

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**January 23, 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](http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21)*

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

- \* **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**  
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- \* **Applications for Extensions of Time to Perfect Water Right Permits**  
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- \* **Applications for Limited Licenses**  
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- \* **Application for Instream Lease**  
Application by water right holder to lease existing water rights to instream use.
- \* **Transfer Preliminary Determinations**  
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- \* **Transfer Applications: Temporary Transfers**  
Requests to temporarily change place of use and, if necessary to convey the water to the new place of use, to temporarily change the point of diversion or appropriation.
- \* **Transfer Applications: District 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 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.

- \* **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.
- \* **Water Management and Conservation Plan Progress Reports**  
Water management and conservation plan progress reports submitted by municipalities under provisions of OAR Chapter 690, Division 86.
- \* **Certificate Issuance**  
Included in this section is a listing of recently issued water right certificates.
- \* **Notice of Intent to Reauthorize**

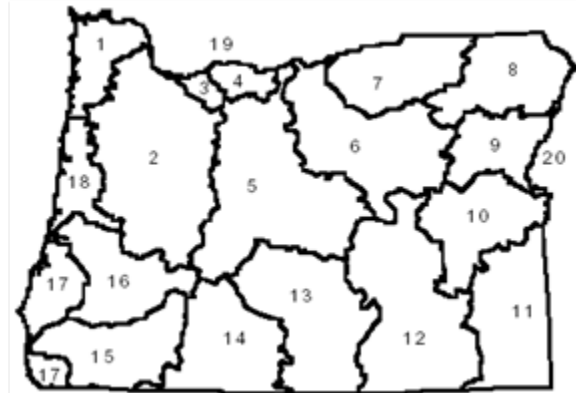
The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to [Marissa.L.Andrews@oregon.gov](mailto:Marissa.L.Andrews@oregon.gov).

## How to Read the Listing

**App#:**

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

**County/Basin (See Map)**



**Applicant Name**

**Applicant Address**

**Sources/TRSQ40Q160**

**Use/Quantity**

Unit of measure:

CFS: Cubic feet per second

GPM: Gallons per minute

AF: Acre-feet

**Priority Date**

**Stage/ Status**

IR: Initial Review

PFO: Proposed Final Order

**BASINS:**

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

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

- |   |                                 |                         |
|---|---------------------------------|-------------------------|
| AG: Agriculture   | GR: Groundwater recharge        | MU: Municipal           |
| CR: Cranberry uses                                      | GT: Geothermal                  | NU: Nursery use         |
| CM: Commercial  | ID: Irrigation with domestic    | PA: Pollution abatement |
| DI, DN: Domestic including 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 22, 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 \$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, March 09, 2018.**

The protest filing fee is \$350 for the applicants and \$700 for non-applicants. Detailed requirements for filing a protest are included in the PFO. Persons who support the PFO may file a "standing" fee of \$200 to retain the ability to participate in future proceedings relating to an application. Before participation in a hearing is allowed, an additional \$500 will be required to request to participate as a party or limited party.

If a protest or comment deadline falls on a day that the office is closed, then the next open business day automatically becomes the deadline date.

## Initial Review and Proposed Final Orders

App# [S-88116](#)  
County/Basin Umatilla / Umatilla(7)  
Applicant Name COLD SPRINGS CANYON, LLC  
31056 E WALLS RD  
HERMISTON, OR 97838

HAWMAN FARMS  
31056 E WALLS RD  
HERMISTON, OR 97838

JB LAND LLC  
31056 E WALLS RD  
HERMISTON, OR 97838

ROYALE COLUMBIA FARMS INC.  
31056 E WALLS RD  
HERMISTON, OR 97838

Sources/TRSQ40Q160 COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 30.00E 7 SESW  
COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 30.00E 8 SWNW  
COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 30.00E 8 NENW

Use/Quantity IRRIGATION / 23.00 CFS  
Priority Date 08/03/2015  
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18382](#)  
County/Basin Jackson / Rogue(15)  
Applicant Name ROGUES LAIR FARMS LLC  
BELUSHI, JAMES  
360 HAMILTON AVE STE 100  
WHITE PLAINS, NY 10601

