

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**December 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](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.
- \* **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.
- \* **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: Temporary Transfers**  
Requests to temporarily change place of use and, if necessary to convey the water to the new place of use, to temporarily change the point of diversion or appropriation.
- \* **Transfer Applications: District Permanent for Place of Use - ORS 540.580**  
Petitions requesting permanent changes in place(s) of use within a district's boundary.
- \* **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.

- \* **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.
- \* **HE 242, HE 249, and HE 257 Draft PFO and Draft Certificate**

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, January 03, 2019.** 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 18, 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-18629](#)  
County/Basin Multnomah / Willamette (2)  
Applicant Name COLUMBIA HOLDINGS LLC  
C/O PETER STOTT  
2775 SW OLD ORCHARD RD  
PORTLAND, OR 97201  
Sources/TRSQ40Q160 A WELL > MUD SLOUGH BASIN / 2.00N 1.00W 4 NESE  
Use/Quantity IRRIGATION / 0.320 CFS  
Priority Date 03/23/2018  
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18715](#)  
County/Basin Deschutes / Deschutes (5)  
Applicant Name SAUNDERS-WHITE, PATRICIA ANN  
3240 SW 81ST ST  
REDMOND, OR 97756  
Sources/TRSQ40Q160 A WELL > DESCHUTES RIVER BASIN / 15.00S 12.00E 26 NWNW  
Use/Quantity IRRIGATION / 0.030 CFS  
Priority Date 07/16/2018  
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18609](#)  
County/Basin Wallowa / Grande Ronde (8)  
Applicant Name MELVILLE, TIM  
84887 JOSEPH HWY  
ENTERPRISE, OR 97828  
Sources/TRSQ40Q160 A WELL > PRAIRIE CREEK / 2.00S 45.00E 6 NWNE  
Use/Quantity IRRIGATION / 4.902 CFS  
Priority Date 02/12/2018  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18622](#)  
County/Basin Clackamas / Willamette (2)  
Applicant Name M AND W TREE FARM  
WILLITS, GERRY  
17500 SOUTH SPRINGWATER RD  
OREGON CITY, OR 97045  
Sources/TRSQ40Q160 A WELL > CLEAR CREEK / 2.00S 3.00E 33 NWSE  
A WELL > CLEAR CREEK / 2.00S 3.00E 33 NESE  
Use/Quantity IRRIGATION / 0.125 CFS  
Priority Date 03/15/2018  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18637](#)  
County/Basin Linn / Willamette (2)  
Applicant Name MOSS, BRADLY R.  
30242 HARVEST DR SW  
ALBANY, OR 97321  
Sources/TRSQ40Q160 A WELL > OWL CREEK / 12.00S 4.00W 16 NWSE  
Use/Quantity NURSERY USES / 0.150 CFS  
Priority Date 03/30/2018  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18641](#)  
County/Basin Lane / Willamette (2)  
Applicant Name GOLDENROSE, JASON S.  
85354 DOANE RD  
EUGENE, OR 97402  
Sources/TRSQ40Q160 A WELL > COYOTE CREEK / 19.00S 5.00W 15 NESE  
Use/Quantity IRRIGATION / 0.013 CFS  
Priority Date 04/11/2018  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18649](#)  
County/Basin Linn / Willamette (2)  
Applicant Name SPURLIN, KYLE  
34728 HENSHAW DR  
BROWNSVILLE, OR 97327  
Sources/TRSQ40Q160 A WELL > CALAPOOYIA RIVER / 12.00S 3.00W 9 SENE  
Use/Quantity IRRIGATION / 2.228 CFS  
Priority Date 04/11/2018  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18675](#)  
County/Basin Linn / Willamette (2)  
Applicant Name MONTGOMERY FARMS LLC  
YOUNGER, CODY  
29394 ROBERTS RD  
SHEDD, OR 97377  
Sources/TRSQ40Q160 A WELL > CALAPOOYIA RIVER / 12.00S 3.00W 29 NENW  
Use/Quantity IRRIGATION / 0.998 CFS  
Priority Date 05/07/2018  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18703](#)  
County/Basin Linn / Willamette (2)  
Applicant Name OTL PROPERTIES 1 LLC  
12084 S SHADOWHILLS COURT SE  
TURNER, OR 97392  
Sources/TRSQ40Q160 A WELL > NORTH SANTIAM RIVER / 10.00S 2.00W 10 SESW  
Use/Quantity IRRIGATION / 0.600 CFS  
Priority Date 06/14/2018  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18710](#)  
County/Basin Linn / Willamette (2)  
Applicant Name 5 GEN FARMS  
ATTN: CHRIS SCHROCK  
33325 SEVEN MILE LAND SE  
ALBANY, OR 97322  
NORTHWEST FARM CREDIT SERVICES FLCA  
ATTN: ROZALYN PATRICK  
650 HAWTHORNE AVE SE SUITE 210  
SALEM, OR 97301  
Sources/TRSQ40Q160 A WELL > UNNAMED STREAM / 12.00S 3.00W 3 SWSW  
Use/Quantity IRRIGATION / 0.740 CFS  
Priority Date 07/06/2018  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18718](#)  
County/Basin Deschutes / Deschutes (5)  
Applicant Name THORSNESS, BRIAN K. AND JACKIE L.  
PO BOX 6633  
BEND, OR 97708  
Sources/TRSQ40Q160 A WELL > DESCHUTES RIVER / 14.00S 12.00E 26 NESW  
Use/Quantity IRRIGATION / 0.090 CFS  
Priority Date 07/25/2018  
Stage/Status IR / PROPOSE TO DENY

