

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
September 13, 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. Including notice of withdrawn proposed final orders.
- * **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.
- * **Notice of Application to Split a Permit**
- * **Certificate Issuance**
Included in this section is a listing of recently issued water right certificates.

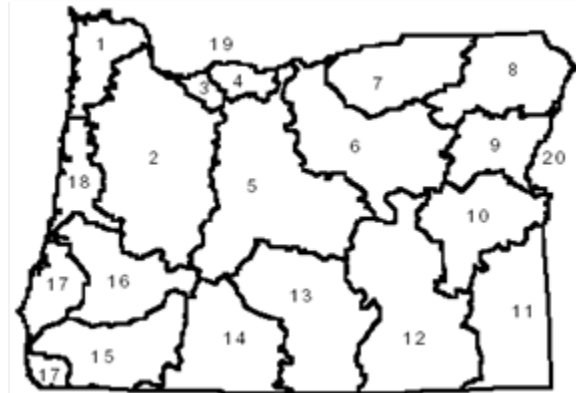
The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to Marissa.L.Andrews@wrd.state.or.us.

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
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, October 13, 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, October 28, 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

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-18160
County/Basin	Lane / Willamette(2)
Applicant Name	HARDER, CRYSTAL 1863 PIONEER PARKWAY 415 SPRINGFIELD, OR 97477
Priority Date	11/12/2015
Issue Date	09/12/2016
Status	APPROVED
App#	G-18269
County/Basin	Josephine / Rogue(15)
Applicant Name	PEREZ, JESSICA 203 KINCAID RD WILLIAMS, OR 97544
Priority Date	02/16/2016
Issue Date	09/09/2016
Status	WITHDRAWN
App#	LL-1657
County/Basin	Clackamas / Willamette(2)
Applicant Name	CITY OF LAKE OSWEGO PO BOX 369 LAKE OSWEGO, Oregon 97034
Priority Date	06/30/2016
Issue Date	09/01/2016
Status	APPROVED

App# [LL-1666](#)
County/Basin Yamhill / Willamette(2)
Applicant Name HAMPTON, JOE
PO BOX 659
SPRINGFIELD, OR 97361
Priority Date 07/22/2016
Issue Date 09/08/2016
Status APPROVED

App# [LL-1667](#)
County/Basin Yamhill / Willamette(2)
Applicant Name LINDSTROM, KATHRYN
P.O. BOX 230669
PORTLAND, OR 97281
Priority Date 07/25/2016
Issue Date 09/01/2016
Status APPROVED

App# [S-88203](#)
County/Basin Jackson / Rogue(15)
Applicant Name B MAHLON BROWN III TRUST
2259 HWY 234
EAGLE POINT, OR 97524
Priority Date 04/07/2016
Issue Date 09/08/2016
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 October 13, 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-16557](#)
Permit Number G-16073
County/Basin Marion / Willamette(2)
Applicant Name KACALEK, BRETT
2917 4TH ST
HUBBARD, OR 97032
Sources/TRSQ40Q160 A WELL > DEER CREEK / 4.00S 1.00W 2 SWSE
Use/Quantity NURSERY USES / 0.240 CFS
Proposed Completion Date 10/01/2036

App# [G-16837](#)
Permit Number G-16393
County/Basin Marion / Willamette(2)
Applicant Name KACALEK, BRETT
2917 4TH ST
HUBBARD, OR 97032
Sources/TRSQ40Q160 A WELL > DEER CREEK / 4.00S 1.00W 2 SWSE
Use/Quantity NURSERY USES / 0.140 CFS
Proposed Completion Date 10/01/2036

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 October 28, 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-14397
Permit#	G-13765
County/Basin	Morrow / Umatilla(7)
Applicant Name	PORT OF MORROW PO BOX 200 BOARDMAN, OR 97818
Sources/TRSQ40Q160	WELL 1 > COLUMBIA RIVER / 4.00N 24.00E 22 NWSW WELL 2 > COLUMBIA RIVER / 4.00N 24.00E 21 NESW
Use/Quantity	IRRIGATION / 4.960 CFS
Status	PROPOSE TO APPROVE

App#	G-15822
Permit#	G-15525
County/Basin	Yamhill / Willamette(2)
Applicant Name	SOMAR RANCHES LLC PO BOX 400 YAMHILL, OR 97148
Sources/TRSQ40Q160	A WELL > HAWN CREEK / 3.00S 4.00W 24 SWNW A WELL > HAWN CREEK / 3.00S 4.00W 23 SENE
Use/Quantity	IRRIGATION / 0.030 CFS
Status	INDUSTRIAL/MANUFACTURING USES / 0.200 CFS PROPOSE TO APPROVE

