

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
September 3, 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.
- * **Extension of Time Checkpoint Progress Reports filed pursuant to OAR 690-315**
Documents the progress made toward development of the water use project since approval of the last permit extension and/or the last progress report checkpoint. (OAR 690-315 pertains to permit extension applications filed on or after July 1, 2001.)
- * **Application for Instream Lease**
Application by water right holder to lease existing water rights to instream use.
- * **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.
- * **Ground Water Registration Modifications**
Applications requesting Department recognition of changes in point of appropriation, place of use and character of use under a ground water certificate of registration.
- * **Water Management and Conservation Plans**
Water management and conservation plans submitted by municipalities and agricultural water suppliers 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

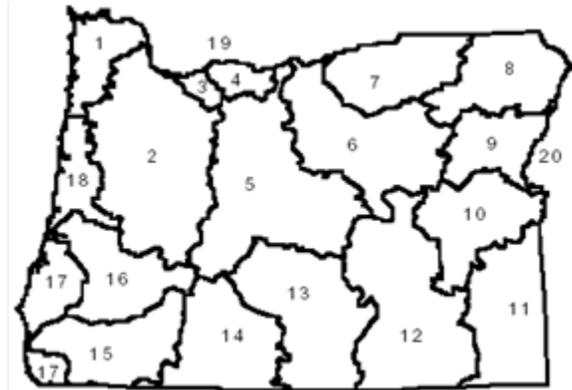
Unit of measure:

- 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, October 03, 2019. Although we cannot respond individually to all comments, each will be considered as the agency makes its decision regarding proposed allocations.

Proposed Final Order Stage (PFO)

The proposed final order is the Department's penultimate decision on the water use request. The PFO documents the agency's decision through specific findings, including review of comments received. If appropriate, it includes a draft permit specifying any conditions or restrictions on the use. Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of \$30. (Any person paying \$30 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, October 18, 2019.

The protest filing fee is \$410 for the applicants and \$810 for non-applicants. Detailed requirements for filing a protest are included in the PFO. Persons who support the PFO may file a "standing" fee of \$230 to retain the ability to participate in future proceedings relating to an application. Before participation in a hearing is allowed, an additional \$580 will be required to request to participate as a party or limited party.

If a protest or comment deadline falls on a day that the office is closed, then the next open business day automatically becomes the deadline date.

Initial Review and Proposed Final Orders

App# [G-17834](#)
County/Basin Harney / Malheur Lake (12)
Applicant Name ROOT, ANDY
524 HWY 20 N
HINES, OR 97738

Sources/TRSQ40Q160 A WELL > HARNEY LAKE / 25.00S 30.00E 33 NENW
A WELL > HARNEY LAKE / 25.00S 30.00E 34 SESW
A WELL > HARNEY LAKE / 25.00S 30.00E 33 SESW
A WELL > HARNEY LAKE / 26.00S 30.00E 3 NWNW
A WELL > HARNEY LAKE / 25.00S 30.00E 33 NESW
A WELL > HARNEY LAKE / 26.00S 30.00E 4 NENW
A WELL > HARNEY LAKE / 25.00S 30.00E 33 SESE

Use/Quantity IRRIGATION / 4.62 CFS
Priority Date 04/11/2014
Stage/Status PFO / PROPOSE TO DENY

App# [G-17906](#)
County/Basin Harney / Malheur Lake (12)
Applicant Name DUNBAR, WILLIAM J.
9622 VICTOR RD
ANCHORAGE, AK 99516

Sources/TRSQ40Q160 A WELL > SILVIES RIVER / 22.00S 30.00E 9 SWSW
Use/Quantity WILDLIFE / 0.400 CFS
Priority Date 08/14/2014
Stage/Status PFO / PROPOSE TO DENY

App# [G-17941](#)
County/Basin Harney / Malheur Lake (12)
Applicant Name BRADACH, CHAD R.
BRADACH, CHARMARIE R.
65268 HWY 205
BURNS, OR 97720