App# [G-18719](#)  
County/Basin Linn / Willamette (2)  
Applicant Name LEE HOLDINGS LLC  
LEE, JIMMY  
34309 HWY 34 SE  
ALBANY, OR 97322  
Sources/TRSQ40Q160 A WELL > OAK CREEK / 12.00S 3.00W 1 SESE  
Use/Quantity IRRIGATION / 1.671 CFS  
Priority Date 07/27/2018  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18722](#)  
County/Basin Deschutes / Deschutes (5)  
Applicant Name BERNHARDT, TIVADAR W.  
71160 NW LOWER BRIDGE WAY  
TERREBONNE, OR 97760  
MESA GARDENS LLC  
PO BOX 263  
TERREBONNE, OR 97760  
Sources/TRSQ40Q160 A WELL > MCKENZIE CANYON / 14.00S 12.00E 8 SWNW  
A RESERVOIR > MCKENZIE CANYON / 14.00S 12.00E 8 SWNW  
Use/Quantity NURSERY USES / 0.056 CFS  
NURSERY USES / 1.000 AF  
Priority Date 08/10/2018  
Stage/Status IR / PROPOSE TO DENY

App# [G-18735](#)  
County/Basin Linn / Willamette (2)  
Applicant Name BETASEED INC.  
34303 HWY 99E  
TANGENT, OR 97389  
Sources/TRSQ40Q160 A WELL > UNNAMED STREAM / 11.00S 3.00W 31 NWNW  
Use/Quantity INDUSTRIAL/MANUFACTURING USES / 0.089 CFS  
Priority Date 09/12/2018  
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-17171</a>
County/Basin	Gilliam / John Day (6)
Applicant Name	CLAUS, 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#	<a href="#">G-18215</a>
County/Basin	Josephine / Rogue (15)
Applicant Name	BOUTIQUE MOUNTAIN GARDENS WINKLE, RUSSELL PO BOX 1870 CAVE JUNCTION, OR 97523
Priority Date	03/17/2016
Issue Date	11/28/2018
Status	DENIED
App#	<a href="#">G-18279</a>
County/Basin	Jackson / Rogue (15)
Applicant Name	WANDA, KATHLEEN 995 HOGAN RD JACKSONVILLE, OR 97530
Priority Date	04/08/2016
Issue Date	11/28/2018
Status	APPROVED
App#	<a href="#">G-18359</a>
County/Basin	Marion / Willamette (2)
Applicant Name	AURORA PROPERTIES LLC C/O MIKE IVERSON 13490 CEDARWOOD RD NE AURORA, OR 97002
Priority Date	08/05/2016
Issue Date	11/30/2018
Status	WITHDRAWN
App#	<a href="#">G-18421</a>
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-18515](#)  
 County/Basin Clackamas / Willamette (2)  
 Applicant Name STAEHEL, 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# [G-18625](#)  
 County/Basin Umatilla / Umatilla (7)  
 Applicant Name LENE, BRUCE R.  
 2401 N TOWNSEND RD  
 HERMISTON, OR 97838  
 Priority Date 03/20/2018  
 Issue Date 11/27/2018  
 Status WITHDRAWN

