

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**March 7, 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 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 690-315**  
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 690-315 pertains to permit extension applications filed on or after 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: 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.
- \* **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.
- \* **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).

## 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

#### 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	

### Priority Date

### Stage/ Status

IR: Initial Review  
 PFO: Proposed Final Order

### 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 construction	IR: Irrigation	RC: Recreation
FI: Fish	IS: Irrigation, supplemental	RW: Road
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, April 06, 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 21, 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-18313](#)  
County/Basin Yamhill / Willamette(2)  
Applicant Name IMAGINE IT LLC  
FRIBERG, LISA  
18211 SW SUNNYRIDGE LANE  
SHERIDAN, OR 97378  
Sources/TRSQ40Q160 TWO WELLS > DUPEE CREEK / 5.00S 5.00W 19 NENW  
A WELL > DUPEE CREEK / 5.00S 5.00W 19 NWNE  
Use/Quantity NURSERY USES / 0.026 CFS  
Priority Date 06/09/2016  
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18367](#)  
County/Basin Jackson / Rogue(15)  
Applicant Name RICE, RANDALL AND GINA  
13933 E EVANS CREEK RD  
ROGUE RIVER, OR 97537  
Sources/TRSQ40Q160 A WELL > MAYS CREEK / 35.00S 3.00W 5 NWNE  
A RESERVOIR > MAYS CREEK / 35.00S 3.00W 5 NENE  
Use/Quantity NURSERY USES / 0.156 CFS  
MULTIPLE PURPOSE / 1.000 AF  
Priority Date 08/15/2016  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18380](#)  
County/Basin Lane / Willamette(2)  
Applicant Name WATER DOG FARM LLC  
WIERSMA, STEVE AND NINA  
25961 HWY 36  
CHESHIRE, OR 97419  
Sources/TRSQ40Q160 A WELL > JONES CREEK / 16.00S 5.00W 17 SWSW  
Use/Quantity IRRIGATION / 0.012 CFS  
Priority Date 09/01/2016  
Stage/Status IR / PROPOSE TO APPROVE

App# [S-88286](#)  
County/Basin Umatilla / Umatilla(7)  
Applicant Name EAST IMPROVEMENT DISTRICT  
3750 SW MARSHALL PLACE  
PENDLETON, OR 97801  
Sources/TRSQ40Q160 COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 30.00E 8 NENW  
COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 30.00E 8 SWNW  
COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 30.00E 7 SESW  
COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 30.00E 8 SWNW  
Use/Quantity IRRIGATION / 6.05 CFS  
Priority Date 09/12/2016  
Stage/Status IR / PROPOSE TO APPROVE

App# [S-88287](#)  
County/Basin Morrow, Umatilla / Umatilla(7)  
Applicant Name EAST IMPROVEMENT DISTRICT  
3750 SW MARSHALL PLACE  
PENDLETON, OR 97801  
Sources/TRSQ40Q160 COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 30.00E 8 NENW  
COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 30.00E 8 SWNW  
COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 30.00E 7 SESW  
COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 30.00E 8 SWNW  
Use/Quantity IRRIGATION / 39.03 CFS  
Priority Date 09/12/2016  
Stage/Status IR / PROPOSE TO APPROVE

App# [S-88288](#)  
County/Basin Morrow, Umatilla / Umatilla(7)  
Applicant Name PORT OF MORROW  
PO BOX 200  
BOARDMAN, OR 97818  
Sources/TRSQ40Q160 COLUMBIA RIVER > PACIFIC OCEAN / 4.00N 25.00E 2 NENW  
COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 25.00E 35 SWSE  
COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 27.00E 13 NWSW  
Use/Quantity IRRIGATION / 23.00 CFS  
Priority Date 09/12/2016  
Stage/Status IR / PROPOSE TO APPROVE

