

# **OREGON WATER RESOURCES DEPARTMENT**



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**January 3, 2017**

*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.
- \* **Applications for Allocation of Conserved Water**  
Applications made by a water user who conserves water to use a portion of the conserved water on additional lands, lease or sell the water, or dedicate the water to instream use.
- \* **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.

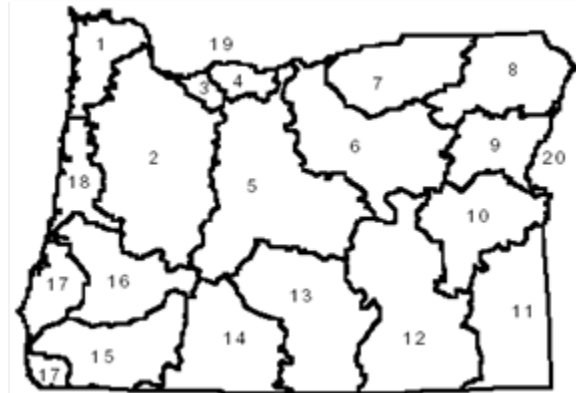
The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to [Marissa.L.Andrews@oregon.gov](mailto:Marissa.L.Andrews@oregon.gov).

## How to Read the Listing

**App#:**

- G: Groundwater
- R: Reservoir
- S: Surface water
- I: Instream
- T: Transfer
- LL: Limited License

**County/Basin (See Map)**



**Applicant Name**

**Applicant Address**

**Sources/TRSQ40Q160**

**Use/Quantity**

Unit of measure:

CFS: Cubic feet per second

GPM: Gallons per minute

AF: Acre-feet

**Priority Date**

**Stage/ Status**

IR: Initial Review

PFO: Proposed Final Order

**BASINS:**

- |                |                    |               |
|----------------|--------------------|---------------|
| 1. North Coast | 8. Grande Ronde    | 15. Rogue     |
| 2. Willamette  | 9. Powder          | 16. Umpqua    |
| 3. Sandy       | 10. Malheur        | 17. S. Coast  |
| 4. Hood        | 11. Owyhee         | 18. Mid-Coast |
| 5. Deschutes   | 12. Malheur L.     | 19. Columbia  |
| 6. John Day    | 13. Goose/Summer L | 20. Snake     |
| 7. Umatilla    | 14. Klamath        |               |

**Commonly used "Type of Use" abbreviations (for definitions, consult Oregon Administrative Rules 690-300):**

- |  |                                 |                         |
|--|---------------------------------|-------------------------|
| AG: Agriculture  | GR: Groundwater recharge        | MU: Municipal           |
| CR: Cranberry uses   | GT: Geothermal                  | NU: Nursery use         |
| CM: Commercial   | ID: Irrigation with domestic    | PA: Pollution abatement |
| DI, DN: Domestic including<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            |
|  | 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, February 02, 2017.** 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, February 17, 2017.**

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-18357](#)  
County/Basin Josephine / Rogue(15)  
Applicant Name B AND B GLOBAL HOLDINGS LLC  
BLAZEVICH, MICHAEL  
621 W ROSECRANS AVE 201  
GARDENA, CA 90248  
Sources/TRSQ40Q160 A WELL > KELLY CREEK BASIN / 39.00S 7.00W 20 SENW  
Use/Quantity NURSERY USES / 0.134 CFS  
Priority Date 08/04/2016  
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18254](#)  
County/Basin Clatsop / North Coast(1)  
Applicant Name LOWER COLUMBIA YOUTH SOCCER ASSOCIATION  
P.O. BOX 457  
WARRENTON, OR 97146  
Sources/TRSQ40Q160 A WELL > CRAB APPLE LAKE / 8.00N 10.00W 20 NWSE  
Use/Quantity IRRIGATION / 0.178 CFS  
Priority Date 02/03/2016  
Stage/Status IR / PROPOSE TO DENY

