

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
December 3, 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.
- * **Renewal of Aquifer Storage and Recovery (ASR) Limited Licenses**
- * **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: Permit Amendments**
Requests to amend permits.
- * **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

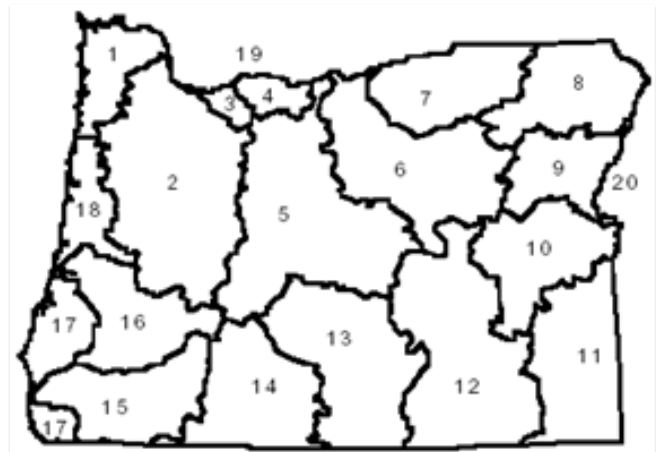
Unit of measure:

- 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, January 02, 2025. 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 17, 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

*****There are no Initial Reviews or Proposed Final Orders for the week of 11/26/2024
– 12/03/2024*****

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-19221](#)
County/Basin Baker / Powder (9)
Applicant Name NORTON, BEN
50309 OSBORN RD
BAKER CITY, OR 97814
Priority Date 11/12/2021
Issue Date 11/22/2024
Status DENIED

App# [G-19234](#)
County/Basin Grant / John Day (6)
Applicant Name RIGGS, BARBARA F.
RIGGS, JEFFERY S.
PO BOX 122
DAYVILLE, OR 97825
Priority Date 12/22/2021
Issue Date 11/22/2024
Status DENIED

App# [G-19236](#)
County/Basin Baker / Powder (9)
Applicant Name SMOKE RANCH LLP
3990 HWY 52
PAYETTE, ID 83661
Priority Date 01/06/2022
Issue Date 11/22/2024
Status DENIED

App# [G-19248](#)
County/Basin Marion / Willamette (2)
Applicant Name SUBLIME ORGANICS LLC
WILT, ELLEN W.
7908 BOEDIGHEIMER RD SE
SUBLIMITY, OR 97385
Priority Date 06/13/2022
Issue Date 11/22/2024
Status WITHDRAWN

App# [R-89397](#)
County/Basin Lane / Willamette (2)
Applicant Name MARK AND JOLLY LLC
4199 75TH AVE SE
SALEM, OR 97317
Priority Date 09/05/2023
Issue Date 11/22/2024
Status APPROVED

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 17, 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#	G-18621
Permit#	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

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	ASR Limited License-027
Certificate	Certificates 67891, 81026, 81027, 85913
County/Basin	WASHINGTON / Willamette
Applicant	City of Hillsboro, Attn: Niki Iverson 150 E. Main Street Hillsboro, OR 97123-4028
Source/TRS	Sain Creek > Scoggins Creek / 1.00S 5.00W 14; 1.00S 3.00W 8 Scoggins Creek> Tualatin River/ 1.00S 4.00W 20 Tualatin River > Willamette River/ 1.00S 3.00W 8
Use/Quantity	Aquifer Storage and Recovery Testing / 8.5 CFS
ASR Well Locations	Crandall Reservoir ASR Well (proposed):745 feet North, 144 feet west from SE corner of Section 24, T1N/R3E Butternut Creek ASR Well (proposed): 2182 feet North, 2607 feet East from the SW corner of Section 14, T1S/R2W Wood Street ASR Well (proposed): 2504 feet North, 1513 feet west from NE corner of Section 1, T1S/R3W
Max Injection/Withdrawal	1,275 GPM / 1,725 GPM THROUGH EACH OF 3 WELLS
Max Storage Volume	900 MILLION GALLONS

