

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**March 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](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.
- \* **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 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: District Temporary - ORS 540.570**  
Petitions requesting temporary changes in water use within a district's boundary for one irrigation season.

- \* **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.
- \* **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

**Priority Date**

**Stage/ Status**

IR: Initial Review

PFO: Proposed Final Order

**BASINS:**

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

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

- |  |                                 |                         |
|--|---------------------------------|-------------------------|
| AG: Agriculture  | GR: Groundwater recharge        | MU: Municipal           |
| CR: Cranberry uses   | GT: Geothermal                  | NU: Nursery use         |
| CM: Commercial   | ID: Irrigation with domestic    | PA: Pollution abatement |
| DI, DN: Domestic including<br>non-commercial lawn & garden | IL: Irrigation with livestock   | PW: Power               |
| DO: Domestic   | IM: Industrial or manufacturing | QM: Quasi-municipal     |
| DS: Domestic & stock                                       | IR: Irrigation                  | RC: Recreation          |
| FI: Fish   | IS: Irrigation, supplemental    | RW: Road construction   |
| FP: Fire protection  | LV: Livestock                   | TC: Temperature control |
| FW: Fish & wildlife  | LW: Livestock & wildlife        | WI: Wildlife            |
|  | MI: Mining                      | GD: Group domestic      |

## **Initial Review and Proposed Final Orders**

The following pages of this notice list permit applications that the Department is evaluating for compliance with state water law. Public participation and comment is encouraged. Opportunities for public involvement vary according to the stage of the permit evaluation.

Ground water permit applications in the Deschutes Basin (Basin 5) may seek to provide mitigation pursuant to the Deschutes Ground Water Mitigation Rules.

### **Initial Review Stage (IR)**

The Department has given the applicant an initial review of water-use restrictions, water availability and other limitations that affect the agency's decision on whether to issue a permit. The Department welcomes comments from interested persons, agencies and organizations on the proposed water use.

**The comment deadline for initial reviews appearing in this public notice is 5pm, Thursday, April 27, 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, May 12, 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-17945](#)  
County/Basin Lake / Goose & Summer Lake(13)  
Applicant Name BAERTLEIN, JOSEPH A. AND HAZEL  
17118 CHRISTMAS VALLEY HWY  
RILEY, OR 97758

Sources/TRSQ40Q160 A WELL > ALKALI LAKE VALLEY BASIN / 27.00S 22.00E 36 SWSE  
Use/Quantity IRRIGATION / 1.300 CFS  
Priority Date 10/20/2014  
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18237](#)  
County/Basin Josephine / Rogue(15)  
Applicant Name CALABRESE, THOMAS J.  
PO BOX 80762  
PORTLAND, OR 97280

Sources/TRSQ40Q160 CAREY NIKLAS DARNELL LLC  
Use/Quantity CAREY, CONOR  
Priority Date 3831 DICK GEORGE RD  
Stage/Status CAVE JUNCTION, OR 97523  
A WELL > EAST FORK ILLINOIS RIVER BASIN / 40.00S 8.00W 14 SENE  
NURSERY USES / 0.060 CFS  
01/25/2016  
PFO / PROPOSE TO APPROVE

App# [G-18268](#)  
County/Basin Jackson / Rogue(15)  
Applicant Name STANFIELD, KATHARINE  
3300 ANDERSON CREEK RD  
TALENT, OR 97540

Sources/TRSQ40Q160 A WELL > NORTH FK ANDERSON CREEK BASIN / 38.00S 1.00W 32 SWSW  
Use/Quantity NURSERY USES / 0.027 CFS  
Priority Date 02/16/2016  
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18327](#)  
County/Basin Marion / Willamette(2)  
Applicant Name TRECO INVESTMENTS LLC  
C/O BRENT SMITH  
PO BOX 98  
WOODBURN, OR 97071

Sources/TRSQ40Q160 A WELL > PUDDING RIVER / 5.00S 1.00W 29 SESW  
A WELL > PUDDING RIVER / 5.00S 1.00W 30 SENE  
A WELL > FARMER CREEK / 5.00S 1.00W 32 SENW  
Use/Quantity IRRIGATION / 0.729 CFS  
Priority Date 06/30/2016  
Stage/Status IR / PROPOSE TO DENY

