

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**March 3, 2015**

*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.
- \* **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.
- \* **Establishment of Mitigation Credits in the Deschutes Basin pursuant to OAR Chapter 690, Division 521 (ORS 537.746)**
- \* **Application for Instream Lease**  
Application by water right holder to lease existing water rights to instream use.
- \* **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: 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 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 Applications: Permit Amendments**  
Requests to amend permits.
- \* **Ground Water Registration Modifications**  
Applications requesting Department recognition of changes in point of appropriation, place of use and character of use under a ground water certificate of registration.

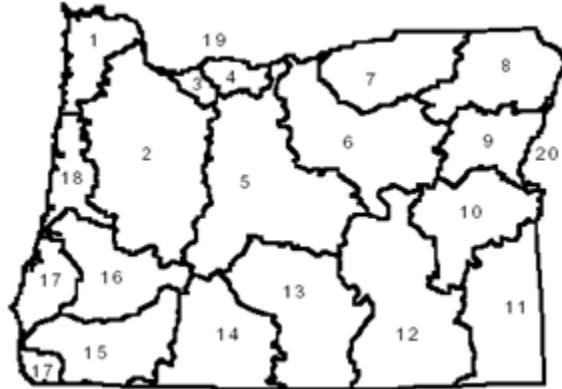
The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to "Codi.N.Holmes@wrd.state.or.us".

## 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<br>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, April 02, 2015.** 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 \$25. (Any person paying \$25 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, April 17, 2015.**

The protest filing fee is \$350 for the applicants and \$700 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 \$200 to retain the ability to participate in future proceedings relating to an application. Before participation in a hearing is allowed, an additional \$500 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# [S-87957](#)  
County/Basin Lane / Willamette (2)  
Applicant Name OREGON DEPARTMENT OF FISH AND WILDLIFE  
LEABURG FISH HATCHERY  
4034 FAIRVIEW INDUSTRIAL DR SE  
SALEM, OR 97304

Sources/TRSQ40Q160 A SPRING > MCKENZIE RIVER / 16.00S 2.00E 31 SENE  
Use/Quantity FISH CULTURE / 0.330 CFS  
Priority Date 02/03/2014  
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-17774](#)  
County/Basin Umatilla / Umatilla (7)  
Applicant Name HAT ROCK WATER CO. INC.  
82608 C ST  
HERMISTON, OR 97838

Sources/TRSQ40Q160 A WELL > COLUMBIA RIVER / 5.00N 29.00E 15 SWNE  
Use/Quantity QUASI-MUNICIPAL USES / 0.730 CFS  
Priority Date 02/24/2014  
Stage/Status PFO / PROPOSE TO APPROVE

App# [R-88040](#)  
County/Basin Benton / Willamette (2)  
Applicant Name OR TWO LLC  
C/O GLASS, JONATHAN  
422 ABEYTA ST  
SANTA FE, NM 87505

Sources/TRSQ40Q160 RUNOFF > BOWERS SLOUGH / 10.00S 4.00W 28 SWSE  
A POND > BOWERS SLOUGH / 10.00S 4.00W 28 SWSE  
RUNOFF > BOWERS SLOUGH / 10.00S 4.00W 28 SWSE  
A POND > UNNAMED STREAM / 10.00S 4.00W 27 SESW  
UNNAMED STREAM > BOWERS SLOUGH / 10.00S 4.00W 27 SWSW  
RUNOFF > UNNAMED STREAM / 10.00S 4.00W 27 SESW  
RUNOFF > UNNAMED STREAM / 10.00S 4.00W 28 SESE  
A SPRING > UNNAMED STREAM / 10.00S 4.00W 28 SESE  
A POND > UNNAMED STREAM / 10.00S 4.00W 27 SWSW  
RUNOFF > UNNAMED STREAM / 10.00S 4.00W 28 SESE  
RUNOFF > UNNAMED STREAM / 10.00S 4.00W 28 SESE