Sources/TRSQ40Q160 A WELL > ROGUE RIVER BASIN / 36.00S 1.00W 6 NWNE  
A WELL > ROGUE RIVER / 36.00S 1.00W 6 SWNE

Use/Quantity NURSERY USES / 1.095 CFS  
Priority Date 09/09/2016  
Stage/Status PFO / PROPOSE TO APPROVE

App# [S-88299](#)  
County/Basin Umatilla / Umatilla(7)  
Applicant Name RUPP RANCHES  
176 KRANICHWOOD ST  
RICHLAND, WA 99352

Sources/TRSQ40Q160 COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 30.00E 8 SWNW

Use/Quantity IRRIGATION / 31.400 CFS  
Priority Date 10/12/2016  
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18405](#)  
County/Basin Washington / Willamette(2)  
Applicant Name ROLOFF, MATTHEW AND AMY  
23985 NW GROSSEN DR  
HILLSBORO, OR 97124

Sources/TRSQ40Q160 TWO WELLS > UNNAMED CREEK BASIN / 1.00N 2.00W 3 NWSW

Use/Quantity IRRIGATION / 0.99 CFS  
Priority Date 10/27/2016  
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18430](#)  
County/Basin Marion / Willamette(2)  
Applicant Name ROBERT W GABRIEL TRUST  
GABRIEL, ROBERT  
8474 HAZELGREEN RD NE  
SILVERTON, OR 97381  
Sources/TRSQ40Q160 THREE WELLS > UNNAMED STREAM / 6.00S 3.00W 24 NWNE  
Use/Quantity NURSERY USES / 0.46 CFS  
Priority Date 01/09/2017  
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18558](#)  
County/Basin Yamhill / Willamette(2)  
Applicant Name X NOVO LLCC/O CRAIG WILLIAMS  
2265 BOYSEN LANE  
SAINT HELENA, CA 94574  
Sources/TRSQ40Q160 A WELL > HARVEY CREEK / 3.00S 3.00W 22 SWSW  
Use/Quantity IRRIGATION / 0.120 CFS  
Priority Date 09/25/2017  
Stage/Status IR / PROPOSE TO APPROVE

## Final Orders - Permit & Limited License Applications

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

App# [G-17957](#)  
County/Basin Harney / Malheur Lake(12)  
Applicant Name SINGHOSE LAND AND CATTLE CO. LLC  
PO BOX 55  
RILEY, OR 97758  
  
SINGHOSE, PHILLIP AND LORISSA  
67459 S RANCH RD  
RILEY, OR 97758  
Priority Date 11/04/2014  
Issue Date 01/17/2018  
Status DENIED

App# [G-18221](#)  
County/Basin Jackson / Rogue(15)  
Applicant Name TORP FAMILY TRUST  
7106 GRIFFIN LANE  
JACKSONVILLE, OR 97530  
Priority Date 03/23/2016  
Issue Date 01/17/2018  
Status DENIED

App# [G-18249](#)  
County/Basin Umatilla / Umatilla(7)  
Applicant Name K AND L MADISON LLC  
29299 MADISON RD  
ECHO, OR 97826  
Priority Date 02/01/2016  
Issue Date 01/18/2018  
Status APPROVED

App# [G-18257](#)  
County/Basin Jackson / Rogue(15)  
Applicant Name ELLIS, DEVIN  
16335 RAMSEY RD  
WHITE CITY, OR 97503  
  
SOUTHERN OREGON CANNABIS CO.  
6383 E EVANS CREEK RD  
ROGUE RIVER, OR 97537  
Priority Date 02/05/2016  
Issue Date 01/18/2018  
Status APPROVED

App# [G-18365](#)  
 County/Basin Marion / Willamette(2)  
 Applicant Name MARS ENTERPRISES LLC  
 4196 81ST AVE NE  
 SALEM, OR 97305  
 Priority Date 08/12/2016  
 Issue Date 01/18/2018  
 Status APPROVED