App# [G-18376](#)  
County/Basin Josephine / Rogue(15)  
Applicant Name CLINE, JACK  
290 CREST DR  
CAVE JUNCTION, OR 97523  
Sources/TRSQ40Q160 A WELL > UNNAMED STREAM / 39.00S 8.00W 34 SWNW  
Use/Quantity NURSERY USES / 0.111 CFS  
Priority Date 08/26/2016  
Stage/Status IR / PROPOSE TO APPROVE

App# [S-88367](#)  
County/Basin Douglas / Umpqua(16)  
Applicant Name COOPER GROVE  
COOPER, BRIAN AND KRISTINA  
9450 BULLOCK RD  
OAKLAND, OR 97462  
Sources/TRSQ40Q160 UMPQUA RIVER > PACIFIC OCEAN / 23.00S 7.00W 20 NESW  
Use/Quantity IRRIGATION / 0.067 CFS  
Priority Date 02/14/2017  
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# [R-88132](#)  
County/Basin Umatilla / Umatilla(7)  
Applicant Name BROKEN SPUR RANCH LLC  
30522 OLDFIELD ST  
HERMISTON, OR 97838  
Priority Date 09/21/2015  
Issue Date 03/28/2017  
Status APPROVED

App# [S-88241](#)  
County/Basin Jackson / Rogue(15)  
Applicant Name STRAHL, JOSEPH L. AND NANCY A.  
9300 JOHN DAY RD  
GOLD HILL, OR 97525  
Priority Date 06/06/2016  
Issue Date 03/22/2017  
Status APPROVED

App# [S-88317](#)  
County/Basin Douglas / Umpqua(16)  
Applicant Name OREGON PACIFIC BANK  
ARNOLD, LINDA  
975 OAK ST SUITE 625  
EUGENE, OR 97401  
Priority Date 11/28/2016  
Issue Date 03/22/2017  
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 May 27, 2017.**

App#	<a href="#">R-88400</a>
County/Basin	Yamhill / Willamette(2)
Applicant Name	CORNEAUX, BRUNO 1312 NW GREENVIEW CT MCMINNVILLE, OR 97128
Sources/TRSQ40Q160	RUNOFF > CHEHALEM CREEK / 3.00S 3.00W 4 SESW
Use/Quantity	MULTIPLE PURPOSE / 0.300 AF
Priority Date	03/10/2017



## 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 **April 27, 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#	<a href="#">S-88401</a>
County/Basin	Benton / Willamette(2)
Applicant Name	RB WEBBER DEVELOPMENT LLC WEBBER, BRYAN AND KYM 3430 NW SPRINGHILL DR ALBANY, OR 97321
Sources/TRSQ40Q160	WILLAMETTE RIVER > COLUMBIA RIVER / 10.00S 4.00W 11 SESW FERN RIDGE RES > LONG TOM RIVER / 17.00S 5.00W 4 NESW BLUE RIVER RES > BLUE RIVER / 16.00S 4.00E 16 SESE COUGAR RES > SOUTH FORK MCKENZIE RIVER / 16.00S 5.00E 31 SESE DORENA RES > ROW RIVER / 20.00S 2.00W 32 NWSE COTTAGE GROVE RES > COAST FORK WILLAMETTE RIVER / 21.00S 3.00W 28 SENE FALL CREEK RES > FALL CREEK / 19.00S 1.00W 1 NESW LOOKOUT POINT RES > MIDDLE FORK WILLAMETTE RIVER / 19.00S 1.00W 13 NWSE HILLS CREEK RES > MIDDLE FORK WILLAMETTE RIVER / 21.00S 3.00E 35 NENW
Use/Quantity	IRRIGATION / 505.749 AF
Priority Date	03/09/2017
App#	<a href="#">S-88402</a>
County/Basin	Crook, Deschutes, Jefferson / Deschutes(5)
Applicant Name	U.S. BUREAU OF RECLAMATION ATTN DAWN WIEDMEIER 1917 MARSH RD YAKIMA, WA 98901-2058
Sources/TRSQ40Q160	A RESERVOIR > CROOKED RIVER / 17.00S 16.00E 11 SWNW
Use/Quantity	FISH CULTURE / 5100.000 AF
Priority Date	03/10/2017

**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 27, 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-13178</a>
Permit Number	G-11621
County/Basin	Clackamas / Willamette(2)
Applicant Name	GUIDE DOGS FOR THE BLIND INC. 32901 SE KELSO RD BORING, OR 97009-9018
Sources/TRSQ40Q160	A WELL > NORTH FORK DEEP CREEK / 2.00S 4.00E 4 SESW
Use/Quantity	COMMERCIAL USES / 0.446 CFS
Proposed Completion Date	10/01/2001

