

# **OREGON WATER RESOURCES DEPARTMENT**



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**February 27, 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: Regular**  
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.

\* **Transfer Applications: Permit Amendments**

Requests to amend permits.

\* **Certificate Issuance**

Included in this section is a listing of recently issued water right certificates.

\* **Notice of Intent to Reauthorize HE 242**

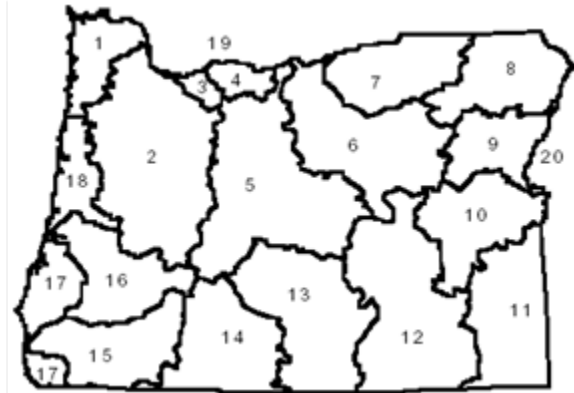
The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to [Stacy.H.Phillips@oregon.gov](mailto:Stacy.H.Phillips@oregon.gov).

## 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
GD: Group domestic	MI: Mining	

## **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, March 29, 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, April 13, 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# [G-18332](#)  
County/Basin Jackson / Rogue(15)  
Applicant Name PERMAAG LLC  
HEWKO, LUKE  
2305 ASHLAND STREET SUITE C453  
ASHLAND, OR 97520

HEWKO, LUKE  
969 E NEVADA ST  
ASHLAND, OR 97520

Sources/TRSQ40Q160 A WELL > KITCHEN CREEK BASIN / 39.00S 1.00E 3 NENW  
Use/Quantity NURSERY USES / 0.170 CFS  
Priority Date 07/01/2016  
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18371](#)  
County/Basin Wasco / Deschutes(5)  
Applicant Name THE STERLING TRUST  
1330 WEST AVE 3004  
MIAMI BEACH, FL 33139

Sources/TRSQ40Q160 A WELL > WAPINITA CREEK BASIN / 5.00S 12.00E 29 SWNE  
Use/Quantity NURSERY USES / 0.990 CFS  
Priority Date 08/18/2016  
Stage/Status PFO / PROPOSE TO APPROVE

App# [S-88433](#)  
County/Basin Polk / Willamette(2)  
Applicant Name OLSON, MARY  
15305 DUNN FOREST RD  
MONMOUTH, OR 97361

Sources/TRSQ40Q160 A RESERVOIR > FULLER CREEK / 10.00S 5.00W 6 NWSE  
Use/Quantity RUNOFF > FULLER CREEK / 10.00S 5.00W 6 NWSE  
IRRIGATION / 3.000 AF  
Priority Date POND MAINTENANCE / 0.030 CFS  
07/27/2017  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18578](#)  
County/Basin Columbia / North Coast(1)  
Applicant Name SCHATZ, DANIEL AND NICOLE  
6915 SE 68TH AVE  
PORTLAND, OR 97206

Sources/TRSQ40Q160 A WELL > BEAVER CREEK / 6.00N 2.00W 5 SWSW  
Use/Quantity AGRICULTURE USES / 0.016 CFS  
Priority Date 11/09/2017  
Stage/Status IR / PROPOSE TO DENY

App# [R-88496](#)  
County/Basin Malheur / Malheur(10)  
Applicant Name SEUBERT EXCAVATORS INC.  
PO BOX 57  
COTTONWOOD, ID 83522

Sources/TRSQ40Q160 UNNAMED STREAM > MALHEUR RIVER / 17.00S 47.00E 19 NWSE  
Use/Quantity MINING / 2.100 AF  
Priority Date 01/12/2018  
Stage/Status IR / PROPOSE TO APPROVE

