OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS July 11, 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.
- * 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.
- * 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.

* 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.

* 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:

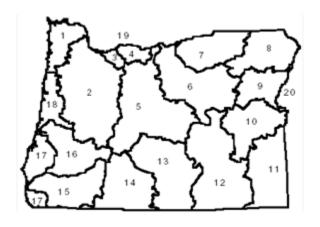
CFS: Cubic feet per second GPM: Gallons per minute

AF: Acre-feet

Priority Date Stage/ Status

IR: Initial Review

PFO: Proposed Final Order



BASINS:

1. North Coast 8. Grande Ronde 15. Rogue 16. Umpqua 2. Willamette 9. Powder 17. S. Coast 3. Sandy 10. Malheur 4. Hood 11. Owyhee 18. Mid-Coast 12. Malheur L. 5. Deschutes 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		IL:	Irrigation with livestock	PW:	Power
	non-commercial lawn & garden	IM:	Industrial or manufacturing	QM:	Quasi-municipal
DO:	Domestic	IR:	Irrigation	RC:	Recreation
DS:	Domestic & stock	IS:	Irrigation, supplemental	RW:	Road construction
FI:	Fish	LV:	Livestock	TC:	Temperature control
FP:	Fire protection	LW:	Livestock & wildlife	WI:	Wildlife
FW:	Fish & 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, August 10, 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, August 25, 2017.

The protest filing fee is <u>currently</u> \$350 for the applicants and \$700 for non-applicants. *It is likely that all of the protest related fees will increase on July 1, 2017. You should contact the Department to confirm the correct fee before filing any protest or request for standing after June 30, 2017. 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# <u>G-18101</u>

County/Basin Hood River / Hood(4)

Applicant Name VALLEY CREST ORCHARDS

EUWER, JENNIFER

PO BOX 276

MOUNT HOOD-PARKDALE, OR 97041

Sources/TRSQ40Q160 A WELL > GRISWELL CREEK / 1.00S 10.00E 17 SWNW

Use/Quantity IRRIGATION / 0.300 CFS

Priority Date 06/08/2015

Stage/Status PFO / PROPOSE TO DENY

App# <u>G-18175</u>

County/Basin Deschutes / Deschutes (5)

Applicant Name ELITE SOIL LLC

62870 JOHNSON RANCH RD

BEND, OR 97701

Sources/TRSQ40Q160 A WELL > DRY RIVER / 17.00S 14.00E 23 SWSW

Use/Quantity COMMERCIAL USES / 0.500 CFS

Priority Date 12/14/2015

Stage/Status PFO / PROPOSE TO APPROVE

App# <u>G-18190</u>

County/Basin Linn / Willamette(2) Applicant Name KUEHNE, PAUL

PO BOX 99

LAFAYETTE, OR 97127

Sources/TRSQ40Q160 A WELL > WILLAMETTE RIVER / 10.00S 3.00W 20 SWSW

Use/Quantity IRRIGATION / 2.010 CFS

Priority Date 01/26/2016

Stage/Status PFO / PROPOSE TO APPROVE

App# <u>G-18193</u>

County/Basin Harney / Malheur Lake(12)
Applicant Name 3J CATTLE CORP.
32872 AIRPORT LN

BURNS, OR 97720

Sources/TRSQ40Q160 A WELL > MALHEUR LAKE / 27.00S 34.00E 36 SWNW

Use/Quantity IRRIGATION / 2.000 CFS

Priority Date 02/19/2016

Stage/Status PFO / PROPOSE TO APPROVE

App# <u>G-18273</u>

County/Basin Washington / Willamette(2)
Applicant Name DUNN, MATTHEW K.
21920 SW CHAPMAN RD

SHERWOOD, OR 97140

Sources/TRSQ40Q160 A WELL > CHICKEN CREEK BASIN / 3.00S 2.00W 2 NWNW

Use/Quantity IRRIGATION / 0.090 CFS

Priority Date 03/30/2016

Stage/Status PFO / PROPOSE TO APPROVE

App# <u>G-18292</u>

County/Basin Deschutes / Deschutes(5)
Applicant Name MCMICHAEL, WILLIAM

PO BOX 3752

SUNRIVER, OR 97707

Sources/TRSO40O160 A WELL > LITTLE DESCHUTES RIVER / 21.00S 10.00E 1 NENW

Use/Quantity NURSERY USES / 0.005 CFS

Priority Date 05/02/2016

Stage/Status PFO / PROPOSE TO APPROVE

App# <u>G-18333</u>

County/Basin Umatilla / Umatilla(7)

Applicant Name VALETTE, HENRI AND SANDRA M.