## **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 May 12, 2017.** There is no fee for submission of comments. The protest filing fee is \$350 for the applicant and \$700 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

#### **1.) OAR-690-315**

App#	G-14583
Permit#	<a href="#">G-13415</a>
County/Basin	Coos / South Coast(17)
Applicant Name	PUHL, RONALD AND MARY ANNE RONALD AND MARY ANNE PUHL TRUST PO BOX 807 PORT ORFORD, OR 97465
Sources/TRSQ40Q160	WELL 1 > CROOKED CREEK / 29.00S 14.00W 7 SESW WELL 2 > CROOKED CREEK / 29.00S 14.00W 18 NENW WELL 3 > CROOKED CREEK / 29.00S 14.00W 18 NENW
Use/Quantity Status	CRANBERRY / 0.990 CFS PROPOSE TO APPROVE
App#	G-17407
Permit#	<a href="#">G-16833</a>
County/Basin	Harney / Malheur Lake(12)
Applicant Name	MCDONALD, JIM AND HELEN PO BOX 187 DENIO, NV 89404
Sources/TRSQ40Q160	A WELL > RINCON CREEK / 41.00S 33.00E 11 NENE
Use/Quantity Status	IRRIGATION / 2.000 CFS PROPOSE TO APPROVE

App# G-17441  
 Permit# [G-16854](#)  
 County/Basin Harney / Malheur Lake(12)  
 Applicant Name DAVIES, M MARTIN AND ANDREA L.  
 48647 HWY 78  
 PRINCETON, OR 97721  
 Sources/TRSQ40Q160 A WELL > MALHEUR LAKE / 27.00S 35.00E 17 NWSW  
 A WELL > MALHEUR LAKE / 27.00S 35.00E 17 SENW  
 A WELL > MALHEUR LAKE / 27.00S 35.00E 17 SWNE  
 Use/Quantity IRRIGATION / 5.379 CFS  
 Status PROPOSE TO APPROVE

App# G-15271  
 Permit# [G-15205](#)  
 County/Basin Washington / Willamette(2)  
 Applicant Name TOWNSEND HB LLC  
 23400 NE TOWNSEND WAY  
 FAIRVIEW, OR 97024  
 Sources/TRSQ40Q160 A WELL > BAUSCH CREEK / 2.00N 3.00W 29 SWSE  
 Use/Quantity IRRIGATION / 0.446 CFS  
 Status PROPOSE TO APPROVE

App# G-15307  
 Permit# [G-15385](#)  
 County/Basin Yamhill / Willamette(2)  
 Applicant Name AXA EQUITABLE LIFE INSURANCE CO.C/O AXA EQUITABLE  
 4333 EDGEWOOD RD NE  
 CEDAR RAPIDS, IA 52499-5223  
 YAMHILL VALLEY VINEYARDS  
 16250 SW OLDSVILLE RD  
 MCMINNVILLE, OR 97128  
 Sources/TRSQ40Q160 A WELL > MUDDY CREEK BASIN / 5.00S 5.00W 10 NESE  
 A WELL > MUDDY CREEK BASIN / 5.00S 5.00W 10 NWSE  
 A WELL > MUDDY CREEK BASIN / 5.00S 5.00W 10 NESW  
 A WELL > MUDDY CREEK BASIN / 5.00S 5.00W 10 NWSE  
 Use/Quantity IRRIGATION / 0.353 CFS  
 Status PROPOSE TO APPROVE

App# R-24210  
 Permit# [R-1118](#)  
 County/Basin Jackson / Rogue(15)  
 Applicant Name CITY OF MEDFORD  
 200 IVY ST ROOM 177  
 MEDFORD, OR 97501  
 Sources/TRSQ40Q160 WILLOW CREEK > SOUTH FORK BIG BUTTE CREEK / 35.00S 3.00E 34 NWSE  
 FOURBIT CREEK > BIG BUTTE CREEK / 35.00S 3.00E 34 NWSE  
 Use/Quantity STORAGE / 3360.000 AF  
 Status PROPOSE TO APPROVE