App#	G-13934
Permit#	G-13241
County/Basin	Washington / Willamette(2)
Applicant Name	PUMPKIN RIDGE JOINT VENTURE 12930 NW OLD PUMPKIN RIDGE RD NORTH PLAINS, OR 97113
Sources/TRSQ40Q160	WELL 3 > MCKAY CREEK / 2.00N 3.00W 36 NESE WELL 4 > MCKAY CREEK / 2.00N 3.00W 36 NWNE
Use/Quantity	SUPPLEMENTAL IRRIGATION / 0.250 CFS SUPPLEMENTAL IRRIGATION / 0.390 CFS
Status	PROPOSE TO DENY
App#	S-72457
Permit#	S-51841
County/Basin	Polk, Yamhill / Willamette(2)
Applicant Name	SARBANAND ENTERPRISES LLC 786 RD 188 DELANO, CA 93215
Sources/TRSQ40Q160	SOUTH YAMHILL RIVER > YAMHILL RIVER / 5.00S 5.00W 35 SWSW
Use/Quantity	IRRIGATION / 1.230 CFS
Status	PROPOSE TO DENY
App#	S-72459
Permit#	S-51951
County/Basin	Yamhill / Willamette(2)
Applicant Name	SARBANAND ENTERPRISES LLC 786 RD 188 DELANO, CA 93215
Sources/TRSQ40Q160	SOUTH YAMHILL RIVER > YAMHILL RIVER / 5.00S 5.00W 35 SWSW
Use/Quantity	IRRIGATION / 0.276 CFS
Status	PROPOSE TO DENY
App#	S-72460
Permit#	S-51956
County/Basin	Yamhill / Willamette(2)
Applicant Name	SARBANAND ENTERPRISES LLC 786 RD 188 DELANO, CA 93215
Sources/TRSQ40Q160	SOUTH YAMHILL RIVER > YAMHILL RIVER / 5.00S 5.00W 35 SENW
Use/Quantity	IRRIGATION / 1.070 CFS
Status	PROPOSE TO DENY
App#	S-72461
Permit#	S-51950
County/Basin	Yamhill / Willamette(2)
Applicant Name	SARBANAND ENTERPRISES LLC 786 RD 188 DELANO, CA 93215
Sources/TRSQ40Q160	SOUTH YAMHILL RIVER > YAMHILL RIVER / 5.00S 5.00W 34 SESE
Use/Quantity	IRRIGATION / 0.552 CFS
Status	PROPOSE TO DENY

NOTICE OF WITHDRAWN PROPOSED FINAL ORDERS

- On September 13, 2016, the Department issued an Order Withdrawing a Proposed Final Order Approving an Application for Extension of Time for **Permit S-50717**, in the name of Powder Valley Water Control District, which was issued on August 2, 2016. The Department will issue a superseding PFO in the future, and a 45-day protest period will follow.
- On September 13, 2016, the Department issued an Order Withdrawing a Proposed Final Order Approving an Application for Extension of Time for **Permit S-46290**, in the name of Powder Valley Water Control District, which was issued on August 2, 2016. The Department will issue a superseding PFO in the future, and a 45-day protest period will follow.
- On September 13, 2016, the Department issued an Order Withdrawing a Proposed Final Order Approving an Application for Extension of Time for **Permit S-35791**, in the name of Powder Valley Water Control District, which was issued on August 2, 2016. The Department will issue a superseding PFO in the future, and a 45-day protest period will follow.

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 October 13, 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 12280
Water Right	Cert:91154
County/Basin	Crook / Deschutes(5)
Applicant Name	MCNAUGHTON, JACOB D. AND KATIE S. MCNAUGHTON PO BOX 1527 PRINEVILLE, OR 97754
Proposed Change	ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	TWO WELLS > DRY CREEK BASIN / 16.00S 16.00E 12 SESW
Use/Quantity	IRRIGATION / 0.19 CFS
Priority Date	03/24/1992

