

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
May 31, 2016

*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.
- * **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.
- * **Applications for Limited Licenses**
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- * **Application for Instream Lease**
Application by water right holder to lease existing water rights to instream use.
- * **Transfer Preliminary Determinations**
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- * **Transfer Applications: Temporary Transfers**
Requests to temporarily change place of use and, if necessary to convey the water to the new place of use, to temporarily change the point of diversion or appropriation.
- * **Transfer 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: Permit Amendments**
Requests to amend permits.
- * **District Permanent Transfers (ORS 540.580)**
Petitions requesting transfers in place of use within a district's boundaries.

* **Certificate Issuance**

Included in this section is a listing of recently issued water right certificates.

* **Proposed Order - Mason Dam Hydroelectric Project**

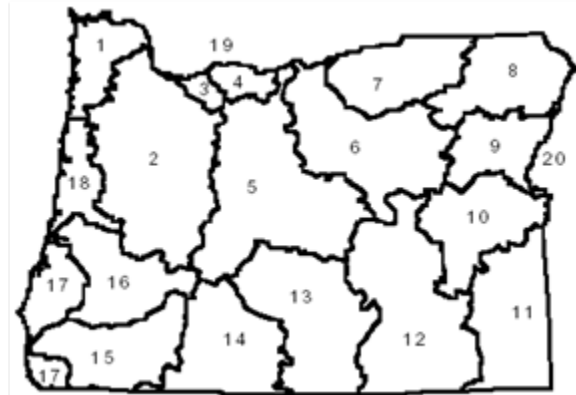
The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to Marissa.L.Andrews@wrđ.state.or.us.

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 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
	MI: Mining	GD: Group domestic

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, June 30, 2016. 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, July 15, 2016.

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# [G-18182](#)
County/Basin Malheur / Malheur(10)
Applicant Name MCKAY, JOE
PO BOX 187
JUNTURA, OR 97911

MCKAY, JOYCE
PO BOX 187
JUNTURA, OR 97911

Sources/TRSQ40Q160 A WELL > GRANITE CREEK BASIN / 23.00S 38.00E 25 SESE
A WELL > GRANITE CREEK BASIN / 23.00S 38.00E 24 NESE

Use/Quantity IRRIGATION / 8.17 CFS
Priority Date 12/28/2015
Stage/Status PFO / PROPOSE TO APPROVE

App# [S-88225](#)
County/Basin Josephine / Rogue(15)
Applicant Name ROBINSON, MARK AND HELEN
656 HARDELL LANE
VISTA, CA 92084

Sources/TRSQ40Q160 A RESERVOIR > ROGUE RIVER / 33.00S 1.00E 26 SENW
ROGUE RIVER > PACIFIC OCEAN / 36.00S 7.00W 2 NWSE
ROGUE RIVER > PACIFIC OCEAN / 36.00S 7.00W 2 NWSE

Use/Quantity IRRIGATION / 4.500 AF
DOMESTIC / 0.005 CFS
IRRIGATION / 4.500 AF

Priority Date 05/09/2016
Stage/Status IR / PROPOSE TO APPROVE

App# [S-88227](#)
County/Basin Josephine / Rogue(15)
Applicant Name SCAPARO, LOUIS P. AND ANITA
994 FERRY RD
GRANTS PASS, OR 97526

Sources/TRSQ40Q160 A RESERVOIR > ROGUE RIVER / 33.00S 1.00E 26 SENW
ROGUE RIVER > PACIFIC OCEAN / 36.00S 7.00W 2 NWSE
ROGUE RIVER > PACIFIC OCEAN / 36.00S 7.00W 2 NWSE

Use/Quantity IRRIGATION / 4.500 AF
IRRIGATION / 4.5 AF
DOMESTIC / 0.005 CFS

Priority Date 05/09/2016
Stage/Status IR / PROPOSE TO APPROVE

App# [S-88228](#)
County/Basin Josephine / Rogue(15)
Applicant Name LAW, JOHN AND RUTH
233 HIDDEN CREEK COURT
MARTINEZ, CA 94553

Sources/TRSQ40Q160 A RESERVOIR > ROGUE RIVER / 33.00S 1.00E 26 SENW
ROGUE RIVER > PACIFIC OCEAN / 36.00S 7.00W 2 NWSE
ROGUE RIVER > PACIFIC OCEAN / 36.00S 7.00W 2 NWSE

Use/Quantity IRRIGATION / 4.500 AF
IRRIGATION / 4.500 AF
DOMESTIC / 0.005 CFS

Priority Date 05/09/2016
Stage/Status IR / PROPOSE TO APPROVE

Final Orders - Permit & Limited License Applications

Following is a list of applications for new appropriations that have had final orders issued recently. If you would like a hard copy of an order mailed to you, send a request with \$25.00 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 503-986-0801.