App# S-24211  
 Permit# [S-20177](#)  
 County/Basin Jackson / Rogue(15)  
 Applicant Name CITY OF MEDFORD  
 200 IVY ST ROOM 177  
 MEDFORD, OR 97501  
 Sources/TRSQ40Q160 SPRINGS > BIG BUTTE CREEK / 35.00S 3.00E 21 NWSW  
 A RESERVOIR > WILLOW CREEK /  
 Use/Quantity MUNICIPAL USES / 46.500 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 April 11, 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-1694</a>
County/Basin	Columbia / Willamette(2)
Applicant Name	SYKES, MICHAEL CITY OF SCAPPOOSE 33568 E COLUMBIA AVE SCAPPOOSE, OR 97056
Sources/TRSQ40Q160	A WELL > SOUTH SCAPPOOSE CR BASIN / 3.00N 2.00W 13 NESW
Use/Quantity	MUNICIPAL SUPPLY / 500 GPM

## 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 April 18, 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 36](#)  
County/Basin Wallowa / Grande Ronde(8)  
Certificate 79891  
Lessee THE FRESHWATER TRUST  
PO BOX 351  
  
Lessee ENTERPRISE, OR 97828  
THE FRESHWATER TRUST  
700 SW TAYLOR ST, SUITE 200  
PORTLAND, OR 97205  
  
Lessor CLEARWATER DITCH CO.  
81703 HWY 82  
WALLOWA, OR 97885  
  
Lessor WOLFE, WOODY  
81544 HWY 82  
WALLOWA, OR 97885  
  
Lessor WOLFE, MEGAN  
81544 HWY 82  
WALLOWA, OR 97885  
Priority Date 05/31/1897  
Source/Tributary To LOSTINE RIVER / WALLOWA RIVER

Lease# [IL 1598](#)  
County/Basin Deschutes / Deschutes(5)  
Certificate 83571  
Lessee DESCHUTES RIVER CONSERVANCY  
PO BOX 1560  
BEND, OR 97709  
  
Lessor CENTRAL OREGON IRRIGATION DISTRICT  
1055 SW LAKE COURT  
REDMOND, OR 97756  
Priority Date 10/31/1900  
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease#	<a href="#">IL 1599</a>
County/Basin	Deschutes / Deschutes(5)
Certificate	83571
Lessee	DESCHUTES RIVER CONSERVANCY PO BOX 1560 BEND, OR 97709
Lessor	CENTRAL OREGON IRRIGATION DISTRICT 1055 SW LAKE COURT REDMOND, OR 97756
Priority Date	10/31/1900
Source/Tributary To	DESCHUTES RIVER / COLUMBIA RIVER
Lease#	<a href="#">IL 1601</a>
County/Basin	Deschutes / Deschutes(5)
Certificate	83571
Lessee	DESCHUTES RIVER CONSERVANCY PO BOX 1560 BEND, OR 97709
Lessor	CENTRAL OREGON IRRIGATION DISTRICT 1055 SW LAKE COURT REDMOND, OR 97756
Priority Date	10/31/1900
Source/Tributary To	DESCHUTES RIVER / COLUMBIA RIVER
Lease#	<a href="#">IL 1602</a>
County/Basin	Deschutes / Deschutes(5)
Certificate	74145
Lessee	DESCHUTES RIVER CONSERVANCY PO BOX 1560 BEND, OR 97709
Lessor	SWALLEY IRRIGATION DISTRICT 64672 COOK AVE SUITE 1 BEND, OR 97703
Priority Date	09/01/1899
Source/Tributary To	DESCHUTES R / COLUMBIA R

