

# **OREGON WATER RESOURCES DEPARTMENT**



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**January 10, 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:

- \* **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.
- \* **Extension of Time Checkpoint Progress Reports filed pursuant to OAR 690-320**  
Documents the progress made toward development of the water use project since approval of the last permit extension and/or the last progress report checkpoint. (OAR 690-320 pertains to permit extension applications filed before July 1, 2001.)
- \* **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: 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 Application: District Permanent for Place of Use - ORS 540.580**  
Petitions requesting permanent changes in place(s) of use within a district's boundary.

- \* **Water Management and Conservation Plans**  
Water management and conservation plans submitted by municipalities and agricultural water suppliers under provisions of OAR Chapter 690, Division 86.
- \* **Transfer Application: Split a Permit**  
Assignment of a water right permit and request for issuance of replacement permits. (**ORS 537.225; OAR Chapter 690, Division 325**)
- \* **Proposed Final Order for Split a Permit**  
Proposed Final Order to split a permit and issue replacement water right permits.
- \* **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@oregon.gov](mailto:Marissa.L.Andrews@oregon.gov).

**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 09, 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# [G-14234](#)  
Permit Number G-13131  
County/Basin Clackamas / Willamette(2)  
Applicant Name FAIRDALE NURSERY  
13200 SW WILSONVILLE RD  
WILSONVILLE, OR 97070  
Sources/TRSQ40Q160 A WELL > UNNAMED STREAM / 3.00S 1.00W 36 NWNE  
Use/Quantity NURSERY USES / 4.500 CFS  
Proposed Completion Date 10/01/2021

App# [G-14583](#)  
Permit Number G-13415  
County/Basin Coos / South Coast(17)  
Applicant Name PUHL, RONALD D. AND MARY ANNE  
PO BOX 807  
PORT ORFORD, OR 97465  
Sources/TRSQ40Q160 WELL 1 > CROOKED CREEK / 29.00S 14.00W 7 SESW  
TWO WELLS > CROOKED CREEK / 29.00S 14.00W 18 NENW  
Use/Quantity CRANBERRY / 0.990 CFS  
Proposed Completion Date 10/01/2028

App# [R-69389](#)  
Permit Number R-13102  
County/Basin Grant / John Day(6)  
Applicant Name HANSON, FRED  
710 S FAIRVIEW ST  
PRINEVILLE, OR 97754  
Sources/TRSQ40Q160 STUSSI CREEK/RESERVOIR 1 > BASIN CREEK / 10.00S 29.00E 3 NWSW  
STUSSI CREEK/RESERVOIR 2 > BASIN CREEK / 10.00S 29.00E 9 NWNE  
Use/Quantity STORAGE / 18.000 AF  
Proposed Completion Date 10/01/2008

App# [R-84344](#)  
Permit Number R-13110  
County/Basin Wasco / Deschutes(5)  
Applicant Name ROCKY RIDGE RANCH INC.  
1430 EASTSIDE RD  
HOOD RIVER, OR 97031  
Sources/TRSQ40Q160 UNNAMED STREAM > WHITE RIVER / 5.00S 12.00E 7 SENW  
UNNAMED STREAM > WHITE RIVER / 5.00S 12.00E 7 SWNE  
UNNAMED STREAM > WHITE RIVER / 5.00S 12.00E 7 NWNE  
UNNAMED STREAM > WHITE RIVER / 5.00S 12.00E 7 NENE  
UNNAMED STREAM > WHITE RIVER / 5.00S 12.00E 5 NESW  
Use/Quantity FISH CULTURE / 407.800 AF  
Proposed Completion Date 10/01/2026

## **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 24, 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#	S-71040
Permit#	<a href="#">S-54015</a>
County/Basin	Marion / Willamette(2)
Applicant Name	GOSCHIE FARMS INC. 7365 MERIDIAN RD NE SILVERTON, OR 97381
Sources/TRSQ40Q160	ABIQUA CREEK > PUDDING RIVER / 6.00S 1.00W 24 NESE
Use/Quantity	IRRIGATION / 0.190 CFS
Status	PROPOSE TO APPROVE
App#	G-16598
Permit#	<a href="#">G-16142</a>
County/Basin	Lane / Willamette(2)
Applicant Name	DARLAND, JOHN AND HILLARY 89618 ARMITAGE RD EUGENE, OR 97408
Sources/TRSQ40Q160	TWO WELLS > MCKENZIE RIVER BASIN / 17.00S 3.00W 16 NENE
Use/Quantity	NURSERY USES / 0.089 CFS
Status	PROPOSE TO APPROVE