App# [G-18414](#)  
 County/Basin Marion / Willamette(2)  
 Applicant Name DAVID M EBNER FAMILY LIMITED PARTNERSHIP  
 EBNER, DAVID M.  
 2350 BARNES CIRCLE  
 RENO, NV 89509  
 Priority Date 12/05/2016  
 Issue Date 01/18/2018  
 Status APPROVED

App# [G-18439](#)  
 County/Basin Jackson / Rogue(15)  
 Applicant Name SCHRAN COLLINGS, SABINE  
 13236 E EVANS CREEK RD  
 ROGUE RIVER, OR 97537  
 Priority Date 01/18/2017  
 Issue Date 01/18/2018  
 Status APPROVED

App# [G-18441](#)  
 County/Basin Jackson / Rogue(15)  
 Applicant Name FERLITA, JAMES AND SHARON  
 3446 ROGUE RIVER DR  
 EAGLE POINT, OR 97524  
 Priority Date 01/19/2017  
 Issue Date 01/18/2018  
 Status APPROVED

App# [G-18460](#)  
 County/Basin Lane / Willamette(2)  
 Applicant Name REAR PROPERTIES LLC  
 C/O MARILYN REAR  
 91820 TERRITORIAL HWY  
 JUNCTION CITY, OR 97448  
 Priority Date 02/21/2017  
 Issue Date 01/18/2018  
 Status APPROVED

App# [G-18486](#)  
 County/Basin Marion / Willamette(2)  
 Applicant Name KING FAMILY FARMS INC.  
 KING, DAVID  
 KING, MARK  
 4386 DESART RD NE  
 SILVERTON, OR 97381  
 Priority Date 03/28/2017  
 Issue Date 01/18/2018  
 Status APPROVED



App#	<a href="#">LL-1728</a>
County/Basin	Lake / Goose & Summer Lake(13)
Applicant Name	SURPRISE VALLEY ELECTRIC CORP. ATTN: LYNN CULP 516 US HWY 395 E ALTURAS, CA 96101
Issue Date	01/23/2018
Status	WITHDRAWN
App#	<a href="#">R-87853</a>
County/Basin	Klamath / Klamath(14)
Applicant Name	HIGH COUNTRY RANCH ROADS AND PARKS ASSOCIATION PO BOX 474 BLY, OR 97622
Priority Date	12/13/2012
Issue Date	01/18/2018
Status	APPROVED
App#	<a href="#">R-88284</a>
County/Basin	Linn / Willamette(2)
Applicant Name	ROGERS, DAVID 26366 GAP RD BROWNSVILLE, OR 97327
Priority Date	09/09/2016
Issue Date	01/18/2018
Status	APPROVED
App#	<a href="#">R-88469</a>
County/Basin	Lane / Willamette(2)
Applicant Name	MORISON, SCOTT 33144 HOWE LANE CRESWELL, OR 97426
Priority Date	10/17/2017
Issue Date	01/18/2018
Status	APPROVED
App#	<a href="#">S-88472</a>
County/Basin	Jackson / Rogue(15)
Applicant Name	PERSHING, TODD PO BOX 308 JACKSONVILLE, OR 97530
Priority Date	10/30/2017
Issue Date	10/30/2022
Status	APPROVED
App#	<a href="#">S-88476</a>
County/Basin	Jackson / Rogue(15)
Applicant Name	LEE, STEVEN E. AND CRESTA H. 3649 OLD FERRY RD SHADY COVE, OR 97539
Priority Date	11/13/2017
Issue Date	11/13/2022
Status	APPROVED

**Applications for Extensions of Time  
to Perfect Water Right Permits filed pursuant to OAR 690-315**

**Consistent with OAR 690-315-0050, the Department will accept public comment on the following extension applications until February 22, 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 \$25 (the charge required by law). Please indicate the file number. Copies of the proposed final order may be viewed at the Department and/or self-copied. Individuals wishing to obtain a copy of the extension application should contact the Department by phone or in person.

