

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
September 10, 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.
- * **Alternate Reservoir Applications (ORS 537.409)**
Applications for storage permits for small ponds filed under a simplified review process.
- * **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.
- * **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.

- * **Water Management and Conservation Plan Progress Reports**
Water management and conservation plan progress reports submitted by municipalities under provisions of OAR Chapter 690, Division 86.
- * **Certificate Issuance**
Included in this section is a listing of recently issued water right certificates.

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, October 10, 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 25, 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

*****There are no Initial Reviews or Proposed Final Orders for the week of 09/03/2024
– 09/10/2024*****

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-19072](#)
County/Basin Clackamas / Willamette (2)
Applicant Name CROSSPOLLIO LLC
C/O MATTHEW GROOMS
4230 SE KING RD 342
PORTLAND, OR 97222
Priority Date 03/12/2021
Issue Date 09/06/2024
Status APPROVED

App# [G-19259](#)
County/Basin Crook / Deschutes (5)
Applicant Name SIEGMANN, ADRIAN J.
13407 SW UMBARGER RD
POWELL BUTTE, OR 97753
Priority Date 02/28/2022
Issue Date 08/30/2024
Status WITHDRAWN

App# [S-89293](#)
County/Basin Douglas / Umpqua (16)
Applicant Name COLANGELO, VINCENT
2315 11TH ST
NORTH BEND, OR 97459
Priority Date 11/09/2022
Issue Date 09/06/2024
Status APPROVED

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 November 09, 2024.

App#	R-89839
County/Basin	Yamhill / Willamette (2)
Applicant Name	SOLMONSSON, RANEE 32300 NE OLD PARRETT MOUNTAIN RD NEWBERG, OR 97132
Sources/TRSQ40Q160	RUNOFF > SPRINGBROOK CREEK / 3.00S 2.00W 15 SENE
Use/Quantity	MULTIPLE PURPOSE / 2.150 AF
Priority Date	08/29/2024

**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 October 10, 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# [G-16491](#)
Permit Number G-16138
County/Basin Marion / Willamette (2)
Applicant Name CITY OF HUBBARD
PO BOX 380
HUBBARD, OR 97032-0380
Sources/TRSQ40Q160 A WELL > LITTLE BEAR CREEK / 4.00S 1.00W 33 NWSE
Use/Quantity MUNICIPAL USES / 0.223 CFS
Proposed Completion Date 10/01/2056

App# [G-18621](#)
Permit Number G-18218
County/Basin Linn / Willamette (2)
Applicant Name GERIG FARMS LLC
36216 GERIG DR
ALBANY, OR 97322
Sources/TRSQ40Q160 A WELL > OAK CREEK BASIN / 12.00S 3.00W 2 NESW
A WELL > OAK CREEK BASIN / 11.00S 2.00W 16 SWNW
Use/Quantity IRRIGATION / 3.210 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 October 25, 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-80302
Permit#	S-53683
County/Basin	Coos / South Coast (17)
Applicant Name	COOS BAY NORTH BEND WATER BOARD PO BOX 539 COOS BAY, OR 97420
Sources/TRSQ40Q160	A RESERVOIR > PONY CREEK / 25.00S 13.00W 28 SWSW PONY CREEK > PONY SLOUGH / 25.00S 13.00W 28 NENE
Use/Quantity	MUNICIPAL USES / 4100.000 AF

