

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
May 14, 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*

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.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, 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 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.
- * **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.
- * **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.
- * **Transfer Notice: District Permanent Transfers for Place of Use- ORS 540.580(4)**
District notices filed for place of use changes within a district's boundary.
- * **Certificate Issuance**
Included in this section is a listing of recently issued water right certificates.
- * **Notice of Proposed Final Order HE 296, HE 251, HE 384 & HE 278**

The Public Notice is published each week on the Department's web site at 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

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, June 13, 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, June 28, 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-89451
County/Basin	Grant / John Day (6)
Applicant Name	COLE, JOHN COLE, DEBORAH 37816 COTTONWOOD RD MONUMENT, OR 97864
Sources/TRSQ40Q160	RUNOFF > COTTONWOOD CREEK / 10.00S 27.00E 25 NWSE A SPRING > COTTONWOOD CREEK / 10.00S 27.00E 25 NWSE RUNOFF > COTTONWOOD CREEK / 10.00S 27.00E 24 SWSE A SPRING > COTTONWOOD CREEK / 10.00S 27.00E 24 SWSE
Use/Quantity	LIVESTOCK AND FIRE PROTECTION / 1.760 AF
Priority Date	04/09/2024
Stage/Status	IR / PROPOSE TO APPROVE

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-19113](#)
County/Basin Clackamas / Willamette (2)
Applicant Name B AND L RIVER RANCH LLC
C/O BUTCH VOSS
PO BOX 1068
CANBY, OR 97013
Priority Date 04/15/2021
Issue Date 05/03/2024
Status WITHDRAWN

App# [G-19147](#)
County/Basin Baker / Powder (9)
Applicant Name CLONTS, BILL
20493 LEE LANE
BAKER CITY, OR 97814
Priority Date 06/09/2021
Issue Date 05/03/2024
Status DENIED

App# [G-19184](#)
County/Basin Umatilla / Umatilla (7)
Applicant Name HERMISTON SCHOOL DISTRICT 8R
MOONEY, DR TRICIA
305 SW 11TH ST
HERMISTON, OR 97838
Priority Date 02/14/2022
Issue Date 05/03/2024
Status WITHDRAWN

App# [LL-1963](#)
County/Basin Umatilla / Umatilla (7)
Applicant Name MADISON RANCHES INC.
MADISON, JAKE
29299 MADISON RD
ECHO, OR 97826
Issue Date 05/02/2024
Status APPROVED

App# [LL-1969](#)
County/Basin Klamath / Klamath (14)
Applicant Name MORELLO CONSTRUCTION LLC
2637 OLD MIDLAND ROAD
KLAMATH FALLS, OR 97603
Issue Date 05/10/2024
Status APPROVED

App#	R-89150
County/Basin	Crook / Deschutes (5)
Applicant Name	POR-TAY NORTHWEST, LLC ATTN: IAN FAHEY 18500 BULL SPRINGS RD BEND, OR 97703
Priority Date	07/26/2021
Issue Date	05/10/2024
Status	DENIED
App#	R-89435
County/Basin	Yamhill / Willamette (2)
Applicant Name	EICHLER, LEON EICHLER, TERRI 12025 SW LANCEFIELD RD MCMINNVILLE, OR 97128
Priority Date	01/18/2024
Issue Date	05/03/2024
Status	APPROVED
App#	S-89126
County/Basin	Columbia / North Coast (1)
Applicant Name	YANCE, JOSE C/O DEMLAND AND CROMWELL LLC 9220 SW BARBUR BLVD SUITE 119, 205 PORTLAND, OR 97219
Priority Date	06/08/2021
Issue Date	05/10/2024
Status	DENIED
App#	S-89361
County/Basin	Polk / Willamette (2)
Applicant Name	FORD, BRAD FORD, BETHANY 2200 CHERRY KNOLL RD DALLAS, OR 97338
Priority Date	05/01/2023
Issue Date	05/03/2024
Status	APPROVED
App#	S-89362
County/Basin	Polk / Willamette (2)
Applicant Name	DAVID AND BETTE MCKIBBEN TRUST MCKIBBEN, BETTE 3415 BALLARD RD DALLAS, OR 97338
	MCKIBBEN, DAVID 3250 BALLARD RD DALLAS, OR 97338
Priority Date	05/01/2023
Issue Date	05/03/2024
Status	APPROVED

