

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
February 12, 2019

*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.
- * **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.
- * **Pending Municipal Permit Extension Applications**
- * **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 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.

- * **Transfer Applications: District Temporary - ORS 540.570**
Petitions requesting temporary changes in water use within a district's boundary for one irrigation season.

- * **Certificate Issuance**
Included in this section is a listing of recently issued water right certificates.

- * **HE 319 Notice of Intent to Reauthorize**

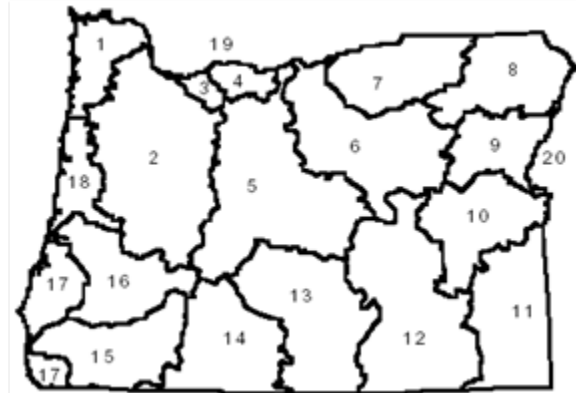
The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to Stacy.H.Phillips@oregon.gov.

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, March 14, 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, March 29, 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-18633](#)
County/Basin Malheur / Powder (9)
Applicant Name HUNTINGTON TRAVEL PLAZA LLC
5945 HWY 30
HUNTINGTON, OR 97907
Sources/TRSQ40Q160 A WELL > SNAKE RIVER / 15.00S 45.00E 5 SENE
A WELL > BENSON CREEK / 15.00S 45.00E 5 SENE
A RESERVOIR > SNAKE RIVER /
Use/Quantity COMMERCIAL USES / FIRE PROTECTION / 0.222 CFS
Priority Date 03/26/2018
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18565](#)
County/Basin Josephine / Rogue (15)
Applicant Name BROWN, MARC AND KAREN
372 FIR CANYON RD
GRANTS PASS, OR 97527
Sources/TRSQ40Q160 A WELL > LITTLE CHENEY CREEK / 37.00S 6.00W 18 SENE
Use/Quantity IRRIGATION / 5.000 AF
Priority Date 10/05/2017
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-18449
County/Basin	Josephine / Rogue (15)
Applicant Name	PADGETT, RONALD E. AND ANN M. PO BOX 5706 GRANTS PASS, OR 97526
Priority Date	02/02/2017
Issue Date	02/07/2019
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 April 13, 2019.

App#	R-88697
County/Basin	Yamhill / Willamette (2)
Applicant Name	DION, ROBERT 19700 NW ADCOCK RD YAMHILL, OR 97148
Sources/TRSQ40Q160	RUNOFF > ROWLAND CREEK / 2.00S 4.00W 33 NWNE
Use/Quantity	MULTIPLE PURPOSE / 8.960 AF
Priority Date	01/28/2019
App#	R-88698
County/Basin	Clackamas / Willamette (2)
Applicant Name	TOWNSEND, MICHAEL 23400 NE TOWNSEND WAY FAIRVIEW, OR 97024
Sources/TRSQ40Q160	RUNOFF > UNNAMED STREAM / 2.00S 3.00E 12 SWSE
Use/Quantity	STORAGE / 9.480 AF
Priority Date	01/31/2019

**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 March 29, 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#	S-70921
Permit#	S-51164
County/Basin	Lake / Goose & Summer Lake (13)
Applicant Name	CLARK, WAYNE 68 LEVERONI COURT SUITE 200 NOVATO, CA 94949
Sources/TRSQ40Q160 Use/Quantity	CHEWAUCAN RIVER > LAKE ABERT / 35.00S 21.00E 21 SESW IRRIGATION / 24.000 CFS

**Pending Municipal Permit Extension Applications
Sent to Oregon Department of Fish and Wildlife for Review**

Consistent with OAR 690-315-0080 the Department must notify Oregon Department of Fish and Wildlife of certain pending municipal water use extension applications. If applicable under OAR 690-315-0080 any undeveloped portion of a municipal permit must be conditioned to maintain the persistence of listed fish species in the portions of waterways affected by water use under the permit. The following applications were referred to the Oregon Department of Fish and Wildlife on February 8, 2019.

