

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
June 25, 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
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **Establishment of Mitigation Credits in the Deschutes Basin pursuant to OAR Chapter 690, Division 521 (ORS 537.746)**
- * **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.
- * **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.
- * **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: 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: 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.
- * **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.
- * **Notice of Receipt of Recommendation to Consent to Injury**
- * **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.

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

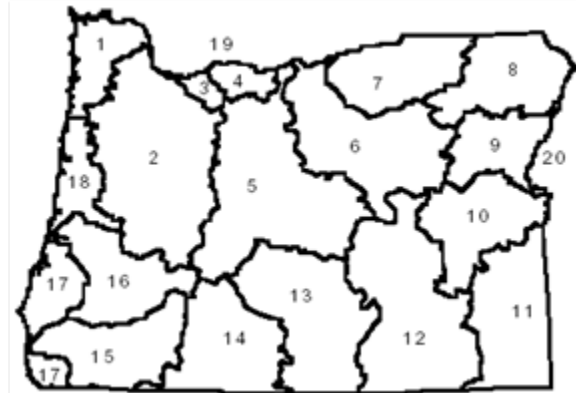
Unit of measure:

- 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, July 25, 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, August 09, 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# [S-88391](#)
County/Basin Douglas / Umpqua (16)
Applicant Name COUNTY OF DOUGLAS PARKS DEPARTMENT
1036 SE DOUGLAS AVE ROOM 116
ROSEBURG, OR 97470
Sources/TRSQ40Q160 NORTH UMPQUA RIVER > UMPQUA RIVER / 26.00S 4.00W 7 SWSE
Use/Quantity DOMESTIC EXPANDED / 0.020 CFS
Priority Date 04/17/2017
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18504](#)
County/Basin Jackson / Rogue (15)
Applicant Name ANTHONY TINGHITELLA REVOCABLE TRUST
TINGHITELLA, ANTHONY
JOHN FULCHER REVOCABLE TRUST
FULCHER, JOHN
621 DATE PALM RD
VERO BEACH, FL 32963
Sources/TRSQ40Q160 A WELL > STERLING CREEK BASIN / 38.00S 2.00W 27 SWNE
Use/Quantity NURSERY USES / 0.003 CFS
Priority Date 05/08/2017
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18683](#)
County/Basin Deschutes / Deschutes (5)
Applicant Name LAURA ANN MCCALLUM TRUST
69401 GOODRICH RD
SISTERS, OR 97759
Sources/TRSQ40Q160 A WELL > WHYCHUS CREEK BASIN / 14.00S 11.00E 31 NENW
Use/Quantity POND MAINTENANCE / 0.040 CFS
Priority Date 05/14/2018
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18694](#)
County/Basin Deschutes / Deschutes (5)
Applicant Name TUMALO WEST WATER INC.
PO BOX 5322
BEND, OR 97708
Sources/TRSQ40Q160 A WELL > DESCHUTES RIVER BASIN / 16.00S 11.00E 36 SESE
Use/Quantity QUASI-MUNICIPAL USES / 0.078 CFS
Priority Date 05/29/2018
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18712](#)
County/Basin Yamhill / Willamette (2)
Applicant Name SARBANAND ENTERPRISES LLC
786 RD 188
DELANO, CA 93215
Sources/TRSQ40Q160 A WELL > WEST FORK PALMER CREEK BASIN / 4.00S 3.00W 30 SWNW
Use/Quantity IRRIGATION / 0.310 CFS
Priority Date 07/09/2018
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18763](#)
County/Basin Marion / Willamette (2)
Applicant Name ARNZEN, BRIAN D. AND KERRI
8466 75TH AVE NE
SALEM, OR 97305
Sources/TRSQ40Q160 A WELL > LITTLE PUDDING RIVER BASIN / 6.00S 2.00W 22 NENE
Use/Quantity IRRIGATION / 0.200 CFS
Priority Date 11/16/2018
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18769](#)
County/Basin Multnomah / Willamette (2)
Applicant Name TOWNSEND FARMS INC.
23400 NE TOWNSEND WAY
FAIRVIEW, OR 97024
Sources/TRSQ40Q160 A WELL > FAIRVIEW CREEK BASIN / 1.00N 3.00E 27 SWNE
Use/Quantity COMMERCIAL USES / 0.780 CFS
Priority Date 12/06/2018
Stage/Status PFO / PROPOSE TO APPROVE

App# [R-88422](#)
County/Basin Wheeler / John Day (6)
Applicant Name LONG, TERRY
PO BOX 145
MITCHELL, OR 97750
Sources/TRSQ40Q160 BEAR CREEK > BRIDGE CREEK / 11.00S 20.00E 16 SWNW
Use/Quantity FISH CULTURE / 97.000 AF
Priority Date 06/28/2017
Stage/Status IR / PROPOSE TO DENY

App# [G-18566](#)
County/Basin Josephine / Rogue (15)
Applicant Name MOELLMAN, THOMAS
SANDINE, ANDY
160 LOWER WOLF CREEK RD
WOLF CREEK, OR 97497
Sources/TRSQ40Q160 A WELL > WOLF CREEK / 33.00S 6.00W 15 NWSE
Use/Quantity IRRIGATION / 0.050 CFS
Priority Date 10/06/2017
Stage/Status IR / PROPOSE TO DENY

