

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
August 20, 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.
- * **Emergency Water Use (Drought) Applications (OAR 690-019-0040)**
Applications for emergency water use permits to use surface water or groundwater during a drought declared under ORS 536.740.
- * **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.
- * **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 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.
- * **Water Management and Conservation Plans**
Water management and conservation plans submitted by municipalities and agricultural water suppliers under provisions of OAR Chapter 690, Division 86.

* **Notice of application to reauthorize HE 574**

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

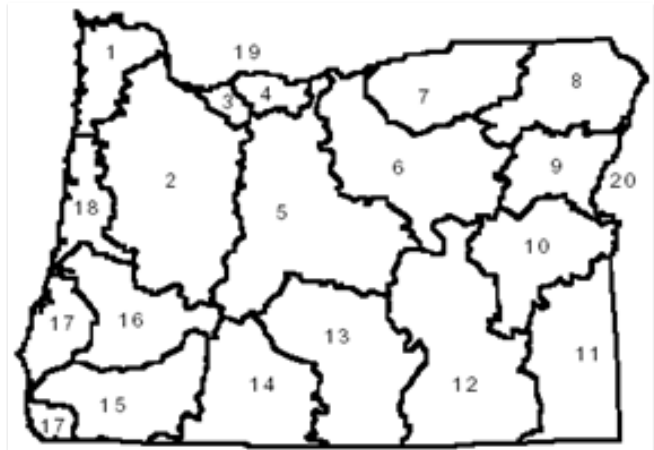
Unit of measure:

- 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, September 19, 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, October 04, 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# [G-19065](#)
County/Basin Lane / Willamette (2)
Applicant Name SUNSET FARM JC LLC
JOHNSON, LISA
93737 DORSEY LANE
JUNCTION CITY, OR 97448
Sources/TRSQ40Q160 A WELL > AMAZON CREEK BASIN / 16.00S 5.00W 1 NWSE
Use/Quantity IRRIGATION / 0.310 CFS
Priority Date 02/19/2021
Stage/Status PFO / PROPOSE TO APPROVE

App# [S-89657](#)
County/Basin Coos / South Coast (17)
Applicant Name HUNT, LYNDA
HUNT, JEFF
PO BOX 28
CAMAS VALLEY, OR 97416
Sources/TRSQ40Q160 SOUTH FORK COQUILLE RIVER > COQUILLE RIVER / 29.00S 12.00W 31 SESE
Use/Quantity HUMAN CONSUMPTION / 0.005 CFS
Priority Date 07/15/2024
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-19149](#)
County/Basin Crook / Deschutes (5)
Applicant Name SHOTGUN CREEK RANCH LLC
ATTN: JOE PAPINEAU
40791 SE SHOTGUN RD
POST, OR 97752
Priority Date 06/08/2021
Issue Date 08/16/2024
Status WITHDRAWN

App# [G-19201](#)
County/Basin Jackson / Rogue (15)
Applicant Name THOMAS, KELLEY
4725 FERN VALLEY RD
MEDFORD, OR 97504
Priority Date 09/07/2021
Issue Date 08/16/2024
Status WITHDRAWN

App# [G-19211](#)
County/Basin Marion / Willamette (2)
Applicant Name HETTERVIG PROPERTIES LLC
1976 SE OCHOCO ST
MILWAUKIE, OR 97222
Priority Date 10/12/2021
Issue Date 08/09/2024
Status WITHDRAWN

App# [LL-1984](#)
County/Basin Yamhill / Willamette (2)
Applicant Name FOTI, FRANK
15590 NW RED SHOT LN.
CARLTON, OR 97111
Issue Date 08/20/2024
Status WITHDRAWN

App# [S-89359](#)
County/Basin Clackamas / Willamette (2)
Applicant Name BUCHHOLZ, THOMAS M.
PO BOX 710
MOUNT ANGEL, OR 97362
Priority Date 04/24/2023
Issue Date 08/16/2024
Status APPROVED

App# [S-89455](#)
County/Basin Wheeler / John Day (6)
Applicant Name TWO BROTHERS RANCH LLC
61583 HOSMER LAKE DR
BEND, OR 97702
Priority Date 04/18/2024
Issue Date 08/09/2024
Status APPROVED

App# [S-89464](#)
County/Basin Wasco / Hood (4)
Applicant Name WINGENS, ULRICH
PO BOX 5038
SAN JOSE, CA 95150
Priority Date 05/15/2024
Issue Date 08/09/2024
Status APPROVED