App#	<a href="#">G-17518</a>
Permit Number	G-17022
County/Basin	Umatilla / Umatilla(7)
Applicant Name	PELLETIER, WILLIAM R. 32184 W WALLS RD HERMISTON, OR 97838
Sources/TRSQ40Q160	TWO WELLS > HAT ROCK DRAIN / 5.00N 29.00E 31 NENW
Use/Quantity	IRRIGATION / 0.22 CFS
Proposed Completion Date	10/01/2022

## **Proposed Final Orders Regarding Applications for Extensions of Time for Water Right Permits**

ORS 537.230, 537.248, 537.630 and 539.010 authorize the Water Resources Department to extend time limits contained in water right permits for completing construction of water development projects and applying water to full beneficial use. Procedures for permit holders to apply for extensions and for the Department to evaluate and determine whether or not to approve extensions of time are contained in OAR 690-320-0010 for extensions filed before July 1, 2001, and in OAR 690-315-0010 for extensions filed on or after July 1, 2001.

Proposed Final Orders (PFO's) are the Department's preliminary decision on extension requests. They document the agency's decision through specific findings. Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of \$25. (Any person paying to receive a PFO by mail will also receive a copy of the Final Order when it is issued). PFO's may be viewed for free at the Department's Salem Office or at the appropriate watermaster district office.

### **Extension of Time Public Notice and Comment Procedures**

**Written comments on or written protests against a PFO must be submitted on or before March 09, 2018.** There is no fee for submission of comments. The protest filing fee is \$350 for the applicant and \$700 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

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

App#	G-16495
Permit#	<a href="#">G-16057</a>
County/Basin	Clackamas / Willamette(2)
Applicant Name	RANDALL, JIM PO BOX 524 ESTACADA, OR 97023
Sources/TRSQ40Q160	THREE WELLS > DELPH CREEK / 3.00S 4.00E 25 NESW
Use/Quantity	NURSERY USES / 0.501 CFS
Status	PROPOSE TO APPROVE
App#	G-14780
Permit#	<a href="#">G-15456</a>
County/Basin	Marion / Willamette(2)
Applicant Name	ERICKSON, SCOTT PO BOX 20610 KEIZER, OR 97307
Sources/TRSQ40Q160	TWO WELLS > WILLAMETTE RIVER / 6.00S 3.00W 33 NWSE A WELL > WILLAMETTE RIVER / 6.00S 3.00W 33 SESW
Use/Quantity	INDUSTRIAL/MANUFACTURING USES / 1.340 CFS INDUSTRIAL/MANUFACTURING USES / 5.57 CFS
Status	PROPOSE TO APPROVE

App# G-12939  
Permit# [G-17016](#)  
County/Basin Baker / Powder(9)  
Applicant Name KERNS RAINBOW RANCH INC.  
45917 QUAIL RD  
HAINES, OR 97833  
Sources/TRSQ40Q160 TWO WELLS > HUNT CREEK / 8.00S 39.00E 18 SENW  
A WELL > HUNT CREEK / 8.00S 39.00E 7 NENW  
A WELL > WILLOW CREEK / 8.00S 38.00E 12 NWSE  
A WELL > WILLOW CREEK / 8.00S 39.00E 6 SWSW  
A WELL > WILLOW CREEK / 8.00S 38.00E 1 SENW  
A WELL > WILLOW CREEK / 8.00S 38.00E 1 SESE  
THREE WELLS > WILLOW CREEK / 8.00S 39.00E 7 NENE  
A WELL > WILLOW CREEK / 8.00S 38.00E 12 NENE  
A WELL > SALMON CREEK / 8.00S 39.00E 28 NWNW  
Use/Quantity SUPPLEMENTAL IRRIGATION / 4.5 CFS  
Status PROPOSE TO APPROVE