32537 BAXTER RD HERMISTON, OR 97838

Sources/TRSQ40Q160 A WELL > UMATILLA RIVER / 4.00N 29.00E 6 SENE

Use/Quantity IRRIGATION / 0.030 CFS

Priority Date 07/05/2016

Stage/Status PFO / PROPOSE TO APPROVE

App# <u>G-18376</u>

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 / 0.060 CFS

Priority Date 08/26/2016

Stage/Štatus PFO / PROPOSE TO APPROVE

App# <u>G-18416</u>

County/Basin Linn / Willamette(2)

Applicant Name JACKASS MOUNTAIN RANCH

MACHUGH, CLIFF 660 DOGWOOD RD PASCO, WA 99301

Sources/TRSQ40Q160 A WELL > SANTIAM RIVER / 10.00S 3.00W 20 SENW

A WELL > SANTIAM RIVER / 10.00S 3.00W 19 SENE A WELL > SANTIAM RIVER / 10.00S 3.00W 20 NWSE

Use/Quantity IRRIGATION / 1.8 CFS

Priority Date 12/12/2016

Stage/Status PFO / PROPOSE TO APPROVE

App# <u>G-18424</u>

County/Basin
Applicant Name
Baker / Powder(9)
BARBER RANCH LLC
5207 WEST ELMER ST

BOISE, ID 83703

Sources/TRSQ40Q160 TWO WELLS > BURNT RIVER BASIN / 14.00S 45.00E 17 SWNW

Use/Quantity SUPPLEMENTAL IRRIGATION / 0.345 CFS

Priority Date 01/03/2017

Stage/Status PFO / PROPOSE TO APPROVE

App# G-18447

County/Basin Lane / Willamette(2)

Applicant Name 1023409 BC LIMITED CORP.

28393 ROYAL AVE EUGENE, OR 97402

Sources/TRSQ40Q160 A WELL > AMAZON CREEK / 17.00S 4.00W 19 SWSW

Use/Quantity SUPPLEMENTAL IRRIGATION / 0.025 CFS

Priority Date 01/27/2017

Stage/Štatus PFO / PROPOSE TO APPROVE

App# <u>IS-88332</u>

County/Basin Hood River / Hood(4)

Applicant Name OREGON DEPARTMENT OF FISH AND WILDLIFE

4034 FAIRVIEW INDUSTRIAL DR SE

SALEM, OR 97302-1142

Sources/TRSQ40Q160 CLEAR BRANCH > MIDDLE FORK HOOD RIVER / 1.00S 9.00E 27 NWNE

Use/Quantity INSTREAM USES / 50.000 CFS

Priority Date 05/01/2017

Stage/Status IR / PROPOSE TO APPROVE

App# <u>IS-88333</u>

County/Basin Hood River / Hood(4)

Applicant Name OREGON DEPARTMENT OF FISH AND WILDLIFE

4034 FAIRVIEW INDUSTRIAL DR SE

SALEM, OR 97302-1142

Sources/TRSQ40Q160 COE BRANCH > CLEAR BRANCH / 2.00S 9.00E 4 NWSE

Use/Quantity INSTREAM USES / 20.000 CFS

Priority Date 05/01/2017

Stage/Status IR / PROPOSE TO APPROVE

App# IS-88336

County/Basin Hood River / Hood(4)

Applicant Name OREGON DEPARTMENT OF FISH AND WILDLIFE

4034 FAIRVIEW INDUSTRIAL DR SE

SALEM, OR 97302-1142

Sources/TRSQ40Q160 ELIOT BRANCH > CLEAR BRANCH / 2.00S 9.00E 10 NESW

Use/Quantity INSTREAM USES / 11.000 CFS

Priority Date 05/01/2017

Stage/Status IR / PROPOSE TO APPROVE

App# <u>S-88402</u>

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

Stage/Status PFO / 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# <u>G-18238</u>

County/Basin Jackson / Rogue(15)
Applicant Name WALPORT, AMY

WALPORT, BRUCE WALPORT, ERIC WALPORT, JUDY 330 SLAGLE CREEK

330 SLAGLE CREEK RD GRANTS PASS, OR 97527

 Priority Date
 01/25/2016

 Issue Date
 06/29/2017

 Status
 APPROVED

App# <u>G-18268</u>

County/Basin Jackson / Rogue(15)

Applicant Name STANFIELD, KATHARINE

3300 ANDERSON CREEK RD

TALENT, OR 97540

 Priority Date
 02/16/2016

 Issue Date
 06/30/2017

 Status
 APPROVED

App# G-18276

County/Basin Lake / Goose & Summer Lake(13)
Applicant Name FERRELL, JUSTIN R. AND JAYNA L.

