

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**September 25, 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.
- \* **Alternate Reservoir Applications (ORS 537.409)**  
Applications for storage permits for small ponds filed under a simplified review process.
- \* **Expedited Secondary Applications to Use Stored Water**  
Applications to use stored water exclusively, filed under a simplified review process.
- \* **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.
- \* **Extension of Time Checkpoint Progress Reports filed pursuant to OAR 690-315**  
Documents the progress made toward development of the water use project since approval of the last permit extension and/or the last progress report checkpoint. (OAR 690-315 pertains to permit extension applications filed on or after July 1, 2001.)
- \* **Application for Instream Lease**  
Application by water right holder to lease existing water rights to instream use.
- \* **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.

- \* **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: District Permanent for Place of Use - ORS 540.580**  
Petitions requesting permanent changes in place(s) of use within a district's boundary.
- \* **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.
- \* **Application for Additional Hydroelectric PC 907**

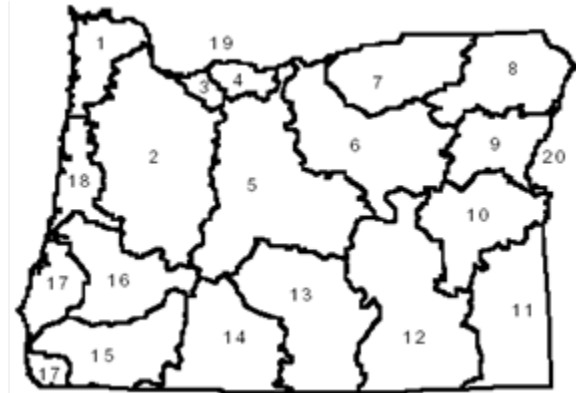
The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to [Stacy.H.Phillips@oregon.gov](mailto:Stacy.H.Phillips@oregon.gov).

## 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

**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        |               |

**Priority Date**

**Stage/ Status**

- IR: Initial Review
- PFO: Proposed Final Order

**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 25, 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, November 09, 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-18550](#)  
County/Basin Hood River / Hood (4)  
Applicant Name BEAR MOUNTAIN LLC  
1321 ALAMEDA RD  
HOOD RIVER, OR 97031  
Sources/TRSQ40Q160 A WELL > NEAL CREEK / 1.00N 10.00E 1 SWSW  
A WELL > NEAL CREEK / 1.00N 10.00E 11 NENE  
Use/Quantity IRRIGATION / 1.000 CFS  
Priority Date 08/14/2017  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18574](#)  
County/Basin Polk / Willamette (2)  
Applicant Name BOB HOLDING CO LLC  
ATTN: MICHAEL STROUD  
6904 SE RIVERSIDE DR #2  
VANCOUVER, WA 98664  
Sources/TRSQ40Q160 A WELL > NORTH FORK ASH CREEK / 8.00S 4.00W 18 NWNW  
A WELL > NORTH FORK ASH CREEK / 8.00S 4.00W 7 SWSW  
Use/Quantity NURSERY USES / 0.213 CFS  
Priority Date 10/31/2017  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18612](#)  
County/Basin Clackamas / Willamette (2)  
Applicant Name ARNOLD, TREVOR  
32280 S WRIGHT RD  
MOLALLA, OR 97038  
Sources/TRSQ40Q160 A WELL > MOLALLA RIVER / 5.00S 2.00E 14 NENE  
A WELL > MOLALLA RIVER / 5.00S 2.00E 14 SENE  
Use/Quantity NURSERY USES / 0.330 CFS  
Priority Date 02/22/2018  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18697](#)  
County/Basin Grant / John Day (6)  
Applicant Name YOUNG, RUSSELL  
PO BOX 171  
CANYON CITY, OR 97820  
Sources/TRSQ40Q160 A WELL > JOHN DAY RIVER / 13.00S 27.00E 5 NESW  
A WELL > JOHN DAY RIVER / 12.00S 26.00E 36 SWSE  
Use/Quantity IRRIGATION / 1.000 CFS  
SUPPLEMENTAL IRRIGATION / 1.000 CFS  
Priority Date 06/04/2018  
Stage/Status IR / PROPOSE TO DENY