Use/Quantity FISH CULTURE / 1.000 AF  
STORAGE / 1.000 AF  
FISH CULTURE / 9.000 AF  
LIVESTOCK / 1.000 AF  
STORAGE / 45.000 AF  
FISH CULTURE / 8.500 AF  
STORAGE / 1.000 AF  
STORAGE / 1.000 AF  
LIVESTOCK / 3.000 AF  
FISH CULTURE / 7.000 AF  
FISH CULTURE / 3.000 AF

Priority Date 12/31/2014  
Stage/Status IR / PROPOSE TO APPROVE

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

Following is a list of applications that have had final orders issued recently. If you would like a copy of any of the final orders, you may send a request with \$25.00 for each final 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 503-986-0801.

App#	<a href="#">G-13732</a>
County/Basin	Coos / South Coast (17)
Applicant Name	FABER, ALFRED W. AND F ANN PO BOX 356 BANDON, OR 97411
	FOSTER, WAYNE PO BOX 114 LANGLOIS, OR 97450
Priority Date	07/01/1994
Issue Date	02/27/2015
Status	DENIED
App#	<a href="#">G-17430</a>
County/Basin	Jackson / Rogue (15)
Applicant Name	ORCHARD GLADE WATER DISTRICT PO BOX 223 SHADY COVE, OR 97539
Priority Date	09/14/2010
Issue Date	02/27/2015
Status	ISSUED
App#	<a href="#">G-17637</a>
County/Basin	Union / Grande Ronde (8)
Applicant Name	DE LINT, MARCUS W. 64154 CASE RD COVE, OR 97824
Priority Date	03/15/2013
Issue Date	02/27/2015
Status	ISSUED
App#	<a href="#">G-17704</a>
County/Basin	Harney / Malheur Lake (12)
Applicant Name	RICHARD FLY 1596 DUSTIN DR VALE, OR 97918
Priority Date	07/24/2013
Issue Date	02/25/2015
Status	ISSUED
App#	<a href="#">G-17852</a>
County/Basin	Wasco / Deschutes (5)
Applicant Name	DAVIS, IRL MICHAEL PO BOX 188 TYGH VALLEY, OR 97063
Priority Date	04/28/2014
Issue Date	02/27/2015
Status	ISSUED

App# [R-87282](#)  
County/Basin Wheeler / John Day (6)  
Applicant Name KEMMER, JAMES L.  
PO BOX 1054  
LONG BEACH, WA 98631  
Priority Date 08/27/2008  
Issue Date 02/27/2015  
Status ISSUED

App# [R-87284](#)  
County/Basin Wheeler / John Day (6)  
Applicant Name KEMMER, JAMES L.  
PO BOX 1054  
LONG BEACH, WA 98631  
Priority Date 08/27/2008  
Issue Date 02/27/2015  
Status ISSUED

App# [R-88011](#)  
County/Basin Union / Grande Ronde (8)  
Applicant Name FRISCH, DIAN AND JOHN  
62816 LOWER COVE RD  
COVE, OR 97824  
Priority Date 09/04/2014  
Issue Date 02/27/2015  
Status ISSUED

App# [R-88015](#)  
County/Basin Lane / Willamette (2)  
Applicant Name HIDAY, KENNETH  
1033 SHARON WAY  
EUGENE, OR 97401  
Priority Date 09/29/2014  
Issue Date 02/27/2015  
Status ISSUED

App# [R-88016](#)  
County/Basin Benton / Middle Coast (18)  
Applicant Name WOLFE, JESSE  
13 EDGEWOOD DR  
CORVALLIS, OR 97330  
Priority Date 10/03/2014  
Issue Date 02/23/2015  
Status ISSUED

App# [R-88017](#)  
County/Basin Clackamas / Willamette(2)  
Applicant Name TOWNSEND, MICHAEL E.  
23400 NE TOWNSEND WAY  
FAIRVIEW, OR 97024  
Priority Date 10/08/2014  
Issue Date 02/27/2015  
Status ISSUED