29261 ABERT RIM RD LAKEVIEW, OR 97630

 Priority Date
 04/06/2016

 Issue Date
 07/06/2017

 Status
 APPROVED

App# <u>LL-1704</u>

County/Basin Lincoln / Middle Coast(18)
Applicant Name WALDRON AND SONS

64330 BEND-REDMOND HWY

BEND, OR 97701

Issue Date 06/29/2017

Status PROPOSE TO APPROVE

^{*}See more next page

App# <u>R-88352</u>

County/Basin Lincoln / Middle Coast(18)
Applicant Name PRICE, FRANK STEPHEN

855 CHRISTIANSEN RD TOLEDO, OR 97391

 Priority Date
 01/12/2017

 Issue Date
 07/06/2017

 Status
 APPROVED

App# R-88364

County/Basin Benton / Willamette(2)

Applicant Name O O AGRICULTURAL INVESTMENT CO. LLC

PO BOX 824

CORVALLIS, OR 97339

Priority Date 02/06/2017 Issue Date 07/06/2017 Status APPROVED

<u>Alternate Reservoir Applications (ORS 537.409)</u>

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 September 09, 2017.

App# <u>R-88420</u>

County/Basin Yamhill / Willamette(2)
Applicant Name ASCHIM, CASEY

7007 NE MINERAL SPRINGS RD

CARLTON, OR 97111

Sources/TRSQ40Q160 UNNAMED STREAM > HAWN CREEK / 3.00S 4.00W 35 SENW

Use/Quantity MULTIPLE PURPOSE / 5.000 AF

Priority Date 06/22/2017

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.

Mitigation Project #: MP-225
County: Deschutes

Project Applicant: Deschutes River Conservancy Mitigation Bank and Ochoco Irrigation District

Mitigation Project

And Process: Instream Lease IL-1630

Subbasin/Source: Crooked River subbasin - Crooked River tributary to the Deschutes River

Amount of Water: up to 1.919 Cubic Foot per Second and 614.0 Acre-Feet

Current Use: Irrigation of 153.5 acres

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: 276.3 mitigation credits that may be available for use in the Crooked River and/or General Zones

of Impact

Contact: Sarah Henderson (503) 986-0890

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 August 10, 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# R-71828
Permit Number R-11579

County/Basin Curry / South Coast(17) Applicant Name PUHL, MARY ANNE

PO BOX 807

PORT ORFORD, OR 97465

Sources/TRSQ40Q160 BULL CREEK/BULL CR 1 > ELK RIVER / 32.00S 15.00W 16 SWNW

BULL CREEK/BULL CR 2 > ELK RIVER / 32.00S 15.00W 16 SWNW BULL CREEK/ESIDE REC > ELK RIVER / 32.00S 15.00W 16 SWNW BULL CREEK/SANDPIT REC > ELK RIVER / 32.00S 15.00W 16 SWNW CAMP CREEK/CAMP CR 2 > ELK RIVER / 32.00S 15.00W 16 SWNW RUNOFF/WSIDE REC 1 > ELK RIVER / 32.00S 15.00W 16 SWNW

RUNOFF/WSIDE REC 2 > ELK RIVER / 32.00S 15.00W 16 SWNW

Use/Quantity CRANBERRY / 5.810 AF

CRANBERRY / 14.300 AF CRANBERRY / 6.690 AF CRANBERRY / 6.000 AF CRANBERRY / 137.920 AF CRANBERRY / 9.200 AF CRANBERRY / 9.200 AF

Proposed Completion Date10/01/2022

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 July 25, 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# <u>LL-1708</u>

County/Basin Clackamas / Willamette(2)
Applicant Name BAKER, KENNETH
26748 S ELISHA RD

CANBY, OR 97013

Sources/TRSQ40Q160 A WELL > MOLALLA R / 4.00S 1.00E 13 SWSW Use/Quantity ESTABLISHMENT OF HAZELNUTS / 30.00 GPM

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 August 10, 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 <u>T 12707</u>

Water Right Decree: Vol:9 Page: 79

County/Basin Grant, Harney / Malheur Lake(12)

Applicant Name JUHL, JOLENE

14783 COUNTY RD #104

GREENBUSH, MN 56726-9307

Proposed Change POINT OF DIVERSION, CHARACTER OF USE

Sources/TRSQ40Q160 A DITCH > EAST FORK SILVES RIVER

BRIDGE CREEK > SILVIES RIVER CAMP CREEK > SILVIES RIVER

CHAPMAN SLOUGH > MCGEE SLOUGH COTTONWOOD CREEK > SILVIES RIVER

EAST FORK SILVIES RIVER > MALHEUR LAKE FLAT CREEK > SILVIES RIVER

HALL CREEK > SILVIES RIVER JUMP CREEK > SILVIES RIVER

MCGEE SLOUGH > WEST FORK SILVIES RIVER MCRAE SLOUGH > WEST FORK SILVIES RIVER

PAINE CREEK > FLAT CREEK POISON CREEK > HOUSE CREEK

SAGE HEN CREEK > WEST FORK SILVIES RIVER SILVIES RIVER > WEST FORK SILVIES RIVER

TROUT CREEK > SILVIES RIVER

WEST FORK SILVIES RIVER > MALHEUR LAKE

Use/Quantity IRRIGATION OF 1737.8 ACRES

Priority Date 1886; 1887

Transfer T 12708 Water Right Cert:90485

County/Basin Lake / Goose & Summer Lake(13)

