  
Priority Date 12/29/2023  
Issue Date 04/12/2024  
Status APPROVED

App# [S-88777](#)  
County/Basin Clackamas / Willamette (2)  
Applicant Name RANARD, JACQUES  
14891 S REDLAND RD  
OREGON CITY, OR 97045  
UMATILLA INC.  
1131 SE UMATILLA ST  
PORTLAND, OR 97202  
Priority Date 12/05/2019  
Issue Date 04/12/2024  
Status DENIED

App# [S-89399](#)  
County/Basin Polk / Willamette (2)  
Applicant Name David Knieling  
PO Box 5113  
Salem, OR 97304  
Priority Date 09/13/2023  
Issue Date 04/12/2024  
Status APPROVED

App# [S-89438](#)  
County/Basin Wallowa / Grande Ronde (8)  
Applicant Name PATTERSON-WALLOWA LAKE, LLC  
PATTERSON, JOHN  
12 E CHESTNUT STREET  
WALLA WALLA, WA 99362  
Priority Date 02/15/2024  
Issue Date 04/25/2024  
Status WITHDRAWN

App# [S-89440](#)  
County/Basin Wallowa / Grande Ronde (8)  
Applicant Name EDGEWATER COVE LLC  
ROBERTS, NANCY  
1808 BELFAST RD  
SPARKS, MD 21152  
Priority Date 02/16/2024  
Issue Date 04/25/2024  
Status WITHDRAWN

App# [S-89441](#)  
County/Basin Wallowa / Grande Ronde (8)  
Applicant Name JONES, TERRY  
66269 LOSTINE RIVER RD  
LOSTINE, OR 97857  
Priority Date 02/16/2024  
Issue Date 04/25/2024  
Status WITHDRAWN

## **Alternate Reservoir Applications (ORS 537.409)**

For alternate reservoir applications filed under ORS 537.409, the public is invited to comment within 60 days of this notice. The law provides that within 60 days after the Department provides public notice of the application, any person may submit detailed, legally obtained information in writing, requesting the Department to deny the application for a permit on the basis that the reservoir:

- (A) Would result in injury to an existing water right; or
- (B) Would pose a significant detrimental impact to existing fishery resources as determined on the basis of information submitted by the State Department of Fish and Wildlife.

**Such comments must be submitted on or before June 15, 2024.**

App#	<a href="#">R-89452</a>
County/Basin	Curry / South Coast (17)
Applicant Name	BAUM, DON 56501 TOM SMITH RD BANDON, OR 97411
Sources/TRSQ40Q160	RUNOFF > ELK RIVER / 32.00S 15.00W 7 NESE A SPRING > ELK RIVER / 32.00S 15.00W 7 NESE
Use/Quantity	MULTIPLE PURPOSE / 6.000 AF
Priority Date	04/08/2024



## Establishment of Mitigation Credits in the Deschutes Basin

ORS 537.746 authorizes the Department to award mitigation credits in the Deschutes Basin to approved mitigation projects. Mitigation credits may be used in the Deschutes Basin, specifically the Deschutes Ground Water Study Area, to mitigate for the impacts of ground water use on surface water flows. Pursuant to OAR Chapter 690, Division 521, upon receipt of notification of a mitigation project, the Department shall give public notice of the intent to establish mitigation credits.

The public is invited to comment on establishment of mitigation credits for the project(s) described below. Comments must be received within 21 days of the date of this public notice. Comments should address the award of mitigation credits to the proposed project and its use for mitigation purposes. Included in this public notice is a preliminary determination as to the amount of mitigation credits that may be available from the proposed project.

Deschutes County  
Mitigation Project #: **MP-306**  
Project Applicant: Deschutes River Conservancy Mitigation Bank and Three Sisters Irrigation District on behalf of City of Sisters

Mitigation Project  
And Process: Instream Lease IL-1974 - see also instream lease section of this notice for additional application details

Subbasin/Source: Whychus Creek subbasin – Whychus Creek, tributary to the Deschutes River  
Amount of Water: Certificate 93680 up to 0.860 Cubic Foot per Second and 184.2 Acre-Feet for mitigation  
Certificate 93681 up to 0.497 Cubic Foot per Second and 106.50 Acre-Feet for mitigation  
Certificate 93683 up to 0.098 Cubic Foot per Second and 21.00 Acre-Feet f

