

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
February 28, 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*

This publication lists agency activities requiring public notice. It also describes public comment processes and deadlines. Types of water use requests in this week's Public Notice include:

- * **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- * **Alternate Reservoir Applications (ORS 537.409)**
Applications for storage permits for small ponds filed under a simplified review process.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **Establishment of Mitigation Credits in the Deschutes Basin pursuant to OAR Chapter 690, Division 521 (ORS 537.746)**
- * **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 Notice: District Permanent Transfers for Place of Use- ORS 540.580(4)**
District notices filed for place of use changes within a district's boundary.
- * **Certificate Issuance**
Included in this section is a listing of recently issued water right certificates.

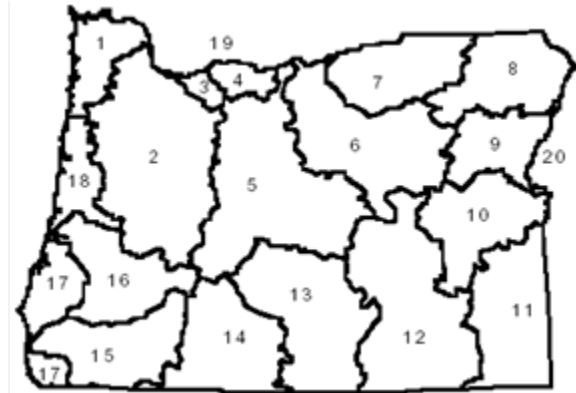
The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to Marissa.L.Andrews@oregon.gov.

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, March 30, 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, April 14, 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-18288](#)
County/Basin Clackamas / Willamette(2)
Applicant Name COOPER, JOAN
PO BOX 529
MOLALLA, OR 97038
Sources/TRSQ40Q160 A WELL > MOLALLA RIVER BASIN / 4.00S 2.00E 32 SENE
Use/Quantity IRRIGATION / 0.495 CFS
Priority Date 04/25/2016
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18386](#)
County/Basin Lane / Willamette(2)
Applicant Name HALVERSON, TERESA
102 EUCLID AVE
ALBANY, NY 12203
Sources/TRSQ40Q160 A WELL > MCKENZIE RIVER / 17.00S 1.00W 25 NWNW
Use/Quantity IRRIGATION / 0.022 CFS
Priority Date 09/16/2016
Stage/Status IR / PROPOSE TO APPROVE

App# [S-88353](#)
County/Basin Lane / Middle Coast(18)
Applicant Name CLOUGH, THOMAS R. AND KATHY
83501 JENSEN LANE
FLORENCE, OR 97439
Sources/TRSQ40Q160 SILTCOOS LAKE > SILTCOOS RIVER / 19.00S 12.00W 23 SWSE
Use/Quantity DOMESTIC / 0.005 CFS
Priority Date 01/12/2017
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-18235](#)
County/Basin Josephine / Rogue(15)
Applicant Name BUER, ERICH
505 THE TREES DR
WILLIAMS, OR 97544
Priority Date 01/19/2016
Issue Date 02/22/2017
Status APPROVED

App# [R-88243](#)
County/Basin Clackamas / Willamette(2)
Applicant Name WISBECK, GLENN AND JEANINE
32855 SE COMPTON RD
BORING, OR 97009
Priority Date 06/10/2016
Issue Date 02/22/2017
Status APPROVED

App# [R-88244](#)
County/Basin Clackamas / Willamette(2)
Applicant Name WISBECK, GLENN AND JEANINE
32855 SE COMPTON RD
BORING, OR 97009
Priority Date 06/10/2016
Issue Date 02/22/2017
Status APPROVED

App# [R-88294](#)
County/Basin Josephine / Rogue(15)
Applicant Name CARROLL, JON
8171 DEER CREEK RD
SELMA, OR 97538
Priority Date 09/26/2016
Issue Date 02/23/2017
Status APPROVED

App# [R-88302](#)
County/Basin Polk / Willamette(2)
Applicant Name OLDHAM, GREG
OLDHAM, SAM
TALIAFERRO, ANNE
17755 SHADY LANE RD
MONMOUTH, OR 97361
Priority Date 10/13/2016
Issue Date 02/23/2017
Status APPROVED