App# [S-88289](#)  
County/Basin Morrow, Umatilla / Umatilla(7)  
Applicant Name PORT OF MORROW  
PO BOX 200  
BOARDMAN, OR 97818  
Sources/TRSQ40Q160 COLUMBIA RIVER > PACIFIC OCEAN / 4.00N 25.00E 2 NENW  
COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 25.00E 35 SWSE  
COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 27.00E 13 NWSW  
Use/Quantity IRRIGATION / 11.00 CFS  
Priority Date 09/12/2016  
Stage/Status IR / PROPOSE TO APPROVE

App# [S-88290](#)  
County/Basin Umatilla / Umatilla(7)  
Applicant Name EAST IMPROVEMENT DISTRICT  
3750 SW MARSHALL PLACE  
PENDLETON, OR 97801  
Sources/TRSQ40Q160 COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 30.00E 8 NENW  
COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 30.00E 8 SWNW  
COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 30.00E 7 SESW  
Use/Quantity IRRIGATION / 10.00 CFS  
Priority Date 09/12/2016  
Stage/Status IR / PROPOSE TO APPROVE

## **Final Orders - Permit & Limited License Applications**

Following is a list of applications for new appropriations that have had final orders issued recently. If you would like a hard copy of an order mailed to you, send a request with \$25.00 for each order to the Water Rights Section, Oregon Water Resources Department, 725 Summer Street NE Suite A, Salem OR 97301. If you have any questions, please contact the Department's customer service staff by dialing 503-986-0801.

App# [G-18227](#)  
County/Basin Jackson / Rogue(15)  
Applicant Name SRP RE LLC  
16110 JONES RD  
WHITE CITY, OR 97503  
Priority Date 01/11/2016  
Issue Date 03/06/2017  
Status APPROVED

App# [LL-1686](#)  
County/Basin Lane, Linn / Willamette(2)  
Applicant Name OLSEN, JAMES  
3372 CONCOMLY RD S  
SALEM, OR 97306  
Priority Date 01/31/2017  
Issue Date 03/01/2017  
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 AND 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

**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 April 06, 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-15479</a>
Permit Number	G-15100
County/Basin	Klamath / Klamath(14)
Applicant Name	HORSLEY, LUTHER AND CANDACE PO BOX 209 MIDLAND, OR 97634
Sources/TRSQ40Q160	A WELL > LOST RIVER / 39.00S 9.00E 31 SESW A WELL > LOST RIVER / 39.00S 9.00E 31 SWSW
Use/Quantity	IRRIGATION / 4.010 CFS IRRIGATION / 0.080 CFS
Proposed Completion Date	10/01/2027



**Extensions of Time Progress**  
**Checkpoint Progress Reports filed pursuant to OAR 690-315**

**Consistent with OAR 690-315-0050(6), the Department will accept public comment on the following Extension of time Checkpoint Progress Reports until April 06, 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#	<a href="#">R-84344</a>
Permit Number	R-13110
County/Basin	Wasco / Deschutes(5)
Applicant Name	ROCKY RIDGE RANCH INC. 1430 EASTSIDE RD HOOD RIVER, OR 97031
Use	FISH CULTURE

## 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 21, 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-1689](#)  
County/Basin Deschutes / Deschutes(5)  
Applicant Name KC DEVELOPMENT GROUP LLC  
63560 JOHNSON RD  
BEND, OR 97703  
Sources/TRSQ40Q160 A WELL > DESCHUTES R / 17.00S 11.00E 13 SWNW  
Use/Quantity SHORT TERM AESTHETIC AND FIRE PROTECTION / 50 GPM UP TO 124.790 AF  
Priority Date 03/02/2017

App# [LL-1690](#)  
County/Basin Morrow / Umatilla (7)  
Applicant Name VELDE, GREG TE  
WILLOW CREEK DAIRY  
PO BOX 1210  
BOARDMAN, OR 97818  
Sources/TRSQ40Q160 A WELL > COLUMBIA R / 3.00N 26.00E 16 NWSE  
A WELL > COLUMBIA R / 3.00N 26.00E 16 NWSW  
A WELL > COLUMBIA R / 3.00N 26.00E 16 SENW  
Use/Quantity GENERAL MAINTENANCE / 644 GPM  
Priority Date 03/03/2017