App# [G-18708](#)  
County/Basin Grant / John Day (6)  
Applicant Name BROKEN LEG RANCH  
25861 BROKEN LEG LANE  
MOUNT VERNON, OR 97865  
Sources/TRSQ40Q160 A WELL > JOHN DAY RIVER / 13.00S 29.00E 26 NWNW  
A WELL > JOHN DAY RIVER / 13.00S 29.00E 23 SWSW  
Use/Quantity IRRIGATION / 2.890 CFS  
Priority Date 06/29/2018  
Stage/Status IR / PROPOSE TO DENY

App# [G-18711](#)  
County/Basin Deschutes / Deschutes (5)  
Applicant Name KLASSEN, JOHNNY LEE AND JUDITH MARIE  
PO BOX 2426  
SISTERS, OR 97759  
Sources/TRSQ40Q160 A WELL > DESCHUTES RIVER / 15.00S 10.00E 20 SWSW  
A POND > WHYCHUS CREEK / 15.00S 10.00E 20 SWSW  
Use/Quantity POND MAINTENANCE / 0.030 CFS  
POND MAINTENANCE / 1.000 AF  
Priority Date 07/09/2018  
Stage/Status IR / PROPOSE TO DENY

## Final Orders - Permit & Limited License Applications

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

App# [G-16724](#)  
County/Basin Klamath / Klamath (14)  
Applicant Name DUARTE, RICHARD AND BARBARA  
PO BOX 327  
BEATTY, OR 97621  
Priority Date 09/20/2006  
Issue Date 09/18/2018  
Status DENIED

App# [G-17464](#)  
County/Basin Union / Grande Ronde (8)  
Applicant Name BINGAMAN, RUSSELL  
PO BOX 509  
IMBLER, OR 97841  
Priority Date 05/09/2011  
Issue Date 09/18/2018  
Status DENIED

App# [G-18467](#)  
County/Basin Josephine / Rogue (15)  
Applicant Name FLEMING, MICHAEL AND LORIE  
3566 PLACER RD  
WOLF CREEK, OR 97497  
Priority Date 02/24/2017  
Issue Date 10/11/2018  
Status WITHDRAWN

App# [G-18593](#)  
County/Basin Marion / Willamette (2)  
Applicant Name CLARA M BUYSERIE FAMILY TRUST  
DONALD J BUYSERIE FAMILY TRUST  
BUYSERIE, DOUG  
5404 BUYSERIE RD NE  
ST PAUL, OR 97137  
Priority Date 01/02/2018  
Issue Date 10/04/2018  
Status WITHDRAWN

App# [LL-1763](#)  
County/Basin Umatilla / John Day(6)  
Applicant Name STURGEON ELECTRIC COMPANY INC  
C/O HOLLY DODGE  
1500 NE GRAHAM RD  
TROUTDALE, OR 97060  
Issue Date 09/18/2018  
Status APPROVED

App# [S-87644](#)  
County/Basin Benton / Willamette(2)  
Applicant Name J AND C BAYNE LLC  
EDWARD SCHULTZ ESQUIRE (C/O)  
3309 GEARY ST SE  
ALBANY, OR 97322  
Priority Date 07/27/2010  
Issue Date 09/18/2018  
Status APPROVED



## **Alternate Reservoir Applications (ORS 537.409)**

For alternate reservoir applications filed under ORS 537.409, the public is invited to comment within 60 days of this notice. The law provides that within 60 days after the Department provides public notice of the application, any person may submit detailed, legally obtained information in writing, requesting the Department to deny the application for a permit on the basis that the reservoir:

- (A) Would result in injury to an existing water right; or
- (B) Would pose a significant detrimental impact to existing fishery resources as determined on the basis of information submitted by the State Department of Fish and Wildlife.