App# [S-88235](#)
County/Basin Marion / Willamette(2)
Applicant Name JAMES N SMITH LLC
C/O MAURICE SMITH
PO BOX 399
SAINT PAUL, OR 97137
Priority Date 05/26/2016
Issue Date 02/27/2017
Status APPROVED

Alternate Reservoir Applications (ORS 537.409)

For alternate reservoir applications filed under ORS 537.409, the public is invited to comment within 60 days of this notice. The law provides that within 60 days after the Department provides public notice of the application, any person may submit detailed, legally obtained information in writing, requesting the Department to deny the application for a permit on the basis that the reservoir:

- (A) Would result in injury to an existing water right; or
- (B) Would pose a significant detrimental impact to existing fishery resources as determined on the basis of information submitted by the State Department of Fish and Wildlife.

Such comments must be submitted on or before April 29, 2017.

App#	R-88366
County/Basin	Clackamas / Willamette(2)
Applicant Name	RUBEL, SCOTT SCHATZ, RACHEL 37246 S BLUE RD MOLALLA, OR 97038
Sources/TRSQ40Q160	SPRINGS > ROCK CREEK / 6.00S 2.00E 8 SENW
Use/Quantity	MULTIPLE PURPOSE / 7.700 AF
Priority Date	02/13/2017
App#	R-88371
County/Basin	Josephine / Rogue(15)
Applicant Name	JUSTICE, CATHERINE G. JUSTICE, JARED D. JUSTICE, TETIANA 3454 CLOVERLAWN DR GRANTS PASS, OR 97527
Sources/TRSQ40Q160	RUNOFF > WEST FORK ILLINOIS RIVER / 39.00S 8.00W 32 NESW WEST FORK ILLINOIS RIVER > ILLINOIS RIVER / 39.00S 8.00W 32 NESW
Use/Quantity	MULTIPLE PURPOSE / 3.700 AF
Priority Date	02/21/2017

Expedited Secondary Applications Under HB 2178 (2005)

For expedited secondary applications to use exclusively stored water filed under HB 2178, the public is invited to comment within 30 days of this notice, by **March 30, 2017**. The expedited secondary applications listed below have been filed recently. Any person may raise public interest issues regarding these applications. If public interest issues are raised, the Department may move the application to the standard process and review the application pursuant to ORS 537.153, and issue a Proposed Final Order. If no public issues are raised, the Department may issue a final order and permit without further prior notice.

Comments must identify the specific public interest under ORS 537.170(8) that would be impaired or detrimentally affected by the proposed use, and specifically how the identified public interest would be affected.

POD 1 is the location of the stored water. POD 2 and any additional points are the redirection point(s).

App#	S-88369
County/Basin	Yamhill / Willamette(2)
Applicant Name	COSTA VERDE PARTNERS LLC 16301 NW GREENHOOT RD YAMHILL, OR 97148
	DALE, DAVID A. 7028 CINNAMON TEAL ST CARLSBAD, CA 92011
Sources/TRSQ40Q160	A RESERVOIR > WILDWOOD CREEK / 2.00S 5.00W 15 SESE
Use/Quantity	NURSERY USES / 3.000 AF
Priority Date	02/17/2017
App#	S-88370
County/Basin	Douglas / Umpqua(16)
Applicant Name	NEGHERBON, SEAN CITY OF MYRTLE CREEK PO BOX 940 MYRTLE CREEK, OR 97457
Sources/TRSQ40Q160	A RESERVOIR > COW CREEK / 31.00S 4.00W 28 SWNE
Use/Quantity	SOUTH UMPQUA RIVER > UMPQUA RIVER / 29.00S 5.00W 32 SWSE
Priority Date	IRRIGATION / 33.450 AF 02/17/2017

