

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS  
November 19, 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.
- \* **Alternate Reservoir Applications (ORS 537.409)**  
Applications for storage permits for small ponds filed under a simplified review process.
- \* **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.)
- \* **Application for Instream Lease**  
Application by water right holder to lease existing water rights to instream use.
- \* **Transfer Applications: Permit Amendments**  
Requests to amend permits.
- \* **Transfer Notice: District Permanent Transfers for Place of Use- ORS 540.580(4)**  
District notices filed for place of use changes within a district's boundary.

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**

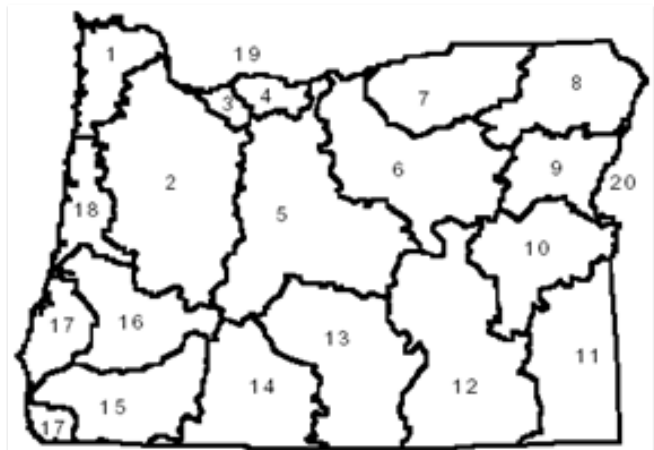
Unit of measure:

- 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 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, January 03, 2025.**

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-19276](#)  
County/Basin Clackamas / Willamette (2)  
Applicant Name ANFILOFIEFF, VITALY  
29099 S JACKSON RD  
CANBY, OR 97013  
Sources/TRSQ40Q160 A WELL > BEAR CREEK / 4.00S 1.00E 27 SWSW  
Use/Quantity IRRIGATION / 0.330 CFS  
Priority Date 04/11/2022  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-19281](#)  
County/Basin Marion / Willamette (2)  
Applicant Name M AND T TREE FARM  
DOUGHERTY, MATT  
DOUGHERTY, TERESA  
6138 CASCADE HWY NE  
SILVERTON, OR 97381  
Sources/TRSQ40Q160 A WELL > ABIQUA CREEK / 6.00S 1.00W 25 SESW  
A WELL > ABIQUA CREEK / 6.00S 1.00W 36 NENW  
Use/Quantity IRRIGATION / 0.13 CFS  
Priority Date 04/22/2022  
Stage/Status IR / PROPOSE TO DENY

App# [G-19290](#)  
County/Basin Clackamas / Willamette (2)  
Applicant Name KEN LAN LLC  
C/O JESS KENAGY  
29531 S KENAGY LANE  
HUBBARD, OR 97032  
Sources/TRSQ40Q160 A WELL > ROCK CREEK / 5.00S 1.00E 6 NWNE  
Use/Quantity IRRIGATION / 0.946 CFS  
Priority Date 05/02/2022  
Stage/Status IR / PROPOSE TO DENY

App# [G-19293](#)  
County/Basin Washington / Willamette (2)  
Applicant Name ELLERBROOK, DEREK  
ELLERBROOK, RACHEL  
9614 NW 316TH PLACE  
HILLSBORO, OR 97124  
Sources/TRSQ40Q160 A WELL > MCKAY CREEK / 1.00N 3.00W 12 NENW  
Use/Quantity IRRIGATION / 0.050 CFS  
Priority Date 05/11/2022  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-19294](#)  
County/Basin Clackamas / Willamette (2)  
Applicant Name RAMOS ASCENCIO, EMMANUEL  
11743 S BARNARDS RD  
MOLALLA, OR 97038  
Sources/TRSQ40Q160 A WELL > BEAR CREEK / 4.00S 1.00E 36 SWSE  
A WELL > GRIBBLE CREEK / 4.00S 1.00E 36 SWSE  
Use/Quantity NURSERY USES / 0.288 CFS  
Priority Date 05/09/2022  
Stage/Status IR / PROPOSE TO APPROVE

