

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
September 17, 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.
- * **Applications for Allocation of Conserved Water**
Applications made by a water user who conserves water to use a portion of the conserved water on additional lands, lease or sell the water, or dedicate the water to instream use.
- * **Applications for Extensions of Time to Perfect Water Right Permits**
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- * **Extension of Time Checkpoint Progress Reports filed pursuant to OAR 690-315**
Documents the progress made toward development of the water use project since approval of the last permit extension and/or the last progress report checkpoint. (OAR 690-315 pertains to permit extension applications filed on or after July 1, 2001.)
- * **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 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.
- * **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 17, 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, November 01, 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-19187](#)
County/Basin Clackamas / Willamette (2)
Applicant Name COLLINS, MOLLY E.
COLLINS, SEAN
3945 SE FRANKLIN ST
PORTLAND, OR 97202
Sources/TRSQ40Q160 A WELL > PARROT CREEK BASIN / 3.00S 1.00E 25 NENW
Use/Quantity NURSERY USES / 0.750 CFS
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-19229](#)
County/Basin Clackamas / Willamette (2)
Applicant Name COLLINS, MOLLY E.
COLLINS, SEAN
3945 SE FRANKLIN ST
PORTLAND, OR 97202
Sources/TRSQ40Q160 A WELL > PARROTT CREEK / 3.00S 1.00E 25 NENW
A WELL > PARROTT CREEK / 3.00S 1.00E 25 NWNE
Use/Quantity NURSERY USES / 0.415 CFS
Priority Date 12/31/2021
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-19221](#)
County/Basin Baker / Powder (9)
Applicant Name NORTON, BEN
50309 OSBORN RD
BAKER CITY, OR 97814
Sources/TRSQ40Q160 A WELL > POWDER RIVER / 8.00S 40.00E 29 SWNW
A WELL > POWDER RIVER / 8.00S 40.00E 30 SENE
Use/Quantity SUPPLEMENTAL IRRIGATION / 2.670 CFS
Priority Date 11/12/2021
Stage/Status PFO / PROPOSE TO DENY

App# [G-19224](#)
County/Basin Multnomah / Willamette (2)
Applicant Name LUSTED WATER DISTRICT
PO BOX 2026
GRESHAM, OR 97030
Sources/TRSQ40Q160 A WELL > NORTH FORK JOHNSON CREEK / 1.00S 4.00E 19 NWNW
Use/Quantity MUNICIPAL USES / 2.228 CFS
Priority Date 11/24/2021
Stage/Status IR / PROPOSE TO DENY

App# [R-89665](#)
County/Basin Grant / John Day (6)
Applicant Name BAILEY, HEATHER L.
BAILEY, ZACHARY M.
PO BOX 387
CANYON CITY, OR 97820
Sources/TRSQ40Q160 A SPRING > COHOE CREEK / 11.00S 29.00E 35 SWSE
TITUS CREEK > COHOE CREEK / 11.00S 29.00E 35 SWSE
Use/Quantity STORAGE / 2.500 AF
Priority Date 08/12/2024
Stage/Status IR / PROPOSE TO APPROVE

App#	R-89734
County/Basin	Douglas / Umpqua (16)
Applicant Name	KENNEDY, DAVID 2960 METZ HILL RD OAKLAND, OR 97462
Sources/TRSQ40Q160	UNNAMED DRAINAGE > WILLIAMS CREEK / 24.00S 6.00W 25 NESW
Use/Quantity	LIVESTOCK / 1.000 AF
Priority Date	08/16/2024
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-19027](#)
County/Basin Josephine / Rogue (15)
Applicant Name CALABRESE, ADRIENNE
NEWMAN, MICHAEL
16450 WATER GAP RD
WILLIAMS, OR 97544
Priority Date 09/14/2020
Issue Date 09/13/2024
Status DENIED

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-19191](#)
County/Basin Baker / Powder (9)
Applicant Name CLONTS, BILL
20493 LEE LANE
BAKER CITY, OR 97814
Priority Date 08/13/2021
Issue Date 09/13/2024
Status WITHDRAWN

