

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
January 2, 2018

*This notice is also available on our web page at the following address:
http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21*

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

- * **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- * **Alternate Reservoir Applications (ORS 537.409)**
Applications for storage permits for small ponds filed under a simplified review process.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **Water Right Cancellations**
Abandonment of perfected and developed water rights and requests to cancel all or a portion of rights.
- * **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.
- * **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 Permanent for Place of Use - ORS 540.580**
Petitions requesting permanent changes in place(s) of use within a district's boundary.
- * **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.
- * **Notice of Application to Split a Permit**
Request to assign all or part of a water right permit for irrigation, nursery, temperature control, stock watering, or agricultural water use and to issue replacement permit(s) to reflect an assignment from the current permit holder to one or more additional permit holders.
- * **Recommendation to Consent to Injury**
A recommendation from the agency that requested establishment of an instream water right for the Department to consent to injury of the instream water right resulting from a transfer.

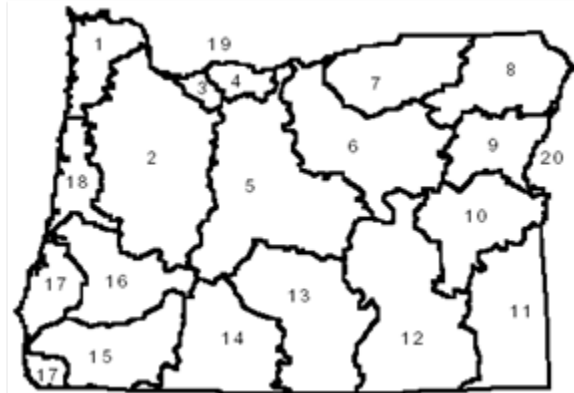
The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to Marissa.L.Andrews@oregon.gov.

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, February 01, 2018. 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 \$30. (Any person paying \$30 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, February 16, 2018.

The protest filing fee is \$410 for the applicants and \$810 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 \$230 to retain the ability to participate in future proceedings relating to an application. Before participation in a hearing is allowed, an additional \$580 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# [S-88214](#)
County/Basin Multnomah / Willamette (2)
Applicant Name NELSON, LARRY H. AND GLORIA
20531 NW MORGAN RD
PORTLAND, OR 97231
Sources/TRSQ40Q160 UNNAMED STREAM > PATTERSON CREEK / 2.00N 2.00W 11 SWSE
Use/Quantity DOMESTIC / 0.005 CFS
Priority Date 04/18/2016
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18321](#)
County/Basin Marion / Willamette (2)
Applicant Name JAN H ENTERPRISES
19774 GRADE RD SE
SILVERTON, OR 97381
Sources/TRSQ40Q160 A WELL > SILVER CREEK / 7.00S 1.00E 21 NENW
Use/Quantity NURSERY USES / 0.270 CFS
Priority Date 06/22/2016
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 BASIN / 5.00S 1.00W 29 SESW
A WELL > PUDDING RIVER BASIN / 5.00S 1.00W 30 SENE
A WELL > FARMER CREEK BASIN / 5.00S 1.00W 32 SENW
Use/Quantity IRRIGATION / 0.630 CFS
Priority Date 06/30/2016
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 \$30.00 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-18027
County/Basin	Malheur / Malheur (10)
Applicant Name	MAAG (C/O), DOUG 5112 MAAG RD VALE, OR 97918
Priority Date	03/30/2015
Issue Date	12/29/2017
Status	DENIED
App#	G-18277
County/Basin	Malheur / Malheur (10)
Applicant Name	WOOLFOLK, DAVID L. LOVELL, CARMAN S. 2865 HWY 20 HARPER, OR 97906
Priority Date	04/07/2016
Issue Date	12/29/2017
Status	APPROVED
App#	G-18479
County/Basin	Marion / Willamette (2)
Applicant Name	WIPBC1 LLC 1410 LAKESIDE COURT SUITE 109 YAKIMA, WA 98902
Priority Date	03/09/2017
Issue Date	12/29/2017
Status	APPROVED
App#	S-88106
County/Basin	Multnomah / Willamette (2)
Applicant Name	CEREGHINO, MIKE 20525 NE WISTFUL VISTA DR FAIRVIEW, OR 97024
Priority Date	07/08/2015
Issue Date	12/29/2017
Status	APPROVED
App#	S-88211
County/Basin	Malheur / Malheur (10)
Applicant Name	GRIFFITH, VAL 5484 BUCKHORN RD ONTARIO, OR 97914
Priority Date	04/18/2016
Issue Date	12/29/2017
Status	APPROVED