App# [S-89363](#)
County/Basin Polk / Willamette (2)
Applicant Name DAVID AND BETTE MCKIBBEN TRUST
CKIBBEN, BETTE
3415 BALLARD RD
DALLAS, OR 97338

MCKIBBEN, DAVID
3250 BALLARD RD
DALLAS, OR 97338
Priority Date 05/01/2023
Issue Date 05/03/2024
Status APPROVED

App# [S-89388](#)
County/Basin Josephine / Rogue (15)
Applicant Name SJD PROPERTIES LLC
C/O JENNIFER DARBY
1898 NW SUNVIEW PLACE
GRANTS PASS, OR 97526
Priority Date 07/17/2023
Issue Date 05/03/2024
Status APPROVED

App# [S-89422](#)
County/Basin Yamhill / Willamette (2)
Applicant Name LUCKY LAND LLC
PO BOX 99
LAFAYETTE, OR 97127
Priority Date 12/04/2023
Issue Date 05/03/2024
Status APPROVED

Expedited Secondary Applications Under HB 2178 (2005)

For expedited secondary applications to use exclusively stored water filed under HB 2178, the public is invited to comment within 30 days of this notice, by **June 13, 2024**. The expedited secondary applications listed below have been filed recently. Any person may raise public interest issues regarding these applications. If public interest issues are raised, the Department may move the application to the standard process and review the application pursuant to ORS 537.153, and issue a Proposed Final Order. If no public issues are raised, the Department may issue a final order and permit without further prior notice.

Comments must identify the specific public interest under ORS 537.170(8) that would be impaired or detrimentally affected by the proposed use, and specifically how the identified public interest would be affected.

POD 1 is the location of the stored water. POD 2 and any additional points are the diversion point(s).

App#	S-89461
County/Basin	Jackson / Rogue (15)
Applicant Name	HUTTEMA, NICOLAAS 1429 UPPER RIVER RD GOLD HILL, OR 97525
Sources/TRSQ40Q160	LOST CREEK RESERVOIR > ROGUE RIVER / 33.00S 1.00E 26 SWNW ROGUE RIVER > PACIFIC OCEAN / 36.00S 3.00W 10 NWSE
Use/Quantity	IRRIGATION / 0.045 CFS
Priority Date	05/09/2024

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-248**
Project Applicant: Deschutes River Conservancy Mitigation Bank and Wanek Ranch, LLC
Mitigation Project
And Process: Instream Lease IL-1742 which is included in this public notice.
Subbasin/Source: Little Deschutes River subbasin – Little Deschutes tributary of Deschutes River
Amount of Water: up to 2.084 Cubic Foot per Second and 534.4 Acre-Feet
Current Use: Irrigation of 133.6 acres
Credits Assigned to: Deschutes River Conservancy Mitigation Bank
Preliminary Mitigation
Credit Determination: 240.5 mitigation credits that may be available for use in the Little Zone of Impact, and limited to 223.6 in the Upper, Middle Deschutes and/or General Zones of Impact
Contact: Sarah Henderson 503-979-9872

Deschutes County
Mitigation Project #: **MP-309**
Project Applicant: Deschutes River Conservancy Mitigation Bank and Pinnacle Utilities, LLC and Central Land and Cattle Company, LLC
Mitigation Project
And Process: Instream Lease IL-1975 – which is included in this public notice.
Subbasin/Source: Little Deschutes River subbasin – Little Deschutes tributary of Deschutes River
Amount of Water: up to 1.25 Cubic Foot per Second and 200.0 Acre-Feet
Current Use: Irrigation of 50.0 acres
Credits Assigned to: Deschutes River Conservancy Mitigation Bank
Preliminary Mitigation
Credit Determination: 90.0 mitigation credits that may be available for use in the Little Deschutes Zone of Impact, and limited to 83.7 mitigation credits within the Upper, Middle Deschutes and/or General Zones of Impact
Contact: Sarah Henderson (503) 979-9872