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 February 02, 2019.**

App#	<a href="#">R-88690</a>
County/Basin	Baker / Powder (9)
Applicant Name	SMIT, THOMAS AND LAURA 42588 DANCE HALL RD RICHLAND, OR 97870
Sources/TRSQ40Q160	MAIDEN GULCH > POWDER BASIN / 8.00S 44.00E 24 SENE
Use/Quantity	MULTIPLE PURPOSE / 8.900 AF
Priority Date	11/19/2018

## **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 January 18, 2019.** 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-16958
Permit#	<a href="#">G-16443</a>
County/Basin	Crook / Deschutes (5)
Applicant Name	NORTHWEST FARM CREDIT SERVICES FCLA PO BOX 607 3113 S HWY 97 SUITE 100 REDMOND, OR 97756
	YOUNGS FARM BLUE MOUNTAIN HOLDINGS LLC TESKEY, SARAH PO BOX 14 PAULINA, OR 97751
Sources/TRSQ40Q160	A WELL > PAULINA CREEK / 16.00S 23.00E 28 NENW
Use/Quantity	IRRIGATION / 1.570 CFS
Status	PROPOSE TO DENY

## 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 December 18, 2018, upon finding that the proposed water use will not impair or be detrimental to the public interest (OAR 690-340-030).** The public is invited to provide comments that will assist the Director in determining whether the use would impair or be detrimental to the public interest. If the applicant applies for a use that is not one of the standard uses listed in OAR 690-300, the Department may, for the purposes of this notice, assign a named use that is reasonably close to the use actually requested. The public may examine the actual application by clicking the associated hyperlink and then choosing “LL Application” under “Scanned Documents.”

App#	<a href="#">LL-1738</a>
County/Basin	Gilliam / John Day (6)
Applicant Name	HAGUEWOOD, KEVEN 64396 MCNAB LN IONE, OR 97843
Sources/TRSQ40Q160	A WELL > EAST FORK OF SHUTLER CREEK / 1.00N 21.00E 1 NWNW
Use/Quantity	GENERAL CONSTRUCTION OR MAINTENANCE / 400 GPM UP TO 162.5 AF

## 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 January 03, 2019. 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 13066</a>
Water Right	Cert: 54989
County/Basin	Benton, Linn / Willamette (2)
Applicant Name	BYLUND KIGER FARMS LLC 1986 SE POWELLS RD CORVALLIS, OR 97333
Proposed Change	ADDITIONAL POINT OF DIVERSION
Sources/TRSQ40Q160	WILLAMETTE RIVER > COLUMBIA RIVER / 12.00S 4.00W 19 NWSE WILLAMETTE RIVER > COLUMBIA RIVER / 12.00S 4.00W 1 SESE WILLAMETTE RIVER > COLUMBIA RIVER / 12.00S 4.00W 30 SENE WILLAMETTE RIVER > COLUMBIA RIVER / 12.00S 4.00W 3 NENE
Use/Quantity	IRRIGATION / 0.480 CFS
Priority Date	07/29/1958

## 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 January 03, 2019, 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-12707** filed by Jolene Juhl, 14783 County Rd #104, Greenbush, MN 56726-9307, proposes a change in points of diversion under a right evidenced by Silvies River Decree (1926) in the name of Pacific Livestock Co. The right allows the use of one-eighth of one cfs and 3.0 acre-feet for each acre irrigated from several diversions on Silvies River within Sec. 35, T24S, R32E, WM, and Sects. 1 and 10, T25S, R32E, WM, for irrigation within Sects. 10, 11, 14, 15, 22 and 23, T25S, R32E, WM. The applicant proposes to change the points of diversion to within Sec. 10, T25S, R32E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