App# [S-88212](#)
County/Basin Malheur / Malheur (10)
Applicant Name JUAN OLVEDA ESTATE
OLVEDA, RUTH
1922 W NEZ PERCE ST
BOISE, ID 83705
Priority Date 04/18/2016
Issue Date 12/29/2017
Status APPROVED

App# [S-88277](#)
County/Basin Josephine / Rogue (15)
Applicant Name SWIECICKI, DAVID P.
1010 E BOBIER DR 107
VISTA, CA 92084
Priority Date 08/25/2016
Issue Date 12/29/2017
Status APPROVED

App# [S-88468](#)
County/Basin Lane / Willamette (2)
Applicant Name BLAZE, SALLY AND MARK
46833 GOODPASTURE RD
VIDA, OR 97488
Priority Date 10/16/2017
Issue Date 12/29/2017
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 March 03, 2018.

App#	R-88484
County/Basin	Marion / Willamette (2)
Applicant Name	NIU, CUIMEI GUANS SUBLIMITY LLC 14242 BRIDGE CT LAKE OSWEGO, OR 97034
Sources/TRSQ40Q160	RUNOFF > UNNAMED STREAM / 8.00S 1.00W 27 NWNW
Use/Quantity	MULTIPLE PURPOSE / 10.000 AF
Priority Date	12/18/2017
App#	R-88487
County/Basin	Jackson / Rogue (15)
Applicant Name	BECK, BENJAMIN SIBBERNSEN, SARAH 1200 STERLING CREEK RD JACKSONVILLE, OR 97530
Sources/TRSQ40Q160	POORMAN CREEK > FOREST CREEK / 38.00S 2.00W 7 SWNW
Use/Quantity	RUNOFF > FOREST CREEK / 38.00S 2.00W 7 SWNW
Priority Date	MULTIPLE PURPOSE / 3.000 AF 12/21/2017

Expedited Secondary Applications Under HB 2178 (2005)

For expedited secondary applications to use exclusively stored water filed under HB 2178, the public is invited to comment within 30 days of this notice, by **February 01, 2018**. The expedited secondary applications listed below have been filed recently. Any person may raise public interest issues regarding these applications. If public interest issues are raised, the Department may move the application to the standard process and review the application pursuant to ORS 537.153, and issue a Proposed Final Order. If no public issues are raised, the Department may issue a final order and permit without further prior notice.

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

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

App#	S-88485
County/Basin	Lincoln / Middle Coast (18)
Applicant Name	PRICE, FRANK STEPHEN 855 CHRISTIANSEN RD TOLEDO, OR 97391
Sources/TRSQ40Q160	A SPRING > UNNAMED STREAM / 11.00S 11.00W 1 SWSE A POND > UNNAMED STREAM / 11.00S 11.00W 1 SWSE
Use/Quantity	NURSERY USES / 0.700 AF
Priority Date	12/19/2017
App#	S-88486
County/Basin	Lincoln / Middle Coast (18)
Applicant Name	PRICE, FRANK STEPHEN 855 CHRISTIANSEN RD TOLEDO, OR 97391
Sources/TRSQ40Q160	A RESERVOIR > UNNAMED STREAM / 11.00S 11.00W 1 SWSE A SPRING > UNNAMED STREAM / 11.00S 11.00W 1 SWSE
Use/Quantity	NURSERY USES / 0.700 AF
Priority Date	12/19/2017