<p>Crook County Mitigation Project #: Project Applicant:</p> <p>Mitigation Project And Process:</p> <p>Subbasin/Source: Amount of Water: Current Use: Credits Assigned to: Preliminary Mitigation Credit Determination:</p> <p>Contact:</p>	<p>MP-319 Deschutes River Conservancy Mitigation Bank and Ochoco Lumber Company and Ochoco Irrigation District</p> <p>Instream Lease Application IL-2036 which is included in this public notice. Crooked River subbasin – Ochoco Creek, tributary to the Crooked River up to 0.774 Cubic Foot per Second and 270.0 Acre-Feet 90.0 acres equivalent of Industrial Use Deschutes River Conservancy Mitigation Bank</p> <p>Up to 180.0 mitigation credits that may be available for use in the Crooked River and/or General Zones of Impact Sarah Henderson (503) 979-9872</p>
<p>Deschutes County Mitigation Project #: Project Applicant:</p> <p>Mitigation Project And Process:</p> <p>Subbasin/Source: Amount of Water:</p> <p>Current Use:</p> <p>Credits Assigned to: Preliminary Mitigation Credit Determination:</p> <p>Contact:</p>	<p>MP-320 Deschutes River Conservancy Mitigation Bank and Three Sisters Irrigation District on behalf of several landowners</p> <p>Instream Lease IL-2037 - see also instream lease section of this notice for additional application details Whychus Creek subbasin – Whychus Creek, tributary to the Deschutes River Certificate 95971 (PR 1895) up to 0.848 Cubic Foot per Second and 161.4 Acre-Feet for mitigation Certificate 95971 (PR 1899) up to 0.082 Cubic Foot per Second and 15.6 Acre-Feet for restoration only Certificate 95971 (PR 1903) up to 1.345 Cubic Foot per Second Certificate 95971 (PR 1895) Irrigation of 53.8 acres for mitigation Certificate 95971 (PR 1899) Irrigation of 5.2 acres for restoration Certificate 95971 (PR 1903) Irrigation of 85.4 acres for restoration Certificate 95971 (PR 1904) Irrigation of Deschutes River Conservancy Mitigation Bank</p> <p>96.8 mitigation credits that may be available for use in the Whychus Creek and/or General Zones of Impact Sarah Henderson (503) 979-9872</p>
<p>Deschutes County Mitigation Project #: Project Applicant: Mitigation Project And Process:</p> <p>Subbasin/Source: Amount of Water:</p> <p>Current Use:</p> <p>Credits Assigned to: Preliminary Mitigation Credit Determination:</p> <p>Contact:</p>	<p>MP-321 Deschutes River Conservancy Mitigation Bank and Arnold Irrigation District</p> <p>Instream Lease IL-2038 - see also instream lease section of this notice for additional application details Upper Deschutes subbasin - Deschutes River tributary to the Columbia River up to 1.785 Cubic Foot per Second and 669.12 Acre-Feet for mitigation (IR) up to 0.074 Cubic Foot per Second and 27.90 Acre-Feet for restoration (pond) Irrigation of 123.98 acres for mitigation 5.17 acre-equivalent of pond maintenance for restoration Deschutes River Conservancy Mitigation Bank</p> <p>223.2 mitigation credits that may be available for use in the Upper Deschutes and/or General Zones of Impact Sarah Henderson 503-979-9872</p>

Deschutes County
Mitigation Project #: **MP-322**
Project Applicant: Deschutes River Conservancy Mitigation Bank and Three Sisters Irrigation District on behalf of several landowners

Mitigation Project
And Process: Instream Lease IL-2040 - 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 95971 up to 4.339 Cubic Foot per Second and 929.52 Acre-Feet for mitigation
Certificate 95971 up to 0.007 Cubic Foot per Second and 1.5 Acre-Feet for restoration only

Current Use: Certificate 95971 Irrigation of 309.84 acres for mitigation
Certificate 95971 pond maintenance of 0.5 acres equivalent for restoration

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

Contact: Sarah Henderson (503) 979-9872

**Applications for Extensions of Time
to Perfect Water Right Permits filed pursuant to OAR 690-315**

Consistent with OAR 690-315-0050, the Department will accept public comment on the following extension applications until June 13, 2024. Following the comment period, the Department will prepare and issue a proposed final order. Individuals who would like a copy of the proposed final order may request copies by sending a request and \$35 (the charge required by law). Please indicate the file number. Copies of the proposed final order may be viewed at the Department and/or self-copied. Individuals wishing to obtain a copy of the extension application should contact the Department by phone or in person.