App# [R-88020](#)  
County/Basin Yamhill / Willamette (2)  
Applicant Name COELHO, DAVID M.  
25325 SW PERRYDALE RD  
AMITY, OR 97101  
Priority Date 10/27/2014  
Issue Date 02/27/2015  
Status ISSUED

App#	<a href="#"><u>S-87667</u></a>
County/Basin	Jackson / Rogue (15)
Applicant Name	STOUT, JACK AND SALLY 1200 MIRA AVE APT 309 MEDFORD, OR 97504
Priority Date	11/12/2010
Issue Date	02/27/2015
Status	ISSUED
App#	<a href="#"><u>S-88027</u></a>
County/Basin	Linn / Malheur Lake (12), Willamette (2)
Applicant Name	WILLAMETTE VALLEY LAND LLC ATTN: KUEHNE, PAUL PO BOX 99 LAYFAYETTE, OR 97127
Priority Date	10/30/2014
Issue Date	02/27/2015
Status	ISSUED
App#	<a href="#"><u>S-88029</u></a>
County/Basin	Jackson / Rogue (15)
Applicant Name	KIRKPATRICK, DAVID STEVE 195 RENE DR SHADY COVE, OR 97539
Priority Date	10/31/2014
Issue Date	02/27/2015
Status	ISSUED
App#	<a href="#"><u>LL-1557</u></a>
County/Basin	Douglas / Umpqua (16)
Applicant Name	WEBER, RICHARD 3261 NE FOLLETT ST ROSEBURG, OR 97470
	WOODARD, BERNIE 3261 NE FOLLETT ST ROSEBURG, OR 97470
Priority Date	02/02/2015
Issue Date	02/27/2015
Status	ISSUED

## **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 May 02, 2015.**

App#	<a href="#">R-88053</a>
County/Basin	Polk / Willamette(2)
Applicant Name	ANKERSTJERNE TIMBER INC C/O ANKERSTJERNE, DAVID 579 HASTINGS DR BENICIA, CA 94510
Sources/TRSQ40Q160	GIBSON GULCH > BRUSH COLLEGE CREEK / 7.00S 3.00W 7 SWSW
Use/Quantity	MULTIPLE PURPOSE / 9.000 AF
Priority Date	02/19/2015



**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 April 02, 2015.** 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 \$25 (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-9501](#)  
Permit Number G-8796  
County/Basin Linn / Willamette (2)  
Applicant Name CITY OF SODAVILLE  
30723 SODAVILLE RD  
LEBANON, OR 97355  
Sources/TRSQ40Q160 ONE WELL > / 12.00S 1.00W 31 NWSW  
Use/Quantity MUNICIPAL USES / 0.170 CFS  
Proposed Completion Date 10/01/2067

App# [G-12996](#)  
Permit Number G-12372  
County/Basin Deschutes / Deschutes (5)  
Applicant Name MILGARD, JAMES  
9801 ALLEN POINT  
GIG HARBOR, WA 98332  
Sources/TRSQ40Q160 WELL 1 > CROOKED RIVER / 21.00S 20.00E 28 SWNE  
WELL 2 > CROOKED RIVER / 21.00S 20.00E 27 SESW  
Use/Quantity IRRIGATION / 8.080 CFS  
Proposed Completion Date 10/01/2018

App# [G-16615](#)  
Permit Number G-16582  
County/Basin Multnomah / Willamette (2)  
Applicant Name PORTLAND MEADOWS  
1001 N SCHMEER RD  
PORTLAND, OR 97217  
Sources/TRSQ40Q160 A WELL > COLUMBIA SLOUGH / 1.00N 1.00E 10 NWNE  
A WELL > COLUMBIA SLOUGH / 1.00N 1.00E 3 SESW  
Use/Quantity AGRICULTURE USES / 1.110 CFS  
Proposed Completion Date 10/30/2019