**Such comments must be submitted on or before November 24, 2018.**

|                    |  |
|--------------------|--|
| App#               | <a href="#">R-88670</a>                                    |
| County/Basin       | Marion / Willamette (2)                                    |
| Applicant Name     | PLATT, JACK<br>11070 OAK HILL RD<br>INDEPENDENCE, OR 97351 |
| Sources/TRSQ40Q160 | UNNAMED DRAINAGE > MCKINNEY CREEK / 8.00S 2.00W 32 NESW    |
| Use/Quantity       | MULTIPLE PURPOSE / 6.900 AF                                |
| Priority Date      | 09/19/2018   |

## 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 25, 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#               | <a href="#">S-88669</a>   |
| County/Basin       | Douglas / Umpqua (16)   |
| Applicant Name     | BALTOS, NICK<br>1095 MELQUA RD<br>ROSEBURG, OR 97471  |
| Sources/TRSQ40Q160 | A RESERVOIR > COW CREEK / 31.00S 4.00W 28 SWNE<br>SOUTH UMPQUA RIVER > COW CREEK / 26.00S 6.00W 31 NESE |
| Use/Quantity       | IRRIGATION / 17.840 AF  |
| Priority Date      | 09/17/2018  |

**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 25, 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# [S-85723](#)  
Permit Number S-54168  
County/Basin Jackson / Rogue (15)  
Applicant Name STROBLE, JOE AND CINDI  
PO BOX 902  
JACKSONVILLE, OR 97530  
Sources/TRSQ40Q160 APPLGATE RESERVOIR > ROGUE RIVER / 40.00S 4.00W 25 NESE  
APPLGATE RIVER > ROGUE RIVER / 39.00S 3.00W 22 NENW  
Use/Quantity IRRIGATION / 5.000 AF  
Proposed Completion Date 10/01/2020

App# [S-87597](#)  
Permit Number S-54725  
County/Basin Coos / South Coast (17)  
Applicant Name NORTHWEST FARM CREDIT SERVICES ACA  
2222 NW KLINE ST  
ROSEBURG, OR 97471-1739  
ROTH, JOHN  
PO BOX 362  
BANDON, OR 97411  
Sources/TRSQ40Q160 A RESERVOIR > GEIGER CREEK / 29.00S 14.00W 4 NWSE  
GEIGER CREEK > FERRY CREEK / 28.00S 14.00W 32 NWSE  
Use/Quantity CRANBERRY / 105.000 AF  
Proposed Completion Date 10/01/2023

**Extensions of Time Progress**  
**Checkpoint Progress Reports filed pursuant to OAR 690-315**

**Consistent with OAR 690-315-0050(6), the Department will accept public comment on the following Extension of time Checkpoint Progress Reports until October 25, 2018.** Comments must be in writing and must indicate the application file and permit numbers. Following the comment period, the Department shall review evidence to determine whether or not the permit holder has been diligent in developing and perfecting the water use permit and has complied with all terms and conditions of the permit and/or extension of time. Additionally, the Department will provide notice of its determination to anyone who has submitted comments.

App# [G-15766](#)  
Permit Number G-15286  
County/Basin Umatilla / Umatilla (7)  
Applicant Name JOLLY, RICHARD AND ROBIN  
54462 UPPER DRY CREEK RD  
WESTON, OR 97886

Use NORTHWEST FARM CREDIT SERVICES FLCA  
1700 S ASSEMBLY ST  
SPOKANE, WA 99224  
IRRIGATION

App# [G-15039](#)  
Permit Number G-13870  
County/Basin Clackamas / Willamette (2)  
Applicant Name BREILING, SISTER MARY  
PO BOX 25  
MARYLHURST, OR 97036

Use IRRIGATION

App# [G-15181](#)  
Permit Number G-15008  
County/Basin Harney / Malheur Lake (12)  
Applicant Name KEERIN, ERICK AND CHRISTINA  
40410 SODHOUSE LANE  
PRINCETON, OR 97721

Use IRRIGATION

App# [R-86338](#)  
Permit Number R-14467  
County/Basin Wasco / Deschutes (5)  
Applicant Name MCALLISTER RANCH  
80445 ROSS RD  
TYGH VALLEY, OR 97063