App# [G-18584](#)
County/Basin Jackson / Rogue (15)
Applicant Name HARTFORD, CORNELL M.
PRITCHETT, DAVID M.
4875 ROGUE RIVIER DR
EAGLE POINT, OR 97524
Sources/TRSQ40Q160 A WELL > ROGUE RIVER / 34.00S 1.00W 4 SWNW
Use/Quantity IRRIGATION / 0.067 CFS
Priority Date 11/27/2017
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18586](#)
County/Basin Coos / South Coast (17)
Applicant Name SOGN, PAUL AND RACHELLE
PO BOX 9457
SURPRISE, AZ 85374

WINTERSOBN FARMS LLC
54657 ROSA ROAD
BANDON, OR 97411
Sources/TRSQ40Q160 A WELL > NORTH FORK JOHNSON CREEK / 29.00S 14.00W 5 NWNW
Use/Quantity IRRIGATION / 0.1113 CFS
Priority Date 11/27/2017
Stage/Status IR / PROPOSE TO DENY

App# [G-18610](#)
County/Basin Josephine / Rogue (15)
Applicant Name BRUMFIELD, COLE W.
3815 WATKINS LANE
EUGENE, OR 97405

GOLDEN ROAD FARMS LLC
3827 DICK GEORGE RD
CAVE JUNCTION, OR 97523
Sources/TRSQ40Q160 A WELL > ILLINOIS RIVER / 40.00S 8.00W 14 NENE
Use/Quantity IRRIGATION / 0.111 CFS
Priority Date 02/15/2018
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18635](#)
County/Basin Jackson / Rogue (15)
Applicant Name ARMSTRONG, CRAIG AND HELEN
3960 DODGE RD
WHITE CITY, OR 97503
Sources/TRSQ40Q160 A WELL > CONSTANCE CREEK / 35.00S 2.00W 13 NWSE
Use/Quantity IRRIGATION / 0.076 CFS
Priority Date 03/26/2018
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18695](#)
County/Basin Josephine / Rogue (15)
Applicant Name JONES, TOBIN AND RACHEL
7410 NORTH JERSEY ST
PORTLAND, OR 97203
Sources/TRSQ40Q160 A WELL > WEST FORK GILBERT CREEK / 36.00S 6.00W 1 NENE
Use/Quantity IRRIGATION / 0.016 CFS
Priority Date 05/31/2018
Stage/Status IR / PROPOSE TO DENY

App# [G-18707](#)
County/Basin Clackamas / Willamette (2)
Applicant Name WARD VIEW ESTATES
C/O MITCH RADEMACHER
23365 S WARD COURT
OREGON CITY, OR 97045
Sources/TRSQ40Q160 A WELL > UNNAMED STREAM / 3.00S 1.00E 36 SENE
Use/Quantity GROUP DOMESTIC / 0.100 CFS
Priority Date 06/29/2018
Stage/Status IR / PROPOSE TO DENY

App# [G-18742](#)
County/Basin Multnomah / Willamette (2)
Applicant Name CITY OF PORTLAND PARKS AND RECREATION
SWANSON, ROSS
1001 SW FIFTH AVE, STE. 2200
PORTLAND, OR 97204
Sources/TRSQ40Q160 A WELL > SULLIVAN GULCH / 1.00N 2.00E 28 NESE
Use/Quantity MUNICIPAL USES / 0.167 CFS
Priority Date 10/02/2018
Stage/Status IR / PROPOSE TO APPROVE

App# [S-88758](#)
County/Basin Jackson / Rogue (15)
Applicant Name HOAG, WILLIAM H.
2750 MILL CREEK DR
PROSPECT, OR 97536
Sources/TRSQ40Q160 ROGUE RIVER > PACIFIC OCEAN / 33.00S 2.00E 9 SENE
Use/Quantity DOMESTIC / 0.005 CFS
Priority Date 03/14/2019
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-17444
County/Basin	Klamath / Klamath (14)
Applicant Name	OREM, GARY D. AND JANIE M. 19980 HWY 50 MERRILL, OR 97633
Priority Date	12/22/2010
Issue Date	06/13/2019
Status	DENIED

App#	G-18451
County/Basin	Linn / Willamette (2)
Applicant Name	STANLEY, CLEVE 12601 BRICK RD SE TURNER, OR 97392
Priority Date	02/06/2017
Issue Date	06/20/2019
Status	DENIED

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 August 24, 2019.

App#	R-88706
County/Basin	Douglas / Umpqua (16)
Applicant Name	DEER CREEK RANCH TRUST TRINCHERO, DAVID PO BOX 177 ROSEBURG, OR 97470
Sources/TRSQ40Q160	RUNOFF > DEER CREEK / 28.00S 4.00W 5 NWSE
Use/Quantity	MULTIPLE PURPOSE / 5.000 AF
Priority Date	06/10/2019

Expedited Secondary Applications Under HB 2178 (2005)

For expedited secondary applications to use exclusively stored water filed under HB 2178, the public is invited to comment within 30 days of this notice, by **July 25, 2019**. The expedited secondary applications listed below have been filed recently. Any person may raise public interest issues regarding these applications. If public interest issues are raised, the Department may move the application to the standard process and review the application pursuant to ORS 537.153, and issue a Proposed Final Order. If no public issues are raised, the Department may issue a final order and permit without further prior notice.

Comments must identify the specific public interest under ORS 537.170(8) that would be impaired or detrimentally affected by the proposed use, and specifically how the identified public interest would be affected.

