

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
July 25, 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.
- * **Transfer Preliminary Determinations**
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- * **Transfer Applications: Regular**
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- * **Transfer Notice: District Permanent Transfers for Place of Use- ORS 540.580(4)**
District notices filed for place of use changes within a district's boundary.
- * **Certificate Issuance**
Included in this section is a listing of recently issued water right certificates.

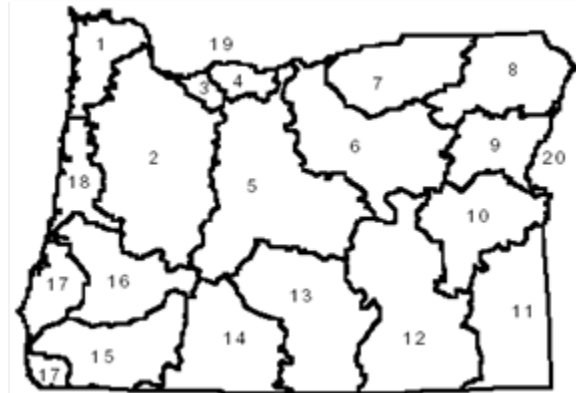
The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to Marissa.L.Andrews@oregon.gov.

How to Read the Listing

App#:

- G: Groundwater
- R: Reservoir
- S: Surface water
- I: Instream
- T: Transfer
- LL: Limited License

County/Basin (See Map)



Applicant Name

Applicant Address

Sources/TRSQ40Q160

Use/Quantity

Unit of measure:

CFS: Cubic feet per second

GPM: Gallons per minute

AF: Acre-feet

Priority Date

Stage/ Status

IR: Initial Review

PFO: Proposed Final Order

BASINS:

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

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

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

Initial Review and Proposed Final Orders

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

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

Initial Review Stage (IR)

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

The comment deadline for initial reviews appearing in this public notice is 5pm, Thursday, August 24, 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, September 08, 2017.

The protest filing fee is currently \$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# [G-18208](#)
County/Basin Harney / Malheur Lake(12)
Applicant Name ROARING SPRINGS RANCH INC.
31437 HWY 205
FRENCHGLEN, OR 97736

Sources/TRSQ40Q160 A WELL > DRY CREEK / 34.00S 32.00E 7 NWSE
A WELL > DRY CREEK / 34.00S 32.00E 18 SWNE
A WELL > DRY CREEK / 34.00S 32.00E 18 NENE
A WELL > DRY CREEK / 34.00S 32.00E 18 SESE
A WELL > DRY CREEK / 34.00S 32.00E 17 NWSW
A WELL > DRY CREEK / 34.00S 32.00E 17 NWSE
A WELL > DRY CREEK / 34.00S 32.00E 20 NENW
A WELL > DRY CREEK / 34.00S 32.00E 16 SWSW

Use/Quantity IRRIGATION / 16.8 CFS
Priority Date 03/04/2016
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18328](#)
County/Basin Multnomah / Willamette(2)
Applicant Name MORASCH MEATS
MORASCH, STEVEN J.
4050 NE 158TH
PORTLAND, OR 97230

Sources/TRSQ40Q160 A WELL > COLUMBIA SLOUGH / 1.00N 2.00E 24 NESE
Use/Quantity COMMERCIAL USES / 1.560 CFS
Priority Date 06/30/2016
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18346](#)
County/Basin Deschutes / Deschutes(5)
Applicant Name GUYNUP, LUKE
21475 GIFT RD
BEND, OR 97703

Sources/TRSQ40Q160 A WELL > DESCHUTES RIVER / 16.00S 12.00E 23 NWNE
Use/Quantity NURSERY USES / 0.250 CFS
Priority Date 07/20/2016
Stage/Status IR / PROPOSE TO DENY

App# [G-18414](#)
County/Basin Marion / Willamette(2)
Applicant Name DAVID M EBNER FAMILY LIMITED PARTNERSHIP
EBNER, DAVID M.
2350 BARNES CIRCLE