App#	G-17972
County/Basin	Harney / Malheur Lake(12)
Applicant Name	PEILA, CHANCE AND DANA 71307 FOLEY RD BURNS, OR 97720
Priority Date	12/05/2014
Issue Date	07/18/2016
Status	WITHDRAWN

App#	LL-1647
County/Basin	Lane / Willamette(2)
Applicant Name	RUBIN, JARED PO BOX 10148 EUGENE, OR 97440-2148
Priority Date	05/04/2016
Issue Date	05/25/2016
Status	APPROVED

**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 June 30, 2016. 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-12927](#)
Permit Number G-12493
County/Basin Harney / Malheur Lake(12)
Applicant Name NEALE, LINDA J.
11330 SW CAPITOL HWY
PORTLAND, OR 97219
Sources/TRSQ40Q160 WELL 1 > SOUTH FORK MALHEUR RIVER / 27.00S 34.00E 16 NWN
WELL 2 > SOUTH FORK MALHEUR RIVER / 27.00S 34.00E 15 NWN
Use/Quantity IRRIGATION / 2.240 CFS
Proposed Completion Date 10/01/2021

App# [G-16723](#)
Permit Number G-16197
County/Basin Clackamas / Willamette(2)
Applicant Name SINCLAIR, ROBERT
PO BOX 951
SANDY, OR 97055
Sources/TRSQ40Q160 TWO WELLS > TICKLE CREEK / 2.00S 5.00E 30 NWN
Use/Quantity NURSERY USES / 0.668 CFS
Proposed Completion Date 10/01/2026

App# [G-17293](#)
Permit Number G-16889
County/Basin Yamhill / Willamette(2)
Applicant Name CARLTON NURSERY CO. LLC
PO BOX 398
DAYTON, OR 97114
Sources/TRSQ40Q160 A WELL > PALMER CREEK / 5.00S 3.00W 5 SWNW
A WELL > PALMER CREEK / 5.00S 3.00W 5 NWSW
A WELL > PALMER CREEK / 5.00S 3.00W 5 NWE
Use/Quantity NURSERY USES / 0.56 CFS
Proposed Completion Date 10/01/2027

App# [S-87531](#)
 Permit Number S-54967
 County/Basin Clackamas / Willamette(2)
 Applicant Name MORNINGSTAR 2006 LLC
 15350 SW SEQUOIA PARKWAY SUITE 250
 PORTLAND, OR 97224
 Sources/TRSQ40Q160 WILLAMETTE RIVER > COLUMBIA RIVER / 3.00S 1.00W 29 NESE
 DETROIT RES> NORTH SANTIAM RIVER / 10.00S 5.00E 7 SWNW
 GREEN PETER RES > MIDDLE SANTIAM RIVER / 13.00S 2.00E 10 NWSE
 BLUE RIVER RES > BLUE RIVER / 16.00S 4.00E 16 SESE
 FALL CREEK RES > FALL CREEK / 19.00S 1.00W 1 NESW
 LOOKOUT POINT RES > MIDDLE FORK WILLAMETTE RIVER / 19.00S 1.00W 13 NWSE
 HILLS CREEK RES > MIDDLE FORK WILLAMETTE RIVER / 21.00S 3.00E 35 NENW
 DORENA RES > ROW RIVER / 20.00S 2.00W 32 NWSE
 COTTAGE GROVE LAKE > COAST FORK WILLAMETTE RIVER / 21.00S 3.00W 28 SENE
 FERN RIDGE RES > LONG TOM RIVER / 17.00S 5.00W 4 NESW
 COUGAR RES > SOUTH FORK MCKENZIE RIVER / 16.00S 5.00E 31 SESE
 Use/Quantity IRRIGATION / 429.25 AF
 Proposed Completion Date 10/01/2023

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 July 15, 2016. 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.