POD 1 is the location of the stored water. POD 2 and any additional points are the redirection point(s).

App#	S-88705
County/Basin	Yamhill / Willamette (2)
Applicant Name	ENVIROLOGIC RESOURCES INC. PO BOX 80762 PORTLAND, OR 97280
Sources/TRSQ40Q160	PALMER CREEK WATER DISTRICT IMPROVEMENT CO. 14395 SE WALLACE RD DAYTON, OR 97114 PALMER CREEK > YAMHILL RIVER / 6.00S 3.00W 4 SENW DETROIT RESERVOIR > NORTH SANTIAM RIVER / 10.00S 5.00E 7 SWNW BLUE RIVER RESERVOIR > BLUE RIVER / 16.00S 4.00E 16 SESE COTTAGE GROVE RES > COAST FORK WILLAMETTE RIVER / 21.00S 3.00W 28 SENE COUGAR RESERVOIR > SOUTH FORK MCKENZIE RIVER / 16.00S 5.00E 31 SESE DORENA RESERVOIR > ROW RIVER / 20.00S 2.00W 32 NWSE FALL CREEK RESERVOIR > FALL CREEK / 19.00S 1.00W 1 NESW FERN RIDGE RESERVOIR > LONG TOM RIVER / 17.00S 5.00W 4 NESW GREEN PETER RESERVOIR > MIDDLE SANTIAM RIVER / 13.00S 2.00E 10 NWSE HILLS CREEK RES > MIDDLE FORK WILLAMETTE RIVER / 21.00S 3.00E 35 NENW LOOKOUT POINT RES > MIDDLE FORK WILLAMETTE RIVER / 19.00S 1.00W 13 NWSE SUPPLEMENTAL IRRIGATION / 53.880 AF
Use/Quantity	
Priority Date	06/11/2019
App#	S-88707
County/Basin	Douglas / Umpqua (16)
Applicant Name	MARTIN, JAMES STONEROD, PAULA PO BOX 573 RIDDLE, OR 97469
Sources/TRSQ40Q160	A RESERVOIR > COW CREEK / 31.00S 4.00W 28 SWNE COW CREEK > SOUTH UMPQUA RIVER / 30.00S 6.00W 33 NWNE IRRIGATION / 4.460 AF
Use/Quantity	
Priority Date	06/17/2019

Establishment of Mitigation Credits in the Deschutes Basin

ORS 537.746 authorizes the Department to award mitigation credits in the Deschutes Basin to approved mitigation projects. Mitigation credits may be used in the Deschutes Basin, specifically the Deschutes Ground Water Study Area, to mitigate for the impacts of ground water use on surface water flows. Pursuant to OAR Chapter 690, Division 521, upon receipt of notification of a mitigation project, the Department shall give public notice of the intent to establish mitigation credits.

The public is invited to comment on establishment of mitigation credits for the project(s) described below. Comments must be received within 21 days of the date of this public notice. Comments should address the award of mitigation credits to the proposed project and its use for mitigation purposes. Included in this public notice is a preliminary determination as to the amount of mitigation credits that may be available from the proposed project.

Mitigation Project #: MP-255, Deschutes County

Project Applicant: Deschutes River Conservancy Mitigation Bank and Three Sisters Irrigation District on behalf of Landowner

Mitigation Project And Process: Instream Lease IL-1760 - see also instream lease section of this notice for additional application Details

Subbasin/Source: Whychus Creek subbasin – Whychus Creek, tributary to the Deschutes River

Amount of Water: up to 1.007 Cubic Foot per Second and 191.66 Acre-Feet

Current Use: Irrigation of 62.91 acres

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation Credit Determination: 113.2 mitigation credits that may be available for use in the Whychus Creek and/or General Zones of Impact

Contact: Sarah Henderson (503) 986-0884

**Applications for Extensions of Time
to Perfect Water Right Permits filed pursuant to OAR 690-315**

Consistent with OAR 690-315-0050, the Department will accept public comment on the following extension applications until July 25, 2019. Following the comment period, the Department will prepare and issue a proposed final order. Individuals who would like a copy of the proposed final order may request copies by sending a request and \$25 (the charge required by law). Please indicate the file number. Copies of the proposed final order may be viewed at the Department and/or self-copied. Individuals wishing to obtain a copy of the extension application should contact the Department by phone or in person.

App#	G-14291
Permit Number	G-13254
County/Basin	Union / Grande Ronde (8)
Applicant Name	MDB FARMS LLC 3640 H ST BAKER CITY, OR 97814
Sources/TRSQ40Q160	A WELL > GRANDE RONDE RIVER BASIN / 3.00S 38.00E 12 NESE A WELL > GRANDE RONDE RIVER BASIN / 3.00S 38.00E 1 SWSW A WELL > GRANDE RONDE RIVER BASIN / 3.00S 38.00E 12 SWNW A WELL > GRANDE RONDE RIVER BASIN / 3.00S 38.00E 12 NENE
Use/Quantity	IRRIGATION / 10.800 CFS
Proposed Completion Date	10/01/2023

