

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS  
November 5, 2024

*This notice is also available on our web page at the following address:  
[http://apps.wrd.state.or.us/apps/misc/wrd\\_notice\\_view/?notice\\_id=21](http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21)*

This publication lists agency activities requiring public notice. It also describes public comment processes and deadlines. Types of water use requests in this week's Public Notice include:

- \* **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**  
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- \* **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.
- \* **Renewal of Aquifer Storage and Recovery (ASR) Limited Licenses**
- \* **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](http://www.oregon.gov/OWRD). If you would like to receive a **free** weekly notification when it is published, please send your request to [Tonya.L.Miller@water.oregon.gov](mailto:Tonya.L.Miller@water.oregon.gov).

## How to Read the Listing

**App#:**

- G: Groundwater
- R: Reservoir
- S: Surface water
- I: Instream
- T: Transfer
- LL: Limited License

**County/Basin (See Map)**

**Applicant Name**

**Applicant Address**

**Sources/TRSQ40Q160**

**Use/Quantity**

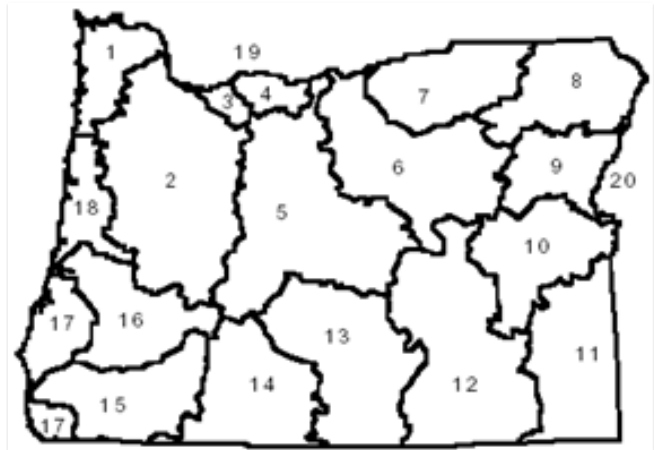
Unit of measure:

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

**Priority Date**

**Stage/Status**

- IR: Initial Review
- PFO: Proposed Final Order



**BASINS:**

- |                |                     |               |
|----------------|---------------------|---------------|
| 1. North Coast | 8. Grande Ronde     | 15. Rogue     |
| 2. Willamette  | 9. Powder           | 16. Umpqua    |
| 3. Sandy       | 10. Malheur         | 17. S. Coast  |
| 4. Hood        | 11. Owyhee          | 18. Mid-Coast |
| 5. Deschutes   | 12. Malheur L.      | 19. Columbia  |
| 6. John Day    | 13. Goose/Summer L. | 20. Snake     |
| 7. Umatilla    | 14. Klamath         |               |

**Commonly used "Type of Use" abbreviations (for definitions, consult Oregon Administrative Rules 690-300):**

- |   |                                 |                         |
|---|---------------------------------|-------------------------|
| AG: Agriculture   | GR: Groundwater recharge        | MU: Municipal           |
| CR: Cranberry uses                                      | GT: Geothermal                  | NU: Nursery use         |
| CM: Commercial  | ID: Irrigation with domestic    | PA: Pollution abatement |
| DI, DN: Domestic including non-commercial lawn & garden | IL: Irrigation with livestock   | PW: Power               |
| DO: Domestic  | IM: Industrial or manufacturing | QM: Quasi-municipal     |
| DS: Domestic & stock                                    | IR: Irrigation                  | RC: Recreation          |
| FI: Fish  | IS: Irrigation, supplemental    | RW: Road construction   |
| FP: Fire protection                                     | LV: Livestock                   | TC: Temperature control |
| FW: Fish & wildlife                                     | LW: Livestock & wildlife        | WI: Wildlife            |
| GD: Group domestic                                      | MI: Mining                      |                         |

## **Initial Review and Proposed Final Orders**

The following pages of this notice list permit applications that the Department is evaluating for compliance with state water law. Public participation and comment is encouraged. Opportunities for public involvement vary according to the stage of the permit evaluation.

Ground water permit applications in the Deschutes Basin (Basin 5) may seek to provide mitigation pursuant to the Deschutes Ground Water Mitigation Rules.