**Continued on next page

App#	S-88488
County/Basin	Marion / Willamette (2)
Applicant Name	HUTTER, PAUL H. LAMB, BRENDA Y. 4215 SHORELINE DR N KEIZER, OR 97303
Sources/TRSQ40Q160	WILLAMETTE RIVER > COLUMBIA RIVER / 7.00S 3.00W 3 SWSE DETROIT RES > NORTH SANTIAM RIVER / 10.00S 5.00E 7 SWNW BLUE RIVER RES > BLUE RIVER / 16.00S 4.00E 16 SESE COTTAGE GROVE RES > COAST FORK WILLAMETTE RIVER / 21.00S 3.00W 28 SENE COUGAR RES > SOUTH FORK MCKENZIE RIVER / 16.00S 5.00E 31 SESE DORENA RES > ROW RIVER / 20.00S 2.00W 32 NWSE FALL CREEK RES > FALL CREEK / 19.00S 1.00W 1 NESW FERN RIDGE RES > LONG TOM RIVER / 17.00S 5.00W 4 NESW GREEN PETER RES > MIDDLE SANTIAM RIVER / 13.00S 2.00E 10 NWSE HILLS CREEK RES > MIDDLE FORK WILLAMETTE RIVER / 21.00S 3.00E 35 NENW LOOKOUT POINT RES > MIDDLE FORK WILLAMETTE RIVER / 19.00S 1.00W 13 NWSE
Use/Quantity	IRRIGATION / 1.250 AF
Priority Date	12/22/2017

Water Right Cancellations

ORS 540.621 authorizes the Director to issue an order canceling a perfected and developed water right whenever the owner certifies under oath that the right has been abandoned and requests a cancellation of the right.

The Department has received affidavits from owners of land to which a water right is appurtenant stating the owner has abandoned the water right, and requesting that the Department cancel portions of the right appurtenant to the land.

The Department proposes to issue orders cancelling all or a portion of the following water right(s):

County/Basin	Wasco / 4
Certificate	89731
Priority Date	December 21, 1993
Source	A well within the Wapinitia Creek Basin
Landowners	Lonny D Brown and Pamela Brown
Address	PO Box 879 Fairview, OR 97024
Use	Irrigation
Quantity	0.668CFS
Acres	63.49
Location	Township 5 South Range 12 East, Section 19, NENE, NWSE, SESE and Section 20, NWNW

**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 February 01, 2018. 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 \$30 (the charge required by law). Please indicate the file number. Copies of the proposed final order may be viewed at the Department and/or self-copied. Individuals wishing to obtain a copy of the extension application should contact the Department by phone or in person.

App# [G-16776](#)
Permit Number G-16305
County/Basin Harney / Malheur Lake (12)
Applicant Name 3 S RANCHES
29327 WEAVER SPRINGS LANE
BURNS, OR 97720
Sources/TRSQ40Q160 A WELL > HARNEY LAKE / 25.00S 30.00E 35 SENE
A WELL > HARNEY LAKE / 25.00S 30.00E 26 SESE
A WELL > HARNEY LAKE / 25.00S 30.00E 36 SWNW
Use/Quantity IRRIGATION / 4.374 CFS
Proposed Completion Date 10/01/2022

App# [G-16015](#)
Permit Number G-15774
County/Basin Baker / Powder (9)
Applicant Name HELEN M TROY TRUST
2055 SECOND ST
BAKER CITY, OR 97814
Sources/TRSQ40Q160 A WELL > STRAW RANCH CREEK / 10.00S 42.00E 33 NENW
Use/Quantity SUPPLEMENTAL IRRIGATION / 3.270 CFS
Proposed Completion Date 10/01/2018

App# [G-17109](#)
Permit Number G-16920
County/Basin Washington / Willamette (2)
Applicant Name IWASAKI BROS INC.
2555 SE MINTER BRIDGE RD
HILLSBORO, OR 97123-5299
Sources/TRSQ40Q160 A WELL > ROCK CREEK / 1.00S 2.00W 8 NWNW
A WELL > ROCK CREEK / 1.00S 2.00W 8 SWNW
Use/Quantity NURSERY USES / 0.330 CFS
Proposed Completion Date 10/01/2023

**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 \$30. (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 February 16, 2018. There is no fee for submission of comments. The protest filing fee is \$410.00 for the applicant and \$810.00 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

1.) OAR-690-315

App#	G-17028
Permit#	G-16473
County/Basin	Harney / Malheur Lake (12)
Applicant Name	TOTLAND, RONALD 40493 SODHOUSE LANE PRINCETON, OR 97721
Sources/TRSQ40Q160	A WELL > MALHEUR LAKE / 26.00S 33.00E 30 NWNE
Use/Quantity	IRRIGATION / 1.000 CFS
Status	PROPOSE TO APPROVE