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 January 02, 2025, 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-13911](#) filed by Willamette Valley Land LLC, c/o Paul Kuehne PO Box 99 Lafayette, OR 97127, proposes an additional point of diversion and changes in places of use under Certificates 11960, 20900, 24544, 43292, and 46454. Certificate 11960 allows the use of 0.33 cubic foot per second (cfs) from Crabtree Creek in Sec. 7, T11S, R1E, WM for irrigation in Sec. 7, T11S, R1E, WM and Sec 12, T11S R1W, WM. The applicant proposes an additional point of diversion in Sec. 1, T11S, R1W, WM and to change the place of use within Sec. 7 T11S, R1E, WM and Sec. 12, T11S, R1W, WM. Certificate 20900 allows the use of 0.25 cfs from Crabtree Creek in Sec. 1, T11S, R1W, WM for irrigation in Sec. 1 T11S, R1W, WM. The applicant proposes an additional point of diversion in Sec. 1, T11S, R1W, WM and to change the place of use to Sects. 1 and 12, T11S, R1W, WM. Certificate 24544 allows the use of 0.25 cfs from Crabtree Creek in Sec. 1, T11S, R1W, WM for irrigation in Sec. 12, T11S, R1W, WM. The applicant proposes an additional point of diversion in Sec. 1, T11S, R1W, WM and to change the place of use within Sec. 12, T11S, R1W, WM. Certificate 43292 allows the use of 0.41 cfs from Crabtree Creek in Sec. 7, T11S, R1E, WM for irrigation in Sec. 7, T11S, R1E, WM, and Sec. 12, T11S, R1W, WM. The applicant proposes an additional point of diversion in Sec. 1, T11S, R1W, WM and to change the place of use within Sec. 12, T11S, R1W, WM. Certificate 46456 allows the use of 0.32 cfs from Crabtree Creek in Sec. 1, T11S, R1W, WM for irrigation in Sec. 12, T11S, R1W, WM. The applicant proposes an additional point of appropriation in Sec. 1, T11S, R1W, WM, and to change the place of use within Sec. 12, T11S, R1W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-14125](#) filed by Longview Ranch, LLC of Nevada, Attn: Scott Sutton, 39847 Highway 19, Kimberly, OR 97848, proposes a change in point of diversion, a change in place of use and a change in character of use under Certificate 64632. The right allows the use of 0.05 cubic foot per second from the John Day River in Sec. 30, T10S, R26E, WM for irrigation in Sects. 24 and 25, T10S, R26E, WM. The applicant proposes to move the point of diversion to Sec. 19, T10S, R26E, WM, to change the place of use within Sects. 24 and 25, T10S, R26E, WM, and to change the character of use to industrial and commercial use. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-14393](#) filed by Bradley and Mary Gilbert, PO Box 263, Molalla, OR 97038, proposes additional points of appropriation under Certificate 97364. The right allows the use of 1.4 cubic feet per second from a well in Sec. 12, T5S, R1E, WM for nursery use in Sects. 1 and 12, T5S, R1E, WM. The applicant proposes three additional points of appropriation within Sec. 12, T5S, R1E, 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: 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	T-14565
Water Right	Permit: G-17493
County/Basin	Linn / Willamette (2)
Applicant Name	RB WEBBER DEVELOPMENT LLC 3430 NW SPRINGHILL DR. ALBANY, OR 97321
Proposed Change	ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > TRUAX CREEK BASIN / 11.00S 3.00W 2 SESE A WELL > TRUAX CREEK BASIN / 11.00S 3.00W 2 NESE A WELL > TRUAX CREEK BASIN / 11.00S 3.00W 1 SESW
Use/Quantity	IRRIGATION / 2.000 CFS
Priority Date	12/05/2014

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 January 02, 2025.

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 Columbia City (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# [98141](#)
App: G-18048
County/Basin Josephine / Rogue (15)
Applicant Name FROMMER, JAMES; FROMMER FAMILY TRUST
Priority Date 04/13/2015
Issue Date 12/03/2024

Cert# [98138](#)
App: R-88503
County/Basin Polk / Willamette (2)
Applicant Name LONE STAR ROAD LLC
Priority Date 01/24/2018
Issue Date 12/03/2024

Cert# [98139](#)
App: S-88577
County/Basin Polk / Willamette (2)
Applicant Name LONE STAR ROAD LLC
Priority Date 05/03/2018
Issue Date 12/03/2024

Cert# [98140](#)
App: R-89127
County/Basin Multnomah / Willamette (2)
Applicant Name PORT OF PORTLAND
Priority Date 06/11/2021
Issue Date 12/03/2024

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

December 3, 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.