Current Use: Certificate 93680 Irrigation of 61.4 acres for mitigation  
Certificate 93681 Irrigation of 35.5 acres for mitigation  
Certificate 93683 Irrigation of 7.0 acres for mitigation

Credits Assigned to: Deschutes River Conservancy Mitigation Bank  
Preliminary Mitigation  
Credit Determination: 187.0 mitigation credits that may be available for use in the Whychus Creek and/or General Zones of Impact

Contact: Sarah Henderson (503) 979-9872

Deschutes County  
Mitigation Project #: **MP-316**  
Project Applicant: Deschutes River Conservancy Mitigation Bank and Central Oregon Irrigation District on behalf of multiple landowners

Mitigation Project  
And Process: Instream Lease Application IL-2028 which is included in this public notice.

Subbasin/Source: Middle Deschutes subbasin - Deschutes River tributary to the Columbia River  
Amount of Water: up to 2.447 Cubic Foot per Second and 1100.37 Acre-Feet from POD 1  
up to 0.019 Cubic Foot per Second and 5.94 Acre-Feet from POD 13

Current Use: Irrigation of 112.19 acres from POD 1  
Irrigation of 1.09 acres from POD 13

Credits Assigned to: Deschutes River Conservancy Mitigation Bank  
Preliminary Mitigation  
Credit Determination: 203.9 mitigation credits that may be available for use in the Middle Deschutes and/or General Zones of Impact

Contact: Sarah Henderson (503) 979-9872

Deschutes County  
Mitigation Project #: **MP-317**  
Project Applicant: Deschutes River Conservancy Mitigation Bank and Central Oregon Irrigation District on behalf of multiple landowners

Mitigation Project  
And Process: Instream Lease Application IL-2030 which is included in this public notice.  
Subbasin/Source: Middle Deschutes subbasin - Deschutes River tributary to the Columbia River  
Amount of Water: up to 1.886 Cubic Foot per Second and 838.41 Acre-Feet from POD 11  
Current Use: Irrigation of 88.9 acres from POD 11  
Credits Assigned to: Deschutes River Conservancy Mitigation Bank  
Preliminary Mitigation  
Credit Determination: 160.0 mitigation credits that may be available for use in the Middle Deschutes and/or General Zones of Impact  
Contact: Sarah Henderson (503) 979-9872

Deschutes County  
Mitigation Project #: **MP-318**  
Project Applicant: Deschutes River Conservancy Mitigation Bank and Central Oregon Irrigation District on behalf of multiple landowners

Mitigation Project  
And Process: Instream Lease Application IL-2031 which is included in this public notice.  
Subbasin/Source: Middle Deschutes subbasin - Deschutes River tributary to the Columbia River  
Amount of Water: up to 1.594 Cubic Foot per Second and 708.83 Acre-Feet from POD 11  
up to 0.751 Cubic Foot per Second and 337.79 Acre-Feet from POD 1  
Current Use: Irrigation of 75.16 acres from POD 11  
Irrigation of 34.44 acres from POD 1  
Credits Assigned to: Deschutes River Conservancy Mitigation Bank  
Preliminary Mitigation  
Credit Determination: 197.3 mitigation credits that may be available for use in the Middle Deschutes and/or General Zones of Impact  
Contact: Sarah Henderson (503) 979-9872

## Applications for Limited Licenses

A limited license allows the right to use or store water for no more than 5 consecutive years. Use of water under a limited license is subordinate to all other authorized uses and may be shut-off at any time to satisfy those other uses. In addition, the Department may revoke a limited license if its use causes injury to any other water right or minimum perennial streamflow.

Licensees must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after April 30, 2024, upon finding that the proposed water use will not impair or be detrimental to the public interest (OAR 690-340-030).** The public is invited to provide comments that will assist the Director in determining whether the use would impair or be detrimental to the public interest. If the applicant applies for a use that is not one of the standard uses listed in OAR 690-300, the Department may, for the purposes of this notice, assign a named use that is reasonably close to the use actually requested. The public may examine the actual application by clicking the associated hyperlink and then choosing "LL Application" under "Scanned Documents."