App# [G-17306](#)  
Permit Number G-16797  
County/Basin Harney / Malheur Lake (12)  
Applicant Name K AND P ENTERPRISES LLC  
67719 HWY 78  
BURNS, OR 97720  
Sources/TRSQ40Q160 A WELL > MALHEUR LAKE / 24.00S 32.00E 4 NENW  
A WELL > MALHEUR LAKE / 24.00S 32.00E 4 NENE  
A WELL > MALHEUR LAKE / 23.00S 32.00E 34 SWSW  
Use/Quantity IRRIGATION / 4.930 CFS  
Proposed Completion Date 10/14/2015

## **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 \$25. (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 April 17, 2015.** There is no fee for submission of comments. The protest filing fee is \$350 for the applicant and \$700 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

### **OAR-690-315**

App#	G-15028
Permit#	<a href="#">G-13871</a>
County/Basin	Yamhill / Willamette (2)
Applicant Name	SWEAT, BILL 8905 NE WORDEN HILL RD DUNDEE, OR 97115
Sources/TRSQ40Q160	A WELL > HESS CREEK / 3.00S 3.00W 27 NESW A WELL > HESS CREEK / 3.00S 3.00W 27 NESW
Use/Quantity	AGRICULTURE USES / 0.070 CFS
Status	PROPOSE TO APPROVE
App#	S-71584
Permit#	<a href="#">S-52447</a>
County/Basin	Linn, Marion / Willamette (2)
Applicant Name	CITY OF STAYTON 362 N THIRD AVE STAYTON, OR 97383
Sources/TRSQ40Q160	NORTH SANTIAM RIVER > SANTIAM RIVER / 9.00S 1.00W 11 SWSE
Use/Quantity	MUNICIPAL USES / 25.000 CFS
Status	PROPOSE TO APPROVE

## Establishment of Mitigation Credits in the Deschutes Basin

ORS 537.746 authorizes the Department to award mitigation credits in the Deschutes Basin to approved mitigation projects. Mitigation credits may be used in the Deschutes Basin, specifically the Deschutes Ground Water Study Area, to mitigate for the impacts of ground water use on surface water flows. Pursuant to OAR Chapter 690, Division 521, upon receipt of notification of a mitigation project, the Department shall give public notice of the intent to establish mitigation credits.

The public is invited to comment on establishment of mitigation credits for the project(s) described below. Comments must be received within 21 days of the date of this public notice. Comments should address the award of mitigation credits to the proposed project and its use for mitigation purposes. Included in this public notice is a preliminary determination as to the amount of mitigation credits that may be available from the proposed project.

Mitigation Project #	MP-33
Mitigation Project And Process	INSTREAM LEASE APPLICATION IL-615 FOR CERTIFICATE 57567 (ALSO SEE INSTREAM LEASE NOTICE ON PAGE 12 FOR APPLICATION DETAILS)
County/Basin	Deschutes / Deschutes (5)
Project Applicant	ASPEN LAKES DEVELOPMENT LLC ATTN: CYRUS, MATT 16900 ASPEN LAKES DRIVE SISTERS, OR 97759
	DESCHUTES RIVER CONSERVANCY MITIGATION BANK PO BOX 1560 BEND, OR 97709
Subbasin/Source	WHYCHUS CREEK SUBBASIN – WHYCHUS CREEK > DESCHUTES RIVER
Amount of Water	PROPOSED INSTREAM: UP TO 0.45 CFS, MAXIMUM SEASONAL VOLUME: 200.0 AF
Current Use	50.0 ACRES OF IRRIGATION
Credits Assigned to	DESCHUTES RIVER CONSERVANCY MITIGATION BANK
Preliminary Mitigation	UP TO 90.0 MITIGATION CREDITS MAY BE AVAILABLE FOR USE IN THE WHYCHUS
Credit Determination	CREEK AND GENERAL ZONES OF IMPACT
Contact	LAURA WILKE, PHONE (503) 986-0884