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 October 01, 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-806
Certificate	15101, 66827
Lessor	HOUSE, BARRY B R HOUSE FARM LLC PO BOX 473 DAYTON, OR 97114
Lessor	HOUSE, AUSTIN B R HOUSE FARM LLC PO BOX 473 DAYTON, OR 97114
Lessor	HOUSE, HOLDEN B R HOUSE FARM LLC PO BOX 473 DAYTON, OR 97114
Priority Date	03/30/1940, 02/18/1977
Source/Tributary To	UNNAMED STREAM / PALMER CREEK WILLAMETTE 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 October 10, 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-14525
Water Right	Cert: 97215
County/Basin	Harney / Malheur Lake (12)
Applicant Name	ROOT, ANDY RATTLESNAKE CREEK LAND AND CATTLE CO. LLC 524 HWY 20 N HINES, OR 97738
Proposed Change	ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > ROCK CREEK BASIN / 22.00S 33.00E 32 NWSE A WELL > ROCK CREEK BASIN / 22.00S 33.00E 31 NESE A WELL > ROCK CREEK BASIN / 22.00S 33.00E 31 NESW A WELL > ROCK CREEK BASIN / 22.00S 33.00E 31 NWSW A WELL > ROCK CREEK BASIN / 22.00S 33.00E 32 NESW A WELL > ROCK CREEK BASIN / 22.00S 33.00E 31 SESE A WELL > ROCK CREEK BASIN / 22.00S 33.00E 32 NWSE
Use/Quantity	IRRIGATION / 0.860 CFS IRRIGATION / 1.340 CFS IRRIGATION / 0.820 CFS IRRIGATION / 3.600 CFS IRRIGATION / 1.310 CFS IRRIGATION / 1.750 CFS IRRIGATION / 1.310 CFS
Priority Date	06/11/2012

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 October 10, 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-13947](#) filed by BC Hop Ranch 5538 Lebrun Road NE, Woodburn, OR 97071, proposes an additional point of appropriation under Certificate 42955. The right allows the use of 1.03 cubic feet per second from two wells in Sec. 28, T4S, R2W, WM for irrigation in Sects. 28 and 29, T4S, R2W, WM. The applicant proposes an additional point of appropriation in Sec. 28, T4S, R2W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-14154](#) filed by Dustin Ricks Farms LLC, 698 Napton River Rd, Adrian, OR 97901, proposes a change in place of use under Certificate 49872. The right allows the use of 4.29 cubic feet per second from the Snake River in Sec. 11, T22S, R46E, WM for irrigation in Sects. 1, 2, 11, and 12, T22S, R46E, WM. The applicant proposes to change the place of use to within Sects. 1, 2, 11, and 12, T22S, R46E, WM. The Water Resources Department proposes to deny 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-14526
Water Right	Cert: 89274, 83363
County/Basin	Baker / Powder (9)
Applicant Name	SHARP, STEVE 36975 SULLIVAN LN RICHLAND, OR 97870
	BAKER COUNTY PLANNING DEPARTMENT 1995 THIRD ST BAKER CITY, OR 97814
Proposed Change	ADDITIONAL POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	EAGLE CREEK > POWDER RIVER / 9.00S 45.00E 10 SENW
Use/Quantity	IRRIGATION / 0.488 CFS IRRIGATION / 3.765 CFS
Priority Date	12/31/1885, 12/31/1881

Water Management and Conservation Plan Progress Reports

Pursuant to OAR 690-086-0120(4) and (5), the Department is required to give notice of progress reports on Water Management and Conservation Plans.

Any person may review and comment on these progress reports. The plans may be viewed electronically at [WMCP Public Notice](#). The Department requests that comments be submitted no later than 30 days after the date of this notice.

Progress reports have been submitted by the following municipal supplier(s):

City of Newberg (Municipal)

To review any of the above progress report(s) or to provide comments on the progress report(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

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#	97958
App:	G-10348
County/Basin	Deschutes / Deschutes (5)
Applicant Name	AVION WATER CO. INC.
Priority Date	05/29/1981
Issue Date	09/06/2024
Cert#	97780
App:	G-11796
County/Basin	Clackamas / Willamette (2)
Applicant Name	KOCH, STEPHEN A. WALCH, DONALD; DONALD L WALCH TRUST DONALD L WALCH TRUST
Priority Date	02/09/1990
Issue Date	09/06/2024
Cert#	97779
App:	G-2897
County/Basin	Clackamas / Willamette (2)
Applicant Name	KOCH, STEPHEN A. WALCH, DONALD; DONALD L WALCH TRUST DONALD L WALCH TRUST
Priority Date	06/17/1964
Issue Date	09/06/2024
Cert#	97962
Xfer:	T-11434
County/Basin	Marion / Willamette (2)
Applicant Name	PAN AMERICAN BERRY GROWERS LLC
Priority Date	02/05/1957
Issue Date	09/06/2024

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

September 10, 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.