App#	<a href="#">LL-1973</a>
County/Basin	Polk / Willamette (2)
Applicant Name	CITY OF INDEPENDENCE PO BOX 7 INDEPENDENCE, OR 97351
Sources/TRSQ40Q160	A WELL > WILLAMETTE RIVER / 8.00S 4.00W 21 NWSE A WELL > WILLAMETTE RIVER / 8.00S 4.00W 21 SENE
Use/Quantity	MUNICIPAL USES / 2.500 CFS

## **Surface Water Registration Statement (SWR) Amendments (OAR 690-028-055(1))**

Requests to amend Pre-1909 Surface Water Registration Statements filed pursuant to ORS 539.240, including amendments in ownership, point of diversion, place of use, and type of use. The following are amendments to Surface Water Registration Statements, including amendments in ownership, point of diversion, place of use, and type of use which have been received by the Department. Questions or comments should be directed to: Adjudication Section, Oregon Water Resources Department, 725 Summer Street NE Ste A, Salem OR 9730 I.

File#:	<b>SWR 354</b>
Filed by:	Eugene Water and Electric Board
Source:	Willamette River
Basin:	2A-Upper Willamette
Location:	Additional POD-T18S; R3W; Section 2
Priority:	March 26, 1887
Nature of Amendment:	Additional POD

## Applications for Instream Lease

ORS 537.348 authorizes a water right holder to lease their existing water right(s) to instream use for a limited time. For the term of the lease, the water right holder agrees to suspend use of water under the original right. The state is the trustee for water rights leased for instream use. OAR 690-077-0077 requires that the Department public notice the lease applications.

**The deadline for submitting claims of injury to existing water rights or enlargement of the original right against a lease application is May 07, 2024.** Parties to the lease, including the Department, will review any such claims before the lease is finalized. The lease files are available for viewing at the Salem office of the Water Resources Department. If you have questions or comments please contact the Lease Specialist at 503-986-0898.

Lease#	<a href="#">IL-16</a>
Certificate	8873
Lessor	DULING, TONYA PETERSON PONDEROSA PINES LLC 54909 HWY 197 MAUPIN, OR 97037
Priority Date	01/20/1926
Source/Tributary To	TYGH CREEK / WHITE RIVER
Lease#	<a href="#">IL-1030</a>
Certificate	61599
Lessor	THE NATURE CONSERVANCY; ATTN: JANA HOLM 821 SE 14TH AVE PORTLAND, OR 97214-2537
Priority Date	06/12/1979
Source/Tributary To	ROUGH & READY CREEK / WEST FORK ILLINOIS RIVER
Lease#	<a href="#">IL-1974</a>
Certificate	93683, 93680, 93681
Lessor	THREE SISTERS IRRIGATION DISTRICT PO BOX 2230 SISTERS, OR 97759
Lessee	HUBERT, GENEVIEVE DESCHUTES RIVER CONSERVANCY MITIGATION BANK 700 NW HILL ST STE 1 BEND, OR 97703
Lessor	CITY OF SISTERS; ATTN: JORDAN WHEELER PO BOX 39 SISTERS, OR 97759
Priority Date	12/31/1886, 12/31/1881, 12/31/1880
Source/Tributary To	WHYCHUS CREEK / DESCHUTES RIVER

Lease# [IL-2024](#)  
Certificate 89309, 89307, 89308, 83464, 83465  
Lessor DAHLE, TIMOTHY  
DAHLE ORCHARDS, LLC  
5070 CHERRY HTS RD  
THE DALLES, OR 97058  
Priority Date 07/19/1956, 02/14/1956, 08/04/1949, 02/14/1956  
Source/Tributary To PUDDING RIVER / MOLALLA RIVER  
PUDDING RIVER SLOUGH / PUDDING RIVER

Lease# [IL-2025](#)  
Certificate 82056  
Lessor DAHLE, TIMOTHY  
DAHLE ORCHARDS, LLC  
5070 CHERRY HTS RD  
THE DALLES, OR 97058  
Priority Date 04/27/1976  
Source/Tributary To FIFTEENMILE CREEK / COLUMBIA RIVER  
RAMSEY CREEK / FIFTEENMILE CREEK