App# [G-18321](#)  
County/Basin Marion / Willamette(2)  
Applicant Name JAN H ENTERPRISES  
19774 GRADE RD SE  
SILVERTON, OR 97381  
Sources/TRSQ40Q160 A WELL > SILVER CREEK / 7.00S 1.00E 21 NENW  
Use/Quantity NURSERY USES / 0.270 CFS  
Priority Date 06/22/2016  
Stage/Status IR / PROPOSE TO DENY

App# [G-18337](#)  
County/Basin Lane / Willamette(2)  
Applicant Name GRATEFUL GREENERY  
40399 REUBEN LEIGH RD  
LOWELL, OR 97452  
MASON, GREGORY  
PO BOX 460  
LOWELL, OR 97452  
Sources/TRSQ40Q160 TWO WELLS > FALL CREEK LAKE / 18.00S 1.00W 36 NWSW  
Use/Quantity AGRICULTURE USES / 0.05 CFS  
Priority Date 07/05/2016  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18336](#)  
County/Basin Marion / Willamette(2)  
Applicant Name DAVIDSON LIVING TRUST  
DAVIDSON, MIKE AND CONNIE  
3988 DAVIDSON RD NE  
SAINT PAUL, OR 97137  
Sources/TRSQ40Q160 A WELL > MISSION CREEK / 4.00S 2.00W 31 NWNW  
A WELL > MISSION CREEK / 4.00S 3.00W 36 NENW  
Use/Quantity IRRIGATION / 1.65 CFS  
Priority Date 07/08/2016  
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# [LL-1680](#)  
County/Basin Morrow / Umatilla(7)  
Applicant Name HARRIS, GREG  
75906 THREEMILE RD  
BOARDMAN, OR 97818  
Priority Date 12/01/2016  
Issue Date 12/28/2016  
Status WITHDRAWN

App# [R-88268](#)  
County/Basin Jackson / Rogue(15)  
Applicant Name SILER, CHRISTOPHER S. AND THERESA L.  
PO BOX 1957  
ASHLAND, OR 97520  
Priority Date 07/27/2016  
Issue Date 12/23/2016  
Status DENIED

App# [R-88282](#)  
County/Basin Jackson / Rogue(15)  
Applicant Name PERSHING, TODD  
PO BOX 308  
JACKSONVILLE, OR 97530  
Priority Date 09/08/2016  
Issue Date 12/23/2016  
Status APPROVED

App# [S-87914](#)  
County/Basin Jackson / Rogue(15)  
Applicant Name ANDERSON, JULIET  
1201 LITTLE APPLGATE RD  
JACKSONVILLE, OR 94706  
  
CHRISTIE, JANET L.  
2578 HAPPY VALLEY DR  
MEDFORD, OR 97501  
  
LUCAS, JACQUELINE  
485 LITTLE APPLGATE RD  
JACKSONVILLE, OR 97530  
Priority Date 06/24/2013  
Issue Date 12/28/2016  
Status APPROVED

## **Applications for Allocation Of Conserved Water**

The following applications for allocation of conserved water have been received pursuant to ORS 537.455 to 537.500 and OAR Chapter 690, Division 18. In reviewing the applications, the Department will consider whether the diversion for the uses allowed under the original water right will be reduced by the conservation project, whether existing water rights will be protected from injury, and whether the project is in compliance with local comprehensive land use plans.

### **Notice of Application for Allocation of Conserved Water CW-93**

**CW-93** filed by East Fork Irrigation District, PO Box 62, Odell, OR 97044, proposes to pipe approximately 10,000 feet of the open and unlined Highline Canal with new PVC gasketed pipe, eliminating seepage losses, overflow and/or operational spills. The project on the East Fork Hood River is expected to conserve approximately 0.7 cubic feet per second (CFS) and 166.6 acre-feet (AF) under Certificate 92000 with a priority date of Nov. 25, 1895.