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 August 09, 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#	R-87489
Permit#	R-15050
County/Basin	Wheeler / John Day (6)
Applicant Name	4 DSD LLC 175 PHILLIPS RD WOODSIDE, CA 94062
Sources/TRSQ40Q160	RUNOFF > SIXSHOOTER CREEK / 11.00S 24.00E 15 NENW UNNAMED STREAM > SIXSHOOTER CREEK / 11.00S 24.00E 15 NENW A SPRING > SIXSHOOTER CREEK / 11.00S 24.00E 15 NENW A SPRING > SIXSHOOTER CREEK / 11.00S 24.00E 15 SWNE
Use/Quantity	STORAGE / 50.000 AF
App#	G-16936
Permit#	G-16352
County/Basin	Wheeler / John Day (6)
Applicant Name	4-DSD LLC 175 PHILLIP RD WOODSIDE, CA 94062
Sources/TRSQ40Q160	A WELL > NORTH FORK SIXSHOOTER CREEK / 11.00S 24.00E 16 NESW A WELL > NORTH FORK SIXSHOOTER CREEK / 11.00S 24.00E 17 NESE A WELL > TUBB CREEK / 11.00S 24.00E 23 SENW A WELL > INDIAN CREEK / 11.00S 24.00E 13 NESW A WELL > INDIAN CREEK / 11.00S 24.00E 13 SESW A WELL > NORTH FORK SIXSHOOTER CREEK / 11.00S 24.00E 15 NENW
Use/Quantity	IRRIGATION / 1.666 CFS

App# G-16801
 Permit# [G-16278](#)
 County/Basin Malheur / Malheur (10)
 Applicant Name PHILLIPS, TOM
 3657 VAN WAY
 ONTARIO, OR 97914
 Sources/TRSQ40Q160 A WELL > MALLETT DRAIN / 18.00S 46.00E 32 NESW
 Use/Quantity IRRIGATION / 0.220 CFS

App# R-87822
 Permit# [R-15042](#)
 County/Basin Harney / Malheur Lake (12)
 Applicant Name RATTLESNAKE CREEK LAND AND CATTLE CO.
 524 HWY 20 N
 HINES, OR 97738
 Sources/TRSQ40Q160 ROCK CREEK > COW CREEK / 22.00S 33.00E 16 SESW
 Use/Quantity STORAGE / 1000.000 AF

App# S-87823
 Permit# [S-54843](#)
 County/Basin Harney / Malheur Lake (12)
 Applicant Name RATTLESNAKE CREEK LAND AND CATTLE CO.
 524 HWY 20 N
 HINES, OR 97738
 Sources/TRSQ40Q160 A RESERVOIR > ROCK CREEK / 22.00S 33.00E 16 SESW
 Use/Quantity SUPPLEMENTAL IRRIGATION / 1000.000 AF

App# G-17562
 Permit# [G-17966](#)
 County/Basin Harney / Malheur Lake (12)
 Applicant Name RATTLESNAKE CREEK LAND AND CATTLE CO.
 524 HWY 20 N
 HINES, OR 97738
 Sources/TRSQ40Q160 A WELL > ROCK CREEK BASIN / 22.00S 33.00E 29 NENE
 A WELL > ROCK CREEK BASIN / 22.00S 33.00E 20 NESE, NENE
 A WELL > ROCK CREEK BASIN / 22.00S 33.00E 30 SWNE, NWSE
 A WELL > ROCK CREEK BASIN / 22.00S 33.00E 29 NWSW
 A WELL > ROCK CREEK BASIN / 22.00S 33.00E 31 SWNE, NWSE
 A WELL > ROCK CREEK BASIN / 22.00S 33.00E 32 SWNW, SENW, NWSW, NWSE
 A WELL > ROCK CREEK BASIN / 22.00S 33.00E 28 SESE
 Use/Quantity IRRIGATION / 11.3399 CFS

App# G-17688
 Permit# [G-17230](#)
 County/Basin Harney / Malheur Lake (12)
 Applicant Name THORENFELDT, BO
 885 HILLSBOROUGH BLVD
 HILLSBOROUGH, CA 94010
 Sources/TRSQ40Q160 A WELL > MALHEUR SLOUGH / 23.00S 33.00E 29 SESW
 A WELL > MALHEUR SLOUGH / 23.00S 33.00E 29 SWSW
 Use/Quantity IRRIGATION / 2.000 CFS

App# S-84684
 Permit# [S-53845](#)
 County/Basin Douglas / Umpqua (16)
 Applicant Name DUNBAR, RYAN
 515 BAILEY DR
 ROSEBURG, OR 97471
 Sources/TRSQ40Q160 A RESERVOIR > COW CREEK / 28.00S 6.00W 3 NENW
 Use/Quantity IRRIGATION / 2.230 AF

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 July 09, 2019, 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# [LL-1787](#)
County/Basin Jefferson / Deschutes (5)
Applicant Name NORTH UNIT IRRIGATION DISTRICT; MIKE BRITTON
2024 NW BEECH ST
MADRAS, OR 97741
Sources/TRSQ40Q160 PRINEVILLE RESERVOIR > DESCHUTES RIVER / 14.00S 13.00E 13 SWNE
Use/Quantity IRRIGATION TO SUPPLEMENT EXISTING CERTIFICATIONS. / 120 CFS

App# [LL-1788](#)
County/Basin Clackamas / Sandy (3)
Applicant Name SALMON VALLEY WATER COMPANY; GOFF, LON
PO BOX 205
WELCHES, OR 97067
Sources/TRSQ40Q160 SALMON RIVER BASIN > SANDY RIVER / 2.00S 7.00E 33 SESW
SALMON RIVER BASIN > SANDY RIVER / 3.00S 7.00E 4 NENW
QUASI-MUNICIPAL USE / .334 CFS