Sources/TRSQ40Q160 A WELL > PUDDING RIVER / 6.00S 1.00W 9 SWNE
Use/Quantity IRRIGATION / 1.000 CFS
Priority Date 12/05/2016
Stage/Status IR / PROPOSE TO DENY

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-18151](#)
County/Basin Marion / Willamette(2)
Applicant Name KUENZI TURF AND NURSERY
6475 STATE ST
SALEM, OR 97301

KUENZI, MYRON W.
6500 STATE ST
SALEM, OR 97301
Priority Date 10/21/2015
Issue Date 07/21/2017
Status APPROVED

App# [G-18206](#)
County/Basin Malheur / Malheur(10)
Applicant Name KESLER FARMS INC.
KESLER, PAUL
3331 GREY BLVD
NYSSA, OR 97913
Priority Date 03/03/2016
Issue Date 07/20/2017
Status APPROVED

App# [G-18262](#)
County/Basin Jackson / Rogue(15)
Applicant Name NEVER AGAIN 2 LLC
506 ANDREWS AVE
DELRAY BEACH, FL 33483
Priority Date 02/08/2016
Issue Date 07/20/2017
Status APPROVED

App# [R-88300](#)
County/Basin Polk / Willamette(2)
Applicant Name SCHWANKE, HOWARD
9950 HELMICK RD
MONMOUTH, OR 97361
Priority Date 10/13/2016
Issue Date 07/21/2017
Status APPROVED

App# [R-88307](#)
County/Basin Jackson / Rogue(15)
Applicant Name KC PROPERTY HOLDINGS
800 HWY 234
EAGLE POINT, OR 97524
Priority Date 10/24/2016
Issue Date 07/21/2017
Status APPROVED

App#	R-88309
County/Basin	Polk / Willamette(2)
Applicant Name	FIELD, CASSIE 11675 SMITHFIELD RD DALLAS, OR 97338
Priority Date	10/26/2016
Issue Date	07/21/2017
Status	APPROVED
App#	R-88351
County/Basin	Lincoln / Middle Coast(18)
Applicant Name	PRICE, FRANK STEPHEN 855 CHRISTIANSEN RD TOLEDO, OR 97391
Priority Date	01/12/2017
Issue Date	07/20/2017
Status	APPROVED
App#	R-88381
County/Basin	Yamhill / Willamette(2)
Applicant Name	CLARNO, NICHOLAS AND JUANITA 20838 BAKER CREEK RD MCMINNVILLE, OR 97128
Priority Date	03/23/2017
Issue Date	07/21/2017
Status	APPROVED
App#	R-88400
County/Basin	Yamhill / Willamette(2)
Applicant Name	CORNEAUX, BRUNO 1312 NW GREENVIEW COURT MCMINNVILLE, OR 97128
Priority Date	03/10/2017
Issue Date	07/21/2017
Status	APPROVED
App#	S-88082
County/Basin	Curry / South Coast(17)
Applicant Name	TIENHAARA, RICHARD PO BOX 547 JOSEPH, OR 97846
Priority Date	05/07/2015
Issue Date	07/20/2017
Status	APPROVED
App#	S-88149
County/Basin	Douglas / Umpqua(16)
Applicant Name	AKSE, JAMES R. AND JOYCE A. 14585 N BANK RD ROSEBURG, OR 97470
Priority Date	11/16/2015
Issue Date	07/21/2017
Status	APPROVED

App# [S-88240](#)
 County/Basin Clackamas / Willamette(2)
 Applicant Name OPI REAL ESTATE LLC
 1601 BLAKE ST SUITE 310
 DENVER, CO 80202
 Priority Date 06/06/2016
 Issue Date 07/20/2017
 Status APPROVED

App# [S-88260](#)
 County/Basin Jackson / Rogue(15)
 Applicant Name ELVIS OIL CO. LLC
 LEVINE, NOAH
 4870 STERLING CREEK RD
 JACKSONVILLE, OR 97530
 Priority Date 07/12/2016
 Issue Date 07/21/2017
 Status APPROVED