1.) OAR-690-315

App#	G-16704
Permit#	G-16568
County/Basin	Multnomah / Sandy(3)
Applicant Name	SESTER FARMS INC. 33205 SE OXBOW DR GRESHAM, OR 97080
Sources/TRSQ40Q160	TWO WELLS > NORTH FORK BEAVER CREEK / 1.00S 4.00E 16 NWNW A WELL > NORTH FORK BEAVER CREEK / 1.00S 4.00E 9 SWSW A WELL > NORTH FORK BEAVER CREEK / 1.00S 4.00E 16 SESE A WELL > NORTH FORK BEAVER CREEK / 1.00S 4.00E 16 NWSE A WELL > NORTH FORK BEAVER CREEK / 1.00S 4.00E 16 NESE A WELL > NORTH FORK BEAVER CREEK / 1.00S 4.00E 16 SWNE
Use/Quantity Status	IRRIGATION / 0.68 CFS PROPOSE TO APPROVE

App#	G-16012
Permit#	G-15758
County/Basin	Multnomah / Sandy(3)
Applicant Name	G AND F SESTER FAMILY LLC 33205 SE OXBOW DR GRESHAM, OR 97080
Sources/TRSQ40Q160	A WELL > NORTH FORK BEAVER CREEK / 1.00S 4.00E 16 NWSE A WELL > NORTH FORK BEAVER CREEK / 1.00S 4.00E 16 NESE A WELL > NORTH FORK BEAVER CREEK / 1.00S 4.00E 16 SESE A WELL > NORTH FORK BEAVER CREEK / 1.00S 4.00E 16 SWNE
Use/Quantity Status	IRRIGATION / 1.11 CFS PROPOSE TO APPROVE

App# G-16997
 Permit# [G-17038](#)
 County/Basin Harney / Malheur Lake(12)
 Applicant Name NORTHWEST FARM CREDIT SERVICES FLCA
 308 SE 10TH ST
 ONTARIO, OR 97914

 RICKMAN, STEVE AND KRISTI L.
 69705 OLD EXPERIMENT RD
 BURNS, OR 97720
 Sources/TRSQ40Q160 A WELL > POISON CREEK SLOUGH / 23.00S 32.00E 18 SWSW
 A WELL > POISON CREEK SLOUGH / 23.00S 31.00E 24 NENE
 A WELL > POISON CREEK SLOUGH / 23.00S 31.00E 24 SENE
 Use/Quantity IRRIGATION / 0.530 CFS
 IRRIGATION / 1.045 CFS
 IRRIGATION / 1.045 CFS
 Status PROPOSE TO APPROVE

App# G-15678
 Permit# [G-15533](#)
 County/Basin Klamath / Klamath(14)
 Applicant Name RANDY TRAVIS
 CITY OF KLAMATH FALLS
 226 S 5TH ST
 KLAMATH FALLS, OR 97601
 Sources/TRSQ40Q160 A WELL > KLAMATH RIVER / 38.00S 9.00E 33 SWSW
 Use/Quantity INDUSTRIAL/MANUFACTURING USES / 1.000 CFS
 Status PROPOSE TO APPROVE

App# G-15912
 Permit# [G-15762](#)
 County/Basin Deschutes / Deschutes(5)
 Applicant Name MANLEY, JAMES P.
 PO BOX 565
 SISTERS, OR 97759
 Sources/TRSQ40Q160 A WELL > DRY CANYON / 15.00S 11.00E 34 NWNW
 Use/Quantity IRRIGATION / 0.070 CFS
 Status PROPOSE TO APPROVE

App# G-12559
 Permit# [G-12301](#)
 County/Basin Harney / Malheur Lake(12)
 Applicant Name BRAMBILA, ROSALIO
 4581 MAPLE GROVE RD
 SUNNYSIDE, WA 98944
 Sources/TRSQ40Q160 A WELL > MALHEUR LAKE / 26.00S 30.00E 1 NWSW
 Use/Quantity IRRIGATION / 3.190 CFS
 Status PROPOSE TO APPROVE

