

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
November 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*

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.
- * **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: Permit Amendments**
Requests to amend permits.
- * **Ground Water Registration Modifications**
Applications requesting Department recognition of changes in point of appropriation, place of use and character of use under a ground water certificate of registration.
- * **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.
- * **Certificate Issuance**
Included in this section is a listing of recently issued water right certificates.

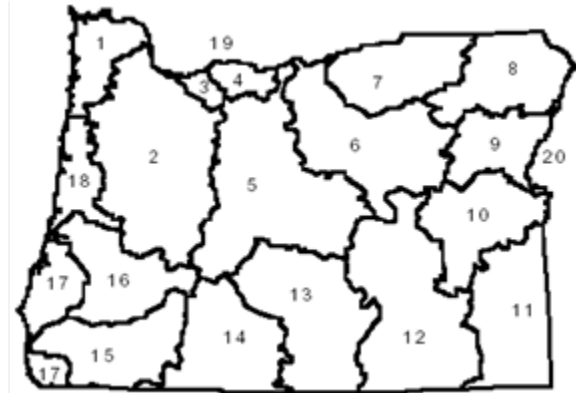
The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to Stacy.H.Phillips@oregon.gov.

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, December 27, 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, January 11, 2019.

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-17969](#)
County/Basin Jefferson / Deschutes (5)
Applicant Name MCCOOL, DOROTHY
11019 S HWY 211
MOLALLA, OR 97038
Sources/TRSQ40Q160 A WELL > WILLOW CREEK BASIN / 11.00S 13.00E 6 NESE
Use/Quantity IRRIGATION / 3.000 CFS
Priority Date 12/02/2014
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18541](#)
County/Basin Jackson / Rogue (15)
Applicant Name SIMPSON, TIM
PO BOX 8270
MEDFORD, OR 97504
Sources/TRSQ40Q160 A WELL > CROOKED CREEK / 38.00S 2.00W 12 NWNW
Use/Quantity IRRIGATION / 0.111 CFS
Priority Date 08/02/2017
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-17171](#)
County/Basin Gilliam / John Day (6)
Applicant Name CL AUS, R J. AND SUSAN L.
22211 SW PACIFIC HWY
SHERWOOD, OR 97140
Priority Date 01/30/2009
Issue Date 11/26/2018
Status WITHDRAWN

App# [G-18421](#)
County/Basin Marion / Willamette (2)
Applicant Name BH LAND LLC
DINSDALE, WILSON
PO BOX 357
INDEPENDENCE, OR 97351
Priority Date 12/28/2016
Issue Date 11/26/2018
Status DENIED

App# [G-18507](#)
County/Basin Linn / Willamette (2)
Applicant Name MARWOOD, DALE
PO BOX 2644
ALBANY, OR 97321
Priority Date 05/10/2017
Issue Date 11/16/2018
Status APPROVED

App# [G-18512](#)
County/Basin Linn / Willamette (2)
Applicant Name MILTENBERGER, DANIEL A.
2825 JACKSON ST SE
ALBANY, OR 97322
Priority Date 05/17/2017
Issue Date 11/26/2018
Status DENIED

App# [G-18515](#)
County/Basin Clackamas / Willamette (2)
Applicant Name STAEHEL Y, WAYNE AND AMANDA
29490 S JACKSON RD
CANBY, OR 97013
Priority Date 05/15/2017
Issue Date 11/26/2018
Status DENIED

App# [G-18523](#)
County/Basin Union / Grande Ronde (8)
Applicant Name BLUE MOUNTAIN CONSERVATIVE BAPTIST ASSOCIATION
CAMP ELKANAH
PO BOX 150
LA GRANDE, OR 97850
Priority Date 06/09/2017
Issue Date 11/26/2018
Status APPROVED

App# [R-88587](#)
County/Basin Benton / Middle Coast (18)
Applicant Name VAN HORN, TIMOTHY
19930 BIRCH LANE
BEND, OR 97703
Priority Date 06/06/2018
Issue Date 11/26/2023
Status APPROVED

App# [R-88598](#)
County/Basin Douglas / Umpqua (16)
Applicant Name PACHECO, ANNETTE T.
309 WINTER CREEK LANE
ROSEBURG, OR 97471
Priority Date 07/03/2018
Issue Date 11/26/2023
Status APPROVED