App# [S-89551](#)
County/Basin Linn / Willamette (2)
Applicant Name DEMERGASSO FAMILY OREGON FARM TRUST
30946 WYATT DR
HARRISBURG, OR 97446
Priority Date 07/02/2024
Issue Date 08/16/2024
Status APPROVED

Emergency Water Use (Drought) Applications (OAR 690-019-0040)

When a drought is declared under ORS 536.740, the Director is authorized to issue emergency use permits to replace water not available under an existing right because of the drought. The Director shall approve an application for emergency water use upon findings that the proposed use will not cause injury to existing water rights and will not impair or be detrimental to the public interest. OAR 690-019-0040(3). In evaluating whether the proposed use will impair or be detrimental to the public interest, the Director shall consider the factors described in OAR 690-310-0120 and 690-310-0130; and

- a) The need for water because of the drought emergency; and
- b) The short-term nature of the proposed emergency use.

The following is a list of emergency water use permit applications recently filed, or which have recently received a final order, pursuant to OAR 690-019-0040. For any emergency use permits issued, the expiration date will not exceed the term of the Governor's declared drought or one year. The Director will consider all comments received concerning the use, or proposed use, under the emergency use permit throughout the life of the permit. (OAR 690-019-0040(4)(b))

App#	G-19447
County/Basin	Jefferson / Deschutes (5)
Applicant Name	BROKEN TOP FAMILY FARMS LLC DERSTINE, MATT 7668 SW LASALLE LANE CULVER, OR 97734
Sources/TRSQ40Q160 Use/Quantity	A WELL > CROOKED RIVER / 12.00S 12.00E 34 SESW SUPPLEMENTAL IRRIGATION / 1.749 CFS
Priority Date	08/02/2024
Issue Date	08/15/2024
Status	APPROVED

**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 September 19, 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-80141](#)
Permit Number S-52051
County/Basin Washington / Willamette (2)
Applicant Name J AND A JESSE PROPERTIES LLC
16520 SW MIDWAY RD
HILLSBORO, OR 97623
Sources/TRSQ40Q160 TUALATIN RIVER > WILLAMETTE RIVER / 1.00S 3.00W 14 NWNE
Use/Quantity AGRICULTURE USES / 3.680 CFS
Proposed Completion Date 10/01/2001

App# [S-88232](#)
Permit Number S-55225
County/Basin Hood River / Hood (4)
Applicant Name FARMERS IRRIGATION DISTRICT
1985 COUNTRY CLUB RD
HOOD RIVER, OR 97031
Sources/TRSQ40Q160 A RESERVOIR > HOOD RIVER / 2.00N 9.00E 22 NWSE
Use/Quantity SUPPLEMENTAL IRRIGATION / 605.000 AF
Proposed Completion Date 10/01/2029

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 October 04, 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#	G-15737
Permit#	G-15302
County/Basin	Wasco / Hood (4)
Applicant Name	NORTHWEST FARM CREDIT SERVICES FLCA 3591 KLINDT DR SUITE 110 THE DALLES, OR 97058
	SUGG, AMY SUGG, STEVEN 2445 EIGHT MILE RD THE DALLES, OR 97058
Sources/TRSQ40Q160 Use/Quantity	A WELL > FIFTEENMILE CREEK / 1.00S 14.00E 3 SENE IRRIGATION / 2.420 CFS
App#	G-17985
Permit#	G-17855
County/Basin	Lake / Goose & Summer Lake (13)
Applicant Name	SURPRISE VALLEY ELECTRIFICATION CORP. 516 US HWY 395 E ALTURAS, CA 96101
Sources/TRSQ40Q160 Use/Quantity	A WELL > CHEWAUCAN RIVER BASIN / 33.00S 18.00E 23 SENE INDUSTRIAL/MANUFACTURING USES / 0.330 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 September 03, 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-1987
County/Basin	Malheur / Malheur (10)
Applicant Name	AUSTIN AMERICAN CORPORATION, SUBSIDIARY OF AUSTIN GOLD CORP. 1021 WEST HASTINGS STREET, 9TH FLOOR VANCOUVER, BC V6E 0C3
Sources/TRSQ40Q160 Use/Quantity	A WELL > MALHEUR RIVER / 25.00S 38.00E 32 NWSE ROAD CONSTRUCTION OR MAINTENANCE, MINERAL EXPLORATION DRILLING / 0.111 CFS

