

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
September 4, 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.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **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 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 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: Permit Amendments**
Requests to amend permits.
- * **Certificate Issuance**
Included in this section is a listing of recently issued water right certificates.

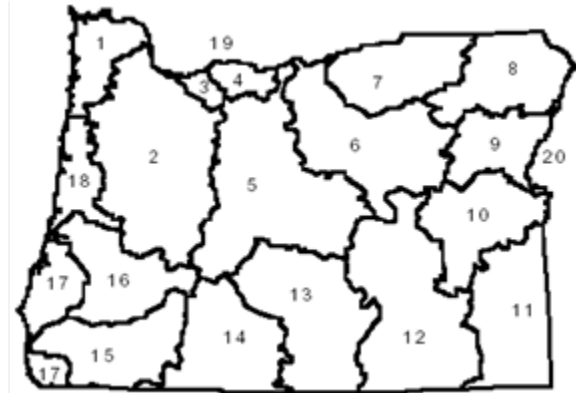
The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to Stacy.H.Phillips@oregon.gov.

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, October 04, 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, October 19, 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#	G-18445
County/Basin	Josephine / Rogue (15)
Applicant Name	HEATH, SAM 248 CHESLOCK RD GRANTS PASS, OR 97527
	MOUNTAIN TOP CROP 17338 REDWOOD HWY SELMA, OR 97538
Sources/TRSQ40Q160	A WELL > ANDERSON CREEK / 37.00S 8.00W 35 NESW
Use/Quantity	NURSERY USES / 0.008 CFS
Priority Date	01/26/2017
Stage/Status	PFO / PROPOSE TO DENY
App#	G-18607
County/Basin	Jackson / Rogue (15)
Applicant Name	LIN, BIN 15700 ANTIOCH RD WHITE CITY, OR 97503
Sources/TRSQ40Q160	A WELL > CONSTANT CREEK / 35.00S 2.00W 11 SESW
Use/Quantity	NURSERY USES / 0.009 CFS
Priority Date	02/09/2018
Stage/Status	PFO / PROPOSE TO APPROVE
App#	G-18587
County/Basin	Wasco / Hood (4)
Applicant Name	PORTLAND GORGE DEVELOPMENT LLC GOODMAN, GREG 1234 NE 102ND AVE PORTLAND, OR 97220
Sources/TRSQ40Q160	A WELL > THREEMILE CREEK / 1.00N 13.00E 27 NENE
Use/Quantity	NURSERY USES / 0.320 CFS
Priority Date	12/05/2017
Stage/Status	IR / PROPOSE TO DENY
App#	G-18593
County/Basin	Marion / Willamette (2)
Applicant Name	BUYSERIE, DOUG CLARA M BUYSERIE FAMILY TRUST DONALD J BUYSERIE FAMILY TRUST 5404 BUYSERIE RD NE ST PAUL, OR 97137
Sources/TRSQ40Q160	A WELL > MISSION CREEK / 4.00S 2.00W 16 SENW
Use/Quantity	SUPPLEMENTAL IRRIGATION / 2.000 AF
Priority Date	01/02/2018
Stage/Status	IR / PROPOSE TO APPROVE

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-88507](#)
County/Basin Morrow / Umatilla (7)
Applicant Name PORT OF MORROWATTN: MIFF DEVIN
2 MARINE DR
BOARDMAN, OR 97818
Sources/TRSQ40Q160 COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 25.00E 35 SWSE
COLUMBIA RIVER > PACIFIC OCEAN / 4.00N 25.00E 2 NENW
Use/Quantity MUNICIPAL USES / 29.900 CFS
Priority Date 01/29/2018
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#	S-88350
County/Basin	Polk / Willamette (2)
Applicant Name	FRANK SETNIKER FAMILY TRUST NORMA R SETNIKER REVOCABLE TRUST 4450 INDEPENDENCE HWY INDEPENDENCE, OR 97351
	SETNIKER, DAVID F. SETNIKER, SCOTT PO BOX 338 INDEPENDENCE, OR 97351
Priority Date	03/24/1995
Issue Date	08/31/2018
Status	APPROVED

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 **October 04, 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-88666
County/Basin	Benton / Willamette (2)
Applicant Name	O.O. AGRICULTURE LLC ATTN: TODD SMITH PO BOX 824 CORVALLIS, OR 97339
Sources/TRSQ40Q160	WILLAMETTE RIVER > COLUMBIA RIVER / 13.00S 4.00W 19 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 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 / 21.300 AF
Priority Date	08/28/2018

**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 October 04, 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#	R-87513
Permit Number	R-14994
County/Basin	Clackamas / Willamette (2)
Applicant Name	CHILDS, JOHN 2825 E FOURTH PLAIN BLVD VANCOUVER, WA 98661
Sources/TRSQ40Q160	UNNAMED STREAM > BEAVER CREEK / 3.00S 2.00E 27 NWSE
Use/Quantity	MULTIPLE PURPOSE / 16.000 AF
Proposed Completion Date	10/01/2020

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 October 19, 2018. There is no fee for submission of comments. The protest filing fee is \$410 for the applicant and \$810 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