Lease# [IL-2026](#)  
Certificate 94956  
Lessor WATSON, MIKAELA  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 LAKE CT  
REDMOND, OR 97756

Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST STE #1  
BEND, OR 97703  
Priority Date 10/31/1900, 12/02/1907  
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL-2027](#)  
Certificate 39723, 49439  
Lessor WAY, KERRY  
478 CROUCH ROAD  
OAKLAND, OR 97462  
Priority Date 05/15/1967, 01/26/1948  
Source/Tributary To CALAPOOYA CREEK / UMPQUA RIVER

Lease# [IL-2028](#)  
Certificate 94956  
Lessor WATSON, MIKAELA  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 LAKE CT  
REDMOND, OR 97756  
Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY MITIGATION BANK  
700 NW HILL ST STE 1  
BEND, OR 97703  
Priority Date 10/31/1900  
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL-2029](#)  
Certificate 94956  
Lessor WATSON, MIKAELA  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 LAKE CT  
REDMOND, OR 97756

Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST STE #1  
BEND, OR 97703

Priority Date 10/31/1900, 12/02/1907  
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL-2030](#)  
Certificate 94956  
Lessor WATSON, MIKAELA  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 LAKE CT  
REDMOND, OR 97756

Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY MITIGATION BANK  
700 NW HILL ST STE 1  
BEND, OR 97703

Priority Date 10/31/1900, 12/02/1907  
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL-2031](#)  
Certificate 94956  
Lessor WATSON, MIKAELA  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 LAKE CT  
REDMOND, OR 97756

Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY MITIGATION BANK  
700 NW HILL ST STE 1  
BEND, OR 97703

Priority Date 10/31/1900, 12/02/1907  
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

## Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before May 16, 2024. Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

Transfer	<a href="#">T-14434</a>
Water Right	Cert: 68536, 61848, 61849
County/Basin	Morrow / Umatilla (7)
Applicant Name	TIEGS, KEITH BAKER PRODUCE SOUTH PO BOX 3110 PASCO, WA 99302
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	COLUMBIA RIVER > PACIFIC OCEAN / 4.00N 25.00E 2 NENW WELL 1 > JUNIPER CANYON / 2.00N 26.00E 20 NWSE WELL 2 > BUTTER CREEK / 2.00N 26.00E 17 NWNE WELL 3 > JUNIPER CANYON / 2.00N 26.00E 18 NESE
Use/Quantity	IRRIGATION / 47.100 CFS IRRIGATION / 4.130 CFS SUPPLEMENTAL IRRIGATION / 4.130 CFS
Priority Date	04/11/1977, 02/15/1979, 08/07/1967, 02/10/1969