## 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 27, 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 12611</a>
Water Right	Cert:39323
County/Basin	Polk / Willamette(2)
Applicant Name	HOWARD, HARLAN SALT CREEK FARMS LLC 397 NW DOUGLAS ST DALLAS, OR 97338
Proposed Change	PLACE OF USE,USE
Sources/TRSQ40Q160	A SPRING > UNNAMED STREAM / 7.00S 5.00W 8 SWSE
Use/Quantity	DOMESTIC / 0.015 CFS
Priority Date	10/07/1970
Transfer	<a href="#">T 12612</a>
Water Right	Cert: 88259, 88260, 88261, 88262, 88263
County/Basin	Wheeler / John Day(6)
Applicant Name	BISENIUS, JIM DAYSRING PARTNERS LLC 15350 SW SEQUOIA PARKWAY SUITE 250 PORTLAND, OR 97224
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A RESERVOIR > JOHN DAY RIVER / 13.00S 24.00E 15 NESE A RESERVOIR > ROCK CREEK / 13.00S 24.00E 16 NENE A SPRING > ROCK CREEK / 13.00S 24.00E 14 SWNW ROCK CREEK > JOHN DAY RIVER / 13.00S 24.00E 14 SWNW ROCK CREEK > JOHN DAY RIVER / 13.00S 24.00E 27 SWNE ROCK CREEK > JOHN DAY RIVER / 13.00S 24.00E 14 NWNW UNNAMED DRAINAGEWAY > JOHN DAY RIVER / 13.00S 24.00E 15 NESE
Use/Quantity	SUPPLEMENTAL IRRIGATION / 11.560 AF SUPPLEMENTAL IRRIGATION / 7.600 AF SUPPLEMENTAL IRRIGATION / 0.19 CFS SUPPLEMENTAL IRRIGATION / 0.125 CFS IRRIGATION / 0.190 CFS
Priority Date	SUPPLEMENTAL IRRIGATION / 0.063 CFS 12/31/1887, 12/31/1899, 04/30/1954, 10/16/1984, 08/06/1986



Transfer [T 12613](#)  
Water Right Cert: 89270, 89271  
County/Basin Douglas / Umpqua(16)  
Applicant Name KIRPAL LIGHT SATSANG INC.  
PO BOX 10  
UMPQUA, OR 97486  
Proposed Change PLACE OF USE,USE  
Sources/TRSQ40Q160 A RESERVOIR > ROCK CREEK / 25.00S 7.00W 10 SWNE  
A RESERVOIR > ROCK CREEK / 25.00S 7.00W 10 SENW  
RUNOFF > ROCK CREEK / 25.00S 7.00W 10 SWNE  
RUNOFF > ROCK CREEK / 25.00S 7.00W 10 SENW  
UNNAMED STREAM > ROCK CREEK / 25.00S 7.00W 10 NENE  
UNNAMED STREAM > ROCK CREEK / 25.00S 7.00W 10 SWNE  
Use/Quantity DOMESTIC / 0.978 CFS  
IRRIGATION / 0.113 CFS  
Priority Date 06/14/1990, 09/01/1987

Transfer [T 12615](#)  
Water Right Cert:65972  
County/Basin Deschutes / Deschutes(5)  
Applicant Name MAXEY, STORM  
63108 TURRET CT  
BEND, OR 97701  
Proposed Change ADDITIONAL POINT OF APPROPRIATION  
Sources/TRSQ40Q160 A WELL > SQUAW CREEK BASIN / 15.00S 11.00E 30 SESW  
Use/Quantity IRRIGATION / 0.080 CFS  
Priority Date 06/21/1984

Transfer [T 12617](#)  
Water Right Cert:85356  
County/Basin Klamath / Klamath(14)  
Applicant Name KLAMATH FALLS CITY SCHOOL DISTRICTS 1 AND 2  
1336 AVALON ST  
KLAMATH FALLS, OR 97603  
Proposed Change ADDITIONAL POINT OF APPROPRIATION  
Sources/TRSQ40Q160 A WELL > KLAMATH RIVER / 38.00S 9.00E 28 NWSW  
A WELL > KLAMATH RIVER / 38.00S 9.00E 28 SWSW  
Use/Quantity AIR CONDITIONING OR HEATING / 0.450 CFS  
Priority Date 06/01/1990

## **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 27, 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-12466** filed by Elk Creek Farm LLC, 1868 Schad Rd, Elkton, OR 97436 proposes a place of use change under Certificates 91522 and 49668. Certificate 91522 allows the use of 0.27 cfs from Elk Creek in Sec. 17, T22S, R7W, WM for irrigation in Sec. 17, T22S, R7W WM. Certificate 49668 allows the use of 0.28 cfs from Elk Creek in Sec. 17, T22S, R7W, WM for irrigation in Sec. 17, T22S, R7W, WM. The applicant proposes to change the place of use to Sec. 17, T22S, R7W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

**T-12408** filed by Kraemer's Nursery Inc., PO Box 930, Mt. Angel, OR 97362 proposes a change in point of appropriation and a change in place of use under Certificate 82906. The right allows the use of 111.732 gallons per minute (gpm) for containerized nursery stock in Sec. 10, T6S, R1W, WM and 100.0 gpm for irrigation and related nursery use in Sec. 10. Both uses from a well in Sec. 10, T6S, R1W, WM. The applicant proposes to move the point of appropriation to Sec. 2, T6S, R1W, WM and to change the place of use to Sec. 2, T6S, R1W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