## 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 March 24, 2015.** 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 615</a>
County/Basin	Deschutes / Deschutes (5)
Lessor	ASPEN LAKES DEVELOPMENT LLC ATTN: CYRUS, MATT 16900 ASPEN LAKES DRIVE SISTERS, OR 97759
Lessee	DESCHUTES RIVER CONSERVANCY MITIGATION BANK PO BOX 1560 BEND, OR 97709
Cert#/Priority Date	57567 / 03/05/1948
Source/Tributary To	SQUAW CREEK / DESCHUTES RIVER
Lease#	<a href="#">IL 999</a>
County/Basin	Jefferson / Deschutes (5)
Lessor	STILLS, LORNE PO BOX 317 CULVER, OR 97734
Lessee	HUBERT, GENEVIEVE DESCHUTES RIVER CONSERVANCY 700 NW HILL ST BEND, OR 97701
Cert#/Priority Date	48824 / 10/31/1974
Source/Tributary To	MUD SPRINGS CREEK / TROUT CREEK

## 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 \$700 protest fee for non-applicant and \$350.00 protest fee for applicant. A Water Right Transfer Protest Form is available at <http://www.oregon.gov/OWRD/PUBS/forms.shtml> or by calling 503-986-0888. Protests must be received by the Department on or before April 02, 2015, 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-11878** filed by Dan McNeley, PO Box 152, Burns, OR 97720, proposes to change the point of appropriation under Certificate 85778 which allows 0.95 cubic foot per second from a well in the Silvies River Basin for irrigation in Sec. 30, T23S, R32E, WM. The applicant proposes to change the point of appropriation in Sec. 30. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

**T-11911** filed by Chaylon and Amber L. Shuffield, PO Box 85, Summer Lake, OR 97640, proposes a change in point of appropriation and place of use under Certificate 54247. The right allows the use of 0.09 cfs from a well in Sec. 6, T30S, R17E, WM for irrigation in Sec. 6. The applicant proposes to move the point of appropriation to Sec. 24, T29S, R17E, WM and to change the place of use to Sec. 24, T29S, R17E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

**T-11875** filed by John A. Bierly, 12160 SW Kobbe Dr, Beaverton, OR 97007, proposes a place of use change under Registration Application GR-2954 (Certificate of Registration GR-2772). The registration allows the use of 75.5 gpm from a well in Sec. 1, T2S, R2W, WM for irrigation in Sec. 1. The applicant proposes to change the place of use within Sec. 1. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

**T-10189** in the names of Thomas and Karen Pico, Trustees of Thomas and Karen Pico Family Trust, 570 Hamilton Road., Jacksonville, OR 97530, proposes a change in place of use and character of use under Certificate 86981. The right allows the use of 0.1 cfs from the Little Applegate River in Sec. 14, T39S, R3W, WM for irrigation and livestock in Sec. 33, T38S, R3W, WM. The applicant proposes to create an instream use in the Little Applegate River from the point of diversion to the mouth. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540, OAR 690-380-5000 and OAR 690-077-0075.

**T-11892** filed by Rare Earth Resources Llc, PO Box 1946 Silverton, OR 97381, proposes additional points of diversion under Certificate 48423. The right allows the use of 1.49 cfs from Pine Creek in Sec.15, T7S, R45E, WM for mining in Sec.15. The applicant proposes additional points of diversion within Sec.15. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