App# [R-88646](#)
County/Basin Linn / Willamette (2)
Applicant Name CURR, PAUL
38901 HUNGRY HILL DR
SCIO, OR 97374
Priority Date 07/31/2018
Issue Date 11/26/2018
Status APPROVED

App# [R-88647](#)
County/Basin Lane / Willamette (2)
Applicant Name OREGON DEPARTMENT OF FISH AND WILDLIFE
4034 FAIRVIEW INDUSTRIAL DR SE
SALEM, OR 97304
Priority Date 08/01/2018
Issue Date 11/26/2018
Status APPROVED

App# [R-88661](#)
County/Basin Linn / Willamette (2)
Applicant Name KING, JEFF
PO BOX 798
LEBANON, OR 97355
Priority Date 08/13/2018
Issue Date 11/26/2018
Status APPROVED

App# [R-88662](#)
County/Basin Linn / Willamette (2)
Applicant Name KING, JEFF
PO BOX 798
LEBANON, OR 97355
Priority Date 08/13/2018
Issue Date 11/26/2018
Status APPROVED

App# [S-88463](#)
County/Basin Lane / Willamette (2)
Applicant Name FINN CREEK FARMS
JOHN KO, RUSSELL
49536 MCKENZIE HWY
VIDA, OR 97488
Priority Date 10/04/2017
Issue Date 11/26/2023
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 January 26, 2019.

App#	R-88679
County/Basin	Washington / Willamette (2)
Applicant Name	RUDY, MARGIT 1503 BIRCH ST FOREST GROVE, OR 97116
Sources/TRSQ40Q160	ILER CREEK > GALES CREEK / 1.00N 4.00W 7 NWNW
Use/Quantity	MULTIPLE PURPOSE / 9.160 AF
Priority Date	11/15/2018

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 December 18, 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 1346
County/Basin	Deschutes / Deschutes (5)
Certificate	2016
Lessor	DUERDEN, BILL CITY OF REDMOND 243 EAST ANTLER AVE #100 REDMOND, OR 97756
Priority Date	04/22/1912
Source/Tributary To	DESCHUTES RIVER / COLUMBIA RIVER

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 December 27, 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-12448 filed by Christopher S. and Theresa L. Siler, PO Box 1957, Ashland, OR 97520, proposes an additional point of diversion and a change in place of use under Certificate 14336. The right allows the use of 0.09 cubic foot per second of drainage and seepage water from West Draw, Middle Draw, and East Draw in Sec. 30, T39S, R2E, WM for irrigation in Sec. 30, T39S, R2E, WM. The applicant proposes an additional point of diversion in Sec. 30, T39S, R2E, WM and to change the place of use within Sec. 30, T39S, R2E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-12540 filed by RD Farms Inc., c/o Steve Davidson, 4608 Davidson Rd NE, Saint Paul, OR 97137, proposes additional points of appropriation and a change in place of use under Certificate 40215. The right allows the use of 1.325 cubic feet per second from a well in Sec. 29, T4S, R2W, WM for irrigation and supplemental irrigation in Sects. 29, 30, 31, and 32, T4S, R2W, WM. The applicant proposes additional points of appropriation in Sects. 30 and 32, T4S, R2W, WM and to change the place of use within Sec. 29, T4S, R2W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-12991 filed by Jenck Farms LLC, c/o Joe Jenck, 745 Third Street, Tillamook, OR 97141, proposes a modification in point of appropriation and place of use under Registration Application GR-3593 (Certificate of Registration GR-3299). The registration allows the use of 208 gallons per minute from a pump well in Sec. 25, T1S, R10W, WM for irrigation in Sec. 25, T1S, R10W, WM. The applicant proposes to move the point of appropriation within Sec. 25, T1S, R10W, WM and to change the place of use to Sects. 25 and 26, T1S, R10W, 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 13065
Water Right	Permit: G 17869
County/Basin	Linn / Willamette (2)
Applicant Name	MACHUGH, CLIFF JACKASS MOUNTAIN HOLDINGS LLC 660 DOGWOOD RD PASCO, WA 99301
Proposed Change	ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > SANTIAM RIVER BASIN / 10.00S 3.00W 20 SENW A WELL > SANTIAM RIVER BASIN / 10.00S 3.00W 19 SENE A WELL > SANTIAM RIVER BASIN / 10.00S 3.00W 20 NWSE
Use/Quantity	IRRIGATION / 1.800 CFS
Priority Date	12/12/2016

Transfer Applications: Ground Water Registration Modification

The holder of a ground water certificate of registration may request that the Department recognize a change in point of appropriation, place of use or character of use under the ground water registration. Modifications of ground water registrations are authorized under ORS 537.610(4) and OAR Chapter 382.