App# G-13988  
Permit# [G-17015](#)  
County/Basin Baker / Powder(9)  
Applicant Name KERNS, TIM L. AND JANICE L.  
NORTHWEST FARM CREDIT SERVICES FLCA  
3370 10TH ST SUITE B  
BAKER CITY, OR 97814  
Sources/TRSQ40Q160 TWO WELLS > HUNT CREEK / 8.00S 39.00E 18 SENW  
A WELL > HUNT CREEK / 8.00S 39.00E 7 NENW  
A WELL > WILLOW CREEK / 8.00S 38.00E 12 NWSE  
A WELL > WILLOW CREEK / 8.00S 39.00E 6 SWSW  
A WELL > WILLOW CREEK / 8.00S 38.00E 1 SENW  
A WELL > WILLOW CREEK / 8.00S 38.00E 1 SESE  
THREE WELLS > WILLOW CREEK / 8.00S 39.00E 7 NENE  
A WELL > WILLOW CREEK / 8.00S 38.00E 12 NENE  
A WELL > SALMON CREEK / 8.00S 39.00E 28 NWNW  
Use/Quantity SUPPLEMENTAL IRRIGATION / 2.25 CFS  
Status PROPOSE TO APPROVE

App# G-14984  
Permit# [G-17018](#)  
County/Basin Baker / Powder(9)  
Applicant Name KERNS, TIM L. AND JANICE L.  
NORTHWEST FARM CREDIT SERVICES FLCA  
3370 10TH ST SUITE B  
BAKER CITY, OR 97814  
Sources/TRSQ40Q160 TWO WELLS > HUNT CREEK / 8.00S 39.00E 18 SENW  
A WELL > HUNT CREEK / 8.00S 39.00E 7 NENW  
A WELL > WILLOW CREEK / 8.00S 38.00E 12 NWSE  
A WELL > WILLOW CREEK / 8.00S 39.00E 6 SWSW  
A WELL > WILLOW CREEK / 8.00S 38.00E 1 SENW  
A WELL > WILLOW CREEK / 8.00S 38.00E 1 SESE  
THREE WELLS > WILLOW CREEK / 8.00S 39.00E 7 NENE  
A WELL > WILLOW CREEK / 8.00S 38.00E 12 NENE  
A WELL > SALMON CREEK / 8.00S 39.00E 28 NWNW  
Use/Quantity SUPPLEMENTAL IRRIGATION / 0.622 CFS  
Status IRRIGATION / 7.46 CFS  
PROPOSE TO APPROVE

App# G-13790  
 Permit# [G-17017](#)  
 County/Basin Baker / Powder(9)  
 Applicant Name KERNS, TIM L. AND JANICE L.  
 NORTHWEST FARM CREDIT SERVICES FLCA  
 3370 10TH ST SUITE B  
 BAKER CITY, OR 97814  
 Sources/TRSQ40Q160 TWO WELLS > HUNT CREEK / 8.00S 39.00E 18 SENW  
 A WELL > HUNT CREEK / 8.00S 39.00E 7 NENW  
 A WELL > WILLOW CREEK / 8.00S 38.00E 12 NWSE  
 A WELL > WILLOW CREEK / 8.00S 39.00E 6 SWSW  
 A WELL > WILLOW CREEK / 8.00S 38.00E 1 SENW  
 A WELL > WILLOW CREEK / 8.00S 38.00E 1 SESE  
 THREE WELLS > WILLOW CREEK / 8.00S 39.00E 7 NENE  
 A WELL > WILLOW CREEK / 8.00S 38.00E 12 NENE  
 A WELL > SALMON CREEK / 8.00S 39.00E 28 NWNW  
 Use/Quantity SUPPLEMENTAL IRRIGATION / 3.25 CFS  
 Status PROPOSE TO APPROVE