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 September 19, 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-14517
Water Right	Cert: 83809
County/Basin	Baker / Powder (9)
Applicant Name	POWDER RIVER LAND COMPANY 47759 ANTHONY LAKES HWY NORTH POWDER, OR 97867
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	NORTH POWDER RIVER > POWDER RIVER / 6.00S 38.00E 35 SWNE NORTH POWDER RIVER > POWDER RIVER / 6.00S 38.00E 36 SESW NORTH POWDER RIVER > POWDER RIVER / 6.00S 39.00E 32 NWSW
Use/Quantity	DOMESTIC / 7.23999 CFS
Priority Date	12/31/1888, 12/31/1893
Transfer	T-14519
Water Right	Cert: 37933, 86848
County/Basin	Lane / Willamette (2)
Applicant Name	HELMAN, JON MCKENZIE GRACE FARMS, LLC 39924 MCKENZIE HIGHWAY SPRINGFIELD, OR 97478
Proposed Change	ADDITIONAL POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	CANAL > MCKENZIE RIVER / 17.00S 1.00W 22 SESE MCKENZIE RIVER > WILLAMETTE RIVER / 17.00S 1.00W 23 NESE UNNAMED DRAIN/RESERVOIR > WILLAMETTE RIVER / 17.00S 1.00W 27 NENW
Use/Quantity	IRRIGATION / 0.470 CFS IRRIGATION / 0.600 CFS
Priority Date	08/02/1966, 07/25/1940

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	24-64300
County	Malheur
Certificate	75691 IN THE NAME OF THE U.S. BUREAU OF RECLAMATION;
Priority Date	2/14/1916 & 8/19/1924 (LIVE FLOW), 2/15,1916 & 8/20/1924 (STORED WATER);
Name	OWYHEE IRRIGATION DISTICT
Address	422 THUNDEREGG BLVD NYSSA, OR 97937
Use	IRRIGATION
Source	OWYHEE RIVER AND OWYHEE RESERVOIR, TRIBUTARY TO THE SNAKE RIVER
Acres:	0.39
Authorized POU:	T17S R47E 18 NENW
Proposed POU:	T17S R47E 18 SENW

Water Management and Conservation Plans

The Department is required to give notice and to invite public review and comment on Water Management and Conservation Plans submitted pursuant to OAR Chapter 690, Division 086. The Department will consider all public comments in its review of the draft plan and will report the results of the review to the water supplier 90 days from the time the plan was submitted.

Any person may review and comment on a draft plan on or before September 19, 2024.

The plans may be viewed electronically at [WMCP Public Notice](#). Comments must cite specific provisions of concern in the draft plan, describe how each of the provisions cited do or do not satisfy the requirements of OAR Chapter 690, Division 086, suggest any modification in each provision that would be necessary to satisfy the relevant requirement, and include information to support any suggested modifications.

Plans have been submitted by the following agricultural and municipal water suppliers:

Hermiston Irrigation District (Agricultural)

To review any of the above plan(s) or to provide comments on the plan(s), contact Kerri Cope at 503-979-9544 or Kerri.H.Cope@water.oregon.gov or Tamera Smith at 458-253-0597 or Tamera.L.Smith@water.oregon.gov

Application to Reauthorize A Minor Hydroelectric Project

The Oregon Water Resources Department seeks public comment on the following application to reauthorize minor hydroelectric project HE 574 in Jackson County. Comments on the application and requests by interested parties who want to obtain future notices must be submitted within 45 days of publication of the notice. The application and supporting documents can 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 application, please contact Martin Sanchez (971) 375-6414 or Martin.Sanchez@water.oregon.gov. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Application:	HE 574
Applicant:	Vernon Caldwell
Project Address:	9115 West Evans Creek Road, Rogue River, OR 97537
Amount of water:	0.5 cubic feet per second (cfs)
Source of water:	Browns Gultch, Tributary to Queens Creek
Point of Diversion:	SW1/4 SE1/4 of Section 5, Township 35 South, Range 4 West, W.M.
Place of Use:	SW1/4 SE1/4 of Section 5, Township 35 South, Range 4 West, W.M.
Purpose:	Hydroelectric for onsite use
Power Developed:	Up to 2.2 Theoretical horsepower.

Comments and requests to obtain future notices are due by October 4, 2024

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

August 20, 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.