Use MULTIPLE PURPOSE

## 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 October 16, 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 1706</a>                                       |
| County/Basin        | Douglas / Umpqua (16)   |
| Certificate         | 9658  |
| Lessor              | NICHOLS, MILDRED<br>14930 PONDEROSA LOOP<br>LA PINE, OR 97739 |
| Priority Date       | 12/31/1865, 12/31/1898  |
| Source/Tributary To | NICHOLS CREEK / JACKSON 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 October 25, 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 13028</a>   |
| Water Right        | Cert: 53722, Cert: 54110, Cert: 53672   |
| County/Basin       | Baker / Powder (9)  |
| Applicant Name     | MARTIN, CURTIS<br>PO BOX 194<br>NORTH POWDER, OR 97867                          |
| Proposed Change    | ADDITIONAL POINT OF DIVERSION   |
| Sources/TRSQ40Q160 | POWDER RIVER > SNAKE RIVER / 7.00S 39.00E 1 SWNW                                |
| Use/Quantity       | IRRIGATION / 0.850 CFS<br>IRRIGATION / 1.885 CFS<br>IRRIGATION / 12.098 CFS     |
| Priority Date      | 05/20/1977, 12/31/1886, 12/31/1907  |
| Transfer           | <a href="#">T 13030</a>   |
| Water Right        | Cert: 86558   |
| County/Basin       | Crook / Deschutes (5)   |
| Applicant Name     | CITY OF PRINEVILLE<br>ATTN: ERIC KLANN<br>387 NE 3RD ST<br>PRINEVILLE, OR 97754 |
| Proposed Change    | ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE                                 |
| Sources/TRSQ40Q160 | A WELL > OCHOCO CREEK / 14.00S 16.00E 32 NWSW                                   |
| Use/Quantity       | MUNICIPAL USES / 0.800 CFS  |
| Priority Date      | 05/20/1942  |
| Transfer           | <a href="#">T 13031</a>   |
| Water Right        | Cert: 35498   |
| County/Basin       | Marion / Willamette (2)   |
| Applicant Name     | THE BUCK FAMILY TRUST<br>17728 BUTTEVILLE RD NE<br>WOODBURN, OR 97071           |
| Proposed Change    | POINT OF APPROPRIATION  |
| Sources/TRSQ40Q160 | A WELL > MISSION CREEK / 4.00S 2.00W 10 SWSW                                    |
| Use/Quantity       | IRRIGATION / 1.160 CFS  |
| Priority Date      | 03/03/1966  |

## **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. Call (503) 986-0815 to obtain additional information. Protests must be received by the Department on or before October 25, 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-12563** filed by Linda Davis, 5237 Chapman St S, Salem, OR 97306, proposes a change in point of appropriation under Registration Application GR-4250 (Certificate of Registration GR-3836). The registration allows the use of 39.3 gallons per minute from Pump Well #6 in Sec. 12, T10S, R4W, WM for irrigation in Sec. 12. The applicant proposes to modify the point of appropriation to Sec. 12, T10S, R4W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

**T-12651** filed by Big Falls Ranch, Rex Barber, PO Box 434, Terrebonne, OR 97760, proposes a change in surface water points of diversion to groundwater points of appropriation under Certificates (C) 76371, 87655 and 88027. C-76371 allows the use of 1.81 cubic feet per second (cfs) from Deep Canyon Creek in Sec. 9, T14S, R12E, WM for irrigation in Sects. 3, 4, 8, 9 and 17, T14S, R12E, WM. C-87655 allows the use of 4.5 cfs from an unnamed stream (McKenzie Canyon) in Sec. 4, T14S, R12E, WM for supplemental irrigation in Sects. 8 and 17, T14S, R12E, WM. C-88027 allows the use of 3.69 cfs from Deep Canyon Creek in Sec. 9, T14S, R12E, WM for irrigation and supplemental irrigation in Sects. 3, 4, 8, 9, 17 and 18, T14S, R12E, WM. The applicant proposes groundwater points of appropriation in Sects. 9, 17 and 18, T14S, R12E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

**T-12655** filed by Tor S Farms LLC, 6459 Oak Hill Rd Roseburg, OR 97471, proposes an additional point of appropriation under Certificate 82356. The right allows the use of 7.83 cubic feet per second from four wells in Sec. 19, T23S, R34E, WM for irrigation in Sec. 19. The applicant proposes additional points of appropriation in Sec. 19, T23S, R34E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-12808](#) filed by West Extension Irrigation District, PO Box 100, Irrigon, OR 97844, proposes an additional point of diversion under Certificate 87799. The right allows the use of 3.98 cubic feet per second from the Columbia River in Sec. 23, T5N, R26E, WM for irrigation in Sects. 4, 5, and 9, T4N, R26E, WM. The applicant proposes an additional point of diversion in Sec. 35, T5N, R25E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-12861](#) filed by Armacost Investments, LLLP, P.O. Box 219 New Meadows, ID 83654, proposes an additional point of diversion under Certificate 10446. The right allows the use of water from East Pine Creek in Sects. 10 and 14, T8S, R46E, WM for irrigation in Sec. 14. The applicant proposes an additional point of diversion in Sec. 14, T8S, R46E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.