App#	G-16410
Permit#	<a href="#">G-16049</a>
County/Basin	Yamhill / Willamette(2)
Applicant Name	MICHELBOOK ESTATES INC. 1301 NW MICHELBOOK LANE MCMINNVILLE, OR 97128
Sources/TRSQ40Q160	TWO WELLS > NORTH BRANCH COZINE CREEK / 4.00S 4.00W 17 SWSW A WELL > NORTH BRANCH COZINE CREEK / 4.00S 4.00W 17 SESW A WELL > NORTH BRANCH COZINE CREEK / 4.00S 4.00W 18 SESE A WELL > NORTH BRANCH COZINE CREEK / 4.00S 4.00W 17 NWSW A WELL > NORTH BRANCH COZINE CREEK / 4.00S 4.00W 17 SENW
Use/Quantity	IRRIGATION / 0.46 CFS
Status	PROPOSE TO APPROVE
App#	G-16295
Permit#	<a href="#">G-16187</a>
County/Basin	Deschutes / Deschutes(5)
Applicant Name	NOBEAR, TERESA 8640 KULA HWY KULA, HI 96790
Sources/TRSQ40Q160	A WELL > MCKENZIE CANYON / 14.00S 10.00E 33 SWNW
Use/Quantity	IRRIGATION / 0.069 CFS
Status	PROPOSE TO APPROVE
App#	G-13010
Permit#	<a href="#">G-12673</a>
County/Basin	Clackamas / Willamette(2)
Applicant Name	HIGHGATE FARMS 32854 S DRYLAND RD MOLALLA, OR 97038
Sources/TRSQ40Q160	A WELL > KAISER CREEK / 5.00S 1.00E 14 SWSE
Use/Quantity	IRRIGATION / 0.680 CFS
Status	PROPOSE TO APPROVE

**Extensions of Time Progress**  
**Checkpoint Progress Reports filed pursuant to OAR 690-320**

**Consistent with OAR 690-320-0010(10), the Department will accept public comment on the following Extension of time Checkpoint Progress Reports until February 09, 2017.** Comments must be in writing and must indicate the application file and permit numbers. Following the comment period, the Department shall review evidence to determine whether or not the permit holder has been diligent in developing and perfecting the water use permit and has complied with all terms and conditions of the permit and/or extension of time. Additionally, the Department will provide notice of its determination to anyone who has submitted comments.

App# [G-13565](#)  
Permit Number G-11761  
County/Basin Multnomah / Sandy(3)  
Applicant Name CITY OF TROUTDALE  
342 SW 4TH ST  
TROUTDALE, OR 97060  
Use MUNICIPAL USES

App# [G-9291](#)  
Permit Number G-8655  
County/Basin Multnomah / Sandy(3)  
Applicant Name CITY OF TROUTDALE  
342 SW 4TH ST  
TROUTDALE, OR 97060  
Use MUNICIPAL USES

## 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 January 24, 2017, 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#	<a href="#">LL-1683</a>
County/Basin	Wheeler / John Day(6)
Applicant Name	HALE, RICK AND JODY 73426 HWY 207 ECHO, OR 97826
Sources/TRSQ40Q160	BIG DUTCH CAN > BROWN CR / 6.00S 24.00E 9 NWSE BIG DUTCH CAN > BROWN CR / 6.00S 24.00E 15 NWNW
Use/Quantity	STOCK WATER, WILDLIFE, FIREPROTECTION / 29.53 AF
Priority Date	12/27/2016



## 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 January 31, 2017.** 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 1372</a>
Certs	83571
County/Basin	Deschutes / Deschutes(5)
Lessee	HUBERT, GENEVIEVE DESCHUTES RIVER CONSERVANCY 700 NW HILL ST STE 1 BEND, OR 97703
Lessor	CENTRAL OREGON IRRIGATION DISTRICT 1055 SW LAKE COURT REDMOND, OR 97756
Lessor	BEND PARK AND RECREATION DISTRICT 799 SW COLUMBIA STT BEND, OR 97702
Priority Date	10/31/1900
Source/Tributary To	DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL 1383](#)  
Certs 83571  
County/Basin Deschutes / Deschutes(5)  
Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST STE 1  
BEND, OR 97703