App# [R-89847](#)  
County/Basin Clackamas / Willamette (2)  
Applicant Name BERNERT LAND HOLDINGS LLC  
BERNERT, DAVID  
4131 IMPERIAL DR  
WEST LINN, OR 97068  
Sources/TRSQ40Q160 RUNOFF > MOLALLA RIVER / 4.00S 1.00E 4 SWSW  
A WELL > MOLALLA RIVER /  
Use/Quantity STORAGE / 80.000 AF  
Priority Date 10/07/2024  
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#           | <a href="#">G-18103</a>  |
| County/Basin   | Wasco / Deschutes (5)  |
| Applicant Name | JUSTESEN BROTHERS<br>59720 TWIN LAKES RD<br>GRASS VALLEY, OR 97029   |
| Priority Date  | 06/15/2015   |
| Issue Date     | 11/08/2024   |
| Status         | APPROVED   |
| App#           | <a href="#">G-19065</a>  |
| County/Basin   | Lane / Willamette (2)  |
| Applicant Name | SUNSET FARM JC LLC<br>JOHNSON, LISA<br>93737 DORSEY LANE<br>JUNCTION CITY, OR 97448                          |
| Priority Date  | 02/19/2021   |
| Issue Date     | 11/08/2024   |
| Status         | APPROVED   |
| App#           | <a href="#">G-19100</a>  |
| County/Basin   | Malheur / Owyhee (11)  |
| Applicant Name | WARM SPRINGS RANCH LLC<br>PO BOX 14<br>JORDAN VALLEY, OR 97910   |
| Priority Date  | 04/20/2021   |
| Issue Date     | 11/08/2024   |
| Status         | APPROVED   |
| App#           | <a href="#">G-19242</a>  |
| County/Basin   | Clackamas / Willamette (2)   |
| Applicant Name | FULLER, LISA<br>BUSH, PETER<br>27187 S BENJAMIN RD<br>ESTACADA, OR 97023                                     |
| Priority Date  | 01/13/2022   |
| Issue Date     | 11/15/2024   |
| Status         | WITHDRAWN  |
| App#           | <a href="#">LL-1986</a>  |
| County/Basin   | Clackamas / Willamette (2)   |
| Applicant Name | MORNINGSTAR 2006 LLC<br>BISENIUS, JAMES<br>29100 SW TOWN CENTER LOOP W<br>SUITE 100<br>WILSONVILLE, OR 97070 |
| Issue Date     | 11/08/2024   |
| 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 January 18, 2025.**

|                    |  |
|--------------------|--|
| App#               | <a href="#">R-89856</a>  |
| County/Basin       | Yamhill / Willamette (2)   |
| Applicant Name     | SANTOS, JOE<br>SANTOS FAMILY FARM<br>21480 NE LAUGHLIN RD<br>YAMHILL, OR 97148 |
| Sources/TRSQ40Q160 | RUNOFF > CHEHALEM CREEK / 2.00S 3.00W 30 SENW                                  |
| Use/Quantity       | MULTIPLE PURPOSE / 7.000 AF  |
| Priority Date      | 11/13/2024   |

## **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 January 03, 2025.** 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#               | <a href="#">S-69623</a>   |
| Permit#            | S-55199   |
| County/Basin       | Washington / Willamette (2)   |
| Applicant Name     | TUALATIN VALLEY IRRIGATION DISTRICT<br>2330 ELM STREET<br>FOREST GROVE, OR 97116  |
| Sources/TRSQ40Q160 | TUALATIN RIVER > WILLAMETTE RIVER / 1.00S 3.00W 8 NWSW<br>SCOGGINS CREEK > TUALATIN RIVER / 1.00S 4.00W 26 NWNW<br>A RESERVOIR > TUALATIN RIVER / 1.00S 4.00W 20 NENE |
| Use/Quantity       | AGRICULTURE USES / 81.2499 CFS  |