Establishment of Mitigation Credits in the Deschutes Basin

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

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

<u>Mitigation Project #:</u>	MP-215
County:	Deschutes
Project Applicant:	Deschutes River Conservancy Mitigation Bank and Central Oregon Irrigation District on behalf of a landowner
Mitigation Project And Process:	Instream Lease IL-1577 - see also instream lease section of this notice for additional application details
Subbasin/Source:	Middle Deschutes subbasin - Deschutes River tributary to the Columbia River
Amount of Water:	up to 0.869 Cubic Foot per Second and 279.07 Acre-Feet
Current Use:	Irrigation of 51.2 acres
Credits Assigned to:	Deschutes River Conservancy Mitigation Bank
Preliminary Mitigation Credit Determination:	92.2 mitigation credits that may be available for use in the Middle Deschutes and/or General Zones of Impact
Contact:	Joan Smith: (503) 986-0892

Mitigation Project #: MP-216
County: Deschutes
Project Applicant: Deschutes River Conservancy Mitigation Bank and Deschutes River Ranch Group
Mitigation Project And Process: Instream Lease IL-1578 - see also instream lease section of this notice for additional application details
Subbasin/Source: Middle Deschutes subbasin - Deschutes River tributary to the Columbia River
Amount of Water: up to 0.189 Cubic Foot per Second and 69.0 Acre-Feet
Current Use: Irrigation of 21.99 acres
Credits Assigned to: Deschutes River Conservancy Mitigation Bank
Preliminary Mitigation Credit Determination: 39.6 mitigation credits that may be available for use in the Middle Deschutes and/or General Zones of Impact
Contact: Sarah Henderson (503) 986-0890

Mitigation Project #: MP-217
County: Deschutes
Project Applicant: Deschutes River Conservancy Mitigation Bank and Central Oregon Irrigation District on behalf of several landowners
Mitigation Project And Process: Instream Lease IL-1580 - see also instream lease section of this notice for additional application details
Subbasin/Source: Middle Deschutes and Crooked River subbasins - Deschutes River tributary to the Columbia River
Amount of Water: up to 0.437 Cubic Foot per Second and 140.35 Acre-Feet
Current Use: Irrigation of 25.75 acres
Credits Assigned to: Deschutes River Conservancy Mitigation Bank
Preliminary Mitigation Credit Determination: 46.4 mitigation credits that may be available for use in the Middle Deschutes, Crooked River and/or General Zones of Impact
Contact: Joan Smith: (503) 986-0892

**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 March 30, 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-12148](#)
Permit Number G-13110
County/Basin Lake / Goose & Summer Lake(13)
Applicant Name HOURET FAMILY LIMITED PARTNERSHIP LLC
5570 SANCHEZ DR 230
SAN JOSE, CA 95123
Sources/TRSQ40Q160 A WELL > THOMAS CREEK / 39.00S 20.00E 6 NENE
A WELL > THOMAS CREEK / 39.00S 20.00E 5 SENW
Use/Quantity IRRIGATION / 8.920 CFS
Proposed Completion Date 10/01/2021

App# [G-15142](#)
Permit Number G-15005
County/Basin Morrow / Umatilla(7)
Applicant Name HISLER, PAUL
SMITH, MARK
56504 LITTLE BUTTER CR
HEPPNER, OR 97836
Sources/TRSQ40Q160 A WELL > LITTLE BUTTER CREEK / 2.00S 29.00E 31 NENW
Use/Quantity IRRIGATION / 0.188 CFS
Proposed Completion Date 10/01/2020

App# [G-15973](#)
Permit Number G-15578
County/Basin Grant / John Day(6)
Applicant Name KIMBALL, WILLIS
59670 HWY 26
JOHN DAY, OR 97845
Sources/TRSQ40Q160 A WELL > RAN CREEK / 13.00S 29.00E 27 SENW
A WELL > RAN CREEK / 13.00S 29.00E 27 NESW
Use/Quantity IRRIGATION / 0.190 CFS
Proposed Completion Date 10/01/2018

App# [G-14840](#)
Permit Number G-13748
County/Basin Gilliam / John Day(6)
Applicant Name HIATT, GARY
64771 UPPER ROCK CREEK RD
ARLINGTON, OR 97812