Lessor CENTRAL OREGON IRRIGATION DISTRICT  
1055 SW LAKE COURT  
REDMOND, OR 97756

Lessor PURCELL, CLYDE W  
1025 NW BOND ST  
BEND, OR 97701

Priority Date 10/31/1900  
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL 1570](#)  
Certs 46268, 89317, 74265, 89320, 89321  
County/Basin Hood River / Hood(4)  
Lessor MIDDLE FORK IRRIGATION DISTRICT  
PO BOX 291  
PARKDALE, OR 97041  
Priority Date 01/22/1969, 01/02/1962, 04/09/1971, 03/09/1970, 08/19/1985  
Source/Tributary To CLEAR CREEK / MIDDLE FORK HOOD RIVER  
ELIOT CREEK / MIDDLE FORK HOOD RIVER  
COE BRANCH / MIDDLE FORK HOOD 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 February 09, 2017. 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 12546</a>
Water Right	Cert:91931 , Cert:91929 , Cert:91930
County/Basin	Marion / Willamette(2)
Applicant Name	PAN AMERICAN BERRY GROWERS LLC 6826 55TH AVE NE SALEM, OR 97305
Proposed Change	ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	SIX WELLS > LITTLE PUDDING RIVER BASIN / 6.00S 2.00W 28 NWSW A WELL > LITTLE PUDDING RIVER BASIN / 6.00S 2.00W 33 NWNW
Use/Quantity	IRRIGATION / 1.11 CFS IRRIGATION / 0.917 CFS IRRIGATION / 0.060 CFS
Priority Date	03/09/1956, 01/28/1997, 09/30/1955

## Applications for District Permanent Transfer for Place of Use

A district may request to permanently change the place of use within district boundaries pursuant to ORS 540.580. A petition (application) for a district permanent water right transfer may be submitted subsequent to (specific noticing requirements apply) or prior to the change in place of use, but no later than the end of the calendar year in which the change occurs. The petition may include an unlimited number of place of use transfers within the same petition. Any recently filed Application for District Permanent Water Right Transfer for Place of Use is listed below.

Public comments may be submitted by any person (please follow the instructions on the last page of this public notice). A protest may be filed by any potentially affected holder of an existing water right, either jointly or severally with other persons, provided the protest is not by a user within a district alleging injury to the delivery of water by the district. Each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing. Protests must be accompanied by a \$700 protest fee for non-applicants and a \$350 protest fee for the applicant, and filed in accordance with OAR Chapter 690, Division 2. **Comments or protests must be received by the Department on or before February 10, 2017.**

Pursuant to ORS 540.580(8), if a water user within the district files a protest claiming injury to a water right delivery by the district, no contested case hearing shall be required, but the district shall resolve the matter directly with the water user.

To view the permanent transfer application, click on the link below.

Transfer [T-12547](#)  
Water Right Cert: 74145  
County/Basin DESCHUTES / DESCHUTES (5)  
Applicant Name SWALLEY IRRIGATION DISTRICT  
64672 COOK AVE SUITE 1  
BEND, OR 97703  
Sources DESCHUTES RIVER > COLUMBIA RIVER;  
Use IRRIGATION  
Priority Date 09/01/1899

Transfer [T-12548](#)  
Water Right Cert: 74146  
County/Basin DESCHUTES / DESCHUTES (5)  
Applicant Name TUMALO IRRIGATION DISTRICT  
64697 COOK AVE SUITE 1  
BEND, OR 97703  
Sources TUMALO CREEK > DESCHUTES RIVER  
Use IRRIGATION  
Priority Date 09/1900

Transfer [T-12549](#)  
Water Right Cert: 72279; 72281; 90177  
County/Basin JEFFERSON / DESCHUTES (5)  
Applicant Name NORTH UNIT IRRIGATION DISTRICT  
2024 NW BEECH ST  
MADRAS, OR 97741  
Sources DESCHUTES RIVER > COLUMBIA RIVER & WICKIUP AND HAYSTACK RESERVOIRS >  
COLUMBIA RIVER; CROOKED RIVER > DESCHUTES RIVER  
Use IRRIGATION; SUPPLEMENTAL IRRIGATION  
Priority Date 2/28/1913; 6/23/1955; 9/18/1968

Transfer [T-12550](#)  
Water Right Cert: 82246; 82247  
County/Basin CROOK / DESCHUTES (5)  
Applicant Name OCHOCO IRRIGATION DISTRICT  
1001 NW DEER ST  
PRINEVILLE, OR 97754  
Sources OCHOCO, MACKAY, DRY, LYTLER AND JOHNSON CREEKS, ALL WASTEWATER AND RETURN  
WATER FLOWING IN ALL UNAMED WATERWAYS > CROOKED RIVER & OCHOCO  
RESERVOIR > OCHOCO CREEK; CROOKED RIVER > DESCHUTES RIVER & PRINEVILLE  
RESERVOIR > CROOKED RIVER  
Use IRRIGATION; SUPPLEMENTAL IRRIGATION  
Priority Date 3/13/1916 & 8/10/1917 (MCKAY CREEK); 4/8/1914