App# [LL-1789](#)
County/Basin Columbia / North Coast (1)
Applicant Name OREGON DEPARTMENT OF STATE LANDS
AQUATIC RESOURCE MANAGEMENT
775 SUMMER ST NE SUITE 100
SALEM, OR 97301-1279
Sources/TRSQ40Q160 COLUMBIA RIVER > PACIFIC OCEAN / 7.00N 3.00W 1 SESE
Use/Quantity SAND AND GRAVEL PROCESSING / 150 GPM

App# [LL-1790](#)
County/Basin Jackson / Rogue (15)
Applicant Name HRNCIR, ROSS
XP INVESTMENTS LLC
PO BOX 966
HALLETTSVILLE, TX 77964
Sources/TRSQ40Q160 XP RESERVOIR > LITTLE BUTTE CREEK / 35.00S 1.00W 28 NESE
Use/Quantity IRRIGATION / 30 GPM

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 July 16, 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 1759](#)
Certificate 92000, 80926
County/Basin Hood River / Hood (4)
Lessor EAST FORK IRRIGATION DISTRICT
PO BOX 162
ODELL, OR 97044
Priority Date 11/25/1895, 06/14/1967, 03/13/1964
Source/Tributary To EAST FORK HOOD RIVER / HOOD RIVER

Lease# [IL 1760](#)
Certificate 74135
County/Basin Deschutes, Jefferson / Deschutes (5)
Lessor THALACKER, MARC
THREE SISTERS IRRIGATION DISTRICT
PO BOX 2230
SISTERS, OR 97759
Lessor OLSEN, KRISTOPHER
TUMALO FARMS I LLC
61475 WEST RIDGE AVE
BEND, OR 97702
Lessee HUBERT, GENEVIEVE
DESCHUTES RIVER CONSERVANCY MITIGATION BANK
700 NW HILL ST STE 1
BEND, OR 97703
Priority Date 12/31/1904
Source/Tributary To WHYCHUS CREEK / DESCHUTES RIVER

Lease# [IL 1761](#)
Certificate 83571
County/Basin Crook, Deschutes, Jefferson / Deschutes (5)
Lessor FAULKNER JR, KENNETH
JMSCM PROPERTIES LLC
2660 NE HWY 20 SUITE 610-206
BEND, OR 97701

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

Lessee HUBERT, GENEVIEVE
DESCHUTES RIVER CONSERVANCY
700 NW HILL ST STE #1
BEND, OR 97703

Priority Date 10/31/1900
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL 1763](#)
Certificate 93655, 93668, 93667
County/Basin Crook, Harney / Deschutes (5), Malheur (10)
Lessor BAUERSFELD, JIM
5600 NE MILL CREEK RD
PRINEVILLE, OR 97754

Lessee HUBERT, GENEVIEVE
DESCHUTES RIVER CONSERVANCY MITIGATION BANK
700 NW HILL ST STE 1
BEND, OR 97703

Priority Date 07/24/1970, 12/31/1868
Source/Tributary To UNNAMED STREAM / LITTLE STINKING WATER CREEK

Transfer Applications: Regular

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

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before July 25, 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 13203
Water Right	Cert: 87734, 87738
County/Basin	Wheeler / John Day (6)
Applicant Name	GIOTTONINI, MARY ANN 255 NW SCENIC HEIGHTS DR BEND, OR 97701
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	ROWE CREEK > JOHN DAY RIVER / 9.00S 21.00E 22 NESW ROWE CREEK > JOHND AY RIVER / 9.00S 21.00E 22 SENW
Use/Quantity	IRRIGATION / 1.4025 CFS
Priority Date	12/31/1868, 12/31/1883, 12/31/1993

Transfer	T 13206
Water Right	Cert: 85993
County/Basin	Josephine / Rogue (15)
Applicant Name	BEACON HILL PROPERTIES, LLC 22188 NEFF ROAD BEND, OR 97701
Proposed Change	PLACE OF USE, USE
Sources/TRSQ40Q160	SQUAW CREEK > DEER CREEK / 38.00S 8.00W 4 SWSE
Use/Quantity	IRRIGATION / 0.020 CFS
Priority Date	12/31/1897

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 July 25, 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-12952](#) filed by Ken Lan LLC, c/o Jess Kenagy, 29531 S. Kenagy Ln, Hubbard, OR 97032, proposes an additional point of diversion under Certificate 20396. The right allows the use of 0.89 cubic foot per second from Rock Creek in Sec. 6, T5S, R1E, WM for irrigation in Sec. 6. The applicant proposes an additional point of diversion in Sec. 31, 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-12970](#) filed by Bruce Ernst, PO Box 460, Saint Paul OR, 97137, proposes a change in place of use under Certificate 66053. The right allows the use of 0.33 cubic foot per second from Mill Creek in Sec. 22, T4S, R1W, WM for irrigation in Sects. 22 and 23, T4S, R1W, WM. The applicant proposes to change the place of use within Sects. 22 and 23. 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	T-13207
Water Right	Cert:55994
County/Basin	Grant / John Day (6)
Applicant Name	GRANT SCHOOL DISTRICT NO.3 911 S.CANYON BLVD. JOHN DAY, OR 97845
Proposed Change	PLACE OF USE, POINT OF DIVERSION, SURFACE WATER TO GROUND WATER
Sources/TRSQ40Q160	CANYON CREEK > JOHN DAY RIVER / 15.00S 32.00E 19 SWNW CANYON CREEK > JOHN DAY RIVER / 15.00S 32.00E 19 SENW CANYON CREEK > JOHN DAY RIVER / 15.00S 31.00E 24 NENE
Use/Quantity	IRRIGATION / 493.200 ACF
Priority Date	12/31/1873
Transfer	T-13208
Water Right	Cert: 55124, 42109
County/Basin	Marion / Willamette (2)
Applicant Name	BUTSCH PROPERTIES LLC. 15234 BUTSCH LANE NE MT. ANGEL, OR 97362
Proposed Change	ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > MILL CREEK / 4.00S 1.00W 27 NWNW A WELL > MILL CREEK / 4.00S 1.00W 28 SWNE
Use/Quantity	IRRIGATION / 2.090 CFS
Priority Date	05/07/1979, 01/11/1967