|                    |  |
|--------------------|--|
| App#               | <a href="#">G-17319</a>  |
| Permit#            | G-17538  |
| County/Basin       | Klamath / Klamath (14)   |
| Applicant Name     | SPLENDOR RIDGE INC.<br>ADKINS, DEBORAH L.<br>ADKINS, DOUGLAS E.<br>9338 HILL RD<br>KLAMATH FALLS, OR 97603 |
| Sources/TRSQ40Q160 | A WELL > NUSS LAKE BASIN / 39.00S 10.00E 33 NENW   |
| Use/Quantity       | SUPPLEMENTAL IRRIGATION / 1.620 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 December 19, 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#           | <a href="#">G-16239</a>  |
| Permit Number  | G-15842  |
| County/Basin   | Clackamas / Willamette (2)   |
| Applicant Name | NORTHWEST FARM CREDIT SERVICES FLCA<br>380 FARM CREDIT DR SE<br>SALEM, OR 97301-5501 |
|                | PATTERSON REAL ESTATE HOLDINGS LLC<br>PO BOX 99<br>BORING, OR 97009                  |
| Use            | NURSERY USES   |

## 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 December 10, 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-1778](#)  
Certificate 55972 (T-5875), 76535  
Lessor BOHANNON, MYRNA K.  
18804 TAP HORN LANE  
MITCHELL, OR 97750  
Priority Date 08/27/1979, 12/30/1917  
Source/Tributary To JOHN DAY RIVER / COLUMBIA RIVER

Lease# [IL-2064](#)  
Certificate 728, 730  
Lessor PETERSON, LUKE  
37603 NW HARRISON RD  
BANKS, OR 97106

Lessor PETERSON, SARAH  
37603 NW HARRISON RD  
BANKS, OR 97106

Lessee TOWNSEND, LACEY  
TUALATIN SOIL AND WATER CONSERVATION DISTRICT  
7175 NE EVERGREEN PRKWY, #400  
HILLSBORO, OR 97124  
Priority Date 11/30/1909  
Source/Tributary To BLEDSOE CREEK / EAST FORK DAIRY CREEK

## Transfer Applications: Permit Amendments

The holder of a water right permit may apply to change a point of diversion or appropriation or to change the place of use pursuant to ORS 537.211 (4).

Notice is given that the following applications for Permit Amendments have been received by the Department. If the proposed change in point of diversion or appropriation is for a distance greater than 1/4 mile or includes intervening diversion points, notice also will be published in a local newspaper.

|                    |  |
|--------------------|--|
| Transfer           | <a href="#">T-14560</a>  |
| Water Right        | Permit: G-18861  |
| County/Basin       | Clackamas / Willamette (2)   |
| Applicant Name     | FRITZ, MIKE<br>SHORTLAND GOLF CLUB<br>16842 ALDER CIRCLE<br>LAKE OSWEGO, OR 97034                              |
| Proposed Change    | POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION  |
| Sources/TRSQ40Q160 | A WELL > WILLAMETTE RIVER BASIN / 3.00S 1.00E 16 SWNW<br>A WELL > WILLAMETTE RIVER BASIN / 3.00S 1.00E 16 NESW |
| Use/Quantity       | IRRIGATION / 0.400 CFS   |
| Priority Date      | 07/20/2005   |

## 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 **2024-13**  
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: 2.93  
Authorized POU: T18S R12E 01 NENE  
Proposed POU: T18S R12E 01 NENE;T18S R12E 01 NWNE;T18S R12E 01 SWNE;T18S R12E 01 SENE

Notice **2024-14**  
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: 0.53  
Authorized POU: T14S R13E 27 NWSW  
Proposed POU: T14S R13E 31 SWNE

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

## PUBLIC NOTICE OF WATER USE REQUESTS

November 19, 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.