Application	G-10152
Permit Number	G-9520
Applicant Name	CITY OF OAKRIDGE
Source	THREE WELLS WITHIN THE MIDDLE FORK WILLAMETTE RIVER BASIN
Use/Quantity	MUNICIPAL / 2.8 CFS

Applications for Instream Lease

ORS 537.348 authorizes a water right holder to lease their existing water right(s) to instream use for a limited time. For the term of the lease, the water right holder agrees to suspend use of water under the original right. The state is the trustee for water rights leased for instream use. OAR 690-077-0077 requires that the Department public notice the lease applications.

The deadline for submitting claims of injury to existing water rights or enlargement of the original right against a lease application is March 05, 2019. 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 1672
Certificate	42374, 42373
County/Basin	Crook / Deschutes (5)
Lessor	JONES, GENE 1893 NE MCKAY CREEK RD PRINEVILLE, OR 97754
Lessor	JONES, ZANNA 1893 NE MCKAY CREEK RD. PRINEVILLE, OR 97754
Lessee	DESCHUTES RIVER CONSERVANCY 700 NW HILL STREET SUITE 1 BEND, OR 97703
Priority Date	11/22/1967, 09/29/1964
Source/Tributary To	MCKAY CREEK / CROOKED RIVER
Lease#	IL 1712
Certificate	19911, 48420
County/Basin	Yamhill / Willamette (2)
Lessor	DEHAAN JR, PETER 7140 SE BOOTH BEND RD MCMINNVILLE, OR 97128
Lessor	DEHAAN, JENNIFER 7140 SE BOOTH BEND RD MCMINNVILLE, OR 97128
Priority Date	05/23/1950, 02/21/1974
Source/Tributary To	SOUTH YAMHILL RIVER / YAMHILL RIVER

Lease# [IL 1715](#)
Certificate 83571
County/Basin Crook, Deschutes, Jefferson / Deschutes (5)
Lessee DESCHUTES RIVER CONSERVANCY MITIGATION BANK
HUBERT, GENEVIEVE
700 NW HILL ST STE 1
BEND, OR 97703

Lessor CENTRAL OREGON IRRIGATION DISTRICT
CENTOLA, ABIGAIL
1055 SW LAKE COURT
REDMOND, OR 97756

Lessor DIAMOND H HOLDINGS LLC
HOLLIDAY, EUGENE
63693 CRICKETWOOD RD
BEND, OR 97701

Priority Date 10/31/1900, 12/02/1907
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL 1716](#)
Certificate 83571
County/Basin Crook, Deschutes, Jefferson / Deschutes (5)
Lessee DESCHUTES RIVER CONSERVANCY MITIGATION BANK
HUBERT, GENEVIEVE
700 NW HILL ST STE 1
BEND, OR 97703

Lessor CENTRAL OREGON IRRIGATION DISTRICT
CENTOLA, ABIGAIL
1055 SW LAKE COURT
REDMOND, OR 97756

Priority Date 10/31/1900, 12/02/1907
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before March 14, 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	T 13117
Water Right	Cert: 80955
County/Basin	Jackson / Rogue (15)
Applicant Name	DOTY, BRYAN 2816 UPPER APPLGATE RD JACKSONVILLE, OR 97530
Proposed Change	POINT OF DIVERSION
Sources/TRSQ40Q160	LITTLE APPLGATE RIVER > APPLGATE RIVER / 39.00S 3.00W 11 SWSE
Use/Quantity	IRRIGATION / 0.240 CFS
Priority Date	12/31/1854

Transfer	T 13118
Water Right	Cert: 25796
County/Basin	Wheeler / John Day (6)
Applicant Name	SIX SHOOTER RANCH LLC 2357 HILLSIDE RD RICHFIELD, WI 53076
Proposed Change	ADDITIONAL POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	A SPRING > GIRDS CREEK / 11.00S 22.00E 9 NWNE GIRDS CREEK > JOHN DAY RIVER /
Use/Quantity	IRRIGATION / 0.195 CFS
Priority Date	12/31/1869