**T-12953** filed by Francis Roy and Coralee Groce, 80242 Claymier Lane, Maupin, OR 97037, proposes a change in place of use under Certificates 77326 and 77733. Certificate 77326 allows the use of one acre foot per acre or acre equivalent during any 30-day period up to July 1<sup>st</sup> of each year and not exceed 3 acre feet per acre or acre equivalent during any irrigation season; provided, that the rate of flow shall not exceed 1/40<sup>th</sup> of a second foot per acre or acre equivalent up to July 1<sup>st</sup> of each year and thereafter not to exceed 1/80 of a second foot per acre or acre equivalent, except in case of rotation from Clear Creek in Sec. 10, T5S, R9E, WM, Frog Creek in Sec. 34, T4S, R9E, WM, and storage in Clear Lake Reservoir in Sec. 32, T4S, R9E, WM for irrigation and stock use in Sects. 14 and 23, T5S, R12E, WM. Certificate 77733 allows the use of 146.92 acre feet from Clear Lake Reservoir in Sec. 32, T4S, R9E, WM for supplemental irrigation in Sects. 14 and 23, T5S, R12E, WM. The applicant proposes to change the place of use of both rights to Sec. 14, T5S, R12E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

\*\* Continued on next page

[T-12827](#) filed by Dry Mountain Ranch LLC, 70194 Silver Creek Rd Riley, OR 97758, proposes a change in place of use under Certificates (C) 14058, 14067, and 14068 and a change in point of appropriation and a change in place of use under Certificates (C) 63570, and 61068. C-14058 allows the use of 0.275 cubic foot per second (cfs) during the time period of March 1 to April 30 and 0.206 cfs during the time period of May 1 to August 1 from Silver Creek for irrigation in Sec. 5, T23S, R26E, WM. The applicant proposes to change the place of use within Sec. 5. C-14067 allows the use of 0.326 cubic foot per second (cfs) during the time period of March 1 to April 30 and 0.245 cfs during the time period of May 1 to August 1 from Silver Creek for irrigation in Sec. 5, T23S, R26E, WM. The applicant proposes to change the place of use within Sec. 5. C-14068 allows the use of 2.0 cubic foot per second (cfs) during the time period of March 1 to April 30 and 1.5 cfs during the time period of May 1 to August 1 from Silver Creek for irrigation Sec. 19, T23S, R27E, WM. The applicant proposes to change the place of use within Sec. 19. C-63570 allows the use of 2.0 cubic feet per second (cfs) from a well in Sec. 19, T23S, R27E, WM for irrigation and supplemental irrigation in Sec. 19. The applicant proposes to change the point of appropriation to Sec. 5, T23S, R26E, WM and to change the place of use to Sec. 5, T23S, R26E, WM. C-61068 allows the use of 0.27 cfs from Hegewald Well #4 in Sec. 30, T23S, R27E, WM for supplemental irrigation in Sec. 30, T23S, R27E, WM. The applicant proposes to change the point of appropriation to Sec. 5, T23S, R26E, WM and to change the place of use to Sec. 5, T23S, R26E, 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: 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-13070</a>
Water Right	Cert: 89333, Cert: 89334
County/Basin	Jackson / Rogue (15)
Applicant Name	WHITE, BRYAN KUBLI BENCH VINEYARD LLC; WHITE FAMILY VINEYARD LLC 13696 N APPLGATE RD GRANTS PASS, OR 97527
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > APPLGATE RIVER / 37.00S 4.00W 31 SESW A WELL > APPLGATE RIVER / 37.00S 4.00W 31 SWSW A WELL > SLAGLE CREEK / 37.00S 4.00W 31 SESW
Use/Quantity	IRRIGATION / 0.116 CFS IRRIGATION / 0.080 CFS IRRIGATION / 0.180 CFS
Priority Date	05/18/2006, 03/30/2006

## 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 January 03, 2019.**

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-13069</a>
County	Hood River
Certificate	84803; 92000
Priority Date	AUGUST 8, 1977; NOVEMBER 25, 1895
Name	EAST FORK IRRIGATION DISTRICT
Address	PO BOX 162 ODELL, OR 97044
Use	IRRIGATION
Source	EAST FORK HOOD RIVER > HOOD RIVER