## Transfer Applications: Temporary Transfer

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

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

Transfer	<a href="#">T-12616</a>
Water Right	Cert:21686
County/Basin	Crook / Deschutes(5)
Applicant Name	MERLICH, MAX 14481 SW TWIN LAKES RD POWELL BUTTE, OR 97753
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	DRY RIVER > CROOKED RIVER / 15.00S 14.00E 10 SENE
Use/Quantity	IRRIGATION / 2.100 CFS
Priority Date	12/18/1945

## 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	<a href="#">T 12614</a>
Water Right	Permit: G 17154
County/Basin	Umatilla / Umatilla(7)
Applicant Name	NEWTSON, SHARILYN 82106 S JUNIPER CANYON RD HELIX, OR 97835
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > SOUTH FORK JUNIPER CANYON / 5.00N 32.00E 16 NWSE
Use/Quantity	IRRIGATION / 0.670 CFS
Priority Date	04/10/2013

Transfer	<a href="#">T 12618</a>
Water Right	Permit: G 13738
County/Basin	Baker / Powder(9)
Applicant Name	NEWMAN, DOUGLAS J. AND ELSIE D. 14386 MUDDY CREEK LANE HAINES, OR 97833
Proposed Change	ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > BIG MUDDY CREEK / 7.00S 38.00E 27 NESE A WELL > BIG MUDDY CREEK / 7.00S 38.00E 26 NWNW A WELL > BIG MUDDY CREEK / 7.00S 38.00E 27 NESW
Use/Quantity	SUPPLEMENTAL IRRIGATION / 1.125 CFS SUPPLEMENTAL IRRIGATION / 2.250 CFS SUPPLEMENTAL IRRIGATION / 1.125 CFS
Priority Date	08/31/1994

## Application for District Temporary Transfer

A district with a manager may request to temporarily change a water use within district boundaries for one irrigation season pursuant to ORS 540.570. District temporary transfers may include a change: (1) in place of use; (2) in type of use of a water right to store water; (3) in type of use from a primary right to a supplemental right; (4) in point of diversion/appropriation to facilitate a change in place of use; (5) in point of diversion in response to an emergency; and (6) from a surface water point of diversion to a ground water appropriation. A district may allow proposed changes to occur upon submission of an Application for District Temporary Water Right Transfer to the Department.

The Department shall approve the request provided it does not cause injury to any existing water right or expand the water use. A district temporary transfer may be conditioned or revoked at any time to avoid injury to other water rights. The use of water reverts to the prior authorized place of use, type of use, point of diversion/appropriation upon expiration of the temporary change.

The Department is requesting public comments on the recently filed district temporary transfer application(s) listed below. Comments may be submitted by any person (please follow the instructions on the last page of this public notice). The Department shall consider all comments that pertain to the potential for injury to an existing water right or to the enlargement of the water use subject to transfer in determining whether to condition, reject or revoke a temporary transfer. **Comments must be received by the Department on or before April 27, 2017.**

To view the district temporary transfer application, click on the link below.

Transfer	<a href="#">T-12621</a>
County	Morrow
Certificate	80062; 86992; 86993
Priority Date	JULY 25, 1973; JULY 25, 1973; FEBRUARY 7, 1974
Name	COLUMBIA IMPROVEMENT DISTRICT
Address	PO BOX 47 BOARDMAN, OR 97818
Use	IRRIGATION
Source	THE COLUMBIA RIVER > PACIFIC OCEAN

## 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# [92397](#)  
App: R 49491  
County/Basin Harney / Malheur(10)  
Applicant Name U.S. BUREAU OF LAND MANAGEMENT  
Priority Date 07/21/1972  
Issue Date 03/24/2017

Cert# [92962](#)  
Xfer: T 11587  
County/Basin Klamath / Klamath(14)  
Applicant Name HOLLANDS DAIRY INC.  
Priority Date 05/17/2001  
Issue Date 03/27/2017

Cert# [92964](#)  
Xfer: T 11519  
County/Basin Deschutes / Deschutes(5)  
Applicant Name WILLIAM SMITH PROPERTIES INC.  
Priority Date 03/18/1998  
Issue Date 03/27/2017

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
March 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)\*

[ ]  
[ ]  
[ ]

**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.