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 February 01, 2018. 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 12798
Water Right	Cert: 64748, Cert: 87769, Cert: 89032
County/Basin	Marion, Polk, Yamhill / Willamette (2)
Applicant Name	CARLTON NURSERY CO. LLC C/O ALLAN ELLIOTT PO BOX 398 DAYTON, OR 97114
Proposed Change	ADDITIONAL POINT OF DIVERSION
Sources/TRSQ40Q160	BLUE RIVER RES > BLUE RIVER / 16.00S 4.00E 16 SESE COTTAGE GROVE RES > COAST FORK WILLAMETTE RIVER / 21.00S 3.00W 28 SENE COUGAR RES > SOUTH FORK MCKENZIE RIVER / 16.00S 5.00E 31 SESE DETROIT RES > NORTH SANTIAM RIVER / 10.00S 5.00E 7 SWNW DORENA RES > ROW RIVER / 20.00S 2.00W 32 NWSE FALL CREEK RES > FALL CREEK / 19.00S 1.00W 1 NESW FERN RIDGE RES > LONG TOM RIVER / 17.00S 5.00W 4 NESW GREEN PETER RES > MIDDLE SANTIAM RIVER / 13.00S 2.00E 10 NWSE HILLS CREEK RES > MIDDLE FORK WILLAMETTE RIVER / 21.00S 3.00E 26 SESW LOOKOUT POINT RES > MIDDLE FORK WILLAMETTE RIVER / 19.00S 1.00W 13 NWSE WILLAMETTE RIVER > COLUMBIA RIVER / 6.00S 3.00W 4 NWSW
Use/Quantity	SUPPLEMENTAL IRRIGATION / 1332.70 AF IRRIGATION / 40.340 CFS IRRIGATION / 5.500 CFS
Priority Date	04/14/1967, 10/10/1990, 05/11/1977
Transfer	T 12803
Water Right	Cert:46177
County/Basin	Harney / Malheur Lake (12)
Applicant Name	PEILA, BILL PEILA, LORI PO BOX 723 HINES, OR 97738
Proposed Change	ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	FAYE CAN WELL > FAYE CAN CREEK / 25.00S 29.00E 29 NESW
Use/Quantity	IRRIGATION / 2.200 CFS
Priority Date	06/22/1973

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 \$810.00 protest fee for non-applicant and \$410.00 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 February 01, 2018, 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-12624 by Elaine C. Roberts Trust, PO Box 667, Cottage Grove, OR, 97424, proposes a change in point of diversion under Certificates 26393 and 35649. Certificate 26393 allows the use of 0.77 cfs from the Coast Fork Willamette River in Sec. 5, T21S, R3W, WM. for irrigation in Sec. 5, T21S, R3W, WM. Certificate 35649 allows the use of 0.057 cfs from Coast Fork Willamette River in Sec. 5, T21S, R3W, WM for irrigation in Sec. 5, T21S, R3W, WM. The applicant proposes to move the point of diversion to Sec. 5, T21S, R3W, W.M. 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-12797
Water Right	Cert: 47486, Cert: 47487, Cert: 47488
County/Basin	Crook / Deschutes (5)
Applicant Name	CROOKED RIVER EAST LLC; ATTN: JOE PAPINEAU 40791 SE SHOTGUN RD POST, OR 97752
Proposed Change	ADDITIONAL POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	CROOKED RIVER > DESCHUTES RIVER / 17.00S 20.00E 2 NWNE
Use/Quantity	IRRIGATION / 0.170 CFS IRRIGATION / 0.630 CFS IRRIGATION / 0.570 CFS
Priority Date	05/27/1916, 03/22/1918, 03/16/1961
Transfer	T-12802
Water Right	Cert: 54974 CR
County/Basin	Josephine / Rogue (15)
Applicant Name	YOUNG, GABRIEL AND KIM 719 ALTHOUSE CR RD CAVE JUNCTION, OR 97523
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	ALTHOUSE CREEK > EAST FORK ILLINOIS RIVER
Use/Quantity	IRRIGATION, LIVESTOCK AND DOMESTIC / 0.510 CFS MINING / 4.000 CFS
Priority Date	12/31/1858

Transfer Applications: Permit Amendments

The holder of a water right permit may apply to change a point of diversion or appropriation or to change the place of use pursuant to ORS 537.211 (4).

Notice is given that the following applications for Permit Amendments have been received by the Department. If the proposed change in point of diversion or appropriation is for a distance greater than 1/4 mile or includes intervening diversion points, notice also will be published in a local newspaper.