App#	G-14605
Permit#	G-13570
County/Basin	Marion / Willamette(2)
Applicant Name	A AND R SPADA FARMS LLC PO BOX 157 SAINT PAUL, OR 97137
	MARY SPADA LIVING TRUST 13635 NE CLACKAMAS ST PORTLAND, OR 97230
	NURSERY HOLDINGS LLC 21781 SW CHEHALIS COURT TUALATIN, OR 97062
	RISSBERGER, BRIAN 9750 LACE LEAF LANE NE AURORA, OR 97002
	ROGERS, GEORGE PO BOX 3789 BRISTOL, TN 37625
	WILDER, GEORGE C. AND LUCETTE A. 19806 BUTTEVILLE RD NE HUBBARD, OR 97032
Sources/TRSQ40Q160	A WELL > RYAN CREEK / 4.00S 1.00W 30 NENW A WELL > RYAN CREEK / 4.00S 1.00W 19 NESW A WELL > RYAN CREEK / 4.00S 1.00W 19 NWSE A WELL > RYAN CREEK / 4.00S 2.00W 24 SESE A WELL > CASE CREEK / 4.00S 2.00W 24 NWSE A WELL > RYAN CREEK / 4.00S 1.00W 30 NWNW A WELL > RYAN CREEK / 4.00S 1.00W 19 NESE
Use/Quantity	NURSERY USES / 0.660 CFS NURSERY USES / 0.660 CFS NURSERY USES / 0.330 CFS NURSERY USES / 0.660 CFS NURSERY USES / 0.660 CFS NURSERY USES / 0.490 CFS NURSERY USES / 0.660 CFS
Status	PROPOSE TO APPROVE
App#	G-14525
Permit#	G-13555
County/Basin	Clackamas / Willamette(2)
Applicant Name	HEYERLY BROS. 32899 S DRYLAND RD MOLALLA, OR 97038
Sources/TRSQ40Q160	WELL 1 > KAISER CREEK / 5.00S 1.00E 12 NESE
Use/Quantity	IRRIGATION / 2.300 CFS
Status	PROPOSE TO APPROVE
App#	R-85921
Permit#	R-14034
County/Basin	Benton / Willamette(2)
Applicant Name	HANSON, STEVE 110 HICKORY NW ALBANY, OR 97321
Sources/TRSQ40Q160	RUNOFF > FRAZIER CREEK / 11.00S 4.00W 7 SWSE
Use/Quantity	MULTIPLE PURPOSE / 108.000 AF
Status	PROPOSE TO APPROVE

App# G-17189
Permit# [G-16811](#)
County/Basin Harney / Malheur Lake(12)
Applicant Name EGGERT, CHARLES W. AND LOUANNA
9955 SW POTANO ST
TUALATIN, OR 97062

SOURCES
NORTHWEST FARM CREDIT SERVICES FLCA
PO BOX 13309
SALEM, OR 97301
Sources/TRSQ40Q160 A WELL > HARNEY LAKE / 26.00S 30.00E 17 NENW
A WELL > HARNEY LAKE / 26.00S 30.00E 18 NENE
Use/Quantity IRRIGATION / 2.100 CFS
IRRIGATION / 1.500 CFS
Status PROPOSE TO APPROVE

Applications for Limited Licenses

A limited license allows the right to use or store water for no more than 5 consecutive years. Use of water under a limited license is subordinate to all other authorized uses and may be shut-off at any time to satisfy those other uses. In addition, the Department may revoke a limited license if its use causes injury to any other water right or minimum perennial streamflow.

Licensees must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after June 14, 2016, upon finding that the proposed water use will not impair or be detrimental to the public interest (OAR 690-340-030).** The public is invited to provide comments that will assist the Director in determining whether the use would impair or be detrimental to the public interest. If the applicant applies for a use that is not one of the standard uses listed in OAR 690-300, the Department may, for the purposes of this notice, assign a named use that is reasonably close to the use actually requested. The public may examine the actual application by clicking the associated hyperlink and then choosing "LL Application" under "Scanned Documents."

App# [LL-1649](#)
County/Basin Gilliam / Umatilla(7)
Applicant Name HARPER, ALICE
PO BOX 8
IONE, OR 97843
Sources/TRSQ40Q160 A WELL > EIGHTMILE CAN / 1.00S 22.00E 9 SWSW
Use/Quantity ROAD CONSTRUCTION / 250 GPM
Priority Date 05/20/2016

App# [LL-1650](#)
County/Basin Grant / John Day(6)
Applicant Name CHARETTE, STEPHAN
320 W MAIN ST
JOHN DAY, OR 97845
Sources/TRSQ40Q160 JOHN DAY R > COLUMBIA R / 10.00S 34.00E 31 SESW
JOHN DAY R > COLUMBIA R / 11.00S 34.00E 6 SENW
Use/Quantity RIPARIAN PLANT WATERING / 650 GPM
Priority Date 05/24/2016