## 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 April 02, 2015. 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 11983</a>
Water Right	Certs: 6954, 7036, 51081, 51082, 51105, 51106, 51107, 51108, 51109, 51934
County/Basin	Malheur / Malheur (10)
Applicant Name	ROMANS, WILLIAM L. AND CINDY R. 3801 OLD STAGE RD VALE, OR 97906-5048
Proposed Change	POINT OF DIVERSION, PLACE OF USE, SUPPLEMENTAL TO PRIMARY USE
Sources/TRSQ40Q160	BULLY CREEK > MALHEUR RIVER COTTONWOOD CREEK > BULLY CREEK / 19.00S 40.00E 3 SESW COTTONWOOD CREEK > OTIS CREEK / 19.00S 40.00E 9 NESW
Use/Quantity	SUPPLEMENTAL IRRIGATION / 3.610 CFS IRRIGATION / 1.370 CFS IRRIGATION / 3.500 CFS IRRIGATION / 3.350 CFS IRRIGATION / 4.600 CFS IRRIGATION / 3.610 CFS IRRIGATION / 2.975 CFS STORAGE / 0.180 CFS IRRIGATION / 7.600 CFS IRRIGATION / 0.590 CFS IRRIGATION / 4.550 CFS
Priority Date	12/31/1881, 12/31/1886, 12/31/1897, 11/18/1968, 08/31/1978, 12/31/1876, 12/31/1876, 12/31/1883, 12/31/1886, 12/31/1883, 02/07/1912, 10/03/1978
Transfer	<a href="#">T 11984</a>
Water Right	Certs: 47188, 50613
County/Basin	Marion / Willamette (2)
Applicant Name	WOODBURN ORGANIC FARMS LLC 3555 TIMMONS LANE, SUITE 800 HOUSTON, TX 77027
Proposed Change	ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > PUDDING RIVER / 5.00S 1.00W 17 SWNE HERMLE WELL > PUDDING RIVER / 5.00S 1.00W 16 NWSW
Use/Quantity	IRRIGATION / 1.670 CFS IRRIGATION / 0.760 CFS
Priority Date	03/19/1973, 11/13/1970

Transfer [T 11986](#)  
Water Right Certs: 47952, 88869  
County/Basin Tillamook / North Coast (1)  
Applicant Name CITY OF ROCKAWAY BEACH  
PO BOX 5  
ROCKAWAY BEACH, OR 97136  
Proposed Change ADDITIONAL POINT OF DIVERSION  
Sources/TRSQ40Q160 JETTY CREEK > NEHALEM BAY / 2.00N 10.00W 17 NESE  
JETTY CREEK > NEHALEM BAY / 2.00N 10.00W 17 NESE  
Use/Quantity MUNICIPAL USES / 1.000 CFS  
MUNICIPAL USES / 1.000 CFS  
Priority Date 12/08/1969, 06/24/1981

Transfer [T 11988](#)  
Water Right Cert: 89337  
County/Basin Lake / Goose & Summer Lake (13)  
Applicant Name MILES, BECKY  
36856 GLASER RD  
SCIO, OR 97374  
Proposed Change POINT OF APPROPRIATION, PLACE OF USE  
Sources/TRSQ40Q160 A WELL > FORT ROCK BASIN / 26.00S 18.00E 8 NWSE  
Use/Quantity IRRIGATION / 1.330 CFS  
Priority Date 02/23/1981

Transfer [T 11989](#)  
Water Right Cert: 86890, 86891, 64043, 53454, 75740  
County/Basin Lake / Goose & Summer Lake (13)  
Applicant Name WARKENTIN, TIM  
PO BOX 12  
CHRISTMAS VALLEY, OR 97641  
Proposed Change POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE  
Sources/TRSQ40Q160 A WELL > FORT ROCK BASIN / 26.00S 18.00E 8 NWSW  
A WELL > FORT ROCK BASIN / 26.00S 18.00E 8 NWSW  
A WELL > FORT ROCK VALLEY / 26.00S 18.00E 16 NWSW  
A WELL > PETERS CREEK / 24.00S 18.00E 35 NWNW  
A WELL > PETERS CREEK SINK / 24.00S 18.00E 35 SESW  
Use/Quantity IRRIGATION / 1.310 CFS  
IRRIGATION / 0.670 CFS  
IRRIGATION / 3.000 CFS  
IRRIGATION / 2.110 CFS  
IRRIGATION / 0.260 CFS  
Priority Date 02/15/1984, 06/09/1981, 01/11/1984, 06/16/1980, 02/23/1981

Transfer [T 11993](#)  
Water Right Cert: 52844  
County/Basin Baker / Powder (9)  
Applicant Name KERNES, TIM AND JAN  
45917 QUAIL RD  
HAINES, OR 97833  
Proposed Change ADDITIONAL POINT OF DIVERSION  
Sources/TRSQ40Q160 WELL 1 > WILLIAMS CREEK / 8.00S 39.00E 19 NENW  
Use/Quantity IRRIGATION / 1.030 CFS  
Priority Date 03/11/1977