App# [S-72912](#)
Permit Number S-52289
County/Basin Curry / South Coast (17)
Applicant Name WEINER, DAVID
WEINER, MELODE
23151 LORENTZ RD
PLYMOUTH, CA 95669
Sources/TRSQ40Q160 UNNAMED STREAM > ELK RIVER / 32.00S 15.00W 16 NWSE
UNNAMED STREAM > ELK RIVER / 32.00S 15.00W 21 NENW
UNNAMED STREAM > ELK RIVER / 32.00S 15.00W 22 SWNW
A RESERVOIR > ELK RIVER / 32.00S 15.00W 16 SESW
A RESERVOIR > ELK RIVER / 32.00S 15.00W 21 NESE
UNNAMED STREAM > ELK RIVER / 32.00S 15.00W 21 NENE
UNNAMED STREAM > ELK RIVER / 32.00S 15.00W 16 SESW
Use/Quantity CRANBERRY / 3.770 CFS
CRANBERRY / 9.000 AF
CRANBERRY / 9.000 AF
LIVESTOCK / 0.010 CFS
DOMESTIC EXPANDED / 0.010 CFS
Proposed Completion Date 10/01/2024

App# [G-16596](#)
Permit Number G-16526
County/Basin Crook / Deschutes (5)
Applicant Name WEBBER JR, JOHN C.
12800 SE COWBOY COURT
PRINEVILLE, OR 97754
Sources/TRSQ40Q160 A WELL > DRY CREEK / 16.00S 16.00E 13 NWNW
Use/Quantity IRRIGATION / 0.038 CFS
Proposed Completion Date 10/01/2025

App# [G-18521](#)
Permit Number G-18189
County/Basin Linn / Willamette (2)
Applicant Name RADKE, WILLIAM
PO BOX 15
SHEDD, OR 97377
Sources/TRSQ40Q160 A WELL > OWL CREEK BASIN / 12.00S 4.00W 16 NWNE
A WELL > OWL CREEK BASIN / 12.00S 4.00W 16 NENE
Use/Quantity IRRIGATION / 0.720 CFS
Proposed Completion Date 10/01/2026

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 June 28, 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# [S-84697](#)
Permit# S-54142
County/Basin Yamhill / Willamette (2)
Applicant Name ADELSHEIM VINEYARD LLC
16800 NE CALKINS LANE
NEWBERG, OR 97132
Sources/TRSQ40Q160 A RESERVOIR > CHEHALEM CREEK / 3.00S 3.00W 3 SWNW
Use/Quantity IRRIGATION / 9.100 AF

App# [R-84698](#)
Permit# R-14085
County/Basin Yamhill / Willamette (2)
Applicant Name ADELSEIM VINEYARD
16800 NE CALKINS LANE
NEWBERG, OR 97132
Sources/TRSQ40Q160 RUNOFF > CHEHALEM CREEK / 3.00S 3.00W 3 SWNW
Use/Quantity WILDLIFE / 9.100 AF

App# [G-18218](#)
Permit# G-17725
County/Basin Clackamas / Willamette (2)
Applicant Name RP HOLDINGS, LLC
C/O RON PICARDI
18845 S KIMBALL RD
OREGON CITY, OR 97045
Sources/TRSQ40Q160 A WELL > CLEAR CREEK BASIN / 3.00S 3.00E 5 SESE
Use/Quantity NURSERY USES / 0.040 CFS

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 May 28, 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#	LL-1977
County/Basin	Yamhill / Willamette (2)
Applicant Name	FOTI, FRANK 15990 NW RED SHOT LANE CARLTON, OR 97111
Sources/TRSQ40Q160	A WELL (YAMH 55946) > BEAVER CREEK / 3.00S 5.00W 22 SWNE A WELL (Proposed Well) > BEAVER CREEK / 3.00S 5.00W 22 SWNE
Use/Quantity	IRRIGATION TO ESTABLISH VINEYARD PLANTINGS / 0.027 CFS