The Department seeks public comment on the recently-filed applications for recognition of modifications in ground water registrations listed below. Any person may comment on an application for a ground water registration modification. Comments must be received by the Department on or before December 27, 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 recognized 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-13054
Water Right	Claim: GR 334
County/Basin	Marion / Willamette (2)
Applicant Name	ERNEST AND LOLA ZIELINSKI TRUST 5050 HAZELGREEN RD NE SALEM, OR 97305
Proposed Change	POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > LITTLE PUDDING RIVER / 6.00S 2.00W 32 SWSE
Use/Quantity	IRRIGATION / 1.114 CFS
Priority Date	10/30/1953

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.

Notice **2018-01**
County Jackson
Certificate 85288; 80576, 85876, 85877
Priority Date 07/23/1909; 09/06/1915; 03/31/1910; 06/24/1913
Name ROGUE RIVER VALLEY IRRIGATION DISTRICT
Address 3139 MERRIMAN ROAD
MEDFORD, OR 97501
Use IRRIGATION; SUPPLEMENTAL IRRIGATION
Source NORTH AND SOUTH FORKS LITTLE BUTTE CREEK > LITTLE BUTTE CREEK; AGATE RESERVOIR AND DRY CREEK > LITTLE BUTTE CREEK; FOUR MILE LAKE RESERVOIR (WITHIN KLAMATH BASIN) AND FISH LAKE RESERVOIR > ROGUE RIVER; ANTELOPE CREEK > LITTLE BUTTE CREEK
Acres: 9.00
Authorized POU: T36S R1W 30 SWSE; T36S R1W 31 NWNE
Proposed POU: T36S R1W 30 NWSW, NESW

Notice **2018-02**
County Jackson
Certificate 85288; 80576, 85876, 85877
Priority Date 07/23/1909; 09/06/1915; 03/31/1910; 06/24/1913
Name ROGUE RIVER VALLEY IRRIGATION DISTRICT
Address 3139 MERRIMAN ROAD
MEDFORD, OR 97501
Use IRRIGATION; SUPPLEMENTAL IRRIGATION
Source NORTH AND SOUTH FORKS LITTLE BUTTE CREEK > LITTLE BUTTE CREEK; AGATE RESERVOIR AND DRY CREEK > LITTLE BUTTE CREEK; FOUR MILE LAKE RESERVOIR (WITHIN KLAMATH BASIN) AND FISH LAKE RESERVOIR > ROGUE RIVER; ANTELOPE CREEK > LITTLE BUTTE CREEK
Acres: 30.00
Authorized POU: T37S R2W 01 SWNE, NWSW, NWNE; T37S R2W 12 NESE, NWSE
Proposed POU: T37S R2W 35 NWNE, NENW

Notice **2018-03**
County Jackson
Certificate 85288; 80576, 85876, 85877
Priority Date 07/23/1909; 09/06/1915; 03/31/1910; 06/24/1913
Name ROGUE RIVER VALLEY IRRIGATION DISTRICT
Address 3139 MERRIMAN ROAD
MEDFORD, OR 97501
Use IRRIGATION; SUPPLEMENTAL IRRIGATION
Source NORTH AND SOUTH FORKS LITTLE BUTTE CREEK > LITTLE BUTTE CREEK; AGATE RESERVOIR AND DRY CREEK > LITTLE BUTTE CREEK; FOUR MILE LAKE RESERVOIR (WITHIN KLAMATH BASIN) AND FISH LAKE RESERVOIR > ROGUE RIVER; ANTELOPE CREEK > LITTLE BUTTE CREEK
Acres: 2.10
Authorized POU: T36S R1W 31 SESW
Proposed POU: T36S R2W 35 NESW

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#	94129
Xfer:	T 11968
County/Basin	Clackamas / Willamette (2)
Applicant Name	BEAN, WARREN H. BEAN, BERNICE S. NORTHWEST FARM CREDIT SERVICES FLCA
Priority Date	03/05/1934
Issue Date	11/21/2018

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
November 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)*

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[]
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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.