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 June 21, 2016. 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 1028](#)
Certificates 44345, 47048
County/Basin Benton / Middle Coast(18)
Lessor PARKER, LEE
PO BOX 69
ALSEA, OR 97324
Priority Dates 04/22/1970, 03/19/1973
Source/Tributary To BUMMER CREEK / SOUTH FORK ALSEA RIVER

Lease# [IL 1551](#)
Certificate 82246
County/Basin Crook / Deschutes(5)
Lessor OCHOCO IRRIGATION DISTRICT
1001 NW DEER ST
PRINEVILLE, OR 97754
Lessee DESCHUTES RIVER CONSERVANCY
700 NW HILL ST STE 1
BEND, OR 97703
Priority Date 08/10/1917
Source/Tributary To OCHOCO CREEK / CROOKED 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 June 30, 2016. Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

Transfer [T 12333](#)
Water Right Cert:59345
County/Basin Harney / Malheur Lake(12)
Applicant Name POLK, ERICK
AGILE DEVELOPMENT LLC
805 SW BROADWAY SUITE 2400
PORTLAND, OR 97205
Proposed Change POINT OF APPROPRIATION,USE
Sources/TRSQ40Q160 UNNAMED STREAM > WILSON CREEK / 27.00S 25.00E 26 SESW
Use/Quantity LIVESTOCK / 0.250 AF
Priority Date 09/21/1983

Transfer [T 12389](#)
Water Right Cert:42376
County/Basin Curry / South Coast(17)
Applicant Name HARRISON ETAL, ELIZABETH
PO BOX 91
LANGLOIS, OR 97450
Proposed Change ADDITIONAL POINT OF DIVERSION,PLACE OF USE
Sources/TRSQ40Q160 FLORAS CREEK > NEW RIVER / 31.00S 15.00W 1 SESE
Use/Quantity IRRIGATION / 0.130 CFS
Priority Date 07/30/1964

Transfer [T 12392](#)
Water Right Cert:87476
County/Basin Malheur / Malheur(10)
Applicant Name GRESSLEY FARMS LLC
4010 FREESE LANE
VALE, OR 97918
Proposed Change ADDITIONAL POINT OF DIVERSION
Sources/TRSQ40Q160 A WELL > MALHEUR RIVER / 18.00S 46.00E 7 NESE
A WELL > MALHEUR RIVER / 18.00S 46.00E 8 SWSW
Use/Quantity IRRIGATION / 0.530 CFS
IRRIGATION / 0.720 CFS
Priority Date 05/09/1991, 07/23/1992

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 503-986-0807. Protests must be received by the Department on or before June 30, 2016, 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-11925 filed by Paul Kuschnick, Garden Scape Nursery Inc. 7811 Stratford DR NE Salem, OR 97305, proposes an additional point of appropriation under Registration Application GR-124 (Certificate of Registration GR-115). The registration allows the use of 400 gallons per minute from a well in Sec.36, T5N, R2W, WM for irrigation in Sec.36. The applicant proposes an additional point of appropriation in Sec. 36, T 5N, R2W, WM. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

T-12160 filed by the Oregon Department of Fish and Wildlife (ODFW), proposes an additional point of diversion under Certificates 53427 and 82966. Certificate 53427 allows the use of 45.0 cfs and Certificate 82966 allows the use of 5.0 cfs, both from the Clackamas River in Sec. 19, T3S, R4E, WM for fish hatchery/fish culture use in Sec. 19, T3S, R4E, WM. The applicant proposes an additional point of diversion in Sec. 20, T3S, R4E, WM. The Water Resources Department proposes to deny the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000 due to injury of Instream Water Right Certificate 59491. The Department is seeking a recommendation from the ODFW to consent to the injury under OAR 690-380-5050. Transfer Application T-12160 will be denied unless ODFW recommends consent to injury of the instream water right because T-12160 would result in a net benefit to the resource, and no protests are filed.

**Notice of Preliminary Determination for
Water Right Transfer T-11868 (Mitigation Credit Project MP-191)**

T-11868 filed by Legacy Ranches, LLC, 500 W Monroe St, Suite C3, Chicago, IL 60661, proposes a change in place of use and character of use under Certificate 86855. The portion of the right affected by the transfer allows the use at a maximum rate of up to 0.15 cubic feet per second (cfs) from Big Marsh Creek in Sec. 20, T24S, R7E, WM for irrigation in Sec. 20. The applicant proposes to create an instream use of up to 0.15 CFS beginning at the point of diversion on Big Marsh Creek and extending into Crescent Creek, the Little Deschutes River, and into the Deschutes River to Lake Billy Chinook, and to establish mitigation credits in the Deschutes Groundwater Study Area. The applicant has also submitted an affidavit to cancel a portion of Certificate 86855. 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. The Department has also concluded that the proposed transfer appears to result in mitigation credits pursuant to OAR 690-521-0300 & OAR 690-521-0400.