## 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 28, 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# [SL 34](#)  
Certificate 6459  
County/Basin Union / Grande Ronde(8)  
Lessor SMITH, C GLEN AND RONDA G.  
563 NW 21ST STREET  
PENDLETON, OR 97801

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

Priority Date 12/31/1872  
Source/Tributary To CATHERINE CREEK / GRANDE RONDE RIVER

Lease# [SL 38](#)  
Certificate 46636; 46635  
County/Basin Wasco / Hood(4)  
Lessor KASER, PHIL M.  
4965 FIFTEEN MILE RD  
THE DALLES, OR 97058

Lessor KASER, JACOB  
4550 FIFTEENMILE RD  
THE DALLES, OR 97058

Lessor THE FRESHWATER TRUST  
700 SW TAYLOR ST, SUITE 200  
PORTLAND, OR 97205

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

Priority Date 12/31/1869; 12/31/1907  
Source/Tributary To FIFTEENMILE CREEK / COLUMBIA RIVER

Lease# [IL 1411](#)  
Certificate 5603  
County/Basin Wasco / Hood(4)  
Lessor KASER, PHIL M.  
4965 FIFTEEN MILE RD  
THE DALLES, OR 97058

Lessor SMITH, ERIN  
320 WHITEBIRCH PL.  
WENATCHEE, WA 98801

Lessor REMINGTON, BROOK  
6215 KELLY CUTOFF RD  
THE DALLES, OR 97038

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

Priority Date 12/31/1907  
Source/Tributary To FIFTEENMILE CREEK / COLUMBIA RIVER

Lease# [IL 1561](#)  
Certificate 25921; 25080; 25870; 25934  
County/Basin Wheeler / John Day(6)  
Lessor BIENIUS, JIM  
DAYSPRING PARTNERS LLC  
15350 SW SEQUOIA PARKWAY SUITE 250  
PORTLAND, OR 97224

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 12/31/1895; 12/31/1894; 12/31/1885; 12/31/1877  
Source/Tributary To MULE GULCH / ROCK CREEK; ROCK CREEK / JOHN DAY RIVER  
FRED CREEK / ROCK CREEK; SHINGLE CREEK / PINE HOL

Lease# [IL 1582](#)  
Certificate 24880; 25598  
County/Basin Grant / John Day(6)  
Lessor BURNS PAIUTE TRIBE  
100 PASIGO STREET  
BURNS, OR 97720

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

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

Priority Date 12/31/1868; 12/31/1872  
Source/Tributary To LITTLE BEECH CREEK / BEECH CREEK  
BEECH CREEK / JOHN DAY 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 April 06, 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 12372</a>
Water Right	Cert:41539
County/Basin	Lane / Willamette(2)
Applicant Name	CAMPBELL, MARK 33462 MCKENZIE VIEW DRIVE EUGENE, OR 97408
Proposed Change	PLACE OF USE,USE
Sources/TRSQ40Q160	A WELL > INGRAM SL / 16.00S 4.00W 7 SENE
Use/Quantity	IRRIGATION / 0.110 CFS
Priority Date	04/15/1970
Transfer	<a href="#">T 12589</a>
Water Right	Cert:62490
County/Basin	Wasco / Hood(4)
Applicant Name	SCM PROPERTIES LLC ATTN: MIKE NELSON 5933 MONFORTON SCHOOL RD BOZEMAN, MT 59718
Proposed Change	PLACE OF USE,USE
Sources/TRSQ40Q160	A WELL > EIGHTMILE CREEK BASIN / 1.00S 13.00E 21 NWNE
Use/Quantity	IRRIGATION / 0.630 CFS
Priority Date	04/24/1981
Transfer	<a href="#">T 12591</a>
Water Right	Cert:91415, 41055
County/Basin	Union / Grande Ronde(8)
Applicant Name	MDB FARMS LLC; STEVEN C DELASHMUTT MANAGER 61070 PIERCE RD LA GRANDE, OR 97850
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > GRANDE RONDE RIVER BASIN / 3.00S 39.00E 6 NWNE GRANDE RONDE RIVER > SNAKE RIVER / 2.00S 39.00E 32 SENW GRANDE RONDE RIVER > SNAKE RIVER / 2.00S 39.00E 32 NWSW
Use/Quantity	SUPPLEMENTAL IRRIGATION / 1.865 CFS IRRIGATION / 2.400 CFS IRRIGATION / CFS
Priority Date	07/26/1996, 10/30/1962