App# [R-88497](#)  
County/Basin Malheur / Malheur(10)  
Applicant Name SEUBERT EXCAVATORS INC.  
PO BOX 57  
COTTONWOOD, ID 83522  
Sources/TRSQ40Q160 UNNAMED STREAM > MALHEUR RIVER / 17.00S 47.00E 19 NWSE  
Use/Quantity MINING / 8.200 AF  
Priority Date 01/12/2018  
Stage/Status IR / PROPOSE TO APPROVE

App# [S-88502](#)  
County/Basin Linn / Willamette(2)  
Applicant Name CHIEFTAIN RESOURCES  
BELL, DANIEL AND VICKI  
34051 MOUNT TOM DR  
HARRISBURG, OR 97446  
Sources/TRSQ40Q160 UNNAMED STREAM > MUDDY CREEK / 16.00S 3.00W 1 NWSW  
Use/Quantity NURSERY USES / 0.030 CFS  
Priority Date 01/23/2018  
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#	<a href="#">G-18291</a>
County/Basin	Josephine / Rogue(15)
Applicant Name	MEYER, TOM GENERAL DELIVERY GRANTS PASS, OR 97526
Priority Date	04/29/2016
Issue Date	02/22/2018
Status	APPROVED
App#	<a href="#">G-18344</a>
County/Basin	Clackamas / Willamette(2)
Applicant Name	BLUE LOTUS VENTURES LLC DOAN, MAI 7325 N OMAHA AVE PORTLAND, OR 97217
Priority Date	07/18/2016
Issue Date	02/22/2018
Status	APPROVED
App#	<a href="#">G-18386</a>
County/Basin	Lane / Willamette(2)
Applicant Name	HALVERSON, TERESA 102 EUCLID AVE ALBANY, NY 12203
Priority Date	09/16/2016
Issue Date	02/22/2018
Status	APPROVED
App#	<a href="#">G-18515</a>
County/Basin	Clackamas / Willamette(2)
Applicant Name	STAEHELY, WAYNE AND AMANDA 29490 S JACKSON RD CANBY, OR 97013
Priority Date	05/15/2017
Issue Date	02/15/2018
Status	APPROVED
App#	<a href="#">LL-1681</a>
County/Basin	Morrow / Umatilla(7)
Applicant Name	PORT OF MORROW DEVIN, MIFF PO BOX 200 BOARDMAN, OR 97818
Issue Date	02/20/2018
Status	APPROVED

App# [LL-1682](#)  
County/Basin Morrow / Umatilla(7)  
Applicant Name PORT OF MORROW  
DEVIN, MIFF  
PO BOX 200  
BOARDMAN, OR 97818  
Issue Date 02/20/2018  
Status APPROVED

App# [LL-1734](#)  
County/Basin Lincoln / Middle Coast(18)  
Applicant Name HENDERSON ENVIRONMENT DESIGN - BUILD PROFESSIONALS LLC  
200 N. STATE ST. SUITE 103  
LAKE OSWEGO, OR 97034  
Issue Date 02/22/2018  
Status APPROVED

App# [R-88465](#)  
County/Basin Douglas / Umpqua(16)  
Applicant Name RUSH, RICHARD  
13620 TYEE RD  
UMPQUA, OR 97486  
Priority Date 10/16/2017  
Issue Date 02/22/2018  
Status APPROVED

App# [R-88474](#)  
County/Basin Josephine / Rogue(15)  
Applicant Name 2301 LAUREL PROPERTY LLC  
BRAIDY, FREDDY  
6925 HOLLYWOOD BLVD  
HOLLYWOOD, CA 90028  
Priority Date 11/01/2017  
Issue Date 02/22/2018  
Status APPROVED

App# [S-86500](#)  
County/Basin Malheur / Owyhee(11)  
Applicant Name CUNNINGHAM, RON  
502 SUCCOR CREEK RD  
JORDAN VALLEY, OR 97910  
Priority Date 02/22/2006  
Issue Date 02/15/2018  
Status DENIED

App# [S-88223](#)  
County/Basin Polk / Willamette(2)  
Applicant Name RICKREALL DAIRY LLC  
KAZEMIER, EUGENE  
8845 RICKREALL RD  
RICKREALL, OR 97371  
Priority Date 05/03/2016  
Issue Date 02/22/2018  
Status APPROVED