Transfer Applications: Temporary Transfer

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

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

Transfer	T-12388
Water Right	Cert:86413, 76595
County/Basin	Wasco / Hood(4)
Applicant Name	THE PRESIDING PATRIARCH; THE ECCLESIA OF SINAI AT DUFUR 79709 DUFUR VALLEY RD DUFUR, OR 97021
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A GULCH > TAMARACK CREEK / 2.00S 11.00E 8 NWSW EIGHTMILE CREEK > FIFTEENMILE CREEK / 2.00S 11.00E 8 NWSW SPRINGS > TAMARACK CREEK / 2.00S 11.00E 8 NWSW TAMARACK CREEK > EIGHTMILE CREEK / 2.00S 11.00E 8 NWSW
Use/Quantity	DOMESTIC / 0.81 CFS DOMESTIC / 1.672 CFS
Priority Date	05/03/1909, 05/03/1909
Transfer	T-12393
Water Right	Cert:27031 , Cert:41066 , Cert:27243
County/Basin	Union / Grande Ronde(8)
Applicant Name	ARNOLDUS, A DWIGHT 6500 BOOTH LANE COVE, OR 97824
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	GRANDE RONDE RIVER > SNAKE RIVER / 2.00S 38.00E 35 SESE GRANDE RONDE RIVER > SNAKE RIVER / 2.00S 38.00E 35 SWSW GRANDE RONDE RIVER > SNAKE RIVER / 2.00S 38.00E 35 SWSE GRANDE RONDE RIVER > SNAKE RIVER / 2.00S 38.00E 36 SWSW GRANDE RONDE RIVER > SNAKE RIVER / 2.00S 38.00E 36 SESW UNNAMED SPRING BRANCH > MULHOLLAND SL / 3.00S 38.00E 2 NWSW
Use/Quantity	IRRIGATION / 1.350 CFS IRRIGATION / 6.000 CFS IRRIGATION / 0.93 CFS IRRIGATION / 1.00 CFS
Priority Date	06/05/1950, 01/24/1969, 06/05/1950

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 12390
Water Right	Permit: G 15896 , Cert:75691
County/Basin	Malheur / Malheur(10), Owyhee(11)
Applicant Name	GRESSLEY FARMS LLC 4010 FREESE LANE VALE, OR 97918
Proposed Change	ADDITIONAL POINT OF DIVERSION
Sources/TRSQ40Q160	A WELL > HENRY GULCH / 18.00S 46.00E 7 SWSE A WELL > MALLETT DR / 18.00S 46.00E 21 SWSW OWYHEE RESERVOIR > SNAKE RIVER / 22.00S 45.00E 20 NWSE OWYHEE RIVER > SNAKE RIVER / 22.00S 45.00E 20 NWSE
Use/Quantity	SUPPLEMENTAL IRRIGATION / 0.830 CFS SUPPLEMENTAL IRRIGATION / 0.660 CFS IRRIGATION / 416822.600 AF IRRIGATION / 1023.000 CFS
Priority Date	06/10/2004, 02/14/1916, 02/15/1916, 08/19/1924, 08/20/1924

District Permanent Transfers (ORS 540.580)

A district may request to permanently change the place of use within district boundaries. A district may provide notice to the Department of a change before it is made, and shall submit a district permanent application prior to the end of the calendar year in which the change occurs. The Department shall approve the transfer application provided it does not cause injury to existing water rights or expand the water use.

This public notice includes district notices of proposed changes. The Department will accept comments on injury and enlargement of changes in place of use associated with the notice and use those comments in the review of the proposed change.

Any potentially affected holder of an existing water right may file, jointly or severally, with the department, a protest against approval of the petition on or before June 30, 2016. The Department will hold a contested case hearing if: 1) a protest and \$700 protest fee for non-applicant and \$350.00 protest fee for applicant are received within the time allowed; or 2) the Department finds a hearing is needed to determine whether the proposed changes would result in injury to existing rights. If a water user believes that a proposed change could injure a water delivery within a district's boundaries, the matter will be resolved directly between the district and the water user. Within 20 days after the Department issues a final order, the district or any protestant may file with the Water Resources Commission exceptions to the final order.