ROCK CREEK CROSSING LLC
20982 NW MILLACOMA
PORTLAND, OR 97229
Sources/TRSQ40Q160 A WELL > ROCK CREEK / 1.00S 21.00E 14 SESE
A WELL > ROCK CREEK / 1.00S 21.00E 24 SENE
Use/Quantity IRRIGATION / 2.340 CFS
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 April 14, 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-70272
Permit#	S-51017
County/Basin	Morrow, Umatilla / Umatilla(7)
Applicant Name	AXA EQUITABLE AGRIFINANCE LLC 4333 EDGEWOOD RD NE CEDAR RAPIDS, IA 52499-5223
Sources/TRSQ40Q160	MADISON RANCHES INC. 29299 MADISON RD ECHO, OR 97826 COLUMBIA RIVER > PACIFIC OCEAN / 4.00N 25.00E 2 NENW COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 27.00E 13 NWSW COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 28.00E 10 NESE
Use/Quantity Status	IRRIGATION / 33.420 CFS PROPOSE TO APPROVE
App#	G-16663
Permit#	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 Status	IRRIGATION / 2.500 AF PROPOSE TO DENY

App# R-86292
Permit# [R-14279](#)
County/Basin Polk / Willamette(2)
Applicant Name FREEMAN AND SONS
3750 OAK GROVE RD
RICKREALL, OR 97371-9745
Sources/TRSQ40Q160 RUNOFF > MCMAHAN BRANCH / 7.00S 4.00W 3 NESE
A SPRING > MCMAHAN BRANCH / 7.00S 4.00W 3 NESE
Use/Quantity MULTIPLE PURPOSE / 23.000 AF
Status PROPOSE TO APPROVE

App# G-13820
Permit# [G-15777](#)
County/Basin Polk / Willamette(2)
Applicant Name KOO, LIN SHEN
6020 BETHEL HGHTS RD NW
SALEM, OR 97304
Sources/TRSQ40Q160 A WELL > SPRING VALLEY CREEK BASIN / 6.00S 4.00W 23 SENE
Use/Quantity IRRIGATION / 0.120 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 March 14, 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#	LL-1688
County/Basin	Crook / Deschutes(5)
Applicant Name	SOLAR STAR OREGON II LLC PO BOX 1830 BEND, OR 97709
Sources/TRSQ40Q160	SHORT, JOHN A. PO BOX 1830 BEND, OR 97709
Use/Quantity	A WELL > CROOKED RIVER BASIN / 16.00S 15.00E 15 NWNW GENERAL MAINTENANCE / 100 GPM
Priority Date	02/17/2017

Applications for Instream Lease

ORS 537.348 authorizes a water right holder to lease their existing water right(s) to instream use for a limited time. For the term of the lease, the water right holder agrees to suspend use of water under the original right. The state is the trustee for water rights leased for instream use. OAR 690-077-0077 requires that the Department public notice the lease applications.

The deadline for submitting claims of injury to existing water rights or enlargement of the original right against a lease application is March 21, 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# [IL 1524](#)
County/Basin Wasco / Hood(4)
Certificate 88835
Lessor UNDERHILL, GENE
82541 DUFUR VALLEY RD
DUFUR, OR 97021

Lessee BARTER, CAYLIN
THE FRESHWATER TRUST
65 SW YAMHILL ST,
PORTLAND, OR 97204

Lessee KIRSCHNER, ROB
THE FRESHWATER TRUST
700 SW TAYLOR ST, SUITE 200
PORTLAND, OR 97205

Priority Date 03/04/1861
Source/Tributary To FIFTEENMILE CREEK / COLUMBIA RIVER

Lease# [IL 1577](#)
County/Basin Deschutes / Deschutes(5)
Certificate 83571
Lessor HAMBY, KELLEY
CENTRAL OREGON IRRIGATION DISTRICT
1055 SW LAKE COURT
REDMOND, OR 97756

Lessee DESCHUTES RIVER CONSERVANCY MITIGATION BANK
PO BOX 1560
BEND, OR 97709

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

Lease# [IL 1578](#)
County/Basin Deschutes / Deschutes(5)
Certificate 83521
Lessor DESCHUTES RIVER RANCH GROUP LLC
20210 SWALLEY RD
BEND, OR 97701

Lessee DESCHUTES RIVER CONSERVANCY MITIGATION BANK
PO BOX 1560
BEND, OR 97709

Priority Date 06/20/1885
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL 1580](#)
County/Basin Deschutes / Deschutes(5)
Certificate 83571
Lessor HAMBY, KELLEY
CENTRAL OREGON IRRIGATION DISTRICT
1055 SW LAKE COURT
REDMOND, OR 97756