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 March 14, 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-12702 filed by Wilburn Ranches, Inc., 38498 Fox Round Basin Rd, Long Creek, OR 97856, proposes a change in point 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-eightieth 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. 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-12977 filed by City of Baker City, PO Box 650, Baker City, OR 97814, proposes additional points of appropriation under Certificates (C) 23384 and 68683. C-23384 allows the use of 2.25 cubic feet per second (cfs) from the California Pacific Well in Sec. 28, T9S, R40E, WM for municipal uses in Sects. 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29 and 30, T9S, R40E, WM. C-68683 allows the use of 0.566 cfs from the Golf Course Well in Sec. 20, T9S, R40E, WM for municipal uses within the service area of Baker City. The applicant proposes additional points of appropriation for both rights in Sects. 19, 20 and 21, T9S, R40E, 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	T 13051
Water Right	Permit: G 11627
County/Basin	Clackamas / Willamette (2)
Applicant Name	BASTASCH, JIM EAGLE CREEK GOLF COURSE 25805 SE DOWRY RD EAGLE CREEK, OR 97022
Proposed Change	POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	WELL 1 > EAGLE CREEK / 3.00S 4.00E 6 NWSW WELL 2 > EAGLE CREEK / 3.00S 3.00E 1 NESE WELL 3 > EAGLE CREEK / 3.00S 4.00E 6 SWSW
Use/Quantity	COMMERCIAL USES / 5.890 CFS
Priority Date	06/24/1991

Application for District Temporary Transfer

A district with a manager may request to temporarily change a water use within district boundaries for one irrigation season pursuant to ORS 540.570. District temporary transfers may include a change: (1) in place of use; (2) in type of use of a water right to store water; (3) in type of use from a primary right to a supplemental right; (4) in point of diversion/appropriation to facilitate a change in place of use; (5) in point of diversion in response to an emergency; and (6) from a surface water point of diversion to a ground water appropriation. A district may allow proposed changes to occur upon submission of an Application for District Temporary Water Right Transfer to the Department.

The Department shall approve the request provided it does not cause injury to any existing water right or expand the water use. A district temporary transfer may be conditioned or revoked at any time to avoid injury to other water rights. The use of water reverts to the prior authorized place of use, type of use, point of diversion/appropriation upon expiration of the temporary change.

The Department is requesting public comments on the recently filed district temporary transfer application(s) listed below. Comments may be submitted by any person (please follow the instructions on the last page of this public notice). The Department shall consider all comments that pertain to the potential for injury to an existing water right or to the enlargement of the water use subject to transfer in determining whether to condition, reject or revoke a temporary transfer. **Comments must be received by the Department on or before March 14, 2019.**

To view the district temporary transfer application, click on the link below.

Transfer	T-13119
County	Morrow
Certificate	80062; 86992; 86993
Priority Date	7/25/1973; 7/25/1973; 2/7/1974
Name	COLUMBIA IMPROVEMENT DISTRICT
Address	PO BOX 47 BOARDMAN, OR 97818
Use	IRRIGATION
Source	THE COLUMBIA RIVER > PACIFIC OCEAN

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#	94247
Xfer:	T 10377
County/Basin	Lane / Willamette (2)
Applicant Name	MCDUGAL, NORMAN
Priority Date	04/09/1958
Issue Date	02/12/2019

Cert#	94246
App:	G 17743
County/Basin	Harney / Malheur Lake (12)
Applicant Name	SINGHOSE, PHILLIP AND LORISSA
Priority Date	12/09/2013
Issue Date	02/12/2019

Notice of Intent to Reauthorize

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

Name:	David and Katrina Radtke Trust
County:	Lincoln
Basin:	Mid Coast
Stream:	Unnamed stream, tributary to Ten Mile Creek
Application Number:	HE 319
State Expiration Date:	December 31, 2021
Project Description:	A minor hydroelectric project using a combined 1 cubic feet per second (CFS), 0.27 CFS with a priority date of April 20, 1981 and 0.73 CFS with a priority date of January 12, 1999, from an unnamed stream to generate up to 9.5 theoretical horsepower for onsite hydroelectric use. The project powerhouse is located in Township 15 South, Range 12 West, Section 36 NW1/4 of the NE1/4.

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
February 12, 2019

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.