Applicant Name SIMMONS, JERALD

61040 NORTH OIL DRY RD CHRISTMAS VALLEY, OR 97641

Proposed Change POINT OF APPROPRIATION, PLACE OF USE

Sources/TRSQ40Q160 A WELL > FORT ROCK VALLEY BASIN / 25.00S 15.00E 27 NWNW

Use/Quantity IRRIGATION / 0.938 CFS

Priority Date 11/03/1983

Transfer
Water Right
County/Basin
Applicant Name

T 12710
Cert:86059 CR
Wasco / Hood(4)
PETERSEN, PHILLIP
1102 E DEERFIELD

COLBERT, WA 99005

Proposed Change POINT OF APPROPRIATION, PLACE OF USE Sources/TRSQ40Q160 A WELL > DRY CREEK / 1.00S 13.00E 25 NESE

A WELL > FIFTEENMILE CREEK / 1.00S 13.00E 25 NESE A WELL > FIFTEENMILE CREEK / 1.00S 14.00E 30 SWNW

Use/Quantity IRRIGATION / 1.2 CFS

Priority Date 03/24/1989

Transfer T 12711
Water Right Cert: 67558

County/Basin Wallowa / Grande Ronde(8)
Applicant Name BANE INVESTMENTS LLC

PO BOX 337

ENTERPRISE, OR 97828 POINT OF APPROPRIATION

Proposed Change POINT OF APPROPRIATION
Sources/TRSQ40Q160 NORTH WELL > WALLOWA RIVER / 1.00S 44.00E 35 SENW

SOUTH WELL > WALLOWA RIVER / 1.00S 44.00E 35 SENW

Use/Quantity IRRIGATION / 0.400 CFS

IRRIGATION / 0.500 CFS

Priority Date 05/19/1980

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 August 10, 2017, or within 30 days of the last date of publication in a newspaper, whichever is later. It is likely that all of the protest related fees will increase on July 1, 2017. You should contact the Department to confirm the correct fee before filing any protest or request for standing after June 30, 2017. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

T-12546 filed by Pan American Berry Growers, LLC, 6826 55th Ave NE, Salem, OR, 97305, proposes an additional point of appropriation under Certificates 91929, 91930, and 91931. Certificate 91929 allows the use of 0.902 cubic feet per second (cfs) from two wells in Sec. 28, T6S, R2W, WM for irrigation and supplemental irrigation in Sec. 28, T6S, R2W, WM. Certificate 91930 allows the use of 0.06 cfs from two wells in Sec. 28, T6S, R2W, WM for irrigation in Sec. 33, T6S, R2W, WM. Certificate 91931 allows the use of 1.09 cfs from two wells in Sec. 28, T6S, R2W, WM for irrigation in Sec. 28, T6S, R2W, WM. The applicant proposes an additional point of appropriation in Sec. 28, T6S, R2W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

<u>T-12399</u> by Stephen F. Roth, 41600 Hwy 20, Brother, OR 97712, proposes an additional point of appropriation under Certificate 89564. The right allows the use from a well in Sec. 14, T23S, R32E, WM for irrigation in Sec. 14, T23S, R32E, WM. The applicant proposes an additional point of appropriation in Sec. 14, T23S, R32E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