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 13205
Water Right	Permit: G-18088
County/Basin	Deschutes / Deschutes (5)
Applicant Name	K BAR J RANCH LLC 200 HANSARD AVE LEBANON, OR 97355
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > LITTLE DESCHUTES RIVER BASIN / 22.00S 10.00E 2 SENW A WELL > LITTLE DESCHUTES RIVER BASIN / 22.00S 10.00E 10 NWNW
Use/Quantity	IRRIGATION / 0.535 CFS
Priority Date	02/22/2017

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 July 25, 2019.**

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

Transfer	T-13209
County	Morrow
Certificate	30021, 82489, 82491, 82490
Permit	S-54980, G-15586
Priority Date	11/9/1951; 1875; 10/1/1973; 8/3/1983; 1/6/2009; 4/3/2003
Name	WILLOW CREEK DISTRICT IMPROVEMENT CO.
Address	55805 HWY 74 HEPPNER, OR 97836
Use	IRRIGATION; SUPPLEMENTAL IRRIGATION
Source	WILLOW CREEK > COLUMBIA R; PADBERG WELL WITHIN THE WILLOW CREEK BASIN; WILLOW CREEK RESERVOIR > WILLOW CREEK; WELL 1 WITHIN THE WILLOW CREEK BASIN

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	N19.004
County	Deschutes
Certificate	74146; 74147; 74148; 74149; 76520; ALL IN THE NAME OF TUMALO IRRIGATION DISTRICT
Priority Date	9/1/1900; 10/29/1913; 4/7/1911; 1905; 12/8/1961
Name	TUMALO IRRIGATION DISTRICT
Address	64697 COOK AVENUE BEND, OR 97703
Use	IRRIGATION; SUPPLEMENTAL IRRIGATION
Source	TUMALO CR > DESCHUTES R; TUMALO CR, CRATER CR, LITTLE CRATER CR, THREE SPRING BRANCHES > DESCHUTES R; CRESCENT LAKE RES > CRESCENT CR AND LITTLE DESCHUTES R; DESCHUTES R > COLUMBIA R
Acres:	1.60
Authorized POU:	T16S R11E 13 SENE
Proposed POU:	T16S R11E 13 SENE
Notice	19-01
County	Jackson
Certificate	85288, 80576, 58576, 85877, 80575, 80577, ALL in the name of ROGUE RIVER VALLEY IRRIGATION DISTRICT; 83729 in the name of U.S. BUREAU OF RECLAMATION
Priority Date	07/23/1909; 09/06/1915; 03/31/1910; 06/24/1913; 6/24/1913; 5/10/1916; 06/08/1953; 09/06/1915
Name	ROGUE RIVER VALLEY IRRIGATION DISTRICT
Address	3139 MERRIMAN ROAD MEDFORD, OR 97501
Use	T36S R2W 33 SESE; SWSW
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; BEAR CREEK > ROGUE RIVER; GRIFFIN AND JACKSON CREEKS > BEAR CREEK; CONDE, DEAD INDIAN, DALEY, AND BEAVER DAM CREEKS > S FK LITTLE BUTTE CREEK; HOWARD PRAIRIE RESERVOIR > JENNY CREEK
Acres:	8.00
Authorized POU:	T36S R1E 07 NENW
Proposed POU:	T37S R2W 03 SESW

Notice of Receipt of Recommendation to Consent to Injury for Water Right Transfer T-12906

T-12906 filed by Elmwood Ranch Inc. c/o Russel Ricco, 25880 Green Haven Road, Prairie City, OR 97869, proposes a change in point of diversion and a change in place of use under Certificate 32384 and a change in point of diversion under Certificates 32398 and 75446. Certificate 32384 allows the use of 1.6 cubic feet per second (cfs) from the John Day River in Sec. 9, T13S, R33E, WM for irrigation in Sec. 9, T13S, R33E, WM. Certificate 32398 allows the use of 1.64 cfs from the John Day River in Sec. 9, T13S, R33E, WM for irrigation in Sects. 8, 9, 16 and 17, T13S, R33E, WM. Certificate 75446 allows the use of 1.8 cfs from the John Day River in Sec. 9, T13S, R33E, WM for irrigation in Sects. 9, 16 and 17, T13S, R33E, WM.