App# [S-88485](#)  
County/Basin Lincoln / Middle Coast(18)  
Applicant Name PRICE, FRANK STEPHEN  
855 CHRISTIANSEN RD  
TOLEDO, OR 97391  
Priority Date 12/19/2017  
Issue Date 02/22/2018  
Status APPROVED

App# [S-88486](#)  
County/Basin Lincoln / Middle Coast(18)  
Applicant Name PRICE, FRANK STEPHEN  
855 CHRISTIANSEN RD  
TOLEDO, OR 97391  
Priority Date 12/19/2017  
Issue Date 02/22/2018  
Status APPROVED

## **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 April 13, 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-16264
Permit#	<a href="#">G-15876</a>
County/Basin	Multnomah / Sandy(3)
Applicant Name	JOHNSTON, RON AND SUE 1918 SE 302ND AVE TROUTDALE, OR 97060
Sources/TRSQ40Q160	A WELL > SANDY RIVER / 1.00S 4.00E 5 NESW
Use/Quantity	IRRIGATION / 0.780 CFS
Status	PROPOSE TO APPROVE
App#	G-6726
Permit#	<a href="#">G-5253</a>
County/Basin	Harney / Malheur Lake(12)
Applicant Name	SINGHOSE, PHILLIP AND LORISSA PO BOX 55 RILEY, OR 97758
Sources/TRSQ40Q160	A WELL > SILVER CREEK / 24.00S 27.00E 14 SENW
Use/Quantity	IRRIGATION / 4.000 CFS
Status	PROPOSE TO DENY
App#	G-17518
Permit#	<a href="#">G-17022</a>
County/Basin	Umatilla / Umatilla(7)
Applicant Name	PELLETIER, WILLIAM R. 32184 W WALLS RD HERMISTON, OR 97838
Sources/TRSQ40Q160	A WELL > HAT ROCK DRAIN / 5.00N 29.00E 31 NENW A WELL > HAT ROCK DRAIN / 5.00N 29.00E 31 NENW
Use/Quantity	IRRIGATION / 0.220 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 March 13, 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# [LL-1737](#)  
County/Basin Klamath / Deschutes(5)  
Applicant Name ROMMEL, RON  
1721 MARE COURT  
LA PINE, OR 97739  
  
WAGON TRAIL RANCH POA  
152900 HACKAMORE LN  
LA PINE, OR 97739  
Sources/TRSQ40Q160 LITTLE DESCHUTES > DESCHUTES RIVER / 23.00S 9.00E 1 NWNW  
Use/Quantity ROAD CONSTRUCTION OR MAINTENANCE / 100 GPM

App# [LL-1729](#)  
County/Basin Malheur / Powder (9)  
Applicant Name ALEE, JOSEPH  
HUNTINGTON TRAVEL PLAZA LLC  
486 NW 9TH ST  
ONTARIO, OR 97914  
Sources/TRSQ40Q160 A WELL > SNAKE RIVER / 15.00S 45.00E 4 NESW  
Use/Quantity GENERAL CONSTRUCTION / 25 GPM UP TO 720,000 GALLONS

## 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 March 20, 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# [IL 898](#)  
County/Basin Crook / Deschutes (5)  
Certificate 633  
Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY  
PO BOX 1560  
BEND, OR 97709

Lessor RIMROCK VALLEY RANCH, LLC  
2660 NE HWY 20, #610-303,  
BEND, OR 97701

Priority Date 12/31/1890  
Source/Tributary To LITTLE BEAR CREEK / BEAR CREEK

Lease# [IL 899](#)  
County/Basin Crook / Deschutes (5)  
Certificate 580  
Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY  
PO BOX 1560  
BEND, OR 97709