### **Initial Review Stage (IR)**

The Department has given the applicant an initial review of water-use restrictions, water availability and other limitations that affect the agency's decision on whether to issue a permit. The Department welcomes comments from interested persons, agencies and organizations on the proposed water use. **The comment deadline for initial reviews appearing in this public notice is 5pm, Thursday, December 05, 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, December 20, 2024.**

The protest filing fee is \$480 for the applicants and \$950 for non-applicants. Detailed requirements for filing a protest are included in the PFO. Persons who support the PFO may file a "standing" fee of \$270 to retain the ability to participate in future proceedings relating to an application. Before participation in a hearing is allowed, an additional \$680 will be required to request to participate as a party or limited party.

If a protest or comment deadline falls on a day that the office is closed, then the next open business day automatically becomes the deadline date.

## Initial Review and Proposed Final Orders

App#	<a href="#">G-19227</a>
County/Basin	Washington / Willamette (2)
Applicant Name	SEIJI ESTATE LLC 10020 SW 141 AVE BEAVERTON, OR 97008
Sources/TRSQ40Q160	A WELL > UNNAMED STREAM / 2.00S 2.00W 35 SWSW
Use/Quantity	IRRIGATION / 0.045 CFS
Priority Date	12/02/2021
Stage/Status	IR / PROPOSE TO DENY

## **Final Orders - Permit & Limited License Applications**

Following is a list of applications for new appropriations that have had final orders issued recently. If you would like a hard copy of an order mailed to you, send a request with \$35 for each order to the Water Rights Section, Oregon Water Resources Department, 725 Summer Street NE Suite A, Salem OR 97301. If you have any questions, please contact the Department's customer service staff by dialing 503-986-0900.

App# [G-19233](#)  
County/Basin Grant / Deschutes (5)  
Applicant Name HIGH IZEE RANCH LLC  
PO BOX 2176  
TUALTIN, OR 97062  
Priority Date 12/02/2021  
Issue Date 11/01/2024  
Status WITHDRAWN

App# [G-19251](#)  
County/Basin Umatilla / Umatilla (7)  
Applicant Name BITHER, HARRY  
35773 CUNNINGHAM RD  
ECHO, OR 97826  
Priority Date 02/16/2022  
Issue Date 10/25/2024  
Status WITHDRAWN

App# [G-19254](#)  
County/Basin Yamhill / Willamette (2)  
Applicant Name CHO VINEYARDS LLC  
27321 RUBY GRASS COURT  
MURRIETA, CA 92562  
Priority Date 02/22/2022  
Issue Date 11/01/2024  
Status WITHDRAWN

App# [LL-1992](#)  
County/Basin Clackamas / Willamette (2)  
Applicant Name KIEWIT INFRASTRUCTURE WEST CO.  
16300 S. AGNES AVE  
OREGON CITY, OR 97045  
Issue Date 10/30/2024  
Status APPROVED

App# [LL-1994](#)  
County/Basin Wheeler / John Day (6)  
Applicant Name BUREAU OF LAND MANAGEMENT  
PRINEVILLE DISTRICT OFFICE  
3050 NE 3RD ST  
PRINEVILLE, OR 97754  
Issue Date 11/05/2024  
Status APPROVED

App#	<a href="#">R-89665</a>
County/Basin	Grant / John Day (6)
Applicant Name	BAILEY, HEATHER L. BAILEY, ZACHARY M. PO BOX 387 CANYON CITY, OR 97820
Priority Date	08/12/2024
Issue Date	11/01/2024
Status	WITHDRAWN

## 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 November 26, 2024.** Parties to the lease, including the Department, will review any such claims before the lease is finalized. The lease files are available for viewing at the Salem office of the Water Resources Department. If you have questions or comments please contact the Lease Specialist at 503-986-0898.

Lease#	<a href="#">IL-492</a>
Certificate	24052
Lessor	MAUCK, LARRY 90102 LAMPA LANE MYRTLE POINT, OR 97458
Lessor	MAUCK, PHYLLIS 90102 LAMPA LANE MYRTLE POINT, OR 97458
Priority Date	07/24/1953
Source/Tributary To	SOUTH MYRTLE CREEK / MYRTLE CREEK

Lease#	<a href="#">IL-1443</a>
Certificate	47968
Lessor	JUSTESEN, FRED A. 59720 TWIN LAKES RD GRASS VALLEY, OR 97029
Lessor	JUSTESEN, JONNIE L. 59720 TWIN LAKES RD GRASS VALLEY, OR 97029
Priority Date	07/28/1976
Source/Tributary To	MAYFIELD SPR / WHITE 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 December 05, 2024. Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