## 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 February 09, 2017, 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-12378** filed by Shirley Thompson, 53743 Hwy 78, Burns OR 97720, proposes additional points of appropriation, changes in points of appropriation, and changes in place of use under Certificate (C) 46775, and additional points of appropriation and changes in place of use under C-55569, C-55570, C-55571, and C-85182. C-46775 allows the use of 4.01 cfs from two wells in Sec. 13, T26S, R33E, WM for irrigation in Sec 13, T26S, R33E, WM and Sec 18, T26S, R34E, WM and supplemental irrigation in Sects.13 and 18, T26S, R34E, WM. The applicant proposes additional points of appropriation and a change in point of appropriation in Sects 18, 19 and 20, T26S, R34E, WM, and to change the place of use in Sec. 13, T26S, R33E, WM and Sects.18, and 19, T26S, R34E, WM. C-55569 allows the use of 1.48 cfs from a well in Sec. 19, T26S, R34E, WM for irrigation in Sects.19 and 20, T26S, R34E, WM. The applicant proposes additional points of appropriation in Sects 19 and 20, T26S, R34E, WM and changes in place of use in Sects. 19 and 20, T26S, R34E, WM. C-55570 allows the use of 0.5 cfs from a well in Sec. 19, T26S, R34E, WM for irrigation in Sect.19, T26S, R34E, WM. The applicant proposes additional points of appropriation in Sects 19 and 20, T26S, R34E, WM and changes in place of use in Sec 19, T26S, R34E, WM. C-55571 allows the use of 1.03 cfs from a well in Sec. 19, T26S, R34E, WM, for irrigation in Sects.19 and 20, T26S, R34E, WM. The applicant proposes additional points of appropriation in Sects. 19 and 20, T26S, R34E, WM and changes in place of use in Sec. 19, T26S, R34E, WM. C-85182 allows the use of 1.025 cfs from a well in Sec. 20, T26S, R34E, WM for irrigation in Sects. 20 and 29, T26S, R34E, WM. The applicant proposes additional points of appropriation in Sec 19, T26S, R34E, WM and changes in place of use in Sects. 19 and 20, T26S, R34E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

## **Water Management and Conservation Plans**

The Department is required to give notice and to invite public review and comment on Water Management and Conservation Plans submitted pursuant to OAR Chapter 690, Division 086. The Department will consider all public comments in its review of the draft plan and will report the results of the review to the water supplier 90 days from the time the plan was submitted.

**Any person may review and comment on a draft plan on or before February 09, 2017.** The plans are available for viewing at the Salem office of the Water Resources Department. Comments should focus on elements in the draft that do not meet the requirements of OAR Chapter 690, Division 086 and should include suggestions on how to bring the draft into compliance with the rules.

Plans have been submitted by the following agricultural and municipal water suppliers:

**City of Troutdale (Municipal)**

**City of Sisters (Municipal)**

To review any of the above plan(s) or to provide comments on the plan(s), contact Kerri H. Cope at 503-986-0919 or [Kerri.H.Cope@oregon.gov](mailto:Kerri.H.Cope@oregon.gov).

## 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, February 10<sup>th</sup>, 2017.** 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	<a href="#">T-12524</a> G-13980
County/Basin	YAMHILL / WILLAMETTE RIVER BASIN (2B)
Applicants	EDITH PIERCE PO BOX 92 DUNDEE, OREGON 97115 SUSAN AND KUEN LEE 25100 NE HIDDEN MEADOWS RD NEWBERG, OREGON 97132
Source/TRSQ40Q160	3 WELLS > WILLAMETTE RIVER BASIN/ 3.00S 2.00W SEC 19 SWSW 1 WELLS > WILLAMETTE RIVER BASIN/ 3.00S 2.00W SEC 19 SESW
Priority Date	OCTOBER 27, 1999
Use/Quantity	NURSERY OPERATIONS OF 21.0 ACRES / 0.223 CFS
Limit	The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at any time, during the period of allowed use specified above, that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year
Applicant's Use/Quantity	NURSERY OPERATIONS OF 16.5 ACRES / 0.175 CFS
Permit Completion Date	10/1/2020