*See next page for more

T-12477 filed by Steven M. Self, 226 N Page, Portland, OR 97227, proposes a change in point of diversion under Certificates (C-) 4975, 16467, 32990, 42877, 48013, and 48014. C-4975 allows the use of 0.13 cubic foot per second (cfs) from Ruch Gulch in Sec. 7, T37S, R4W, WM for supplemental irrigation and domestic use in Sec. 7, T39S, R4W, WM. C-16467 allows the use of 0.16 cfs from Thompson Creek in Sects. 7 and 18, T39S, R4W, WM for irrigation, domestic and livestock use in Sec. 7, T39S, R4W, WM. C-32990 allows the use of 0.08 cfs from O'Brien and Sturgis forks of Carberry Fork of Applegate River in Sects. 12 and 15, T40S, R5W, WM for domestic, stock and irrigation use in Sec. 7, T39S, R4W, WM. C-42877 allows the use of 0.117 cfs from O'Brien and Sturgis forks of Carberry Fork of Applegate River, tributary streams and Millers Lake in Sects. 12, 15, and 28, T40S, R5W, WM for supplemental irrigation in Sec. 7, T39S, R4W, WM. C-48013 allows the use of 0.3 acre feet from Big Miller Lake Reservoir in Sec. 28, T40S, R5W, WM for supplemental irrigation in Sec. 7, T39S, R4W, WM. C-48014 allows the use of 0.5 acre feet from Big Miller Lake Reservoir in Sec. 28, T40S, R5W, WM for supplemental irrigation in Sec. 7, T39S, R4W, WM. The applicant proposes to move the points of diversion to Sec. 7, T39S, R4W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

<u>T-12361</u> filed by Robert W. Gabriel Trust, 8474 Hazelgreen Rd NE Salem, OR 97381, proposes additional points of appropriation change under Certificate 83030. The right allows the use of 0.668 cfs from a well in Sec 24, T6S, R3W, WM for irrigation in Sects.13 and 24. The applicant proposes two additional points of appropriation in Sec. 24, T6S, R3W, 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 T-12709
Water Right Cert:36198

County/Basin Jackson / Rogue(15)

Applicant Name

BEASLEY, ETHEL AND BONNIE
826 LA CADENA AVE UNIT H

ARCADIA, CA 91007

Proposed Change PLACE OF USE

Sources/TRSQ40Q160 UNNAMED STREAM > EVANS CREEK / 35.00S 4.00W 11 SWSE

Use/Quantity IRRIGATION / 0.030 CFS

Priority Date 08/31/1962

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 August 10, 2017. The plans are available for viewing at the Salem office of the Water Resources Department. Comments should focus on elements in the draft that do not meet the requirements of OAR Chapter 690, Division 086 and should include suggestions on how to bring the draft into compliance with the rules.

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

City of Sutherlin (Municipal)

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

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)). It is likely that all of the protest related fees will increase on July 1, 2017. You should contact the Department to confirm the correct fee before filing any protest or request for standing after June 30, 2017.

Cert# <u>91907</u> Xfer: T 8109

County/Basin Harney / Malheur Lake(12) Applicant Name 421 DUFFIELD LLC

Priority Date 08/06/1975
Issue Date 07/07/2017

Cert# <u>91908</u> Xfer: T 8109

County/Basin Harney / Malheur Lake(12) Applicant Name 421 DUFFIELD LLC

Priority Date 08/18/1975
Issue Date 07/07/2017

Cert# <u>91909</u> Xfer: T 8109

County/Basin Harney / Malheur Lake(12) Applicant Name 421 DUFFIELD LLC

Priority Date 03/26/1984
Issue Date 07/07/2017

Cert# <u>93190</u> App: R 72477

County/Basin Douglas / Umpqua(16) Applicant Name APPLEGATE, SUSAN

Priority Date 06/19/1992 Issue Date 07/07/2017

Cert# <u>93193</u> App: S 85829

County/Basin Lane / Willamette(2)

Applicant Name BORCHARDT, LIZBETH CHAR

Priority Date 09/30/2003 Issue Date 07/10/2017

Cert# <u>93130</u> App: S 81189

County/Basin Douglas / Umpqua(16)
Applicant Name BROSI, MARK
Priority Date 05/31/1996
Issue Date 07/07/2017

Cert# <u>93134</u> App: R 87591

County/Basin Polk / Willamette(2)
Applicant Name BROWN, KEN

DAIL, DAN
Priority Date 03/12/2010
Issue Date 07/07/2017

Cert# <u>93174</u> App: <u>G 16073</u>

County/Basin Union / Grande Ronde(8)
Applicant Name CASE AG PROPERTIES LLC

Priority Date 07/28/2003
Issue Date 07/07/2017

Cert# <u>93224</u> Xfer: T 7236

County/Basin Umatilla / Umatilla (7)

Applicant Name CITY OF MILTON FREEWATER

Priority Date 01/15/1924
Issue Date 07/07/2017

Cert# <u>93212</u> App: S 73411

County/Basin Malheur / Malheur (10)
Applicant Name CITY OF VALE
Priority Date 05/21/1993
Issue Date 07/07/2017

Cert# <u>93221</u> App: R 86367

County/Basin Yamhill / Willamette(2)
Applicant Name COO PRODUCTION
FOLEY FAMILY WINES