App# G-13794  
 Permit# [G-17014](#)  
 County/Basin Baker / Powder(9)  
 Applicant Name KERNS RAINBOW RANCH INC.  
 45917 QUAIL RD  
 HAINES, OR 97833  
 Sources/TRSQ40Q160 TWO WELLS > HUNT CREEK / 8.00S 39.00E 18 SENW  
 A WELL > HUNT CREEK / 8.00S 39.00E 7 NENW  
 A WELL > WILLOW CREEK / 8.00S 38.00E 12 NWSE  
 A WELL > WILLOW CREEK / 8.00S 39.00E 6 SWSW  
 A WELL > WILLOW CREEK / 8.00S 38.00E 1 SENW  
 A WELL > WILLOW CREEK / 8.00S 38.00E 1 SESE  
 THREE WELLS > WILLOW CREEK / 8.00S 39.00E 7 NENE  
 A WELL > WILLOW CREEK / 8.00S 38.00E 12 NENE  
 A WELL > SALMON CREEK / 8.00S 39.00E 28 NWNW  
 Use/Quantity SUPPLEMENTAL IRRIGATION / 4.5 CFS  
 Status PROPOSE TO APPROVE

App# S-87211  
 Permit# [S-54599](#)  
 County/Basin Lane / Middle Coast(18)  
 Applicant Name SOUTH COAST WATER DISTRICT  
 30086 FEDERAL LANE  
 EUGENE, OR 97402  
 Sources/TRSQ40Q160 SILTCOOS LAKE > PACIFIC OCEAN / 19.00S 12.00W 26 NWNE  
 Use/Quantity DOMESTIC / 0.140 CFS  
 Status PROPOSE TO APPROVE

## Applications for Limited Licenses

A limited license allows the right to use or store water for no more than 5 consecutive years. Use of water under a limited license is subordinate to all other authorized uses and may be shut-off at any time to satisfy those other uses. In addition, the Department may revoke a limited license if its use causes injury to any other water right or minimum perennial streamflow.

Licensees must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after February 06, 2018, upon finding that the proposed water use will not impair or be detrimental to the public interest (OAR 690-340-030).** The public is invited to provide comments that will assist the Director in determining whether the use would impair or be detrimental to the public interest. If the applicant applies for a use that is not one of the standard uses listed in OAR 690-300, the Department may, for the purposes of this notice, assign a named use that is reasonably close to the use actually requested. The public may examine the actual application by clicking the associated hyperlink and then choosing “LL Application” under “Scanned Documents.”

App#	<a href="#">LL-1732</a>
County/Basin	Marion / Willamette(2)
Applicant Name	PARSY LLC PO BOX 3772 SALEM, OR 97302
Sources/TRSQ40Q160	A WELL > MILL CR / 8.00S 3.00W 20 NWSW
Use/Quantity	IRRIGATION TO ESTABLISH HAZELNUTS / 35.00 GPM

## Applications for Instream Lease

ORS 537.348 authorizes a water right holder to lease their existing water right(s) to instream use for a limited time. For the term of the lease, the water right holder agrees to suspend use of water under the original right. The state is the trustee for water rights leased for instream use. OAR 690-077-0077 requires that the Department public notice the lease applications.

**The deadline for submitting claims of injury to existing water rights or enlargement of the original right against a lease application is February 13, 2018.** Parties to the lease, including the Department, will review any such claims before the lease is finalized. The lease files are available for viewing at the Salem office of the Water Resources Department. If you have questions or comments please contact the Lease Specialist at 503-986-0898.

Lease#	<a href="#">IL 615</a>
Certificate	57567
County/Basin	Deschutes / Deschutes(5)
Lessor	CYRUS, MATT ASPEN LAKES DEVELOPMENT LLC 16900 ASPEN LAKES DRIVE SISTERS, OR 97759
Lessee	HUBERT, GENEVIEVE DESCHUTES RIVER CONSERVANCY MITIGATION BANK 700 NW HILL ST STE 1 BEND, OR 97703
Priority Date	03/05/1948
Source/Tributary To	SQUAW CREEK / DESCHUTES RIVER

## Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before February 22, 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	<a href="#">T 12822</a>
Water Right	Cert: 62014, Cert: 93234, Cert: 93194
County/Basin	Harney / Malheur Lake(12)
Applicant Name	GOLDEN RULE FARMS INC. PO BOX 255 CHRISTMAS VALLEY, OR 97641
Proposed Change	POINT OF APPROPRIATION,PLACE OF USE
Sources/TRSQ40Q160	A WELL > HARNEY LAKE / 26.00S 30.00E 1 SENW A WELL > MALHEUR LAKE BASIN / 25.00S 31.00E 31 NWSE A WELL > MALHEUR LAKE BASIN / 25.00S 31.00E 31 SWSE A WELL > MALHEUR LAKE BASIN / 26.00S 30.00E 1 SWNE
Use/Quantity	IRRIGATION / 0.500 CFS IRRIGATION / 1.55 CFS IRRIGATION / 1.560 CFS
Priority Date	05/26/1983, 10/09/1998, 10/09/1998
Transfer	<a href="#">T 12824</a>
Water Right	Cert: 50605
County/Basin	Lane / Willamette(2)
Applicant Name	MELEVIN, LAUREN 31600 COBURG BOTTOM LOOP RD EUGENE, OR 97408
Proposed Change	ADDITIONAL POINT OF DIVERSION
Sources/TRSQ40Q160	UNNAMED CH > UNNAMED STREAM / 16.00S 3.00W 31 SWNW
Use/Quantity	IRRIGATION / 0.230 CFS
Priority Date	05/04/1977



## **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 February 22, 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-12623** filed by Michael And Ardele Obrist, 17231 SE McKinley Road, Gresham, OR 97080, propose changes in points of diversion under Certificates 26836, 36702 and 25477. Certificate 26836 allows the use of 1/40<sup>th</sup> of one cfs from Rowe Creek; Certificate 25477 allows the use of 1/40<sup>th</sup> of one cfs per acre irrigated to June 1 and 1/80<sup>th</sup> of one cfs per acre thereafter from Rowe Creek, both tributary to John Day River; Certificate 36702 allows the use of 1/40<sup>th</sup> of one cfs from John Day River, tributary to Columbia River; all for irrigation in Secs. 27 and 28, in T9S, R21E, W.M. The applicant proposes to change the points of diversions for all the rights downstream to the John Day River within Sec. 28, T9S, R21E. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

**T-12520** filed by John Lum and Michelle Lum, 18601 NW Reeder Rd., Portland, OR 97231, proposes to add a point of appropriation under Certificate 64009. The right allows the use of 0.02 cfs from a well in Sec. 17, T2N, R1W, W.M. for irrigation in Sects. 16 and 17. The applicant proposes an additional point of appropriation in Sec. 17, T2N, R1W, W.M. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

**T-12513** filed by Childers Hay Ranch Inc., 30040 Weaver Springs Lane, Burns OR 97720, proposes additional points of appropriation under Certificate 90726. The right allows the use of 13.21 cubic feet per second from eleven wells in Sec. 35, T25S, R30E, WM, Secs. 1 and 2, T26S, R30E, WM and Sec. 6, T26S, R31E, WM for irrigation within Secs. 35, 1, 2 and 6. The applicant proposes additional points of appropriation in Sec. 1, T26S, R30E, WM and Secs. 6 and 7, T26S, R31E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

**\*See more next page**

[T-12640](#) filed by Wilhelm Frueh, 6101 N Paseo Valdear, Tucson, AZ, 85750, proposes a change in point of appropriation under Certificate 92973. The right allows the use of 0.83 cfs from a well in Sec. 12, T40S, R11E, WM for irrigation in Sec. 1, T40S, R11E, WM. The applicant proposes to move the point of appropriation to Sec. 1, T40S, R11E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-12437](#) filed by City Of Sublimity, PO Box 146, Sublimity, OR 97385, proposes modifications in point of appropriation, place of use and character of use under Registration Application GR-269 (Certificate of Registration GR-249). The registration allows the use of 120 gallons per minute from a pump well in Sec. 34, T8S, R1W, WM for irrigation in Secs. 34 and 35. The applicant proposes to modify the point of appropriation within Sec. 34, T8S, R1W, WM, to modify the place of use to within the Sublimity Urban Growth Boundary, and to modify the character of use to municipal use. The Water Resources Department proposes to approve the modifications, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