## **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 May 16, 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-14287](#) filed by Fessler Family LLC 13009 McKee School Rd, Woodburn, OR 97071, proposes a change in place of use under Certificates 95394 and 97217. Certificate 95394 allows the use of 0.056 cubic foot per second from Well 5 in Sec. 33, T5S, R1W, WM for primary irrigation in Sec. 33, T5S, R1W, WM. The applicant proposes to change the place of use to Sec. 28, T5S, R1W, WM. Certificate 97217 allows the use of 0.162 cubic foot per second from Well 5 in Sec. 33, T5S, R1W, WM for primary irrigation in Sec. 33, T5S, R1W, WM. The applicant proposes to change the place of use to Sec. 28, T5S, R1W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-14288](#) filed by Fessler Family LLC, 13009 McKee School Rd, Woodburn, OR 97071, proposes an additional point of diversion and a change in place of use under Certificates 75776, 87974, and 95934. Certificate 75776 allows the use of 0.10 cubic foot per second (cfs) from Zollner Creek in Sec. 33, T5S, R1W, WM for irrigation in Sec. 33, T5S, R1W, WM. The applicant proposes an additional point of diversion in Sec. 28, T5S, R1W, WM and to change the place of use to Sec. 28, T5S, R1W, WM. Certificate 87974 allows the use of 0.04 cfs from Zollner Creek in Sec. 33, T5S, R1W, WM for irrigation in Sec. 33, T5S, R1W, WM. The applicant proposes an additional point of diversion in Sec. 28, T5S, R1W, WM and to change the place of use to Sec. 28, T5S, R1W, WM. Certificate 95934 allows the use of 0.05 cfs from a well in Sec. 33, T5S, R1W, WM for supplemental irrigation in Sec. 33, T5S, R1W, WM. The applicant proposes to change the place of use to Sec. 28, T5S, R1W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-14293](#) filed by Kit Johnston, 11320 SE Lafayette Hwy, Dayton, OR 97114, proposes an additional point of appropriation under Certificate 80155. The right allows the use of 0.19 cubic foot per second from a well in Sec. 31, T4S, R3W, WM for irrigation in Sec. 31, T4S, R3W, WM and Sec. 6, T5S, R3W, WM. The applicant proposes an additional point of appropriation in Sec. 31, T4S, 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-14255](#) filed by Deming Ranch Land and Cattle LLC, 2064 Camp Whitney Circle, Rocklin, CA 95765, proposes a change in place of use under Certificate 83235. The right allows the use of 3.85 cubic feet per second from a well in Sec. 24, T36S, R14E, WM for irrigation and supplemental irrigation in Secs. 24, 25 and 36, T36S, R14E, WM. The applicant proposes to change the place of use to Sec. 26, T36S, R14E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-14078](#) filed by City of Harrisburg, 120 Smith Street, PO Box 378, Harrisburg, OR 97446, proposes an additional point of appropriation under Certificate 86309. The right allows the use of 0.482 cubic foot per second from Well 8 (LINN 57656) in Sec. 9, T15S, R4W, WM for municipal use in the City of Harrisburg Service Area. The applicant proposes an additional point of appropriation in Sec. 4, 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-14079](#) filed by City of Harrisburg, 120 Smith Street, PO Box 378, Harrisburg, OR 97446, proposes an additional point of appropriation under Certificate 90030. The right allows the use of 0.74 cubic foot per second from WELL NO. 5 in Sec. 16, T15S, R4W, WM for municipal use in Sects. 9, 10, 15, and 16, T15S, R4W, WM. The applicant proposes an additional point of appropriation in Sects. 4 and 9, 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-14163](#) filed by Jack R. Bigej, 1220 N Pacific Hwy, Woodburn, OR 97071, proposes an additional point of appropriation under Certificate 96771. The right allows the use of 0.52 cubic foot per second from two wells in Sec. 1, T5S, R1W, WM for agriculture use (nursery use) and irrigation in Sec. 1, T5S, R1W, WM. The applicant proposes an additional point of appropriation in Sec. 2, T5S, R1W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

## Transfer Applications: Temporary Transfer

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation. The Department shall approve the request provided it does not cause injury to existing water rights or enlarge the water use. If after the change is approved, it is found to cause injury, the approved change may be revoked. The use of water reverts to the authorized place of use upon expiration of the temporary change.

Notice is given that the following applications for Temporary Transfers have been received by the Department:

Transfer	<a href="#">T-14432</a>
Water Right	Cert: 59002
County/Basin	Marion, Polk / Willamette (2)
Applicant Name	D & G RHODYS NURSERY, LLC 1065 S PACIFIC HWY, UNIT 1 WOODBURN, OR 97071
Proposed Change	POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > WILLAMETTE RIVER / 6.00S 3.00W 29 NWSW
Use/Quantity	IRRIGATION / 0.230 CFS
Priority Date	12/11/1978

## Transfer Applications: Permit Amendments

The holder of a water right permit may apply to change a point of diversion or appropriation or to change the place of use pursuant to ORS 537.211 (4).

Notice is given that the following applications for Permit Amendments have been received by the Department. If the proposed change in point of diversion or appropriation is for a distance greater than 1/4 mile or includes intervening diversion points, notice also will be published in a local newspaper.

Transfer	<a href="#">T-14433</a>
Water Right	Permit: G-18341
County/Basin	Clackamas / Sandy (3)
Applicant Name	TOVA, LILI TWIN SPRINGS LLC 19779 SE LANGENSAND RD SANDY, OR 97055
Proposed Change	ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > CEDAR CREEK BASIN / 2.00S 5.00E 7 SESW
Use/Quantity	NURSERY USES / 0.460 CFS
Priority Date	09/27/2017

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

## PUBLIC NOTICE OF WATER USE REQUESTS

April 16, 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:

---

---

---

---

\* 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.