The applicant proposes to move the point of diversion approximately 600 feet upstream on the John Day River in Sec. 9, T13S, R33E, WM. The Water Resources Department determined that the transfer would injure instream water right Certificate 59788. The Oregon Department of Fish and Wildlife (ODFW) concluded that the transfer would result in net benefits to the resource if conditioned as follows:

- a) ODFW recommends the transfer applicant (permittee) comply with terms of the associated Mitigation Plan to minimize detrimental impacts to fish, wildlife, and/or their habitat. ODFW understands that the mitigation and following conditions will be fully incorporated into the requirements of the new certificate and may only be altered by written mutual agreement of all parties. ODFW recommends:
 - i) The mitigation provided be legally protected and maintained for the life of the transfer (permit) and subsequent certificate and/or
 - ii) Regulation of the use and/or cancellation of the certificate(s) if the required mitigation is not maintained.
 - iii) This recommendation to consent to injury is contingent upon:
 - (1) Completion of the engineered rock riffle diversion, as approved by ODFW, that will allow volitional fish passage for all life stages of salmonids and
- b) As required by ORS 509.585, the permittee shall not construct, operate, or maintain any dam or artificial obstruction to fish passage across any waters of this state that are inhabited, or were historically inhabited, by native migratory fish without obtaining approval from the Oregon Department of Fish and Wildlife (ODFW). The permittee shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish passage facility, waiver, or exemption must be obtained prior to construction of any in-channel obstruction or prior to diversion of water that may create an artificial obstruction due to low flow, and the permittee shall submit proof to ODFW that fish passage has been implemented per the plan, waiver, or exemption prior to diversion of water. The permittee shall maintain adequate passage of native migratory fish at all times (ORS 509.610) as per the approved plan, waiver, or exemption. If ODFW determines adequate passage of native migratory fish is not being provided, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that adequate fish passage is being provided. The permittee is hereby directed to schedule a consultation with an ODFW Fish Passage Coordinator.
 - i) A Fish Passage Plan, Waiver, or Exemption has been granted for the proposed POD that fulfills the fish passage requirements for this use.

- c) The transfer applicant (permittee) shall install, maintain, and operate fish screening consistent with current Oregon Department of Fish and Wildlife (ODFW) standards or submit documentation that ODFW has determined fish screening is not necessary or is exempted. Fish screening is to prevent fish from entering the proposed diversion. The required screen is to be in place, functional, and approved in writing by ODFW prior to diversion of water. The water user shall operate and maintain the fish screen consistent with ODFW's operation and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly. The permittee is hereby directed to schedule a consultation with an ODFW Fish Screening Coordinator.
- i) The new (proposed) point of diversion is currently equipped with an appropriate fish screen.
- d) Construction must occur during the established in-water work period (July 15 to August 15) unless otherwise approved by ODFW.

The Oregon Department of Environmental Quality (DEQ) concluded that the transfer would result in net benefit to the resource if conditioned as follows:

- (a) DEQ recommends that OWRD include a transfer (permit) condition that requires the applicant to revegetate stream banks at the new and old point of diversion locations after construction to promote stream shading.

Copies of the OWRD's Preliminary Determination proposing denial of the transfer and ODFW's and DEQ's recommendations are available for viewing at the Salem office of the Water Resources Department. Any person may review the recommendation and submit written comments or may submit a written request for a public meeting to review the recommendation. The comments or request for a meeting must be received by OWRD on or before July 25, 2019.

OWRD will provide copies of any comments submitted in response to this notice to ODFW and DEQ. If a meeting is requested, OWRD will schedule a joint public meeting with ODFW and DEQ to review the recommendation.

To review the recommendation, contact Kelly Starnes at 503-986-0886 or e-mail Patrick.K.Starnes@oregon.gov. Written comments and requests for a public meeting should be mailed to Attn: Kelly Starnes, Water Resources Department, 725 Summer St NE, Suite A, Salem, OR 97301-1266 or faxed to 503-986-0901.

Notice of Receipt of Recommendation to Consent to Injury for Water Right Transfer T-12907

T-12907 filed by Elmwood Ranch Inc. c/o Russel Ricco, 25880 Green Haven Road, Prairie City, OR 97869, and Roger and Janna Lee, PO Box 870, Prairie City, OR, 97869, proposes a change in place of use under Certificate 25273, and a change in point of diversion and a change in place of use under Certificates 25272 and 32398. Certificate 25272 allows the use of 6.67 cubic feet per second from the John Day River in Sec. 17, T13S, R33E, WM for irrigation in Sects. 17 and 18. The applicant proposes to move the point of diversion within Sec. 17, T13S, R33E, WM, and to change the place of use within Sects. 17 and 18. Certificate 25273 allows the use of 4.63 cubic feet per second from the John Day River in Sec. 8, T13S, R33E, WM for irrigation in Sec. 18, T13S, R33E, WM. The applicant proposes to change the place of use to Sec. 17 and within Sec. 18. Certificate 32398 allows the use of 0.42 cubic foot per second from the John Day River in Sects. 9 and 17, T13S, R33E, WM for irrigation in Sec. 17. The applicant proposes to move the point of diversion within Sects. 9 and 17, T13S, R33E, WM, and to change the place of use within Sec. 17, T13S, R33E, WM.