App# [LL-1967](#)
County/Basin Morrow / Umatilla (7)
Applicant Name KILKENNY, DIANE
KILKENNY, JOHN
79074 HWY 74
HEPPNER, OR 97836
Issue Date 09/13/2024
Status APPROVED

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

App#	S-89297
County/Basin	Douglas / Umpqua (16)
Applicant Name	DIEHL, ERIK J. PO BOX 207 GALLATIN GATEWAY, MT 59730
Priority Date	11/17/2022
Issue Date	09/13/2024
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 **October 17, 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-89772
County/Basin	Washington / Willamette (2)
Applicant Name	BOYER, DONNA 42007 SW VANDEHEY RD GASTON, OR 97119
Sources/TRSQ40Q160	A RESERVOIR > TUALATIN RIVER / 1.00S 3.00W 30 SWNW UNNAMED STREAM > TUALATIN RIVER / 1.00S 3.00W 30 SWNW
Use/Quantity	IRRIGATION / 2.000 AF
Priority Date	09/06/2024

Applications for Allocation of Conserved Water

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

Notice of Application for Allocation of Conserved Water CW-144

CW-144 filed by East Fork Irrigation District (EFID), 3500 Graves Road, Hood River, OR 97031, proposes to install 3 large pressure reducing stations, 6 smaller pressure reducing stations, and replace approx. 11,700 feet of non-pressure rate pipe with pressure-rated pipe, eliminating overflows at the existing water boxes along EFID's Oanna and Yasui sublaterals lines. The project on the East Fork Hood River is expected to conserve approx. 1.5 cubic feet per second (CFS) and 360.0 acre-feet (AF) under Certificate 92000 with a priority date of Nov. 25, 1895. The applicants propose 100% (1.5 cfs) of the conserved water be protected instream in the East Fork Hood River benefitting both streamflow and water quality. The project appears to be consistent with the requirements under ORS 537.470. Any interested person may submit written comments for the application. Comments must be received within 20 days of the last day of publication, being by close of business on **October 15, 2024**. Comments should be sent to the attention of the ACW Program, Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301.

Notice of Application for Allocation of Conserved Water CW-145

On August 12, 2024, Tumalo Irrigation District (TID), 64697 Cook Avenue, Bend, OR 97701, filed an application for Allocation of Conserved Water for Certificates (Certs.) 95175, 95176, and 95177 under ORS 537.470. Cert. 95175 is for a total of 49.558 cubic feet per second (CFS) from Tumalo Creek, tributary of the Deschutes River for Irrigation of 5801.5 acres, domestic use including livestock. Cert. 95176 is for 127.808 CFS from Tumalo Creek with any deficiency to be made up by diverting no more than 40.0 CFS from Crater Creek, 34.0 CFS from Little Crater Creek, and 1.0 CFS from Three Springs Branches for 6590.6 acre-equivalent of irrigation, supplemental irrigation, and other uses. Cert. 95177 is for 30,200.92 acre-feet (AF) from Crescent Lake Reservoir for 7381.2 acre-equivalent of supplemental irrigation and other uses. The conservation project proposes to enclose 11,261 linear feet of the Columbia Southern Canal with HDPE pipe conserving the following quantities of water: Cert. 95175, 90.64 AF / up to 0.248 cfs with priority dates of 8/5/1900, 9/1900, 4/28/1905, 5/27/1907, and 6/1/1907; Cert. 95176, 73.76 AF / up to 0.463 cfs with a priority date of 10/29/1913; and Cert. 95177, 145.80 AF with a priority date of 4/7/1911. TID proposes 100% of the conserved water to be protected instream. Any interested person may submit written comments directly related to CW-145 within 20 days of the last date of newspaper publication, being by 5:00pm on **October 9, 2024**. Comments should be sent to ACW Program, Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301-1266. OWRD will review all comments received when determining whether to approve the proposed ACW.