FULEY FAMILY WINES

BERGNA, PAUL; COO PRODUCTION

Priority Date 07/05/2005 Issue Date 07/07/2017

Cert# <u>93222</u> App: S 86370

County/Basin Yamhill / Willamette(2)
Applicant Name COO PRODUCTION

FOLEY FAMILY WINES

BERGNA, PAUL; COO PRODUCTION

Priority Date 07/05/2005 Issue Date 07/07/2017

Cert# <u>93209</u> Xfer: T 5349

County/Basin Grant / John Day(6)
Applicant Name CORWIN, GALE
CORWIN, KAREN

Priority Date 12/31/1881 Issue Date 07/07/2017

Cert# <u>93133</u> App: S 85998

County/Basin Polk / Willamette(2)
Applicant Name CROSSLEY, KIRSTEN

Priority Date 05/05/2004 Issue Date 07/07/2017 Cert# <u>93189</u> App: S 87303

County/Basin Douglas / Umpqua(16) Applicant Name DEICHLER, RICHARD

Priority Date 10/08/2008 Issue Date 07/07/2017

Cert# <u>93168</u> App: R 87055

County/Basin Clackamas / Willamette(2)
Applicant Name DORN JR, STEVE

FARRELLY, DON

Priority Date 12/13/2007 Issue Date 07/07/2017

Cert# <u>93167</u> App: R 87056

County/Basin Clackamas / Willamette(2)
Applicant Name DORN JR, STEVE

FARRELLY, DON

Priority Date 12/13/2007 Issue Date 07/07/2017

Cert# <u>93226</u> Xfer: T 7597

County/Basin Yamhill / Willamette(2)

Applicant Name DUMDI, STEVEN A. AND THERESA A.

Priority Date 02/02/1951
Issue Date 07/10/2017

Cert# <u>93140</u> App: S 61214

County/Basin Baker / Powder(9)
Applicant Name ELLIS JONES, SUZAN

JONES, KEITH L. AND KERRY A.

U.S. BUREAU OF LAND MANAGEMENT WESTERN MINE DEVELOPMENT LLC

HEARST, ROBERT ELLIS JONES, ANN LACEY, ART

THREE VALLEYS RANCH LLC

Priority Date 02/03/1981 Issue Date 07/07/2017

Cert# <u>93188</u> App: S 87300

County/Basin Deschutes / Deschutes (5)

Applicant Name EMMES, KENNETH AND CHRISTINE

U.S. FOREST SERVICE

Priority Date 10/06/2008 Issue Date 07/07/2017

Cert# <u>93217</u> App: R 86993

County/Basin Marion / Willamette(2)
Applicant Name FORDYCE, NORMA JEAN

Priority Date 09/26/2007 Issue Date 07/07/2017 Cert# <u>93147</u> App: S 84754

County/Basin Jackson / Rogue(15)

Applicant Name GARVIN, VERN R.; GARVIN FAMILY LLC GARVIN, DOROTHY; GARVIN FAMILY LLC

GARVIN FAMILY LLC

Priority Date 05/14/2001 Issue Date 07/07/2017

Cert# <u>93199</u> App: S 87001

County/Basin Douglas / Umpqua(16)
Applicant Name GILKESON, DAVID
GILKESON, BRYANT

Priority Date 10/02/2007 Issue Date 07/07/2017

Cert# <u>93228</u> App: S 87739

County/Basin Douglas / Umpqua(16) Applicant Name GROST, RICHARD

Priority Date 07/26/2011 Issue Date 07/10/2017

Cert# <u>93141</u> App: S 71365

County/Basin Douglas / Umpqua(16) Applicant Name GUNTER, RAYE Priority Date 03/15/1991

Priority Date 03/15/1991 Issue Date 07/07/2017

Cert# <u>93219</u> App: R 87054

County/Basin Douglas / Umpqua(16) Applicant Name HAMMES, CATHERINE

Priority Date 12/13/2007 Issue Date 07/07/2017

Cert# <u>93146</u> App: <u>G 14411</u>

County/Basin Coos / South Coast(17) Applicant Name HAUETERS BOGS INC.

Priority Date 11/15/1996 Issue Date 07/07/2017

Cert# <u>93227</u> App: <u>S 81203</u>

County/Basin Coos / South Coast(17) Applicant Name HENSON, JAMES D.