Transfer	T 12799
Water Right	Permit: S 54756, Permit: S 55019
County/Basin	Polk, Yamhill / Willamette (2)
Applicant Name	CARLTON NURSERY CO. LLC C/O ALLAN ELLIOTT PO BOX 398 DAYTON, OR 97114
Proposed Change	ADDITIONAL POINT OF DIVERSION
Sources/TRSQ40Q160	BLUE RIVER RESERVOIR > BLUE RIVER / 16.00S 4.00E 16 SESE COTTAGE GROVE RES > COAST FORK WILLAMETTE RIVER / 21.00S 3.00W 28 SENE COUGAR RES > SOUTH FORK MCKENZIE RIVER / 16.00S 5.00E 31 SESE DETROIT RES > NORTH SANTIAM RIVER / 10.00S 5.00E 7 SWNW DORENA RES > ROW RIVER / 20.00S 2.00W 32 NWSE FALL CREEK RES > FALL CREEK / 19.00S 1.00W 1 NESW FERN RIDGE RES > LONG TOM RIVER / 17.00S 5.00W 4 NESW GREEN PETER RES > MIDDLE SANTIAM RIVER / 13.00S 2.00E 10 NWSE HILLS CREEK RES > MIDDLE FORK WILLAMETTE RIVER / 21.00S 3.00E 26 SESW LOOKOUT POINT RES > MIDDLE FORK WILLAMETTE RIVER / 19.00S 1.00W 13 NWSE WILLAMETTE RIVER > COLUMBIA RIVER / 6.00S 3.00W 4 NWSW
Use/Quantity	IRRIGATION / 48.00AF
Priority Date	IRRIGATION / 11,052.00 AF 07/13/1992, 01/26/1995, 08/25/1995

Applications for District Permanent Transfer for Place of Use

A district may request to permanently change the place of use within district boundaries pursuant to ORS 540.580. A petition (application) for a district permanent water right transfer may be submitted subsequent to (specific noticing requirements apply) or prior to the change in place of use, but no later than the end of the calendar year in which the change occurs. The petition may include an unlimited number of place of use transfers within the same petition. Any recently filed Application for District Permanent Water Right Transfer for Place of Use is listed below.

Public comments may be submitted by any person (please follow the instructions on the last page of this public notice). A protest may be filed by any potentially affected holder of an existing water right, either jointly or severally with other persons, provided the protest is not by a user within a district alleging injury to the delivery of water by the district. Each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing. Protests must be accompanied by a \$810.00 protest fee for non-applicants and a \$410.00 protest fee for the applicant, and filed in accordance with OAR Chapter 690, Division 2. **Comments or protests must be received by the Department on or before February 01, 2018.**

Pursuant to ORS 540.580(8), if a water user within the district files a protest claiming injury to a water right delivery by the district, no contested case hearing shall be required, but the district shall resolve the matter directly with the water user.

To view the permanent transfer application, click on the link below.

Transfer	T-12800
County	Crook
Certificate	83571; 76714
Priority Date	10/31/1900, 12/2/1907; 2/28/1913
Name	CENTRAL OREGON IRRIGATION DISTRICT
Address	1055 SW LAKE COURT REDMOND, OR 97756
Use	IRRIGATION; SUPPLEMENTAL IRRIGATION
Source	DESCHUTES RIVER > COLUMBIA RIVER; CRANE PRAIRIE RESERVOIR > DESCHUTES RIVER

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

Protests:

A record landowner, an applicant, an assignee, an affected water right permit holder, or other interested person may protest the Proposed Final Order. Pursuant to OAR 690-325-0100, protests must: 1) provide a detailed explanation of why the proposed order does not conform with the criteria under ORS 537.225, and a description of the changes to the order that are necessary to correct the nonconformity; and 2) raise all reasonably ascertainable issues at the time the protest is filed. The issues must directly pertain to whether the replacement water right permits are authorized under and in conformance with ORS 537.225. In addition, protests must be accompanied by the appropriate protest fees. Protests must be received by the Department no later than **February 16, 2018** after the notice is published in the Department's weekly notice. If no protests are filed, the Department will issue a final order consistent with the Proposed Final Order.