**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 17, 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-14511
Permit Number	G-18186
County/Basin	Clackamas / Willamette (2)
Applicant Name	SPRINGWATER ESTATES HOME OWNERS ASSOCIATION INC. PO BOX 854 ESTACADA, OR 97023
Sources/TRSQ40Q160	A WELL > EAGLE CREEK BASIN / 3.00S 3.00E 24 SWNE
Use/Quantity	DOMESTIC EXPANDED / 0.2799 CFS
Proposed Completion Date	10/01/2031

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 November 01, 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-15744
Permit#	G-17074
County/Basin	Crook / Deschutes (5)
Applicant Name	DURGAN RANCH LLC 10809 SE DURGAN RANCH RD PAULINA, OR 97751
	NORTHWEST FARM CREDIT SERVICES FCLA PO BOX 607 3113 S HWY 97 SUITE 100 REDMOND, OR 97756
Sources/TRSQ40Q160	A WELL > WOLF CREEK / 16.00S 24.00E 4 NENE A WELL > WOLF CREEK / 16.00S 24.00E 4 SESW A WELL > WOLF CREEK / 16.00S 24.00E 5 SESE A WELL > WOLF CREEK / 16.00S 24.00E 8 SWNW
Use/Quantity	IRRIGATION / 5.235 CFS

App#	G-15742
Permit#	G-16587
County/Basin	Deschutes / Deschutes (5)
Applicant Name	STEPHENSON, CHAD 3017 NW COLONIAL DR BEND, OR 97701
Sources/TRSQ40Q160	A WELL > TUMALO CREEK / 17.00S 11.00E 23 NWNE
Use/Quantity	POND MAINTENANCE / 7.000 AF

App# [G-16276](#)
Permit# G-16017
County/Basin Deschutes / Deschutes (5)
Applicant Name STORLIE, DIANE
STORLIE, ROBERT
69500 CROOKED HOURSEHOE ROAD
SISTERS, OR 97759
Sources/TRSQ40Q160 A WELL > INDIAN FORD CREEK / 14.00S 10.00E 33 SWNE
Use/Quantity IRRIGATION / 0.037 CFS

App# [G-17190](#)
Permit# G-16812
County/Basin Linn / Willamette (2)
Applicant Name KNIFE RIVER INC.
32260 OLD HIGHWAY 34
TANGENT, OR 97389
Sources/TRSQ40Q160 A WELL > WILLAMETTE RIVER / 15.00S 4.00W 9 SENE
A WELL > WILLAMETTE RIVER / 15.00S 4.00W 9 NESE
Use/Quantity INDUSTRIAL/MANUFACTURING USES / 0.890 CFS

App# [G-17639](#)
Permit# G-17300
County/Basin Malheur / Malheur (10)
Applicant Name BLAIR, JOHN E.
8701 WEST GAGE BLVD
KENNEWICK, WA 99336-1034
Sources/TRSQ40Q160 FRY FOODS ONTARIO
602 STANTON BLVD
ONTARIO, OR 97914
A WELL > CANYON NUMBER ONE / 17.00S 46.00E 13 NESE
Use/Quantity INDUSTRIAL/MANUFACTURING USES / 1.110 CFS

Extensions of Time Progress
Checkpoint Progress Reports filed pursuant to OAR 690-315

Consistent with OAR 690-315-0050(6), the Department will accept public comment on the following Extension of time Checkpoint Progress Reports until October 17, 2024. Comments must be in writing and must indicate the application file and permit numbers. Following the comment period, the Department shall review evidence to determine whether or not the permit holder has been diligent in developing and perfecting the water use permit and has complied with all terms and conditions of the permit and/or extension of time. Additionally, the Department will provide notice of its determination to anyone who has submitted comments.

App# [G-15131](#)
Permit Number G-13909
County/Basin Yamhill / Willamette (2)
Applicant Name LAZY RIVER VINEYARD LLC
LUMPKIN, KIRSTEN W.
LUMPKIN, NED C.
6947 COAL CREEK PARKWAY SE 274
NEW CASTLE, WA 98059
Use IRRIGATION

App# [G-15021](#)
Permit Number G-13779
County/Basin Clackamas / Willamette (2)
Applicant Name LEPLEY, SABREENA
LEPLEY, BRADLEY
2009 SE LARSON CT
HILLSBORO, OR 97123
Use NURSERY USES

App# [G-15650](#)
Permit Number G-18718
County/Basin Klamath / Klamath (14)
Applicant Name OREGON WATER UTILITIES INC.; MOUNTAIN LAKES INC.
ATTN: CRAIG GOTT
1325 N GRAND AVE SUITE 100
COVINA, CA 91724-4044
Use QUASI-MUNICIPAL USES