Lessee DESCHUTES RIVER CONSERVANCY
PO BOX 1560
BEND, OR 97709

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

Lease# [IL 1581](#)
County/Basin Deschutes / Deschutes(5)
Certificate 83571
Lessor CENTRAL OREGON IRRIGATION DISTRICT
1055 SW LAKE COURT
REDMOND, OR 97756

Lessee DESCHUTES RIVER CONSERVANCY
PO BOX 1560
BEND, OR 97709

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

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 March 30, 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-12247 filed by Willow Creek Dairy, PO Box 1210, Boardman, OR 97818, proposes a place of use change under Certificates 80062, 86992, and 86993. Certificate 80062 allows the use of 5.48 cfs from the Columbia River in Sec. 2, T4N, R25E, WM for irrigation in Sects.15, and 16, T3N, R26E, WM. Certificate 86992 allows the use of 1.09 cfs from the Columbia River in Sec.2, T4N, R25E, WM for irrigation in Sects.15, and 22, T3N, R26E, WM. Certificate 86993 allows the use of 1.35 cfs from the Columbia River in Sec. 2, T4N, R25E, WM for irrigation in Sects.15, 16, 17, and 21, T3N, R26E, WM. The applicant proposes to change the place of use to within Sec.4, T2N, R26E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-12248 filed by Sage Hollow Ranch LLC, 3620 Independence Rd. Sunnyside, WA 98944, proposes additional points of appropriation, changes in points of appropriation, place of use, and character of use under Certificates (C) 49726, 55317, 49727, and 55316. C-49726 allows the use of 1.12 cfs from a well in Sec. 4, T3N, R26E, WM for irrigation in Sec. 4. The applicant proposes additional points of appropriation and to move the authorized point of appropriation within Sects. 16 and 22, T3N, R26E, WM, to change the place of use to within Sects. 15 and 16, T3N, R26E, WM, and to change the character of use to agricultural use. C-55317 allows the use of 0.07 cfs from Well 1 in Sec. 4, T3N, R26E, WM for irrigation in Sec. 4. The applicant proposes additional points of appropriation and to move the authorized point of appropriation to within Sects. 16 and 22, T3N, R26E, WM, to change the place of use to within Sects. 15 and 16, T3N, R26E, WM and to change the character of use to agricultural use. C-49727 allows the use of 0.84 cfs from a well in Sec. 4, T3N, R26E, WM for irrigation in Sec. 4. The applicant proposes additional points of appropriation and to move the authorized point of appropriation to within Sects. 16 and 22, T3N, R26E, WM, to change the place of use to within Sects. 15 and 16, T3N, R26E, WM, and to change the character of use to agricultural use. C-55316 allows the use of 0.35cfs from Wells 1 and 2 in Sec. 4, T3N, R26E, WM for irrigation in Sec. 4. The applicant proposes additional points of appropriation and to move the authorized point of appropriation to within Sects. 16 and 22, T3N, R26E, WM, to change the place of use to Sects. 15 and 16, T3N, R26E, WM and to change the character of use to agricultural use. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-12291](#) filed by Full Circle Properties LLC, 7785 Rock Hill Lane Cincinnati, OH, 45243 proposes an additional point of diversion and a change in place of use under Certificate 16320. The right allows the use of 0.80 cfs from West Fork Williams Creek in Sec. 7, T39S, R5W, WM for irrigation in Sects. 7 and 8, T39S, R5W, WM. The applicant proposes an additional point of appropriation in Sec. 7, T39S, R5W, WM and to change the place of use within Sects. 7 and 8, T39S, R5W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-12522](#) filed by Farmland Reserve, Inc., of 79 S. Main St., Salt Lake City, UT 98411, proposes to change the place of use under Certificates 76584, 76585, 76586, 83588, 83589, 83590, 83591, 83592, and 89511. Certificates 76584, 76585, 76586, 83588, 83589, 83590, 83591, 83592, and 89511 all allow the use of 1/40th of one cfs from a diversion on the Columbia River, located within Sec. 2, T4N, R25E, W.M., for irrigation within in Sects. 1, 2, 3, 5, 6, 7, 8, 9, 11, 12, 13, T3N, R26E, W.M., Sects. Secs. 4, 5, 6, 7, 8, 9, 18, T3N, R27E, W.M., , and Sects. 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36, T4N, R26E, W.M.. The applicant proposes to change the place of use within the same footprint of the above described parcels. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Notice of District Permanent Transfer for Place of Use