## 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-11985</a>
Water Right	Cert:84202
County/Basin	Harney / Malheur Lake(12)
Applicant Name	BRAMBILA, ROSALIO SUNNYSIDE DAIRY LLC 4581 MAPLE GROVE RD SUNNYSIDE, WA 98944
Proposed Change	POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > HOT SPRINGS SLOUGH / 24.00S 34.00E 30 SWSW
Use/Quantity	IRRIGATION / 2.280 CFS
Priority Date	04/23/1993
Transfer	<a href="#">T-11991</a>
Water Right	Cert: 50917, 50757, 50918, 34171
County/Basin	Lake / Goose & Summer Lake (13)
Applicant Name	JRS PROPERTIES III PO BOX 27 BOISE, ID 83707
Proposed Change	POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > FORT ROCK BASIN / 27.00S 19.00E 18 SWSW VIEWPOINT WE 1 > ANA RIVER / 27.00S 19.00E 18 SWSW VIEWPOINT WE 2 > ANA RIVER / 27.00S 19.00E 19 SWSE VIEWPOINT WE 2 > FORT ROCK BASIN / 27.00S 19.00E 19 SWSE VIEWPOINT WE 3 > ANA RIVER / 27.00S 19.00E 29 SENW VIEWPOINT WE 3 > ANA RIVER / 27.00S 19.00E 29 SENW
Use/Quantity	IRRIGATION / 1.440 CFS IRRIGATION / 0.900 CFS IRRIGATION / 2.770 CFS IRRIGATION / 0.860 CFS IRRIGATION / 1.850 CFS IRRIGATION / 0.850 CFS
Priority Date	08/14/1957, 04/04/1978, 11/24/1961, 08/14/1957



## 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 11987</a>
Water Right	Permit: G-16582
County/Basin	Multnomah / Willamette (2)
Applicant Name	PORTLAND MEADOWS 1001 N SCHMEER RD PORTLAND, OR 97217
Proposed Change	POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > COLUMBIA SLOUGH / 1.00N 1.00E 10 NWNE A WELL > COLUMBIA SLOUGH / 1.00N 1.00E 3 SESW
Use/Quantity	AGRICULTURE USES / 1.110 CFS
Priority Date	01/30/2006
Transfer	<a href="#">T 11992</a>
Water Right	Permit: G-16935
County/Basin	Morrow / Umatilla (7)
Applicant Name	PORT OF MORROW ATTN: MCKINNIS, RONALD V. PO BOX 200 BOARDMAN, OR 97818
Proposed Change	ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > UMATILLA RIVER / 4.00N 25.00E 1 NENW A WELL > UMATILLA RIVER / 4.00N 25.00E 1 NENW A WELL > UMATILLA RIVER / 4.00N 25.00E 10 SWNE A WELL > UMATILLA RIVER / 4.00N 25.00E 10 SWNE
Use/Quantity	IRRIGATION AND INDUSTRIAL/MANUFACTURING USES / 15.340 CFS
Priority Date	01/22/1993

## **Transfer Applications: Ground Water Registration Modification**

The holder of a ground water certificate of registration may request that the Department recognize a change in point of appropriation, place of use or character of use under the ground water registration. Modifications of ground water registrations are authorized under ORS 537.610(4) and OAR Chapter 382.

The Department seeks public comment on the recently-filed applications for recognition of modifications in ground water registrations listed below. Any person may comment on an application for a ground water registration modification. Comments must be received by the Department on or before April 02, 2015. 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 recognized 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-11990</a>
Water Right	Claim: GR-3287
County/Basin	Marion / Willamette (2)
Applicant Name	PAN AMERICAN BERRY GROWERS LLC 6826 55TH AVE NE SALEM, OR 97305
Proposed Change	POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > LITTLE PUDDING RIVER / 6.00S 2.00W 33 NENW
Use/Quantity	IRRIGATION / 0.535 CFS
Priority Date	04/30/1953

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
March 3, 2015

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 \$25 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 \$25 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.