1.) OAR-690-315

App#	G-15697
Permit#	G-15437
County/Basin	Coos / South Coast (17)
Applicant Name	FRIEDMANN, PHIL PO BOX 1756 BANDON, OR 97411
Sources/TRSQ40Q160	A WELL > WHISKY RUN CREEK / 27.00S 14.00W 20 NWSW A WELL > WHISKY RUN CREEK / 27.00S 14.00W 20 NWNW A WELL > WHISKY RUN CREEK / 27.00S 14.00W 20 SENW A WELL > WHISKY RUN CREEK / 27.00S 14.00W 20 NENW A WELL > WHISKY RUN CREEK / 27.00S 14.00W 20 NWNE
Use/Quantity	IRRIGATION / 0.450 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 October 04, 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 13014](#)
Water Right Cert: 45642
County/Basin Douglas / Umpqua (16)
Applicant Name QUESTER, TERRY
5433 BUCKHORN ROAD
ROSEBURG, OR 97470
Proposed Change PLACE OF USE
Sources/TRSQ40Q160 DEER CREEK > SOUTH UMPQUA RIVER / 27.00S 4.00W 21 NESW
Use/Quantity IRRIGATION / 0.013 CFS
Priority Date 08/23/1973

Transfer [T 13015](#)
Water Right Cert: 93852
County/Basin Linn / Willamette (2)
Applicant Name OTL PROPERTIES 1 LLC
12084 S SHADOWHILLS COURT SE
TURNER, OR 97392
Proposed Change POINT OF DIVERSION, SURFACE WATER TO GROUND WATER
Sources/TRSQ40Q160 A WELL > THOMAS CREEK BASIN / 10.00S 2.00W 10 SESW
Use/Quantity SUPPLEMENTAL IRRIGATION / 0.400 CFS
Priority Date 09/21/1992

Transfer [T 12485](#)
Water Right Cert: 68663
County/Basin Marion / Willamette (2)
Applicant Name SANTIAM WATER CONTROL DISTRICT
284 E WATER ST
STAYTON, OR 97383
Proposed Change ADDITIONAL POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160 NORTH SANTIAM RIVER > SANTIAM RIVER / 9.00S 1.00W 11 SWSE
Use/Quantity IRRIGATION / 139.400 CFS
Priority Date 05/14/1909

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 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 October 04, 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-12697 filed by Orient Holdings LLC, PO Box 233, Eagle Creek, Oregon, 97022, proposes a change in points of appropriation under Certificate 87553. The right allows the use of 0.11 cubic foot per second from a well in Sec. 29, T1S, R4E, WM. for agriculture use and irrigation in Sec. 29, T1S, R4E, WM. The applicant proposes to move the point of appropriation to Sec. 29, T1S, R4E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-12775 filed by Aurora Properties LLC, c/o Mike Iverson, 13490 Cedarwood RD NE, Aurora, OR, 97002, proposes additional points of appropriation and a modification in the place of use under Registration Application GR-2004 (Certificate of Registration GR-1934). The registration allows the use of 0.23 cubic foot per second from a well in Sec. 14, T4S, R1W, WM for irrigation in Sec. 14. The applicant proposes additional points of appropriation in Sec. 11, T4S, R1W, WM and to modify the place of use to Sec. 11, T4S, R1W, WM. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

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 13016
Water Right	Permit: G 16402
County/Basin	Lane / Willamette (2)
Applicant Name	OREGON DEPARTMENT OF CORRECTIONS 2575 CENTER ST NE SALEM, OR 97301
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > FLAT CREEK / 16.00S 4.00W 20 NWSE A WELL > FLAT CREEK / 16.00S 4.00W 20 SWSE
Use/Quantity	IRRIGATION / 0.890 CFS
Priority Date	06/18/2008

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.

Cert#	93996
App:	G 13921
County/Basin	Union / Grande Ronde (8)
Applicant Name	DUYCK, BARBARA L. DUYCK, WILLIAM E.
Priority Date	12/19/1994
Issue Date	08/31/2018
Cert#	93963
Xfer:	T 11736
County/Basin	Wallowa / Grande Ronde (8)
Applicant Name	GILLILAND, VAUGHN D. GILLILAND, KRISTIN R.
Priority Date	03/21/1967
Issue Date	08/31/2018
Cert#	93992
App:	S 87566
County/Basin	Lane / Willamette (2)
Applicant Name	JOHNSON, GARRIE NEIL JOHNSON, LINDA DIANE
Priority Date	12/30/2009
Issue Date	08/31/2018
Cert#	93997
Xfer:	T 8767
County/Basin	Clackamas / Willamette (2)
Applicant Name	KARAM, ISSA S.
Priority Date	10/04/1990
Issue Date	08/30/2018
Cert#	93995
App:	G 12751
County/Basin	Crook / Deschutes (5)
Applicant Name	KOSLOWSKI, STANLEY KOSLOWSKI, WENDY
Priority Date	01/06/1992
Issue Date	08/31/2018

Cert# [93993](#)
Xfer: T 6515
County/Basin Jackson / Rogue (15)
Applicant Name LUND, LEROY
Priority Date 03/25/1918
Issue Date 08/31/2018

Cert# [93928](#)
Xfer: T 10909
County/Basin Jackson / Rogue (15)
Applicant Name OWEN JR, FRED
OWEN, BARBARA L.
Priority Date 09/22/1888
Issue Date 08/30/2018

Cert# [93962](#)
App: S 76196
County/Basin Grant / John Day (6)
Applicant Name THOMING, JOHN
THOMING, JIM
Priority Date 01/01/1993
Issue Date 08/31/2018

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
September 4, 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 \$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.