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 October 01, 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-1991
County/Basin	Yamhill / Willamette (2)
Applicant Name	FOTI, FRANK 15590 NW RED SHOT LANE CARLTON, OR 97111
Sources/TRSQ40Q160	A WELL > BEAVER CREEK / 3.00S 5.00W 22 SWNE A WELL > BEAVER CREEK / 3.00S 5.00W 22 SWNE A WELL > BEAVER CREEK / 3.00S 5.00W 22 NWSE
Use/Quantity	IRRIGATION TO ESTABLISH VINEYARD PLANTING / 0.009 CFS IRRIGATION TO ESTABLISH VINEYARD PLANTING / 0.013 CFS IRRIGATION TO ESTABLISH VINEYARD PLANTING / 0.056 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 October 08, 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#	SL-66
Certificate	8433
Lessor	JOHNSON, ROLAND JOHNSON STOCK RANCH PARTNERSHIP PO BOX 56 WALLOWA, OR 97885
Lessor	CHRISMAN, LINDA JOHNSON STOCK RANCH PARTNERSHIP PO BOX 427 WALLOWA, OR 97885
Priority Date	05/17/1926
Source/Tributary To	PRAIRIE CREEK / WALLOWA 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 17, 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-14528](#)
Water Right Cert: 39904
County/Basin Marion / Willamette (2)
Applicant Name EDER, RYAN
CHUCK EDER FARMS, INC.
11580 HOOK RD. NE
MT. ANGEL, OR 97362
Proposed Change ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160 A WELL > PUDDING RIVER / 6.00S 1.00W 19 NENE
Use/Quantity IRRIGATION / 0.280 CFS
Priority Date 04/02/1968

Transfer [T-14530](#)
Water Right Cert: 95193 (T-13107)
County/Basin Morrow / Umatilla (7)
Applicant Name DEVIN, MIFF
PORT OF MORROW
PO BOX 200
BOARDMAN, OR 97818
Proposed Change ADDITIONAL POINT OF DIVERSION
Sources/TRSQ40Q160 A WELL > UMATILLA RIVER BASIN / 4.00N 25.00E 10 NWNE
COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 25.00E 35 SWSE
Use/Quantity IRRIGATION / 7.790 CFS
IRRIGATION / 21.790 CFS
Priority Date 11/05/1971

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 17, 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-13705](#) filed by Mark A. McKay, 5057 Brooklane Rd. NE, Salem, OR 97305, proposes a change in point of appropriation under Certificate 57771. The right allows the use of 0.40 cubic foot per second from Well #2 in Sec. 21, T5S, R2W, WM for irrigation in Secs. 16 and 21, T5S, R2W, WM. The applicant proposes to move the point of appropriation within Sec. 21, T5S, R2W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13839](#) filed by John and Janna Vanden Brink, PO Box 165, Lone, OR 97843, proposes a change in point of appropriation under Certificate 48296. Certificate 48296 allows the use of 2.23 cfs from a well in Sec. 35, T1S, R24E, WM for irrigation in Sects. 26 and 27, T1S, R24E, WM. The applicant proposes to change the point of appropriation to Sec. 22, T1S, R24E, WM. The Water Resources Department proposes to deny the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13967](#) filed by City of Philomath, Attn. Chris Workman, PO Box 400, Philomath, OR 97370, proposes an additional point of diversion under Certificate 89715. The right allows the use of 1.0 cubic foot per second from Mary's River in Sec. 11, T12S, R6W, WM for municipal use within the boundaries of the City of Philomath. The applicant proposes an additional point of diversion in Sec. 11, T12S, R6W, W.M. 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-14527
Water Right	Cert: 42535, 89189
County/Basin	Polk / Willamette (2)
Applicant Name	GREEN SPRING FARMS 8930 SUVER RD MONMOUTH, OR 97361
Proposed Change	POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	LUCKIAMUTE RIVER > WILLAMETTE RIVER / 9.00S 4.00W 18 SESW LUCKIAMUTE RIVER > WILLAMETTE RIVER / 9.00S 4.00W 20 SWNW UNNAMED STREAM > WILLAMETTE RIVER / 9.00S 4.00W 17 NESW UNNAMED STREAM > WILLAMETTE RIVER / 9.00S 4.00W 17 SWSE
Use/Quantity	IRRIGATION / 1.930 CFS IRRIGATION / 1.580 CFS
Priority Date	04/05/1968, 08/20/1973