Transfer [T 12595](#)  
Water Right Cert:91901  
County/Basin Lake / Goose & Summer Lake(13)  
Applicant Name THE WILD WATERS REVOCABLE LIVING TRUST  
5252 MILL CR RD  
HEALDSBURG, CA 95448  
Proposed Change POINT OF APPROPRIATION,PLACE OF USE  
Sources/TRSQ40Q160 A WELL > GOOSE AND SUMMER LAKES BASIN / 40.00S 19.00E 6 SESE  
Use/Quantity IRRIGATION / 2.760 CFS  
Priority Date 02/08/1977

Transfer [T 12596](#)  
Water Right Cert:31423, 23974 , 33596  
County/Basin Douglas / Umpqua(16)  
Applicant Name PORTER, ELLEN  
ROSEBURG FOREST PRODUCTS  
PO BOX 1088  
ROSEBURG, OR 97470  
Proposed Change ADDITIONAL POINT OF DIVERSION,USE  
Sources/TRSQ40Q160 LIVINGSTON CREEK > NORTH FORK DEER CREEK / 27.00S 4.00W 19 NWNE  
NORTH FORK DEER CR/RES > SOUTH UMPQUA RIVER / 27.00S 4.00W 19 NWNW  
Use/Quantity INDUSTRIAL/MANUFACTURING USES / 903.000 AF  
POND MAINTENANCE / 0.750 CFS  
INDUSTRIAL/MANUFACTURING USES / 0.750 CFS  
Priority Date 10/17/1956, 10/17/1956, 11/18/1963

Transfer [T 12598](#)  
Water Right Cert:83164  
County/Basin Polk / Willamette(2)  
Applicant Name LEVINE, JONATHAN  
CRANFORD LAND COMPANY  
PO BOX 19643  
PORTLAND, OR 97280  
Proposed Change USE  
Sources/TRSQ40Q160 RUNOFF > FULLER CREEK / 10.00S 5.00W 6 SENW  
SPRINGS > FULLER CREEK / 10.00S 5.00W 6 SENW  
Use/Quantity RECREATION / 0.700 CFS  
Priority Date 07/29/1983

## **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 April 06, 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-12518** filed by Erik and Laurie Johnsen, 3606 Threemile Road, The Dalles, OR 97058, proposes a change in place of use under Certificates 89642 and 89643. Both rights allow the use of 0.05 cubic foot per second from Well 3 in Sec. 32, T1N, R13E, WM for irrigation and supplemental irrigation in Sec. 32. The applicant proposes to change the place of use within Sec. 32, T1N, R13E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

**T-12476** filed by Powell Family Trust; Olson Family Trust; Mark W. Olson Family Trust, 6750 Bethel Rd, Rickreal, OR 97371 proposes a place of use change under Certificate 91806. The right allows the use of 0.005 for domestic and 0.013 for irrigation from a spring in Sec.15, T6S, R4W, WM for domestic use and irrigation in Sec. 22. The applicant proposes to change the place of use to Sec.22, T6S, R4W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

**T-12196** filed by Tony Malmberg, 1782 S Main St, Union, OR 97883, proposes place of use and character of use changes under Certificate 57428. The right allows the use of 0.02 cfs from Catherine Creek in Sec. 19, T4S, R40E WM for irrigation in Sec. 19. The applicant proposes to create an instream use of 0.1 cfs in Catherine Creek from the point of diversion to the mouth. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540, OAR 690-380-5000, and OAR 690-077-0075.