Priority Date 06/10/1996 Issue Date 07/10/2017

Cert# <u>93152</u> App: R 86589

County/Basin Union / Grande Ronde(8) Applicant Name HIBBERT, IVAN

Priority Date 05/04/2006
Issue Date 07/07/2017

Cert# <u>93164</u> App: R 86494

County/Basin Union / Grande Ronde(8)
Applicant Name HILL, BURTON AND ILENE

Priority Date 01/19/2006
Issue Date 07/07/2017

Cert# <u>93163</u> App: R 86495

County/Basin Union / Grande Ronde(8) Applicant Name HILL, BURTON AND ILENE

Priority Date 01/19/2006 Issue Date 07/07/2017

Cert# <u>93151</u> App: R 86667

County/Basin Union / Grande Ronde(8)
Applicant Name HOWELL, DAVID

Priority Date 08/14/2006 Issue Date 07/07/2017

Cert# <u>93166</u> App: G 16833

County/Basin Umatilla / Umatilla(7)
Applicant Name IBET ORTEGA, MELISA

Priority Date 04/13/2007 Issue Date 07/07/2017

Cert# <u>93155</u> App: R 86164

County/Basin Baker / Powder(9)
Applicant Name IDAHO POWER CO.

Priority Date 02/02/2005
Issue Date 07/07/2017

Cert# <u>93156</u> App: R 86165

County/Basin Baker / Powder(9)
Applicant Name IDAHO POWER CO.

Priority Date 02/02/2005
Issue Date 07/07/2017

Cert# <u>93131</u> Xfer: T 5668

County/Basin Douglas / Umpqua(16)

Applicant Name IRELAND JR, CHARLES E. AND A STACY

Priority Date 03/01/1962
Issue Date 07/07/2017

Cert# <u>93143</u> App: G 16391

County/Basin Clackamas / Willamette(2)

Applicant Name J FRANK SCHMIDT AND SON CO.

Priority Date 02/14/2005 Issue Date 07/07/2017 Cert# <u>93154</u> App: <u>G 15145</u>

County/Basin Marion / Willamette(2)

Applicant Name WOODBURN SCHOOL DISTRICT 103

KEY, BILL Priority Date 05/08/2000 Issue Date 07/07/2017

Cert# <u>93153</u> App: <u>G 15146</u>

County/Basin Marion / Willamette(2)

Applicant Name WOODBURN SCHOOL DISTRICT 103

KEY, BILL Priority Date 05/08/2000 Issue Date 07/07/2017

Cert# <u>93213</u> App: R 87366

County/Basin Yamhill / Willamette(2)

Applicant Name LAUGHLIN ORCHARDS INC.

Priority Date 12/22/2008 Issue Date 07/07/2017

Cert# <u>93132</u> App: <u>G 17251</u>

County/Basin Baker / Powder(9) Applicant Name LOWERY, TRUDY

Priority Date 08/05/2009 Issue Date 07/07/2017

Cert# <u>93106</u> App: S 87206

County/Basin Douglas / Umpqua(16)

Applicant Name MCCULLOUGH, BRIAN AND CAROLYN

Priority Date 06/24/2008 Issue Date 07/07/2017

Cert# <u>93116</u> App: S 87652

County/Basin Douglas / Umpqua(16)

Applicant Name MELROSE VINEYARDS INC.

PARKER, WAYNE

Priority Date 09/03/2010 Issue Date 07/07/2017

Cert# <u>93229</u> App: R 84711

County/Basin Multnomah / Willamette(2)

Applicant Name METRO PARKS AND GREENSPACES

Priority Date 03/26/2001 Issue Date 07/10/2017

Cert# <u>93148</u>
App: R 88078

County/Basin Lane / Willamette(2) Applicant Name MUNDT, REBECCA B.

Priority Date 05/05/2015
Issue Date 07/07/2017

Cert# <u>93142</u> App: G 14982

County/Basin Yamhill / Willamette(2)
Applicant Name O'LOUGHLIN, MICHAEL P.

Priority Date 05/14/1999
Issue Date 07/10/2017

Cert# <u>93191</u> App: S 81204

County/Basin Coos / South Coast(17)

Applicant Name OLSON, CLYDE G. AND LORETTA J.

Priority Date 06/10/1996 Issue Date 07/07/2017

Cert# <u>93230</u> App: S 80867

County/Basin Coos / South Coast(17) Applicant Name OTTERBACH, DAVID

Priority Date 01/23/1996 Issue Date 07/10/2017

Cert# <u>93169</u> App: R 86137

County/Basin Clackamas / Willamette(2)
Applicant Name POTTER, LARRY A.