## Transfer Applications: Temporary Transfer

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

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

Transfer	<a href="#">T-12821</a>
Water Right	Cert:80295
County/Basin	Umatilla / Umatilla(7)
Applicant Name	ST HILAIRE BROTHERS HERMISTON FARM LLC 84186 HIGHWAY 37 HERMISTON, OR 97838
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > STAGE / 4.00N 30.00E 29 NESE A WELL > STAGE GULCH / 4.00N 30.00E 28 SENE A WELL > STAGE GULCH / 4.00N 30.00E 33 SESW A WELL > STAGE GULCH / 4.00N 30.00E 32 SWSE
Use/Quantity	IRRIGATION / 28.31 CFS
Priority Date	02/15/1978

## 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 \$700 protest fee for non-applicants and a \$350 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 22, 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	<a href="#">T-12817</a>
County	Hood River
Certificate	CERTIFICATE 12823
Priority Date	11/25/1895
Name	EAST FORK IRRIGATION DISTRICT
Address	PO BOX 162 ODELL, OR 97044
Use	IRRIGATION
Source	EAST FORK HOOD RIVER > HOOD RIVER

## 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.

<b>Notice</b>	<b>BARAJAS-2018</b>
County	Umatilla
Certificate	89006
Priority Date	9/6/1905
Name	HERMISTON IRRIGATION DISTRICT
Address	366 W. HURLBURT AVE HERMISTON, OR 97838
Use	IRRIGATION/SUPPLEMENTAL IRRIGATION
Source	UMATILLA R > COLUMBIA R COLD SPRINGS RES > COLD SPRINGS WASH
Acres:	1.50
Authorized POU:	T4N R28E 9 SWSE
Proposed POU:	T5N R28E 36 SESW

## **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 February 22, 2018.** 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:

### **Eugene Water and Electric Board (Municipal)**

To review any of the above plan(s) or to provide comments on the plan(s), contact Chris Kowitz at 503-986-0883 or [chris.c.kowitz@oregon.gov](mailto:chris.c.kowitz@oregon.gov).

## **Water Management and Conservation Plan Progress Reports**

Pursuant to OAR 690-086-0120(4) and (5), the Department is required to give notice of progress reports on Water Management and Conservation Plans.

Any person may review and comment on these progress reports. The Department requests that comments be submitted no later than 30 days after the date of this notice.

Progress reports have been submitted by the following municipal supplier(s):

### **City of Millersburg (Municipal)**

To review any of the above progress report(s) or to provide comments on the progress report(s), contact Chris Kowitz at 503-986-0883 or [chris.c.kowitz@oregon.gov](mailto:chris.c.kowitz@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)).

Cert#	<a href="#">93545</a>
App:	G 17814
County/Basin	Crook / Deschutes(5)
Applicant Name	SHOTGUN RANCH LLC
Priority Date	03/27/2014
Issue Date	01/19/2018

Cert#	<a href="#">93552</a>
Xfer:	T 10541
County/Basin	Harney / Malheur Lake(12)
Applicant Name	WILSON, PATTI
Priority Date	03/31/1975
Issue Date	01/19/2018



## **Notice of Intent to Reauthorize:**

**Name:** Toni M. Roush  
**County:** Marion  
**Basin:** Willamette  
**Stream:** North Santiam River, tributary to the Santiam River  
**Application Number:** HE 278  
**State Expiration Date:** December 31, 2020  
**Project Description:** A minor hydroelectric project using 70 cubic feet per second from North Santiam River to generate 66 theoretical horsepower for sale to a public utility. The project is located in Township 9 South, Range 1 West, Section 10 SW ¼ of the SE 1/4.

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
January 23, 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)\*

[ ]  
[ ]  
[ ]

**Your Name, Address, and Phone Number:**

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\* We are required by law to charge a fee of \$25 to mail a copy of proposed and final orders on a pending permit or permit extension applications to any interested person. Please include a check made out to the Oregon Water Resources Department in the amount of \$25 for each type of order you would like mailed to you. This fee entitles you to also receive a copy of the final order, when issued. Copies of proposed and final orders are also available for viewing (at no charge) at our Salem office, at the local watermaster office, or online.