## 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	<a href="#">T-12594</a>
Water Right	Cert:91937 , Cert:57271
County/Basin	Gilliam / John Day(6)
Applicant Name	WEATHERFORD, BOB AND CATHY 4012 NW 129TH PL PORTLAND, OR 97230
Proposed Change	ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > JOHN DAY BASIN / 1.00N 21.00E 33 SWSE A WELL > ROCK CREEK / 1.00N 21.00E 33 SWSW
Use/Quantity	IRRIGATION / 3.120 CFS
Priority Date	SUPPLEMENTAL IRRIGATION / 0.660 CFS 10/31/1977, 09/26/1975
Transfer	<a href="#">T-12599</a>
Water Right	Cert:12309
County/Basin	Polk / Willamette(2)
Applicant Name	HARRINGTON, ALBERT VOILA PORTLAND LLC 3570 LUCAS RD FALLS CITY, OR 97344
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	EVERZ CREEK > LITTLE LUCKIAMUTE RIVER / 8.00S 6.00W 16 NWNW
Use/Quantity	IRRIGATION / 0.150 CFS
Priority Date	08/14/1923



## 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 12590](#)  
Water Right Permit: G 15352  
County/Basin Yamhill / Willamette(2)  
Applicant Name NORTH AMERICAN PLANTS INC  
9375 SE WARMINGTON RD  
MCMINNVILLE, OR 97128  
Proposed Change POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION  
Sources/TRSQ40Q160 A WELL > HAWN CREEK / 4.00S 4.00W 11 NESE  
A WELL > HAWN CREEK / 4.00S 4.00W 11 NWSE  
TWO WELLS > HAWN CREEK / 4.00S 4.00W 11 NWSE  
Use/Quantity NURSERY USES / 0.974 CFS  
Priority Date 06/14/2001

Transfer [T 12593](#)  
Water Right Permit: G 17645  
County/Basin Union / Powder(9)  
Applicant Name HEFFERNAN FAMILY TRUST; CHRIS HEFFERNAN, PRESIDENT  
63600 VIEWPOINT LANE  
NORTH POWDER, OR 97867  
Proposed Change PLACE OF USE  
Sources/TRSQ40Q160 A WELL > CLOVER CREEK BASIN / 5.00S 39.00E 34 SWNW  
A WELL > CLOVER CREEK BASIN / 5.00S 39.00E 34 NWNW  
A WELL > CLOVER CREEK BASIN / 5.00S 39.00E 27 NWSW  
A WELL > CLOVER CREEK BASIN / 5.00S 39.00E 27 SWSE  
A WELL > CLOVER CREEK BASIN / 5.00S 39.00E 26 SWSW  
Use/Quantity IRRIGATION / 14.9 CFS  
Priority Date 07/02/2007

Transfer [T 12597](#)  
Water Right Permit: S 54223  
County/Basin Lane / Middle Coast(18)  
Applicant Name DAHLBERG, JUDITH  
83396 ERHART RD  
FLORENCE, OR 97439  
Proposed Change POINT OF DIVERSION  
Sources/TRSQ40Q160 SILTCOOS LAKE > SILTCOOS RIVER / 19.00S 12.00W 26 NENE  
Use/Quantity DOMESTIC / 0.005 CFS  
Priority Date 04/04/2005

## **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 April 06, 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:

### **Talent Irrigation District (Agricultural)**

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).

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

App.#	<a href="#">T-12524</a>
Permit	<a href="#">G-13980</a>
County/Basin	YAMHILL / WILLAMETTE RIVER BASIN (2B)
Applicant	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
Use/Quantity	NURSERY OPERATIONS OF 21.0 ACRES / 0.223 CFS
Limit/Duty	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 anytime, 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
Priority Date	OCTOBER 27, 1999
Permit Completion Date:	10/01/2020
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 04/21/2017 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# [92335](#)  
App: R 84346  
County/Basin Jackson / Rogue(15)  
Applicant Name ALLEN, BRADLEY T.  
Priority Date 02/18/2000  
Issue Date 03/03/2017

Cert# [92291](#)  
App: G 15642  
County/Basin Klamath / Klamath(14)  
Applicant Name BAIR, ANTHONY; BAIR FARMS  
BAIR FARMS  
Priority Date 10/26/2001  
Issue Date 03/03/2017

Cert# [92347](#)  
App: S 87732  
County/Basin Douglas / Umpqua(16)  
Applicant Name CARLONI, KEN  
Priority Date 06/24/2011  
Issue Date 03/03/2017