Lessor OCHOCO VALLEY RANCH  
2660 NE HWY 20, #610-303  
BEND, OR 97701

Lessor SKYDOG, LLC  
23823 MALIBU ROAD #50-357  
MALIBU, CA 90265

Priority Date 12/31/1898  
Source/Tributary To NORT BEAR CREEK / CROOKED RIVER

Lease# [IL 1615](#)  
County/Basin Deschutes / Deschutes (5)  
Certificate 67308  
Lessor OSELAND, GLENN  
19910 TUMALO RD  
BEND, OR 97703

Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY  
PO BOX 1560  
BEND, OR 97709

Priority Date 07/19/1917  
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL 1320](#)  
County/Basin Crook / Deschutes (5)  
Certificate 1381  
Lessor SKYDOG, LLC  
23823 MALIBU RD #50-357  
MALIBU, CA 90265

Lessor RIMROCK VALLEY RANCH, LLC  
2660 NE HWY 20, #610-303,  
BEND, OR 97701

Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST, STE #1  
BEND, OR 97703

Priority Date 08/25/1914  
Source/Tributary To UNNAMED CREEK / LITTLE BEAR CREEK

## 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 March 29, 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_12850</a>
Water Right	Cert:31260
County/Basin	Lake / Goose & Summer Lake(13)
Applicant Name	TAYLOR RANCH INC. 17980 TAYLOR RANCH LANE PLUSH, OR 97637
Proposed Change	ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	TAYLOR WELL 1 > HONEY CREEK / 36.00S 24.00E 33 NWNE
Use/Quantity	SUPPLEMENTAL IRRIGATION / 3.650 CFS
Priority Date	10/28/1958

Transfer	<a href="#">T 12853</a>
Water Right	Cert:93513, Cert:93515, Cert:93517, Cert:93523, Cert:93525, Cert:93527, Cert:93531, Cert:93536, Cert:62054, Cert:93533, Cert:93519
County/Basin	Wallowa / Grande Ronde(8)
Applicant Name	WOLFE, WOODY AND MEGAN 81544 HWY 82 WALLOWA, OR 97885
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A SPRING > LOSTINE RIVER / 1.00S 43.00E 5 NESW A SPRING > WALLOWA RIVER / 1.00S 43.00E 5 SWNE LITTLE BEAR CREEK > BEAR CREEK / 1.00N 43.00E 31 SESE LOSTINE RIVER > WALLOWA RIVER / 1.00S 43.00E 5 NWNE LOSTINE RIVER > WALLOWA RIVER / 1.00N 43.00E 29 SESW LOSTINE RIVER > WALLOWA RIVER / 1.00S 43.00E 27 NWSE LOSTINE RIVER > WALLOWA RIVER / 1.00N 43.00E 29 SESW LOSTINE RIVER > WALLOWA RIVER / 1.00S 43.00E 9 SENE LOSTINE RIVER > WALLOWA RIVER / 1.00S 43.00E 9 NESE SPRINGS > LOSTINE RIVER / 1.00S 43.00E 5 NESW UNNAMED STREAM > WALLOWA RIVER / 1.00N 43.00E 29 SESW WALLOWA RIVER > GRANDE RONDE RIVER / 1.00N 43.00E 20 SWNW WALLOWA RIVER > GRANDE RONDE RIVER / 1.00N 43.00E 21 SWSE WALLOWA RIVER > GRANDE RONDE RIVER / 1.00N 43.00E 19 SENE
Use/Quantity	DOMESTIC / 0.744 CFS DOMESTIC / 0.063 CFS DOMESTIC / 5.325 CFS DOMESTIC / 2.000 CFS IRRIGATION / 0.148 CFS LIVESTOCK / 13.334 CFS IRRIGATION / 0.036 CFS IRRIGATION / 1.893 CFS IRRIGATION / 0.359 CFS IRRIGATION / 12.038 CFS IRRIGATION / 0.268 CFS IRRIGATION / 11.217 CFS DOMESTIC / 0.744 CFS IRRIGATION / 2.280 CFS
Priority Date	12/31/1883, 05/31/1897, 12/31/1883, 05/31/1893, 12/31/1897, 12/31/1900, 12/31/1907, 12/31/1882, 12/31/1889, 12/31/1896, 12/31/1878, 12/31/1884, 12/31/1885, 12/31/1889, 12/31/1890, 06/17/1893, 12/31/1881, 03/27/1901, 10/30/1979, 03/27/1901, 12/31/1883, 12/31/1889

