

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
March 5, 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.
- * **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.
- * **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.

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 Tonya.L.Miller@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

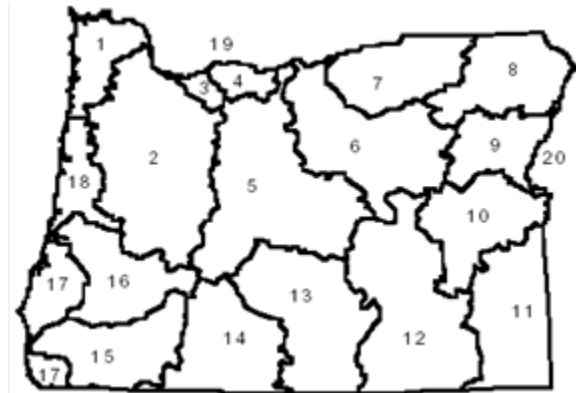
Unit of measure:

- 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, April 04, 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, April 19, 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-17975](#)
County/Basin Polk / Willamette (2)
Applicant Name WASSON, ELIZABETH
24077 NE SUNNYCREST RD
NEWBERG, OR 97132
Sources/TRSQ40Q160 A WELL > WILLAMETTE RIVER / 9.00S 4.00W 14 SWSW
Use/Quantity IRRIGATION / 2.000 CFS
Priority Date 12/15/2014
Stage/Status PFO / PROPOSE TO DENY

App# [G-18614](#)
County/Basin Yamhill / Willamette (2)
Applicant Name FOXGLOVE PROPERTIES LLP
RAMSEY, CHRIS
6555 NE HILLTOP LANE
DAYTON, OR 97114
Sources/TRSQ40Q160 A WELL > MILLER CREEK BASIN / 4.00S 3.00W 4 NESW
Use/Quantity IRRIGATION / 0.170 CFS
Priority Date 02/26/2018
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18626](#)
County/Basin Clackamas / Willamette (2)
Applicant Name VAN METER, MORRIS
10150 SE 352ND
BORING, OR 97009
Sources/TRSQ40Q160 A WELL > JOHNSON CREEK BASIN / 1.00S 4.00E 27 NENW
Use/Quantity NURSERY USES / 0.240 CFS
Priority Date 03/20/2018
Stage/Status PFO / 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 > OAK CREEK BASIN / 12.00S 3.00W 3 SWSW
Use/Quantity IRRIGATION / 0.740 CFS
Priority Date 07/06/2018
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18735](#)
County/Basin Linn / Willamette (2)
Applicant Name BETASEED INC.
34303 HWY 99E
TANGENT, OR 97389
Sources/TRSQ40Q160 A WELL > CALIPOOIA RIVER BASIN / 11.00S 3.00W 31 NWNW
Use/Quantity INDUSTRIAL/MANUFACTURING USES / 0.090 CFS
Priority Date 09/12/2018
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18737](#)
County/Basin Clackamas / Willamette (2)
Applicant Name FAWVER, BUD AND JOANN
7340 S FAWVER RD
CANBY, OR 97013
Sources/TRSQ40Q160 A WELL > MOLALLA RIVER / 3.00S 1.00E 32 NENW
Use/Quantity NURSERY USES / 0.678 CFS
Priority Date 09/14/2018
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18770](#)
County/Basin Malheur / Owyhee (11)
Applicant Name OREGON DEPARTMENT OF TRANSPORTATION
ATTN: KATIE HUBLER
200 HAWTHORNE AVE SE SUITE B240
SALEM, OR 97301
Sources/TRSQ40Q160 A WELL > LITTLE ANTELOPE CREEK / 36.00S 41.00E 36 NWNW
Use/Quantity IRRIGATION / 0.025 CFS
Priority Date 12/17/2018
Stage/Status IR / PROPOSE TO DENY

App# [G-18789](#)
County/Basin Clackamas / Willamette (2)
Applicant Name STAEHELY, WAYNE AND AMANDA
29490 S JACKSON RD
CANBY, OR 97013
Sources/TRSQ40Q160 A WELL > BEAR CREEK / 4.00S 1.00E 34 SWSE
A WELL > BEAR CREEK / 4.00S 1.00E 34 NESE
Use/Quantity NURSERY USES / 0.560 CFS
Priority Date 02/08/2019
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#	G-16755
County/Basin	Josephine / Rogue (15)
Applicant Name	BRECOUNT, MAY 514 W EVANS CREEK ROGUE RIVER, OR 97537
	MYERS, CRAIG L. 8442 LIBERTY RD S SALEM, OR 97306
Priority Date	11/27/2006
Issue Date	03/04/2019
Status	DENIED
App#	G-18464
County/Basin	Douglas / Umpqua (16)
Applicant Name	WINCHESTER FARMS LLC PO BOX 387 OREGON CITY, OR 97045
Priority Date	02/23/2017
Issue Date	03/04/2019
Status	WITHDRAWN
App#	G-18667
County/Basin	Union / Grande Ronde (8)
Applicant Name	LARVIK, RONALD 3412 HWY 30 LA GRANDE, OR 97850
Priority Date	05/02/2018
Issue Date	03/07/2019
Status	WITHDRAWN
App#	G-18672
County/Basin	Marion / Willamette (2)
Applicant Name	CHAMPOEG FARMS INC 6498 CHAMPOEG RD ST PAUL, OR 97137
Priority Date	05/07/2018
Issue Date	03/07/2019
Status	WITHDRAWN