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	2024-03
County	Jackson
Certificate	97557, 97558, 97559; Permit S-4951, all in the name of Medford Irrigation District; 97560 in the name of the Bureau of Reclamation
Priority Date	7/23/1909; 3/31/1910; 3/1/1915; 6/8/1953, 9/6/1915; 6/18/1920;
Name	MEDFORD IRRIGATION DISTRICT
Address	PO BOX 70 JACKSONVILLE, OR 97535
Use	IRRIGATION; SUPPLEMENTAL IRRIGATION
Source	NF & SF LITTLE BUTTE CREEKS > LITTLE BUTTE CREEK; SALT CR > LITTLE BUTTE CR; FOURMILE L > FOURMILE CR; FISH L > NF LITTLE BUTTE CR; BEAR CR > ROGUE R; EMIGRANT CR & RES > BEAR CR; S FK LITTLE BUTTE CR > LITTLE BUTTE CR; CONDE CREEK & DEAD INDIAN CR & DALEY CR & BEAVER DAM CR & POLE BR CR & DEADWOOD CR > S FK LITTLE BUTTE CR; KEEN CR & KEENE CR RES & GRIZZLY CR & HOWARD PRAIRIE RES & LITTLE BEAVER CR > JENNY CR; SODA CR > GRIZZLY CR; MULTIPLE CREEKS (SEE PERMIT S-4951) > ROGUE RIVER
Acres:	1.00
Authorized POU:	T37S R2W20 NENE
Proposed POU:	T37S R2W20 NENE
Notice	2024-011
County	Deschutes
Certificate	94956; 76714
Priority Date	10/31/1900; 12/2/1907; 2/28/1913
Name	CENTRAL OREGON IRRIGATION DISTRICT
Address	1055 S.W. LAKE CT REDMOND, OR 97756
Use	IRRIGATION; SUPPLEMENTAL IRRIGATION
Source	DESCHUTES R > COLUMBIA R CRANE PRAIRIE RES > DESCHUTES
Acres:	0.67
Authorized POU:	T16S R12E 11 NENE
Proposed POU:	T16S R12E 11 NENE

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 October 17, 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:

City of Westfir (Municipal)

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

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# [97924](#)
Xfer: T-14141
County/Basin Marion / Willamette (2)
Applicant Name FESSLER FAMILY LLC
Priority Date 02/24/1958
Issue Date 09/13/2024

Cert# [97925](#)
Xfer: T-14141
County/Basin Marion / Willamette (2)
Applicant Name FESSLER FAMILY LLC
STADELI, JENNIFER; WESTERBERG DRILLING, INC
Priority Date 03/24/1995
Issue Date 09/13/2024

Cert# [97946](#)
Xfer: T-13369
County/Basin Umatilla / Umatilla (7)
Applicant Name THE REVOCABLE LIVING TRUST OF JOHN C VANDREE AND LINDA K VANDREE OF SEPT 29, 1998
VANDREE, JOHN; THE REVOCABLE LIVING TRUST OF JOHN C VANDREE AND LINDA K VANDREE
1998; VANDREE, LINDA; THE REVOCABLE LIVING TRUST OF JOHN C VANDREE AND LINDA K
VANDREE 1998
Priority Date 04/20/1998
Issue Date 09/13/2024

Cert# [97945](#)
Xfer: T-13369
County/Basin Umatilla / Umatilla (7)
Applicant Name VANDREE, JOHN; THE REVOCABLE LIVING TRUST OF JOHN C VANDREE AND LINDA K VANDREE
1998; VANDREE, LINDA; THE REVOCABLE LIVING TRUST OF JOHN C VANDREE AND LINDA K
VANDREE 1998; THE REVOCABLE LIVING TRUST OF JOHN C VANDREE AND LINDA K VANDREE OF
SEPT 29, 1998
Priority Date 12/04/1956
Issue Date 09/13/2024

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

September 17, 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.