## **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 January 03, 2019. 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	<a href="#">T-13067</a>
Water Right	Claim: GR 1859
County/Basin	Linn / Willamette (2)
Applicant Name	AVINELIS, THOMAS E. AND KAREN M. PO BOX 1028 JEFFERSON, OR 97352
Proposed Change	POINT OF APPROPRIATION
Sources/TRSQ40Q160	WELL 2 > SUCKER SLOUGH / 10.00S 2.00W 17 NENW
Use/Quantity	IRRIGATION / 0.668 CFS
Priority Date	04/30/1944

Transfer	<a href="#">T-13068</a>
Water Right	Claim: GR 881
County/Basin	Marion / Willamette (2)
Applicant Name	WILT, GREGORY AND ELLEN SUBLIME ORGANICS LLC 7908 BOEDIGHEIMER RD SE SUBLIMITY, OR 97385
Proposed Change	POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > BEAVER CREEK / 8.00S 1.00W 26 SWSE
Use/Quantity	IRRIGATION / 0.891 CFS
Priority Date	02/28/1951

## **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):

**Sunriver Water, LLC (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="#">94164</a>
App:	G 15829
County/Basin	Lake / Goose & Summer Lake (13)
Applicant Name	GOULD, GERALD A. GOULD, MARY LOUISE
Priority Date	08/26/2002
Issue Date	12/03/2018
Cert#	<a href="#">93961</a>
App:	G 13959
County/Basin	Washington / Willamette (2)
Applicant Name	MOTZ FARM PROPERTIES LLC
Priority Date	01/27/1994
Issue Date	11/30/2018
Cert#	<a href="#">94149</a>
App:	S 88402
County/Basin	Crook, Deschutes, Jefferson / Deschutes (5)
Applicant Name	U.S. BUREAU OF RECLAMATION
Priority Date	03/10/2017
Issue Date	11/28/2018

## **Notice of Draft Proposed Final Order to Reauthorize Minor Hydroelectric Project**

The Department seeks public comments, on the following Draft Proposed Final Order to reauthorize a minor hydroelectric project. Comments must be submitted within 60 days of publication of this notice.

The application and Draft Proposed Final Order 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 documents please contact Craig Kohanek at 503-986-0823. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e). **Comments, protests, and/or requests for standing must be received by the Oregon Water Resources Department by 5:00 pm, February 4, 2019.**

Application: **HE 249**

Expiration date: December 31, 2020

Applicant: Clarence D. Billette

Amount of water: 0.5 cubic feet per second

Source of water: Chehalem Creek, tributary to Willamette River

Point of Diversion: NW ¼ NW 1/4 of Section 6, Township 3 South, Range 2 West, W.M.

Place of Use: NW ¼ NW 1/4 of Section 6, Township 3 South, Range 2 West, W.M.

Purpose: To supply power for onsite use

Power developed: 8.5 Theoretical Horsepower

Application: **HE 242**

Expiration date: December 31, 2020

Applicants: James L & Teresa K Potterf, 2420 Laurel Hill Dr., Eugene, Or 97403

Amount of water: 3.55 cubic feet per second

Source of water: Crystal Creek, tributary to Champion Creek

Point of Diversion: SE ¼ NE 1/4 of Section 11, Township 23 South, Range 1 East, W.M.

Place of Use: SE ¼ NE 1/4 of Section 11, Township 23 South, Range 1 East, W.M.

Purpose: To supply power for onsite use

Power developed: 25 Theoretical Horsepower

Application: **HE 257**

Expiration date: December 31, 2020

Applicant: Ronald H Lizotte, PO Box 193, Tiller, OR 97484

Amount of water: 0.1 cubic feet per second

Source of water: Francis Creek, tributary to the South Umpqua River

Point of Diversion: NW ¼ SE 1/4 of Section 28, Township 29 South, Range 1 West, W.M.

Place of Use: SE ¼ SE 1/4 of Section 28, Township 29 South, Range 1 West, W.M.

Purpose: To supply power for onsite use

Power developed: 2.3 Theoretical Horsepower

The Oregon Water Resource Department (OWRD) requests that parties interested in providing comments on the application or receiving future notices about the application and participating in the reauthorization process, contact Craig Kohanek at 503-986-0823 or [Ron.c.kohanek@oregon.gov](mailto:Ron.c.kohanek@oregon.gov) Copies of this application are available upon request.

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
December 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)\*

[ ]  
[ ]  
[ ]

**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.