Transfer	T 12480
Water Right	Cert:90224
County/Basin	Josephine / Rogue(15)
Applicant Name	MERG, MICHAEL W. AND JENNIFER HAMAR PO BOX 533 WILLIAMS, OR 97544
Proposed Change	POINT OF DIVERSION, SURFACE WATER TO GROUND WATER
Sources/TRSQ40Q160	A RESERVOIR > EAST FORK WILLIAMS CREEK / 39.00S 5.00W 2 SWSW
Use/Quantity	SUPPLEMENTAL IRRIGATION / 0.960 CFS
Priority Date	09/02/1952

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 October 13, 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-8897 filed by David M. and Cindy M. Townsend, proposes a change in place of use under Certificate 87116. The right allows the use of 0.309 cubic foot per second from a well in Sec. 26, T14S, R14E, WM for irrigation in Sec. 26. The applicant proposes to change the place of use within Sec. 26. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-12212 filed by Scott and Susan Gustafson, 23885 S Blount Rd Canby, OR 97013, proposes a point of appropriation change under Certificate 34213. The right allows the use of 0.05 cubic foot per second from a well in Sec. 35, T3S, R1E, WM for irrigation in Sec. 35. The applicant proposes to move the point of appropriation within Sec. 35, T3S, R1E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-12348 filed by Glen and Rebecca Halvorson, 17000 W Langell Valley Rd, Bonanza, OR 97623 proposes an additional point of appropriation and a place of use change under Certificate 87661. The right allows the use of 0.74 cfs from a well in Sec. 26, T40S, R13E, WM for irrigation and supplemental irrigation in Sects. 23 and 26, T40S, R13E, WM. The applicant proposes an additional point of appropriation in Sec. 26, T40S, R13E, WM. and to change the place of use to within Sec. 23, T40S, R 13E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Transfer Applications: Temporary Transfer

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

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

Transfer	T-12469
Water Right	Cert:29447
County/Basin	Polk / Willamette(2)
Applicant Name	BLUE HEAVEN PROPERTIES LLC PO BOX 607 INDEPENDENCE, OR 97351
Proposed Change	POINT OF DIVERSION,PLACE OF USE
Sources/TRSQ40Q160	LUCKIAMUTE RIVER > WILLAMETTE RIVER / 9.00S 5.00W 19 SWNE
Use/Quantity	IRRIGATION / 0.340 CFS
Priority Date	03/10/1958

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 12470
Water Right	Permit: G 15009
County/Basin	Yamhill / Willamette(2)
Applicant Name	LOONEY, JOHN EDWARD 17979 NE LEWIS ROGERS LANE NEWBERG, OR 97132
Proposed Change	POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > CHEHALEM CREEK / 3.00S 3.00W 5 NENE
Use/Quantity	AGRICULTURE USES / 0.270 CFS
Priority Date	10/26/2000

Notice of Application to Split a Permit

Applications of a landowner of record holding a water right permit for irrigation, nursery, temperature control, stock watering or agricultural water use, to assign all or part of the water right permit and to request issuance of a replacement permit to reflect an assignment from the current permit holder to one or more additional permit holders. The Department welcomes comments from interested persons, agencies, and organizations. **The comment deadline for notice of the application(s) appearing in this public notice is 5:00 pm, October 13, 2016.** Although we cannot respond individually to all comments, each will be considered as the agency makes its decision regarding the proposed splitting of a permit.

The application may be viewed free of charge online at: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>. Persons interested in receiving a copy of a Proposed Final Order 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.

Transfer Permit	T-12453 G-12527
County/Basin	Klamath/Klamath Basin (14)
Applicant	Larry and Joan Sees PO Box 238 Beatty, OR 97621
Source/TRSQ40Q160	Three Wells > Sprague R Basin /T36SR12E22 NENW and NESW, T36SR12E28 NENE
Priority Date	April 13, 1992
Use/Quantity	IRRIGATION OF 309.24 ACRES /3.87 CFS
Limit	1/80 CFS PER ACRE /3.0 AF PER ACRE IRRIGATED DURING IRRIGATION SEASON EACH YEAR
Applicant's Use/Quantity	IRRIGATION OF 269.24 ACRES /3.37 CFS
Permit Completion Date	October 1, 2017

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#	91840
App:	G 7704
County/Basin	Lake / Goose & Summer Lake(13)
Applicant Name	ALBERTSON, JACK ALBERTSON, FLORENCE M. NORTHWEST FARM CREDIT SERVICES FLCA WILD WATERS REVOCABLE LIVING TRUST
Priority Date	02/08/1977
Issue Date	09/12/2016

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
September 13, 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.