Priority Date 11/22/2004 Issue Date 07/07/2017

Cert# <u>93178</u> App: S 86301

County/Basin Douglas / Umpqua(16)

Applicant Name PROCTOR, JOHN; JOHN PROCTOR SOLE AND SEPARATE PROPERTY TRUST

JOHN PROCTOR SOLE AND SEPARATE PROPERTY TRUST

Priority Date 05/10/2005 Issue Date 07/07/2017

Cert# <u>93119</u> App: S 86783

County/Basin Douglas / Umpqua(16)

Applicant Name REED, BERT AND JONETTE

Priority Date 01/25/2007
Issue Date 07/07/2017

Cert# <u>93215</u> App: S 72989

County/Basin Curry / South Coast(17)
Applicant Name RENNE, CHARLENE
EBERT, WILLIAM

Priority Date 11/13/1992 Issue Date 07/07/2017

Cert# <u>93218</u> App: R 88281

County/Basin Polk / Willamette(2) Applicant Name RENTZEL, CHRIS

Priority Date 09/07/2016
Issue Date 07/07/2017

Cert# <u>93225</u> App: S 87252

County/Basin Tillamook / North Coast(1)
Applicant Name ROGAN, JOHN AND ANN

Priority Date 08/06/2008 Issue Date 07/10/2017

Cert# <u>93176</u> App: S 86462

County/Basin Lane / Willamette(2)

Applicant Name SHEFCHECK, STEVE R. AND DIANA L.

Priority Date 12/05/2005 Issue Date 07/07/2017

Cert# <u>93150</u> App: R 86740

County/Basin Clackamas / Willamette(2)

Applicant Name SISCHO, MARGARET AND GARY

Priority Date 01/03/2007 Issue Date 07/07/2017

Cert# <u>93216</u> App: G 16321

County/Basin Klamath / Klamath(14)

Applicant Name T P C LLC Priority Date 09/30/2004 Issue Date 07/07/2017

Cert# <u>93220</u> App: R 88036

County/Basin Douglas / Umpqua(16)

Applicant Name THORNTON, MELVIN AND DEBBIE

Priority Date 12/05/2014
Issue Date 07/07/2017

Cert# <u>93170</u> App: R 86261

County/Basin Union / Grande Ronde(8) Applicant Name TSIATSOS, GREGORY

Priority Date 04/18/2005
Issue Date 07/07/2017

Cert# <u>93162</u> App: R 59631

County/Basin Harney / Malheur Lake(12)

Applicant Name U.S. BUREAU OF LAND MANAGEMENT

Priority Date 12/21/1979
Issue Date 07/10/2017

Cert# <u>93223</u> Xfer: T 11005

County/Basin Lane / Willamette(2)

Applicant Name U.S. UMPQUA NATIONAL FOREST

Priority Date 04/04/1963 Issue Date 07/07/2017

Cert# <u>93126</u> App: S 81493

County/Basin Coos / South Coast(17)
Applicant Name VANINETTI, JOE

Priority Date 09/06/1996
Issue Date 07/07/2017

Public Notice date July 11, 2017, Page 27

Cert# <u>93149</u> App: R 86940

County/Basin Josephine / Rogue(15)

Applicant Name VAUGHN, MARTHA JEANNE

Priority Date 06/27/2007 Issue Date 07/07/2017

Cert# <u>93214</u> App: G 15346

County/Basin Umatilla / Umatilla (7)

Applicant Name WHITE BROTHERS CO. INC.

WHITE KIRKMAN, CAROL; WHITE BROTHERS CO. INC. PROPERTY DIVISION

Priority Date 03/15/2001 Issue Date 07/07/2017

Cert# <u>93145</u> App: <u>G 13748</u>

County/Basin Klamath / Klamath (14)
Applicant Name WOLF FLAT FARMS

LEE, PEGGY L.; WOLF FLAT FARMS LEE, JENNIFER M.; WOLF FLAT FARMS SCHOOLER, JERRY D. AND JANICE

Priority Date 07/22/1944
Issue Date 07/07/2017

Cert# <u>93231</u> App: S 83749

County/Basin Douglas / Umpqua(16)

Applicant Name COUGAR RIDGE RANCHES

DAHL, ALFRED G.; COUGAR RIDGE RANCHES DAHL, LORENE M.; COUGAR RIDGE RANCHES

Priority Date 01/12/1998 Issue Date 07/11/2017

Cert# <u>93232</u> App: S 87757

County/Basin Curry / South Coast(17)
Applicant Name SMITH, CLATIE B.

Priority Date 09/20/2011 Issue Date 07/11/2017

Cert# <u>93198</u> App: <u>G 15259</u>

County/Basin Multnomah / Willamette(2)

Applicant Name FACKRELL, BRADLEY C.; LAKESIDE GARDENS

FACKRELL, DIANE S.; LAKESIDE GARDENS

LAKESIDE GARDENS

Priority Date 11/30/2000 Issue Date 07/11/2017

Cert# <u>93246</u> Xfer: T 12216

County/Basin Washington / Willamette(2)

Applicant Name DAE-LEE LLC
Priority Date 01/01/1993
Issue Date 07/11/2017

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

July 11, 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	Mail me the order		
(e.g. "Permit Application G-12345" or "Transfer T-1234"):	(payment enclosed)*		
	r 1		
	L J		
	L J		
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.