The Proposed Final Order may be viewed free of charge online at:

<http://apps.wrd.state.or.us/apps/wr/wrinfo/>. Persons interested in receiving a copy of a Proposed Final Order must pay a statutorily-required fee of \$25. Any person paying \$25 to receive a PFO by mail will also receive a copy of the Final Order when it is issued.

App.#	G-13794
Permit	G-17014
County/Basin	Gilliam/Basin 9
Applicant	COMPANY FARM -AVERETT RANCH LLC; TOM &FAWN KERNS; GREG & JOYCE ROBERTS; ELDON & HOPE BUCKNER; K DIAMOND RANCH LLC.
Source/TRSQ40Q160	12 WELLS / 8 SOUTH 39 EAST SECTIONS 1-SE NW, SE SE; 6- SW SW; 7-NE NE, NE NW; 12- NE NE, NW SE; 18- SE NW; 28- NW NW
Use/Quantity	SUPPLEMENTAL IRRIGATION OF 581 ACRES / 4.5 CFS
Limit/Duty	1/80 CFS PER ACRE / 3.0 AF PER ACRE IRRIGATED DURING IRRIGATION
Applicant's Use/Quantity	SUPPLEMENTAL IRRIGATION OF ACRES 160 / 2.0 CFS
Priority Date	AUGUST 23, 1994
Permit Completion Date:	OCTOBER 1, 2037
Stage/Status	PFO / PROPOSE TO APPROVE

Notice of Receipt of Recommendation to Consent to Injury

T-12148 filed by Lloyd C. Bansen Family LLC, 10901 NW Pike Road, Yamhill, OR 97148, Jacki L. Groff, 9696 NE Meadow Ridge Road, Prineville, OR 97754, propose a change in point of diversion under Certificate 68623. The right allows the use of 0.75 cfs from Cottonwood Creek in Sec. 12, T9S, R27E, WM for irrigation in Sects. 1 and 12, T9S, R27E, WM and 0.058 cfs from Cottonwood Creek in Sec. 12, T9S, R27E, WM for primary/supplemental irrigation in Sec. 12, T9S, R27E, WM. The applicants propose to move the point of diversion approximately 300 feet upstream on Cottonwood Creek within Sec. 12, T9S, R27E, WM. The Oregon Water Resources Department (OWRD) determined that the transfer would injure instream water right Certificate 63251.

T-11971 filed by Roy Milton, PO Box 104, Monument, OR 97864 and Dannie and Wanda Derowitsch, 50300 Hwy 402, Monument, OR 97864, proposes a change in point of diversion under Certificates 80230, 36481, and 17283. Certificate 80230 allows the use of 0.07 cfs from Cottonwood Creek in Sec. 18, T9S, R28E, WM for irrigation in Sec. 12, T9S, R27E, WM. Certificate 36481 allows the use of 0.28 cfs from Cottonwood Creek in Sec. 18, T9S, R28E, WM for irrigation in Sec. 12, T9S, R27E, WM. Certificate 17283 allows the use of 0.51 cfs from Cottonwood Creek in Sec. 18, T9S, R28E, WM for irrigation and domestic use in Sec. 12, T9S, R27E, WM. The applicants propose to move the points of diversion approximately 700 feet upstream on Cottonwood Creek in Sec. 18, T9S, R28E, WM. The Oregon Water Resources Department (OWRD) determined that the transfer would injure instream water right Certificate 63251.

T-11972 filed by Raphael and Sandra Davis, 48306 Cribbage Lane, Monument, OR 97864, Harold and Dixie Reynolds, 4202 SW Vista Avenue, Pendleton, OR 97801 and Robert Cox and Stacy Robinson-Cox, 50214 Hwy 42, Monument, OR 97864, proposes a change in point of diversion under Certificate 36598. The right allows the use of 1/40th of one cubic foot per second (cfs) per acre irrigated to June 1 and 1/80th of one cfs per acre thereafter from Cottonwood Creek in Sec. 18, T9S, R28E, WM for irrigation, domestic, and stock in Sects. 1 and 12, T9S, R27E, WM. The applicants propose to move the point of diversion approximately 700 feet upstream on Cottonwood Creek within Sec. 18, T9S, R28E, WM. The Oregon Water Resources Department (OWRD) determined that the transfer would injure instream water right Certificate 63251.