## Proposed Final Order to Split a Permit and Issue Replacement Water Right Permits

App.# [T-12497](#)  
Permit G-11197  
County/Basin MARION / MIDDLE WILLAMETTE (#2B)  
Applicant SHAWN AND KIMBERLY SCHURTER  
10520 SUNNYVIEW ROAD NE  
SALEM, OREGON 97317  
Source/TRSQ40Q160 ONE WELL > PUDDING RIVER BASIN/ 7.00S 1.00W SEC20 SWSW  
Use/Quantity IRRIGATION OF 144.0 ACRES / 1.8 CFS  
Limit/Duty 1/80 CFS PER ACRE/ 2.5 AF PER ACRE IRRIGATED DURING IRRIGATION  
SEASON EACH YEAR SEASON  
Applicant's Use/Quantity IRRIGATION OF 43.4 ACRES / 0.54 CFS  
Priority Date APRIL 24, 1990  
Permit Completion Date: 10/01/2021  
Stage/Status PFO / PROPOSE TO APPROVE

App.# [T-12497](#)  
Permit G-12957  
County/Basin MARION / MIDDLE WILLAMETTE (#2B)  
Applicant SHAWN AND KIMBERLY SCHURTER  
10520 SUNNYVIEW ROAD NE  
SALEM, OREGON 97317  
Source/TRSQ40Q160 ONE WELL > PUDDING RIVER BASIN/ 7.00S 1.00W SEC20 SWSW  
Use/Quantity SUPPLEMENTAL IRRIGATION OF 144.0 ACRES / 0.8 CFS  
Limit/Duty 1/80 CFS PER ACRE/ 2.5 AF PER ACRE IRRIGATED DURING IRRIGATION  
SEASON EACH YEAR SEASON  
Applicant's Use/Quantity SUPPLEMENTAL IRRIGATION OF 44.0 ACRES / 0.24 CFS  
Priority Date APRIL 28, 1995  
Permit Completion Date: 10/01/2021  
Stage/Status PFO / PROPOSE TO APPROVE

### Protests:

A record landowner, an applicant, an assignee, an affected water right permit holder, or other interested person may protest the Proposed Final Order. Pursuant to OAR 690-325-0100, protests must: 1) provide a detailed explanation of why the proposed order does not conform with the criteria under ORS 537.225, and a description of the changes to the order that are necessary to correct the nonconformity; and 2) raise all reasonably ascertainable issues at the time the protest is filed. The issues must directly pertain to whether the replacement water right permits are authorized under and in conformance with ORS 537.225. In addition, protests must be accompanied by the appropriate protest fees. Protests must be received by the Department no later than **February 24<sup>th</sup>, 2017** after the notice is published in the Department's weekly notice. If no protests are filed, the Department will issue a final order consistent with the Proposed Final Order.

The Proposed Final Order 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.

## 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# [92227](#)  
Xfer: T 11772  
County/Basin Malheur / Malheur(10)  
Applicant Name BAKER, GERALD L.  
Priority Date 08/30/1956  
Issue Date 01/09/2017

Cert# [92226](#)  
App: G 17811  
County/Basin Malheur / Malheur(10)  
Applicant Name BAKER, GERALD L.  
Priority Date 03/26/2014  
Issue Date 01/09/2017

Cert# [92213](#)  
Xfer: T 9172  
County/Basin Crook / Deschutes(5)  
Applicant Name QUAIL VALLEY RANCH LLC  
Priority Date 04/08/1914  
Issue Date 01/09/2017

Cert# [92214](#)  
Xfer: T 9172  
County/Basin Crook / Deschutes(5)  
Applicant Name QUAIL VALLEY RANCH LLC  
Priority Date 02/28/1909  
Issue Date 01/09/2017

Cert# [92215](#)  
Xfer: T 9172  
County/Basin Crook / Deschutes(5)  
Applicant Name QUAIL VALLEY RANCH LLC  
Priority Date 04/08/1914  
Issue Date 01/09/2017

Cert# [92210](#)  
Xfer: T 11830  
County/Basin Union / Grande Ronde(8)  
Applicant Name THREEMILE CANYON FARMS LLC  
Priority Date 07/07/1966  
Issue Date 01/05/2017

Cert# [92211](#)  
Xfer: T 11830  
County/Basin Union / Grande Ronde(8)  
Applicant Name THREEMILE CANYON FARMS LLC  
Priority Date 07/16/1997  
Issue Date 01/05/2017

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
January 10, 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)\*

[ ]  
[ ]  
[ ]

**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.