Transfer	T-12391
Water Right	Cert:80971
County/Basin	Jackson, Josephine / Rogue(15)
Applicant Name	GRANTS PASS IRRIGATION DISTRICT 200 FRUITDALE DR GRANTS PASS, OR 97526
Proposed Change	PLACE OF USE
Source	ROGUE RIVER > PACIFIC OCEAN
Use	IRRIGATION
Priority Date	09/29/1916, 08/21/1987

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.

If under the file number the “App:” abbreviation for application is provided then any person owning an application, permit or water right certificate subsequent in priority to a certificate listed here may file a protest within three months of issuance of the certificate. See Oregon Revised Statutes 537.260. Rules governing protests are in Oregon Administrative Rules Chapter 690 division 002. Any protest must be accompanied by a protest fee of \$700. (ORS 536.050(1)(j)(A)).

Cert# [91496](#)
App: G 9218
County/Basin Columbia / Willamette(2)
Applicant Name CITY OF SCAPPOOSE
Priority Date 04/30/1979
Issue Date 05/25/2016

Cert# [91494](#)
App: G 17027
County/Basin Washington / Willamette(2)
Applicant Name DUYCK, CARRIE
DUYCK, KEVIN
Priority Date 03/26/2008
Issue Date 05/25/2016

Cert# [91495](#)
App: G 16366
County/Basin Klamath / Klamath(14)
Applicant Name UPPER KLAMATH FARMS
Priority Date 01/11/2005
Issue Date 05/26/2016

Notice of Proposed Order on the
Public Interest Issues of the
Mason Dam Hydroelectric Project

Comments and/or protests on this proposed order on the Mason Dam Hydroelectric Project are requested from interested citizens, organizations, governmental entities, and other parties. This proposed order presents proposed findings of fact and conclusions of law to find that the public interest standards of ORS 543.017, 543.225 and OAR 690-051 have been met with regards to the proposed Project. Accordingly, the Department proposes to issue a new hydroelectric license for this Project.

Persons, organizations or agencies objecting to the proposed final order on the ground that the proposed construction, development or improvement would damage or destroy the use or utility of the stream or other body of water involved for other beneficial purposes, including propagation of fish, scenic, aesthetic, recreational, park, highway or other beneficial use may file a protest to this proposed order within 30 days of issuance of the proposed order. Any person may file a protest to this order and request a contested case hearing within 30 days of issuance. A protest must be filed in writing and received at the Oregon Water Resources Department no later than 5 p.m., **June 30, 2016**. The petition must be accompanied by a fee of \$700.

The application and supporting documents can be viewed at the Water Resources Department, 725 Summer Street NE, Salem, Oregon 97301.

Comments and/or protests may be submitted in writing to the Oregon Water Resources Department, 725 Summer Street NE, Salem, Oregon 97301
by June 30, 2016.

Application for a Major Hydroelectric Project in Baker County

Application #:	HE 605
Applicant:	County of Baker
Address:	1995 Third Street, Baker City, OR 97814
Amount of water:	300 Cubic Feet per Second
Source of water:	Powder River and Phillips Reservoir at Mason Dam
Location:	SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24, Township 10 South, Range 38 East, W.M. NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, Township 10 South, Range 38 East, W.M.
Purpose:	Hydroelectric power production at existing reservoir owned by the U.S. Bureau of Reclamation for irrigation purposes.
Plant Capacity:	3.4 MW

Any person filing a protest or requesting a hearing will be notified of the time and place of the hearing and given information on the procedures, right of representation and other rights of parties relating to the conduct of the hearing before commencement of the hearing. The hearing will be conducted by an administrative law judge from the Office of Administrative Hearings. Any person may be represented by legal counsel at the hearing.

If you do not request a hearing within the time specified in this notice, or if you withdraw a request for hearing, notify the Department or the administrative law judge that you will not appear or fail to appear at a scheduled hearing, the Director may issue a final order. If the Director issues a final order by default, the Director will designate the Department's file on this matter as the record for the purpose of proving a prima facie case upon default.

For Further Information Contact: Mary Grainey - 503-986-0833 mary.s.grainey@wrd.state.or.us

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
May 31, 2016

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 \$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.