Cert# [92348](#)  
App: S 87733  
County/Basin Douglas / Umpqua(16)  
Applicant Name CARLONI, KEN  
Priority Date 06/24/2011  
Issue Date 03/03/2017

Cert# [92152](#)  
Xfer: T 8515  
County/Basin Douglas / Umpqua(16)  
Applicant Name CITY OF GLENDALE  
Priority Date 07/13/1973  
Issue Date 03/03/2017

Cert# [92150](#)  
Xfer: T 9996  
County/Basin Umatilla / Umatilla(7)  
Applicant Name COLEMAN, CRAIG  
Priority Date 01/09/1970  
Issue Date 03/03/2017

Cert# [92149](#)  
Xfer: T 11474  
County/Basin Douglas / Umpqua(16)  
Applicant Name DEWSNUP, TIMOTHY  
DEWSNUP, ELIZABETH A.  
Priority Date 10/31/1927  
Issue Date 03/03/2017

Cert# [92151](#)  
Xfer: T 11384  
County/Basin Deschutes / Deschutes(5)  
Applicant Name FACKLER, KEN  
FACKLER, CAROL  
Priority Date 08/31/1992  
Issue Date 03/03/2017

Cert# [92139](#)  
Xfer: T 7437  
County/Basin Grant / John Day(6)  
Applicant Name HOLLIDAY AND SON  
Priority Date 12/31/1908  
Issue Date 03/03/2017

Cert# [92275](#)  
App: G 15853  
County/Basin Umatilla / Umatilla(7)  
Applicant Name KIETZKE, JIMMY  
Priority Date 10/11/2002  
Issue Date 03/03/2017

Cert# [92379](#)  
Xfer: T 11656  
County/Basin Josephine / Rogue(15)  
Applicant Name LOMMEL, SANDRA  
LOMMEL, DAVID  
Priority Date 03/10/2027  
Issue Date 03/06/2017

Cert# [92304](#)  
App: G 15463  
County/Basin Linn / Willamette(2)  
Applicant Name MOUNT JEFFERSON FARMS INC.  
Priority Date 04/05/2001  
Issue Date 03/03/2016

Cert# [92349](#)  
App: S 87601  
County/Basin Douglas / Umpqua(16)  
Applicant Name PARSON, BARBARA  
PROCTOR, JOHN  
Priority Date 08/04/2010  
Issue Date 03/03/2017

Cert# [92322](#)  
App: R 86728  
County/Basin Douglas / Umpqua(16)  
Applicant Name PATTERSON, RALPH  
Priority Date 12/15/2006  
Issue Date 03/03/2017

Cert# [92247](#)  
App: R 86453  
County/Basin Douglas / Umpqua(16)  
Applicant Name PHIPPEN, KEN  
PHIPPEN, ANDREA  
Priority Date 11/10/2005  
Issue Date 03/03/2017

Cert# [92341](#)  
App: G 12762  
County/Basin Yamhill / Willamette(2)  
Applicant Name STOCKHOFF, EUGENE  
Priority Date 01/22/1992  
Issue Date 03/03/2017

Cert# [92170](#)  
Xfer: T 8533  
County/Basin Grant / John Day(6)  
Applicant Name VOSS, CHESTER  
Priority Date 12/31/1887  
Issue Date 03/03/2017

Cert# [92171](#)  
Xfer: T 8533  
County/Basin Grant / John Day(6)  
Applicant Name VOSS, CHESTER  
Priority Date 03/30/1983  
Issue Date 03/03/2017

Cert# [92155](#)  
Xfer: T 9334  
County/Basin Grant / John Day(6)  
Applicant Name YOUNG, RUSSELL  
Priority Date 12/31/1878  
Issue Date 03/03/2017

Cert# [92157](#)  
Xfer: T 9334  
County/Basin Grant / John Day(6)  
Applicant Name YOUNG, RUSSELL  
Priority Date 08/10/1981  
Issue Date 03/03/2017

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

## PUBLIC NOTICE OF WATER USE REQUESTS

March 7, 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.