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 June 04, 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# [IL-1742](#)
Certificate 95746
Lessor WANEK RANCH LLC
PO BOX 1098
LA PINE, OR 97739

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

Priority Date 12/31/1897
Source/Tributary To LITTLE DESCHUTES RIVER / DESCHUTES RIVER

Lease# [IL-1975](#)
Certificate 95746
Lessor DELASHMUTT, KAMERON
PINNACLE UTILITIES LLC
2447 NW CANYON DR
REDMOND, OR 97756

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

Priority Date 12/31/1897
Source/Tributary To LITTLE DESCHUTES RIVER / DESCHUTES RIVER

Lease# [IL-2036](#)
Certificate 82248 (T-8467)
Lessor SCANLON, BRUCE
OCHOCO IRRIGATION DISTRICT
1001 NW DEER ST
PRINEVILLE, OR 97754

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

Priority Date 09/02/1986
Source/Tributary To OCHOCO CREEK / CROOKED RIVER

Lease# [IL-2037](#)
Certificate 93689, 93690, 93692, 95971
Lessor THALACKER, MARC
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

Priority Date 12/31/1908, 10/07/1912, 12/31/1895, 12/31/1899, 12/31/1903, 12/31/1904
Source/Tributary To WHYCHUS CREEK / DESCHUTES RIVER

Lease# [IL-2038](#)
Certificate 74197 (IL 924)
Lessor ARNOLD IRRIGATION DISTRICT
19604 BUCK CANYON RD
BEND, OR 97702

Lessor WARD, JOSELE F.
THUMB LLC
20505 MURPHY RD
BEND, OR 97702

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

Priority Date 02/01/1905
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL-2039](#)
Certificate 74197 (IL 924)
Lessor ARNOLD IRRIGATION DISTRICT
19604 BUCK CANYON RD
BEND, OR 97702

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

Priority Date 02/01/1905, 04/25/1905
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL-2040](#)
Certificate 95971
Lessor THALACKER, MARC
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

Priority Date 12/31/1895
Source/Tributary To WHYCHUS CREEK / DESCHUTES 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 June 13, 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	T-14454
Water Right	Cert: 95051, 95052
County/Basin	Washington / Willamette (2)
Applicant Name	CAMPBELL, RANDY HORIZON COMMUNITY CHURCH PO BOX 1183 TUALATIN, OR 97062
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > TUALATIN RIVER / 2.00S 1.00W 35 SWSE A WELL > TUALATIN RIVER BASIN / 2.00S 1.00W 35 SWSE
Use/Quantity	IRRIGATION / 0.040 CFS IRRIGATION / 0.060 CFS
Priority Date	08/14/1961, 09/03/1980

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 June 13, 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-14038](#) filed by Justin Gross, 3483 Buena Vista Rd S, Jefferson, OR 97352, proposes a change in place of use under Certificate 96136. The right allows the use of 0.1 cubic foot per second from a well in Sec. 32, T11S, R3W, WM for irrigation in Sects. 29 and 30, T11S, R3W, WM. The applicant proposes to change the place of use to Sec. 30, T11S, 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-14047](#) filed by Scott and Geraldine Campbell, PO Box 192, Christmas Valley, OR 97641, proposes a change of point of appropriation and change of place of use under Certificate 64041. The right allows the use of 0.28 cubic foot per second from two wells in Sec. 12, T27S, R18E, WM for irrigation in Sec. 12, T27S, R18E, WM. The applicant proposes to move the point of appropriation to Sec. 26, T26S, R18E, WM and to change the place of use to Sec. 26, T26S, R18E, 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	T-14453
Water Right	Cert: 81943 (T-8683)
County/Basin	Grant / John Day (6)
Applicant Name	U.S. DEPARTMENT OF THE INTERIOR, JOHN DAY FOSSIL BEDS N'TNL MONUMENT 32651 HWY 19 KIMBERLY, OR 97848
Proposed Change	POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	JOHN DAY RIVER > COLUMBIA RIVER / 12.00S 26.00E 7 SESE
Use/Quantity	IRRIGATION / 0.450 CFS
Priority Date	09/30/1912