A district may allow a change in place of use prior to the Department issuing a final order approving a district permanent transfer application provided, in part, that (1) the District files a notice with the Department of the change in place of use prior to making the change, and (2) prior to the end of the calendar year in which the change in place of use occurs the District submits a district permanent transfer application for the same change in place of use [ORS 690-385-4100(1)(a) and (b)]. Notices for District Permanent Transfers for Place of Use submitted to the Department are listed below.

Transfer: **T-2017-003**
County: Deschutes
Certificate: 83571; 76714
Priority Date: 10/13/1900; 12/2/1907; 2/28/1913
Name: CENTRAL OREGON IRRIGATION DISTRICT
Address: 1055 S.W. LAKE CT
REDMOND, OR 97756
Use: POU
Source: DESCHUTES R > COLUMBIA R
CRANE PRAIRIE RES > DESCHUTES R
Acres: 9.50
Authorized POU: T15S R13E 5 NESE
T15S R13E 20 NWNW
T14S R13E 31 SENE
Proposed POU: T16S R12E 12 NWSW

Transfer: **T-2017-001**
County: Deschutes
Certificate: 83571; 76714
Priority Date: 10/13/1900; 12/2/1907; 2/28/1913
Name: CENTRAL OREGON IRRIGATION DISTRICT
Address: 1055 S.W. LAKE CT
REDMOND, OR 97756
Use: POU
Source: DESCHUTES R > COLUMBIA R
CRANE PRAIRIE RES > DESCHUTES R
Acres: 2.14
Authorized POU: T17S R14E 11 SWSE
T17S R14E 11 SESE
T17S R14E 11 SWSE
Proposed POU: T17S R14E 11 SWSE
T17S R14E 11 SWSE

Transfer: **T-2017-002**
County: Deschutes
Certificate: 83571; 76714
Priority Date: 10/13/1900; 12/2/1907; 2/28/1913
Name: CENTRAL OREGON IRRIGATION DISTRICT
Address: 1055 S.W. LAKE CT
REDMOND, OR 97756
Use: POU
Source: DESCHUTES R > COLUMBIA R
CRANE PRAIRIE RES > DESCHUTES R
Acres: 0.40
Authorized POU: T14S R13E 31 NWSE
Proposed POU: T14S R13E 31 NWSE
T14S R13E 31 NESE

Notice: **N17-003**
County: Deschutes
Certificate: 74146; 74147; 74148; 74149; 76520
Priority Date: 8/5/1900; 9/1/1900; 4/28/1905; 1905; 5/27/1907; 6/1/1907; 4/7/1911; 12/8/196110/29/1913
Name: TUMALO IRRIGATION DISTRICT
Address: 64697 COOK AVE
BEND, OR 97703
Use: INDUSTRIAL USE; SUPPLEMENTAL INDUSTRIAL USE
Source: TUMALO CR > DESCHUTES R
UPPER TUMALO RESERVOIR > DESCHUTES R
CRESCENT LAKE RESERVOIR > CRESCENT CREEK
DESCHUTES R > COLUMBIA RIVER
A SPRING > DESCHUTES R
Acres: 4.00
Authorized POU: T16S R11E 35
T16S R11E 36
T16S R11E 30
Proposed POU: T17S R11E 13
T17S R11E 13

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#	92371
App:	G 16335
County/Basin	Harney / Malheur Lake(12)
Applicant Name	STALCUP, HEATH
Priority Date	11/05/2004
Issue Date	02/28/2017

Cert#	92163
Xfer:	T 9379
County/Basin	Baker / Powder(9)
Applicant Name	WILLIAMS DITCH CO.
Priority Date	04/30/1863
Issue Date	02/27/2017

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
February 28, 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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[]
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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.