T-11973 filed by John and Deborah Cole, PO Box 421A, Monument, OR 97864, Leonard P. Osburn, 42018 Deer Creek Road, Monument, OR 97864, Ada McMillan, 50233 Hwy 402, Monument, OR 97864, Leon Jay Ball, 50339 Hwy 402, Monument, OR 97864, and Daryl Anderson, PO Box 402, Westhope, ND 58793, propose a change in point of diversion under Certificates 24889 and 8419. Certificate 24889 allows the use of 1/40th of one cubic foot per second (cfs) per acre irrigated to June 1 and 1/80th of one cfs per acre thereafter from Spring and Cottonwood Creeks in Sec. 18, T9S, R28E, WM for irrigation, domestic, and stock in Sects. 1 and 12, T9S, R27E, WM. Certificate 8419 allows the use of 1/40th of one cubic foot per second (cfs) per acre irrigated to June 1 and 1/80th of one cfs per acre thereafter from Cottonwood Creek in Sec. 18, T9S, R28E, WM for irrigation in Sec. 12, T9S, R27E, WM and Sec. 7, T9S, R28E, WM. The applicants propose to move the point of diversion approximately 700 feet upstream on Cottonwood Creek within Sec. 18, T9S, R28E, WM. The Oregon Water Resources Department (OWRD) determined that the transfer would injure instream water right Certificate 63251.

The Oregon Department of Fish and Wildlife (ODFW) concluded that the transfers would result in a net benefit to the resource if conditioned as follows:

- a) The permittee shall not construct, operate, or maintain any dam or artificial obstruction to fish passage without obtaining approval from ODFW. The permittee is hereby directed to contact an ODFW Fish Passage Coordinator prior to construction of any in-channel obstruction or prior to diversion of water that may create an artificial obstruction due to low flow. ODFW acknowledges that a Fish Passage Plan, Waiver, or Exemption has been granted for the proposed PODs that fulfills the fish passage requirements for this use.
- b) The permittee shall install, maintain, and operate fish screening consistent with current ODFW standards. Fish screening is to prevent fish from entering the proposed diversion. The required screen is to be in place and functional, and approved in writing by ODFW prior to diversion of water. The permittee is hereby directed to contact the ODFW Fish Screening Coordinator prior to diversion of water. ODFW acknowledges that the new PODs are currently equipped with an appropriate fish screen.
- c) If the riparian area is disturbed in the process of developing a point of diversion or delivery system, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415.
- d) Construction must occur during ODFW's established in-water work period (July 15 to August 31) unless otherwise approved by ODFW.

The Oregon Parks and Recreation Department (OPRD) concurs with ODFW that the transfers would result in a net benefit to the resource.

Copies of the OWRD's Preliminary Determination proposing denial of the transfer and ODFW's and OPRD's recommendations are available for viewing at the Salem office of the Oregon Water Resources Department. Any person may review the recommendations and submit written comments or may submit a written request for a public meeting to review the recommendations. The comments or request for a meeting must be received by OWRD on or before February 1, 2018.

OWRD will provide copies of any comments submitted in response to this notice to ODFW and OPRD. If a meeting is requested, OWRD will schedule a joint public meeting with ODFW and OPRD to review the recommendations.

To review the recommendations, contact Kelly Starnes at 503-986-0886 or e-mail at Patrick.K.Starnes@oregon.gov. Written comments and requests for a public meeting should be mailed to Attn: Kelly Starnes, Water Resources Department, 725 Summer St NE, Suite A, Salem, OR 97301-1266 or faxed to 503-986-0901.

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
January 2, 2018

Use this form to offer comments on water use requests or other items in this notice, or to order copies of proposed and final orders. You are welcome to submit comments on a separate sheet, but please be sure to include your name and address and reference the specific request or document that concerns you. Please mail your comments to the address listed above.

Alternatively, you may use our new Public Comment tool available on our website. Go to our website: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>, and enter identifying information about the application. On the Water Rights Information Query Results page, use the "Submit a Public Comment" link, or under "View all Scanned Documents" use the "Submit a Public Comment" link.

Water Use Request Type & File Number

(e.g. "Permit Application G-12345" or "Transfer T-1234"):

Mail me the order
(payment enclosed)*

[]
[]
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Your Name, Address, and Phone Number:

* We are required by law to charge a fee of \$30 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 \$30 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.