The applicant proposes to move the point of diversion approximately 1479 feet upstream on the John Day River in Sec. 9, T13S, R33E, WM. The applicant also proposes to move the point of diversion approximately 959 feet upstream on the John Day River in Sec. 17, T13S, R33E, WM. The Water Resources Department determined that the transfer would injure instream water right Certificate 59788. The Oregon Department of Fish and Wildlife (ODFW) concluded that the transfer would result in net benefits to the resource if conditioned as follows:

- e) ODFW recommends the transfer applicant (permittee) comply with terms of the associated Mitigation Plan to minimize detrimental impacts to fish, wildlife, and/or their habitat. ODFW understands that the mitigation and following conditions will be fully incorporated into the requirements of the new certificate and may only be altered by written mutual agreement of all parties. ODFW recommends:
 - i) The mitigation provided be legally protected and maintained for the life of the transfer (permit) and subsequent certificate and/or
 - ii) Regulation of the use and/or cancellation of the certificate(s) if the required mitigation is not maintained.
 - iii) This recommendation to consent to injury is contingent upon:
 - (1) Completion of the engineered rock riffle diversion, as approved by ODFW, that will allow volitional fish passage for all life stages of salmonids.
- f) As required by ORS 509.585, the permittee shall not construct, operate, or maintain any dam or artificial obstruction to fish passage across any waters of this state that are inhabited, or were historically inhabited, by native migratory fish without obtaining approval from the Oregon Department of Fish and Wildlife (ODFW). The permittee shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish passage facility, waiver, or exemption must be obtained prior to construction of any in-channel obstruction or prior to diversion of water that may create an artificial obstruction due to low flow, and the permittee shall submit proof to ODFW that fish passage has been implemented per the plan, waiver, or exemption prior to diversion of water. The permittee shall maintain adequate passage of native migratory fish at all times (ORS 509.610) as per the approved plan, waiver, or exemption. If ODFW determines adequate passage of native migratory fish is not being provided, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that adequate fish passage is being provided. The permittee is hereby directed to schedule a consultation with an ODFW Fish Passage Coordinator.

- ii) A Fish Passage Plan, Waiver, or Exemption has been granted for the proposed POD that fulfills the fish passage requirements for this use.
- g) The transfer applicant (permittee) shall install, maintain, and operate fish screening consistent with current Oregon Department of Fish and Wildlife (ODFW) standards or submit documentation that ODFW has determined fish screening is not necessary or is exempted. Fish screening is to prevent fish from entering the proposed diversion. The required screen is to be in place, functional, and approved in writing by ODFW prior to diversion of water. The water user shall operate and maintain the fish screen consistent with ODFW's operation and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly. The permittee is hereby directed to schedule a consultation with an ODFW Fish Screening Coordinator.
- i) The new (proposed) point of diversion is currently equipped with an appropriate fish screen.
- h) Construction must occur during the established in-water work period (July 15 to August 15) unless otherwise approved by ODFW.

The Oregon Department of Environmental Quality (DEQ) concluded that the transfer would result in net benefit to the resource if conditioned as follows:

- (a) The applicant shall revegetate stream banks at the new and old POD locations after construction to promote stream shading.
- (b) The applicant shall allow for the growth of riparian vegetation along the length of the injured reach.
- (c) The applicant shall have a function fence that protects riparian vegetation and prevents stream bank erosion from livestock acres.
- (d) The applicant shall provide a buffer between the fence and the stream to allow for the growth of riparian vegetation.

Copies of the OWRD's Preliminary Determination proposing denial of the transfer and ODFW's and DEQ's recommendations are available for viewing at the Salem office of the Water Resources Department. Any person may review the recommendation and submit written comments or may submit a written request for a public meeting to review the recommendation. The comments or request for a meeting must be received by OWRD on or before July 25, 2019.

OWRD will provide copies of any comments submitted in response to this notice to ODFW and DEQ. If a meeting is requested, OWRD will schedule a joint public meeting with ODFW and DEQ to review the recommendation.

To review the recommendation, contact Corey Courchane at 503-986-0825 or e-mail corey.a.courchane@oregon.gov. Written comments and requests for a public meeting should be mailed to Attn: Corey Courchane, Water Resources Department, 725 Summer St NE, Suite A, Salem, OR 97301-1266 or faxed to 503-986-0901.

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):

McMinnville Water and Light (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.

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# [94402](#)
App: S-87934
County/Basin Lane / Middle Coast (18)
Applicant Name DEVRIES, BYRON
DEVRIES, SUSAN
Priority Date 09/19/2013
Issue Date 06/21/2019

Cert# [94410](#)
App: S-85102
County/Basin Coos / South Coast (17)
Applicant Name GREEN, KAREN
Priority Date 03/25/2002
Issue Date 06/21/2019

Cert# [94411](#)
App: S-85216
County/Basin Coos / South Coast (17)
Applicant Name INSCORE, MARY
INSCORE, RUSSELL
Priority Date 06/25/2002
Issue Date 06/21/2019

Cert# [94403](#)
App: S-84082
County/Basin Columbia / North Coast (1)
Applicant Name MEUSSDORFFER, JACK C.
Priority Date 02/22/1999
Issue Date 06/21/2019

Cert# [94412](#)
App: G-13123
County/Basin Clackamas / Willamette (2)
Applicant Name MOORHOUSE, ROY D.
Priority Date 09/18/1992
Issue Date 06/21/2019

Cert# [94414](#)
App: R-83818
County/Basin Washington / Willamette (2)
Applicant Name TEUFEL HOLLY FARMS INC.
Priority Date 04/29/1998
Issue Date 06/21/2019

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

June 25, 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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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.