The applicants propose 75% (0.525 cfs) of the conserved water be protected instream in the East Fork Hood River. The increased flow will benefit East Fork Hood River populations of threatened and endangered species of Chinook and Coho salmon and mid-Columbia River steelhead trout. The East Fork Hood River is also listed on Oregon's DEQ's 303(d) list for impaired water quality.

The project appears to be consistent with the requirements under ORS 537.470. Any interested person may submit written comments for the applications. Comments must be received within 20 days of this publication, **1/31/2017**. Comments should be sent to the attention of the ACW Program, Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301.

## **Notice of Application for Allocation of Conserved Water CW-95 and Change in Point of Diversion**

**CW-95** filed by Woody and Megan Wolfe, 81544 Hwy 82, Wallowa, OR 97885, proposes to convert 871.5 acres from flood irrigation to high efficiency center pivot irrigation. The project on the Lostine (aka South Fork Wallowa) and the Wallowa Rivers is expected to conserve at total of approximately 7.33 cubic feet per second (CFS) and 1234 acre-feet (AF) as follows:

Certificate 3012: 1883 Priority; Lostine River; conserving 1.21 CFS and 215.25 AF on 143.5 acres located in SE $\frac{1}{4}$  of Sec. 30, T1N, R43E, W.M.

Certificate 79891: May 1897 Priority; Lostine River; conserving 0.23 CFS and 40.2 AF located on 26.8 acres located in N $\frac{1}{2}$  of NE $\frac{1}{4}$  of Sec. 31, T1N, R43E, W.M.

Certificate 3182: 1883 Priority; Lostine River, conserving 0.58 CFS and 102.9 AF on 68.6 acres located in the NE $\frac{1}{4}$  of Sec. 30, T1N, R43E, W.M.

Certificate 3192: 1889 Priority; Lostine River, conserving 0.65 CFS and 115.35 AF on 76.9 acres located in N $\frac{1}{2}$  of NW $\frac{1}{4}$  and also NE $\frac{1}{4}$  of Sec. 31, T1N, R43E, W.M.

Cert. 3192: 1883 Priority; Lostine River, conserving 0.01 CFS and 2.55 AF on 1.7 acres located in NENE of Sec. 31, T1N, R43E, W.M.

Certificate 11899: 7/12/1937 Priority; Lostine River, conserving 0.01 CFS and 1.62 AF on 10.5 acres located in SWNW of Sec. 29, T1N, R43E, W.M.

Certificate 49087: 1900 Priority; Wallowa River, conserving 0.39 CFS and 69.9AF on 46.6 acres located in SENE, NWSE, E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Sec. 19, T1N, R43E, W.M.

Certificate 53047: 1882 Priority; Lostine River, conserving 2.50 CFS and 445.65 AF on 297.1 acres located in NWNE, E $\frac{1}{2}$  of NW $\frac{1}{4}$  of Sec. 9, NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and of SWSE of Sec. 4, T1S, R43E, W.M.

Cert. 53047: 1896 Priority; Lostine River, conserving 0.09 CFS and 14.85 AF on 9.9 acres located in NENW of Sec. 9, T1S, R43E, W.M.

Certificate 82198: Priority 1889; Lostine River, conserving 0.01 CFS and 1.35 AF on 0.9 acres located in NWNE, Sec. 5, T1S, R43E, W.M.

Certificate 91010; 1879 Priority; Lostine River, conserving 0.08 CFS and 14.1 AF on 9.4 acres located in SENW and N $\frac{1}{2}$  of SW $\frac{1}{4}$  of Sec. 29, T1N R43E, W.M.

Certificate 91011: 1881 Priority; Lostine River, conserving 0.23 CFS and 39.3 AF on 26.2 acres located in NWNW and NWSW of Sec. 29, T1N, R43E, W.M.

Certificate 91012: 3/27/1901 Priority; Lostine River, conserving 0.29 CFS and 50.40 AF on 33.6 acres located in SWSW of Sec. 20, SWNW and NWSW of Sec. 29, T1N, R43E, W.M.