## **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 March 29, 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-12739** filed by Rainbow Water District, Attn: Jamie Porter, PO Box 8, Springfield, OR 97477, proposes a change from a surface water point of diversion to groundwater points of appropriation and changes in place of use and character of use under Certificate 57754. The right allows the use of 0.27 cubic foot per second from the McKenzie River in Sec. 23, T17S, R3W, WM for irrigation within Sec. 23. The applicant proposes groundwater points of appropriation in Sec. 23, T17S, R3W, WM, to change the character of use to municipal use, and to change the place of use to within the Rainbow Water District Service Area. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

**T-12578** filed by Thomas and Margaret Barnett, 12814 Arndt Rd NE Aurora, OR 97002, proposes an additional point of appropriation change under Certificate 33549. The right allows the use of 0.9 cubic foot per second from a well in Sec.5, T 4 S, R 1 W, W.M. for irrigation in Sec. 5. The applicant proposes an additional point of appropriation in Sec. 5, T 4 S, R 1 W, 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-11669** filed by Greg Amaral, 1606 Amaral Court Fairfield, CA 94534, proposes a point of diversion and place of use change under Certificate 7049. The right allows the use of 3.0 acre feet per acre during the irrigation season from Bully Creek in Sec. 19, T 18 S, R 44 E, W.M. for irrigation in Sec. 4. The applicant proposes to move the point of diversion in Sec. 4, T 19 S, R 44 E, W.M. and to change the place of use to Secs.4 and 5, T 19 S, R 44 E, 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-12644](#) filed by Silvies Valley Ranch LLC, Attn: Scott Campbell, 40000 E Cowboy Ln. Seneca, OR 97873, proposes a place of use change under Certificate 44466. The right allows the use of 1.38 cubic feet per second from Hall Creek and Buffalo Lake Reservoir in Sec. 26, T 18 S, R 31 E, W.M. for supplemental irrigation in Sec. 36. The applicant proposes to change the place of use to Sec. 26, T 18 S, R 31 E and Sec. 1, T 19 S, R 31 E, 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-12422](#) filed by Robert L. and Dian Griffin, 7940 Wisteria Street, Anchorage, AK 99502, proposes a change in place of use and a change in character of use under Certificate 41573. Certificate 41573 allows the use of 0.01 cubic foot per second from an unnamed spring in Sec. 22, T9S, R5W, WM for stock use in Sec. 22, T9S, R5W, WM. The applicant proposes to change the place of use within Sec. 22, T9S, R5W, WM and to change the character of use to nursery use. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

## Transfer Applications: Temporary Transfer

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

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

Transfer	<a href="#">T-12845</a>
Water Right	Cert: 16900, Cert: 22091, Cert: 93627
County/Basin	Washington / Willamette(2)
Applicant Name	METRO; CONSERVATION PROGRAM; ATTN: PETER GUILLOZET 600 NE GRAND AVE PORTLAND, OR 97232
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A RESERVOIR > TUALATIN RIVER / 1.00S 4.00W 25 SWNE TUALATIN RIVER > WILLAMETTE RIVER / 1.00S 4.00W 25 NWNE TUALATIN RIVER > WILLAMETTE RIVER / 1.00S 4.00W 25 SWNE
Use/Quantity	IRRIGATION / 26.000 AF IRRIGATION / 0.454 CFS IRRIGATION / 0.360 CFS
Priority Date	12/15/1944, 02/18/1953, 07/11/1967, 07/26/1968
Transfer	<a href="#">T-12851</a>
Water Right	Cert:87800
County/Basin	Morrow / Umatilla(7)
Applicant Name	KERSLAKE, KURT KERSLAKE FAMILY ENTERPRISES 1605 SE 302ND AVENUE TROUTDALE, OR 97060
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	COLUMBIA RIVER > PACIFIC OCEAN / 4.00N 25.00E 18 NENE
Use/Quantity	IRRIGATION / 11.280 CFS
Priority Date	10/16/1968, 12/19/1968