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	T-14455
Water Right	Permit: S-55132
County/Basin	Douglas / Umpqua (16)
Applicant Name	YOUNG, LAUREN
	820 OLD GARDEN VALLEY RD
	ROSEBURG, OR 97470
Proposed Change	POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	NORTH UMPQUA RIVER > UMPQUA RIVER / 26.00S 6.00W 33 NWNW
Use/Quantity	DOMESTIC EXPANDED / 0.010 CFS
Priority Date	10/13/2016

Notice of District Permanent Transfer for Place of Use

A district may allow a change in place of use prior to the Department issuing a final order approving a district permanent transfer application provided, in part, that (1) the District files a notice with the Department of the change in place of use prior to making the change, and (2) prior to the end of the calendar year in which the change in place of use occurs the District submits a district permanent transfer application for the same change in place of use [ORS 690-385-4100(1)(a) and (b)]. Notices for District Permanent Transfers for Place of Use submitted to the Department are listed below.

Notice	1-24
County	Crook
Certificate	82247 IN THE NAME OF U.S. BUREAU OF RECLAMATION
Priority Date	APRIL 8, 1914
Name	OCHOCO IRRIGATION DISTRICT
Address	1001 NW DEER STREET PRINEVILLE, OR 97754
Use	IRRIGATION
Source	CROOKED R & PRINEVILLE RES (PERMIT R-2223) > DESCHUTES R
Acres:	21.60
Authorized POU:	T14S R15E 26 SENW, NESW, NWSE
Proposed POU:	T15S R16E 05 NENW, SWSW, SESW; T15S R16E 08 NWNW

Certificate Issuance

Following is a list of certificates that have been recently issued. If you are viewing this electronically then you should be able to view the certificate by clicking on the underlined blue text. Appeal rights are provided on each certificate document.

Cert# [97732](#)
App: R-79634
County/Basin Curry / South Coast (17)
Applicant Name BUSSMANN, GEORGE P.
NORTHWEST FARM CREDIT SERVICES FLCA
Priority Date 03/06/1995
Issue Date 05/10/2024

Cert# [97730](#)
App: S-71131
County/Basin Curry / South Coast (17)
Applicant Name BUSSMANN, GEORGE P.
NORTHWEST FARM CREDIT SERVICES FLCA
Priority Date 01/17/1991
Issue Date 05/10/2024

Cert# [97733](#)
App: S-85923
County/Basin Josephine / Rogue (15)
Applicant Name COMBE, DAVID
COMBE, CLYDE
Priority Date 01/28/2004
Issue Date 05/10/2024

Cert# [97735](#)
App: G-12888
County/Basin Klamath / Klamath (14)
Applicant Name DE VRIES, STEVEN MARK
Priority Date 04/24/1992
Issue Date 05/10/2024

Cert# [97737](#)
App: G-14107
County/Basin Marion / Willamette (2)
Applicant Name KEYSTONE PACIFIC LLC
Priority Date 06/26/1995
Issue Date 05/10/2024

Cert# [97727](#)
App: S-88197
County/Basin Linn / Willamette (2)
Applicant Name KROPF, LEROY
SMUCKER, STEPHEN; SMUCKER JOINT TRUST
SMUCKER, BONNIE; SMUCKER JOINT TRUST
SMUCKER JOINT TRUST
AGWEST FARM CREDIT FLCA
Priority Date 03/28/2016
Issue Date 05/10/2024

Cert# [97736](#)
 App: G-13424
 County/Basin Curry / South Coast (17)
 Applicant Name LERESCHE, LINDA
 VON KORFF, MICHAEL
 Priority Date 06/01/1993
 Issue Date 05/10/2024

Cert# [97731](#)
 App: S-76359
 County/Basin Yamhill / Willamette (2)
 Applicant Name MID VALLEY RESOURCES INC.
 Priority Date 12/29/1994
 Issue Date 05/10/2024