Transfer	<a href="#">T-14554</a>
Water Right	Cert: 97923
County/Basin	Clackamas / Willamette (2)
Applicant Name	JAMES D GILBERT TRUST 28696 S CRAMER RD MOLALLA, OR 97038
Proposed Change	ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > DOVE CREEK BASIN / 4.00S 1.00E 25 SESE
Use/Quantity	NURSERY USES / 0.267 CFS
Priority Date	08/02/2002



## **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 December 05, 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-13753](#) filed by Jose Antonio Juarez Adame and Veronica Juarez Lemus, 8610 Broadmead Rd. Amity, OR 97101, proposes a change in point of diversion under Certificates 87955, 94690 and 95696. Certificate 87955 allows the use of 17.5 acre-feet from Salt Creek, tributary to the South Yamhill River, in Sec. 11, T6S, R5W, WM for storage for nursery operations in Sec. 11, T6S, R5W, WM. Certificate 94690 allows the use of 1.0 cubic foot per second (cfs) from Salt Creek, tributary to the South Yamhill River, in Sec. 11, T6S, R5W, WM for nursery use on 20.7 acres in Sects. 11 and 14, T6S, R5W, WM. Certificate 95696 allows the use of 0.19 cfs from Salt Creek, tributary to the South Yamhill River, in Sec. 14, T6S, R5W, WM for irrigation of 21.05 acres in Sects. 11 and 14, T6S, R5W, W.M. The applicant proposes to move the point of diversion in Sec. 11, T5S, R5W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13768](#) filed by Randal and Nuria Aebi, PO Box 762 McMinnville, OR 97128, proposes a change in place of use under Certificates 93747 and 93749. Certificate 93747 allows the use of 0.02 cubic foot per second (cfs) from an unnamed stream and 0.43 acre-foot from Poverty Reservoir in Sec. 3, T4S, R4W, WM for irrigation in Sec. 3, T4S, R4W, WM. The applicant proposes to change the place of use within Sec. 3, T4S, R4W, WM. Certificate 93749 allows the use of 0.02 cfs from three wells in Sec. 3, T4S, R4W, WM for supplemental irrigation in Sec. 3, T4S, R4W, WM. The applicant proposes to change the place of use within Sec. 3, T4S, R4W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

## Transfer Applications: Temporary Transfer

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

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

Transfer	<a href="#">T-14555</a>
Water Right	Cert: 74458, 48022
County/Basin	Klamath / Klamath (14)
Applicant Name	GAVIN RAJNUS, LLC 20550 PAYGR RD. MALIN, OR 97632
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > LOST RIVER / 40.00S 11.00E 25 SENE ONE WELL > LOST RIVER / 40.00S 11.00E 36 SWSW
Use/Quantity	IRRIGATION / 1.660 CFS IRRIGATION / 4.340 CFS
Priority Date	03/06/1992, 03/22/1971

## Renewal of Aquifer Storage and Recovery (ASR) Limited Licenses

ASR means the storage of water from a separate source that meets drinking water standards in a suitable aquifer for later recovery and not having as one of its primary purposes the restoration of the aquifer (ORS 537.531). The use of water for ASR testing purposes requires a limited license pursuant to ORS 537.534. The requirements and procedures of an ASR limited license are different than those for limited licenses pursuant to ORS 537.143. Only after completion of an ASR testing program under a limited license may an applicant apply for a permanent ASR permit. The appearance of a renewal request in the public notice commences a 30-day public comment period. Following the public comment period, the Department may request additional information regarding the renewal request, renew the limited license, renew the limited license with additional conditions, or deny the request.

An ASR Limited License may be renewed if the applicant demonstrates to the Director's satisfaction that further testing is necessary and that the applicant complied with the terms of the limited license. The standards, findings and process used in the license renewal process shall be as provided in OAR 690-350-0020. The Director may renew an ASR Limited License for a term of not more than 5 years.