App# [LL-1541](#)
County/Basin Baker / Powder (9)
Applicant Name BURNT RIVER IRRIGATION DISTRICT
C/O WES MORGAN
19498 HWY 245
HEREFORD, OR 97837
Issue Date 02/26/2019
Status APPROVED

App# [LL-1765](#)
County/Basin Gilliam / John Day (6)
Applicant Name WEEDMAN BROTHERS
PO BOX 386
WASCO, OR 97065
Issue Date 02/28/2019
Status DENIED

App# [LL-1768](#)
County/Basin Linn / Willamette (2)
Applicant Name EHMIG, JONATHAN
40148 COLE SCHOOL RD
SCIO, OR 97374
Issue Date 03/01/2019
Status APPROVED

App# [LL-1769](#)
County/Basin Lane / Middle Coast (18)
Applicant Name DONAGHEY, CAROLYN A.
2525 CAL YOUNG RD
EUGENE, OR 97401
Issue Date 03/01/2019
Status APPROVED

App# [S-88126](#)
County/Basin Malheur / Malheur (10)
Applicant Name FARMER, CHARLES WARREN
FARMER, JAMES GERALD
FARMER, MARGARET MOORE
PO BOX 1585
NYSSA, OR 97913
Priority Date 08/28/2015
Issue Date 02/27/2019
Status APPROVED

App# [S-88658](#)
County/Basin Polk / Willamette (2)
Applicant Name GREEN SPRING FARMS
ATTN: RANDY STRUCKMEIER
8930 SUVER RD
MONMOUTH, OR 97361
Priority Date 08/09/2018
Issue Date 03/04/2019
Status WITHDRAWN

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 April 19, 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-13804
Permit#	G-13738
County/Basin	Baker / Powder(9)
Applicant Name	NEWMAN, DOUGLAS J. AND ELSIE D. 14386 MUDDY CREEK LANE HAINES, OR 97833
	STUMBAUGH, BRENT 60475 ARNOLD MARKET RD BEND, OR 97702
Sources/TRSQ40Q160	A WELL > BIG MUDDY CREEK / 7.00S 38.00E 27 NESE A WELL > BIG MUDDY CREEK BASIN / 7.00S 38.00E 26 NWNW A WELL > BIG MUDDY CREEK BASIN / 7.00S 38.00E 27 NESW
Use/Quantity	SUPPLEMENTAL IRRIGATION / 4.50 CFS

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 April 04, 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 13130
Water Right	Cert:86049
County/Basin	Marion / Willamette (2)
Applicant Name	JAEGER, ROSS 13488 MCKEE SCHOOL RD WOODBURN, OR 97071
Proposed Change	ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > PUDDING RIVER / 6.00S 1.00W 15 NESE A WELL > PUDDING RIVER / 6.00S 1.00W 15 SWNE A WELL > PUDDING RIVER / 6.00S 1.00W 15 SWSW A WELL > PUDDING RIVER / 6.00S 1.00W 15 NESW
Use/Quantity	IRRIGATION / 2.07 CFS SUPPLEMENTAL IRRIGATION / 2.970 CFS
Priority Date	02/11/1987
Transfer	T 13131
Water Right	Cert:93979
County/Basin	Harney / Malheur Lake (12)
Applicant Name	SHERBURN, LORIN 68439 HWY 205 BURNS, OR 97720
Proposed Change	POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > DONNER UND BLITZEN RIVER BASIN / 27.00S 30.00E 35 SENW
Use/Quantity	IRRIGATION / 2.000 CFS
Priority Date	02/09/2012
Transfer	T 13132
Water Right	Cert:47895 , Cert:47896
County/Basin	Harney / Malheur Lake (12)
Applicant Name	GOLDEN RULE FARMS INC. PO BOX 255 CHRISTMAS VALLEY, OR 97641
Proposed Change	POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > CROWCAMP CREEK / 24.00S 32.50E 13 NWNE A WELL > CROWCAMP CREEK / 24.00S 32.50E 13 SWNW
Use/Quantity	IRRIGATION / 1.940 CFS IRRIGATION / 1.060 CFS
Priority Date	03/01/1968, 01/31/1975

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 April 04, 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-12764](#) filed by Ronald and Barbara Raines, 9479 S. Heinz Rd, Canby, OR 97013, proposes a change in point of appropriation under Certificates 42892 and 50579. Certificate 42892 allows the use of 0.11 cubic foot per second from a well in Sec. 27, T4S, R1E, WM for irrigation in Sec. 27, T4S, R1E, WM. Certificate 50579 allows the use of 0.02 cubic foot per second from a well in Sec. 27, T4S, R1E, WM for irrigation in Sec. 27, T4S, R1E, WM. The applicant proposes to move the point of appropriation to Sec. 27, T4S, R1E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13066](#) filed by Bylund Kiger Farms, LLC, 1986 SE Powells Rd, Corvallis, OR 97333, proposes additional points of diversion under Certificate 54989. The right allows the use of 0.43 cubic foot per second (cfs) from the Willamette River in Sec. 30, T12S, R4W, WM for irrigation. The applicant proposes two additional points of appropriation in Sec. 30, T12S, R4W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

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 Ashland (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.

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
March 5, 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.