## 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 13029</a>  |
| Water Right        | Permit: G 17960  |
| County/Basin       | Crook / Deschutes (5)  |
| Applicant Name     | BENNETT, WAYNE O. AND BARBARA M.<br>7376 SE PATRIOT LANE<br>PRINEVILLE, OR 97754 |
| Proposed Change    | POINT OF APPROPRIATION   |
| Sources/TRSQ40Q160 | A WELL > DRY CREEK BASIN / 16.00S 16.00E 12 SWSE                                 |
| Use/Quantity       | IRRIGATION / 0.060 CFS   |
| Priority Date      | 08/11/1997   |

## Applications for District Permanent Transfer for Place of Use

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

Public comments may be submitted by any person (please follow the instructions on the last page of this public notice). A protest may be filed by any potentially affected holder of an existing water right, either jointly or severally with other persons, provided the protest is not by a user within a district alleging injury to the delivery of water by the district. Each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing. Protests must be accompanied by a \$810 protest fee for non-applicants and a \$410 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 October 25, 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-13027</a>  |
| County        | Malheur  |
| Certificate   | 75691; PERMIT G-17560  |
| Priority Date | 8/19/1924 (LIVE FLOW), 2/15, 1916 (STORED WATER); 2/9/2015   |
| Name          | OWYHEE IRRIGATION DISTRICT   |
| Address       | 17 SOUTH FIRST ST<br>NYSSA, OR 97937   |
| Use           | IRRIGATION; SUPPLEMENTAL   |
| Source        | OWYHEE RIVER AND OWYHEE RESERVOIR, TRIBUTARY TO THE SNAKE RIVER;<br>ONE WELL WITHIN THE SNAKE RIVER BASIN AND TWO WELLS WITHIN THE COW<br>HOLLOW BASIN |

## **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 Wilsonville (Municipal)**

To review any of the above progress report(s) or to provide comments on the progress report(s), contact Kerri H. Cope at 503-986-0919 or [Kerri.H.Cope@oregon.gov](mailto:Kerri.H.Cope@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.

|                |                             |
|----------------|-----------------------------|
| Cert#          | <a href="#">94017</a>       |
| App:           | S 87341                     |
| County/Basin   | Washington / Willamette (2) |
| Applicant Name | KUETHER, TODD               |
| Priority Date  | 11/18/2008                  |
| Issue Date     | 09/21/2018                  |

|                |                            |
|----------------|----------------------------|
| Cert#          | <a href="#">94032</a>      |
| App:           | S 59277                    |
| County/Basin   | Harney / Malheur Lake (12) |
| Applicant Name | ROCK CREEK RANCH INC.      |
| Priority Date  | 08/30/1979                 |
| Issue Date     | 09/21/2018                 |

**Application to Develop Hydroelectric Use as part of an existing  
Certificated Water Right**

The Department seeks public comment on the following application to develop hydroelectric use as part of an existing certificated water right (ORS 543.765). Comments must be submitted within 30 days of publication of the notice. The application and supporting documents can be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the application please contact R. Craig Kohanek (503) 986-0823. A copying fee will be assessed as allowed in Oregon Revised Statute (ORS) Chapter 536.050(1)(e).

Application: **PC 907**  
Applicant: City of Hillsboro  
Address: 150 East Main Street, Third Floor, Hillsboro, OR 97123-4028  
Amount of water: 5 Cubic Feet Per Second  
Source of water: Sain Creek and Tualatin River  
Location of the  
Points of Diversion: Spring Hill Intake on the Tualatin River: SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 8, Township 1 South, Range 3 West, W.M., 500 Feet North and 410 Feet East from the SW Corner of Section 8, Washington County  
Place of Use: NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 22, Township 1 North, Range 2 West, W.M., Washington County  
Power developed: 118 Theoretical Horsepower  
Certificates: 67891, 81026, and 81027

**Comments are Due October 25, 2018**

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
September 25, 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.