Application	<b>ASR Limited License-020 Renewal</b>
County/Basin	Umatilla / Umatilla
Applicant	Madison Farms, c/o Kent Madison 29299 Madison Rd Echo, OR 97826
Source/TRS	A well (UMAT 57869), Butter Creek > Umatilla River / 3.00N 28.00E 31
Use/Quantity	Aquifer Storage and Recovery Testing / 13.36 CFS
ASR Well Locations	ASR 1 (UMAT 1166) 50 ft north and 1270 feet west from SE corner of Section 25, T3N/R27E Proposed ASR 2050 feet south and 1530 feet east of NW corner of Section 31, T3N/R28E
Max Injection/Withdrawal	6,000 GPM / 6,000 GPM THROUGH 2 WELL(S)
Max Storage Volume	1.65 BILLION GALLONS IN A BASALT AQUIFER

## 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#	<a href="#">98040</a>
App:	S-87908
County/Basin	Jackson / Rogue (15)
Applicant Name	APPLEGATE RIVER IRRIGATION CORP.
Priority Date	06/17/2013
Issue Date	11/01/2024
Cert#	<a href="#">97981</a>
App:	S-86072
County/Basin	Jackson / Rogue (15)
Applicant Name	BLACK, BRENT BLACK, MELINDA
Priority Date	08/18/2004
Issue Date	11/01/2024
Cert#	<a href="#">97897</a>
App:	S-87553
County/Basin	Coos / South Coast (17)
Applicant Name	BRUNELL, JEANNETTE; JEANNETTE BRUNELL TRUST DTD 11/4/2005
Priority Date	09/03/2009
Issue Date	11/01/2024
Cert#	<a href="#">97974</a>
App:	G-11200
County/Basin	Lake / Goose & Summer Lake (13)
Applicant Name	CHITWOOD, MIKE CHITWOOD, LORI
Priority Date	11/03/1983
Issue Date	11/01/2024
Cert#	<a href="#">98036</a>
App:	G-12790
County/Basin	Klamath / Klamath (14)
Applicant Name	CONE, DAVID HILSCHER, LAURA
Priority Date	02/25/1992
Issue Date	11/01/2024
Cert#	<a href="#">97985</a>
App:	S-58329
County/Basin	Morrow / Umatilla (7)
Applicant Name	FINLEY BUTTES LANDFILL CO.
Priority Date	02/15/1979
Issue Date	11/01/2024
Cert#	<a href="#">97976</a>
App:	R-87288
County/Basin	Polk / Willamette (2)
Applicant Name	KNIELING, DAVID
Priority Date	09/22/2008
Issue Date	11/01/2024

Cert# [97975](#)  
App: S-7452  
County/Basin Wasco / Deschutes (5)  
Applicant Name JUSTESEN, FRED A.  
JUSTESEN, JONNIE L.  
Priority Date 08/04/1920  
Issue Date 11/01/2024

Cert# [97977](#)  
App: R-87289  
County/Basin Polk / Willamette (2)  
Applicant Name KNIELING, DAVID  
Priority Date 09/22/2008  
Issue Date 11/01/2024

Cert# [98037](#)  
App: G-12986  
County/Basin Clackamas / Willamette (2)  
Applicant Name MILLER, HAROLD M.  
Priority Date 06/15/1992  
Issue Date 11/01/2024

Cert# [97982](#)  
Xfer: T-11971  
County/Basin Grant / John Day (6)  
Applicant Name MILTON, ROY  
DEROWITSCH, DANNIE  
DEROWITSCH, WANDA  
Priority Date 04/20/1944  
Issue Date 11/01/2024

Cert# [97983](#)  
Xfer: T-11971  
County/Basin Grant / John Day (6)  
Applicant Name MILTON, ROY  
DEROWITSCH, DANNIE  
DEROWITSCH, WANDA  
Priority Date 12/09/1917  
Issue Date 11/01/2024

Cert# [97984](#)  
Xfer: T-11971  
County/Basin Grant / John Day (6)  
Applicant Name MILTON, ROY  
DEROWITSCH, DANNIE  
DEROWITSCH, WANDA  
Priority Date 07/05/1979  
Issue Date 11/01/2024

Cert# [98085](#)  
App: R-88699  
County/Basin Lane / Willamette (2)  
Applicant Name WOOSTER, GARRETT  
Priority Date 02/08/2019  
Issue Date 11/01/2024

Cert# [98086](#)  
App: S-89104  
County/Basin Lane / Willamette (2)  
Applicant Name WOOSTER, GARRETT  
Priority Date 05/06/2021  
Issue Date 11/01/2024

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

## PUBLIC NOTICE OF WATER USE REQUESTS

November 5, 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:

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\* 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.