Certificate 81644: Priority 3/18/1901; Lostine River, conserving 1.04 CFS and 178.2 AF on 118.8 acres located in SWNE and N $\frac{1}{2}$  of SE $\frac{1}{4}$  of Sec. 31, T1N, R43E, W.M.

The Applicants propose 100% of the conserved water (831.12 AF) be allocated to the state for instream purposes for all certificates except Cert. 53047. The Applicants propose 73% of the conserved water under Cert. 53047 (336.3 AF) be allocated to the state for instream purposes. The remaining 27% of Cert. 53047 will be retained by the Applicants for future out-of-stream use.

The Applicants propose to change the point of diversion for the 118.8 acres involved in this application under Certificate 81644 by moving it downstream approx. 5 miles from the Westside Ditch located in NWSE of Sec. 27, T1S, R43E, W.M. to the Foster Ditch located in NENW of Sec. 4, T1N, R43E, E.M.

The project appears to be consistent with the requirements under ORS 537.470. Any interested person may submit written comments for the applications. Comments must be received within 20 days of the last day of publication, **1/31/2017**. Comments should be sent to the attention of the ACW Program, Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301.

**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 February 02, 2017.** 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#	<a href="#">G-16663</a>
Permit Number	G-16196
County/Basin	Sherman / Deschutes(5)
Applicant Name	BARNETT ESTATE PARTNERSHIP PO BOX 148 WASCO, OR 97065
Sources/TRSQ40Q160	A WELL > SPANISH HOLLOW / 1.00N 17.00E 4 SWNW
Use/Quantity	IRRIGATION / 2.500 AF
Proposed Completion Date	10/01/2020



## **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 February 17, 2017.** 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-15625
Permit#	<a href="#">G-15195</a>
County/Basin	Clackamas / Willamette(2)
Applicant Name	NORTHWEST FARM CREDIT SERVICES FLCA 650 HAWTHORNE AVE SE STE 210 SALEM, OR 97301
	PATTERSON REAL ESTATE HOLDINGS LLC PO BOX 99 BORING, OR 97009
Sources/TRSQ40Q160	TWO WELLS > EAGLE CREEK BASIN / 2.00S 4.00E 31 NESW THREE WELLS > EAGLE CREEK BASIN / 2.00S 4.00E 31 SENW
Use/Quantity	NURSERY USES / 2.23 CFS
Status	PROPOSE TO APPROVE

App#	G-16238
Permit#	<a href="#">G-15841</a>
County/Basin	Clackamas / Willamette(2)
Applicant Name	NORTHWEST FARM CREDIT SERVICES FLCA 650 HAWTHORNE AVE SE STE 210 SALEM, OR 97301
	PATTERSON REAL ESTATE HOLDINGS LLC PO BOX 99 BORING, OR 97009
Sources/TRSQ40Q160	TWO WELLS > EAGLE CREEK BASIN / 2.00S 4.00E 31 NESW THREE WELLS > EAGLE CREEK BASIN / 2.00S 4.00E 31 SENW
Use/Quantity	NURSERY USES / 2.225 CFS
Status	PROPOSE TO APPROVE
App#	G-14876
Permit#	<a href="#">G-13691</a>
County/Basin	Clackamas / Willamette(2)
Applicant Name	NORTHWEST FARM CREDIT SERVICES FLCA 650 HAWTHORNE AVE SE STE 210 SALEM, OR 97301
	PATTERSON REAL ESTATE HOLDINGS LLC PO BOX 99 BORING, OR 97009
Sources/TRSQ40Q160	TWO WELLS > EAGLE CREEK / 2.00S 4.00E 31 NESW THREE WELLS > EAGLE CREEK / 2.00S 4.00E 31 SENW
Use/Quantity	NURSERY USES / 0.535 CFS NURSERY USES / 0.535 CFS NURSERY USES / 0.535 CFS NURSERY USES / 0.535 CFS
Status	PROPOSE TO APPROVE

# **OREGON WATER RESOURCES DEPARTMENT**



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
January 3, 2017

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)\*

[ ]  
[ ]  
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**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.