## Transfer Applications: Permit Amendments

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

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

Transfer	<a href="#">T 12852</a>
Water Right	Permit: G 17491
County/Basin	Yamhill / Willamette(2)
Applicant Name	HENDGEN, HANS 1271 NE HIGHWAY 99W, PMB #418 MCMINNVILLE, OR 97128
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > SOUTH YAMHILL RIVER BASIN / 5.00S 4.00W 7 SENW
Use/Quantity	IRRIGATION / 0.150 CFS
Priority Date	10/03/2002

## 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="#">93630</a>
App:	R 73470
County/Basin	Curry / South Coast(17)
Applicant Name	CLARK, SANDRA S.
Priority Date	07/07/1993
Issue Date	02/23/2018
Cert#	<a href="#">93631</a>
App:	S 73471
County/Basin	Curry / South Coast(17)
Applicant Name	CLARK, SANDRA S.
Priority Date	07/07/1993
Issue Date	02/23/2018
Cert#	<a href="#">93648</a>
Xfer:	T 10548
County/Basin	Umatilla / Umatilla(7)
Applicant Name	DESERT SPRINGS BOTTLED WATER CO.
Priority Date	12/02/1974
Issue Date	02/26/2018
Cert#	<a href="#">93635</a>
App:	G 15804
County/Basin	Harney / Malheur Lake(12)
Applicant Name	GUERTIN, HEIDI
Priority Date	07/24/2002
Issue Date	02/21/2018
Cert#	<a href="#">93634</a>
App:	R 72115
County/Basin	Baker / Powder(9)
Applicant Name	HIDE AWAY HILLS INC.
Priority Date	01/02/1991
Issue Date	02/23/2018
Cert#	<a href="#">93632</a>
App:	S 84823
County/Basin	Multnomah / Willamette(2)
Applicant Name	JACOBSON FAMILY PROPERTIES LP
Priority Date	08/01/2001
Issue Date	02/23/2018

Cert# [93629](#)  
App: S 63265  
County/Basin Malheur / Malheur(10)  
Applicant Name THAYER, KENNETH; THAYER CATTLE CO.  
DL EVANS BANK  
Priority Date 02/16/1982  
Issue Date 02/23/2018

Cert# [93628](#)  
Xfer: T 3876  
County/Basin Malheur / Malheur(10)  
Applicant Name THAYER, KENNETH  
THAYER CATTLE CO.  
Priority Date 08/25/1902  
Issue Date 02/23/2018

Cert# [93633](#)  
App: R 47274  
County/Basin Harney / Malheur(10)  
Applicant Name U.S. BUREAU OF LAND MANAGEMENT  
Priority Date 07/24/1970  
Issue Date 02/23/2018

Cert# [93638](#)  
App: G 13969  
County/Basin Clackamas / Willamette(2)  
Applicant Name WHITMORE, PATRICK C.  
Priority Date 01/05/1995  
Issue Date 02/21/2018

**Notice of Intent to Reauthorize:**

Name: Jim L. Potterf  
County: Lane  
Basin: Willamette (Upper Willamette, Sub-basin Coast Fork)  
Stream: Crystal Reservoir, tributary to Crystal Creek, a tributary of  
Champion Creek  
Application Number: **HE 242**  
State Expiration Date: December 31, 2020  
Project Description: A minor hydroelectric project using 1.05 cubic feet per second (cfs) with a 4/18/1977 priority date, and 2.50 cfs with a 1/20/1978 priority date from Crystal Reservoir to generate 110 theoretical horsepower for onsite hydroelectric use. The project is located in Township 23 South, Range 1 East, Section 11 SE 1/4 NE1/4.

To provide comments or receive future notices about the application and to participate in this reauthorization process, contact to Craig Kohanek at [Ron.c.kohanek@oregon.gov](mailto:Ron.c.kohanek@oregon.gov) or mail him at 725 Summer Street NE, Suite A, Salem, OR 97301-1266.

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
February 27, 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:**

---

---

---

---

\* 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.