App# [S-88278](#)
 County/Basin Morrow / Umatilla(7)
 Applicant Name DANIELSON, JEFF
 121 SW SALMON ST
 PORTLAND, OR 97204
 PORTLAND GENERAL ELECTRIC COMPANY
 7334 TOWER RD
 PORTLAND, OR 97204
 Priority Date 08/25/2016
 Issue Date 07/20/2017
 Status APPROVED

App# [S-88392](#)
 County/Basin Josephine / Rogue(15)
 Applicant Name MCEWEN, JOY
 9580 TAKILMA RD (PO BOX 291)
 CAVE JUNCTION, OR 97523
 Priority Date 04/17/2017
 Issue Date 07/20/2017
 Status APPROVED

App# [S-88399](#)
 County/Basin Polk / Willamette(2)
 Applicant Name WILLIAMS, CRAIG
 X NOVO LLC
 2265 BOYSEN LANE
 SAINT HELENA, CA 94574
 Priority Date 05/01/2017
 Issue Date 07/21/2017
 Status APPROVED

App# [S-88401](#)
 County/Basin Benton / Willamette(2)
 Applicant Name RB WEBBER DEVELOPMENT LLC
 WEBBER, BRYAN AND KYM
 3430 NW SPRINGHILL DR
 ALBANY, OR 97321
 Priority Date 03/09/2017
 Issue Date 07/21/2017
 Status APPROVED

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 24, 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	T 12716
Water Right	Cert:5371
County/Basin	Tillamook / North Coast(1)
Applicant Name	OCEANSIDE WATER DISTRICT PO BOX 360 OCEANSIDE, OR 97134
Proposed Change	PLACE OF USE,USE
Sources/TRSQ40Q160	UNNAMED STREAM > PACIFIC OCEAN / 1.00S 10.00W 30 NENW
Use/Quantity	DOMESTIC / 1.000 CFS
Priority Date	09/14/1921

Transfer	T 12717
Water Right	Cert:87579 , Cert:89734
County/Basin	Marion / Willamette(2)
Applicant Name	POHLSCHNEIDER PROPERTIES LLC 17904 FRENCH PRAIRIE RD SAINT PAUL, OR 97137
Proposed Change	POINT OF APPROPRIATION
Sources/TRSQ40Q160	TWO WELLS > CHAMPOEG CREEK / 4.00S 2.00W 32 NWNE A WELL > CHAMPOEG CREEK / 4.00S 2.00W 28 SESW
Use/Quantity	IRRIGATION / 0.640 CFS
Priority Date	IRRIGATION / 1.66 CFS 09/17/1991, 06/25/1992

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 24, 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-12526 filed by Anna Mae Albertson Credit Shelter Trust, 92022 Dog Lake Rd, Lakeview, OR 97630, proposes a change in place of use under Certificate 44735. The right allows the use of 1.07 cfs from a well in Sec. 25, T39S, R18E, WM, for irrigation in Sects. 25 and 26. The applicant proposes to change the place of use to Sects. 25 and 26, T39S, R18E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Notice of District Permanent Transfer for Place of Use

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

Notice	N17.005
County	Deschutes
Certificate	74147; 74148; 74149; 76520
Priority Date	10/29/1913;
Name	TUMALO IRRIGATION DISTRICT
Address	64697 COOK AVE BEND, OR 97703
Use	IRRIGATION; INSTREAM
Source	TUMALO CR > DESCHUTES R CRESCENT LAKE RES > CRESCENT CR AND LITTLE DESCHUTES R DESCHUTES R > COLUMBIA R
Acres:	1.00
Authorized POU:	T16S R12E 31 NWSW
Proposed POU:	T16S R11E 34 NESW

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#	93268
App:	G 8858
County/Basin	Harney / Malheur Lake(12)
Applicant Name	MAHER, JOSEPH C. AND BARABARA J.
Priority Date	06/16/1978
Issue Date	09/09/9999

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
July 25, 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:

* 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.