Cert# [97702](#)
 Xfer: T-9461
 County/Basin Lake / Goose & Summer Lake (13)
 Applicant Name ROTH, GALYN
 Priority Date 04/27/1970
 Issue Date 05/10/2024

Cert# [97703](#)
 Xfer: T-9461
 County/Basin Lake / Goose & Summer Lake (13)
 Applicant Name ROTH, GALYN
 Priority Date 07/31/1975
 Issue Date 05/10/2024

Cert# [97704](#)
 Xfer: T-9461
 County/Basin Lake / Goose & Summer Lake (13)
 Applicant Name ROTH, GALYN
 Priority Date 12/04/1975
 Issue Date 05/10/2024

Cert# [97734](#)
 App: S-87893
 County/Basin Sherman / Deschutes (5)
 Applicant Name SELTZER, MERLENE; SELTZER/JOHNSON TRUST
 REID RANCH LLC
 SELTZER/JOHNSON TRUST
 Priority Date 04/24/2013
 Issue Date 05/10/2024

Cert# [97743](#)
 Xfer: T-12889
 County/Basin Harney / Malheur Lake (12)
 Applicant Name STALCUP, SHAWN
 STALCUP, KARENA
 Priority Date 11/05/2004
 Issue Date 05/10/2024

Cert# [97744](#)
Xfer: T-12889
County/Basin Harney / Malheur Lake (12)
Applicant Name STALCUP, SHAWN
STALCUP, KARENA
Priority Date 04/01/1991
Issue Date 05/10/2024

Cert# [97738](#)
App: G-16506
County/Basin Clackamas / Willamette (2)
Applicant Name VAN HOOSE, DAVID; BELL FAMILY NURSERY
VAN HOOSE, KRISTIN; BELL FAMILY NURSERY
BELL FAMILY NURSERY
Priority Date 08/04/2005
Issue Date 05/10/2024

Notice of Proposed Final Order to Convert Instream Hydroelectric Project HE 296, HE 251, HE 384 & HE 278

The Department seeks protests or request for standing on the following Proposed Final Order (PFO) to convert HE 296, certificate 76876, to an instream water right. Protests or request for standing must be submitted within 60 days of publication of this notice.

The Proposed Final Order may be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the documents, please contact Martin Sanchez at 971-375-6414. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e). **A copy of this Proposed Final Order is also available by going to the OWRD website [Water Right Research Query \(state.or.us\)](#).** At the page that appears, use the pulldown for application to indicate HE. In the next box enter the HE number and select search. The PFO is available under Scanned Documents.

Water right HE 296:	Certificate: 76876
Amount of water:	0.17 cubic feet per second (cfs)
Source of water:	Jackson A.C. Johnson Creek,, Tributary to the Rogue River.
Point water is protected:	SW 1/4 SE 1/4, SECTION 24, T 33 S, R 11 W, W.M., 1567 FEET NORTH AND 824.5 FEET EAST FROM THE SE CORNER OF SECTION 24.

Water right HE 251:	Certificate: 78316
Amount of water:	50 cubic feet per second (cfs)
Source of water:	Mill Creek Race, Tributary to Willamette River.
Point water is protected:	SW ¼ NE 1/4 of Section 26, Township 7 South, Range 3 West, W.M., Marion County.

Water right HE 384:	Certificate: 79462
Amount of water:	1.12 cubic feet per second (cfs)
Source of water:	Unnamed stream, Tributary to Luckiamute River.
Point water is protected:	260 Feet South and 60 Feet East from the SE Corner of Landerkin DLC 58, in the NE ¼ NE 1/4 of Section 9, Township 11 South, Range 6 West, W.M., Benton County.

Water right HE 278:	Certificate: 76625
Amount of water:	70 cubic feet per second (cfs)
Source of water:	North Santiam River, Tributary to Willamette River.
Point water is protected:	1,800 Feet South and 2,830 Feet East from the West 1/4 Corner of Section 11, in the SW ¼ SE 1/4 of Section 11, Township 9 South, Range 1 West, W.M., Marion County.

Protests or request for standing must be received by the Oregon Water Resources Department by 5:00 pm, July 12, 2024.

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

May 14, 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.