Sources/TRSQ40Q160 A WELL > SAGE HEN CREEK / 24.00S 31.00E 32 SENE
A WELL > SAGE HEN CREEK / 24.00S 31.00E 32 NENE

Use/Quantity IRRIGATION / 1.000 CFS
Priority Date 10/10/2014
Stage/Status PFO / PROPOSE TO DENY

App# [G-17947](#)
County/Basin Harney / Malheur Lake (12)
Applicant Name STASHIN, MATTHEW F.
21762 SW MOUNTAIN HOME RD
SHERWOOD, OR 97140

Sources/TRSQ40Q160 A WELL > MALHEUR SLOUGH / 24.00S 33.00E 30 NWSW
Use/Quantity IRRIGATION / 1.959 CFS
Priority Date 10/20/2014
Stage/Status PFO / PROPOSE TO DENY

App# [G-17961](#)
County/Basin Harney / Malheur Lake (12)
Applicant Name GILMOUR, JAMES AND SUE
30427 SW STELLMACHER DR
ALBANY, OR 97320

Sources/TRSQ40Q160 A WELL > MALHEUR LAKE / 25.00S 34.00E 31 NESE
A WELL > MALHEUR LAKE / 25.00S 34.00E 31 NWSE
A WELL > MALHEUR LAKE / 25.00S 34.00E 31 SENW

Use/Quantity IRRIGATION / 0.390 CFS
Priority Date 11/13/2014
Stage/Status PFO / PROPOSE TO DENY

App# [G-18049](#)
County/Basin Harney / Malheur Lake (12)
Applicant Name GILMOUR, JAMES AND SUE
30427 SW STELLMACHER DR
ALBANY, OR 97320
Sources/TRSQ40Q160 A WELL > MALHEUR LAKE / 27.00S 34.00E 5 NESW
A WELL > MALHEUR LAKE / 27.00S 34.00E 5 SWNE
Use/Quantity IRRIGATION / 0.500 CFS
Priority Date 04/13/2015
Stage/Status PFO / 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 \$30.00 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-17975](#)
County/Basin Polk / Willamette (2)
Applicant Name WASSON, ELIZABETH
24077 NE SUNNYCREST RD
NEWBERG, OR 97132
Priority Date 12/15/2014
Issue Date 08/28/2019
Status DENIED

App# [G-18552](#)
County/Basin Polk / Willamette (2)
Applicant Name ACMPC OREGON 2 LLC DBA HALLS FERRY FARMS
PO BOX 717
JEFFERSON, OR 97352
Priority Date 08/29/2017
Issue Date 08/30/2019
Status APPROVED

App# [G-18832](#)
County/Basin Baker / Powder (9)
Applicant Name ALLEN, BRAD
48748 MCCARTY BRIDGE RD
NORTH POWDER, OR 97867
Priority Date 06/07/2019
Issue Date 08/28/2019
Status WITHDRAWN

App# [LL-1776](#)
County/Basin Crook / Deschutes (5)
Applicant Name CITY OF PRINEVILLE
ATTN: ERIC KLANN
387 NE 3RD ST
PRINEVILLE, OR 97754
Issue Date 08/30/2019
Status APPROVED

App# [R-73945](#)
County/Basin Yamhill / Willamette (2)
Applicant Name STICKNEY, PETER D.
PO BOX 219
DAYTON, OR 97114
Priority Date 03/08/1994
Issue Date 08/28/2019
Status APPROVED

App#	R-80206
County/Basin	Baker / Powder (9)
Applicant Name	BOWEN, SHARON E HCR 87 BOX 682 BAKER CITY, OR 97814
Priority Date	04/12/1995
Issue Date	08/28/2019
Status	APPROVED
App#	R-88456
County/Basin	Washington / Willamette (2)
Applicant Name	URSTADT, ERIC ANTHONY 39290 NW MURTAUGH RD NORTH PLAINS, OR 97133
Priority Date	09/05/2017
Issue Date	08/28/2019
Status	APPROVED
App#	R-88470
County/Basin	Yamhill / Willamette (2)
Applicant Name	MOMTAZI FAMILY LLC 15765 MUDDY VALLEY RD MCMINNVILLE, OR 97128
Priority Date	10/24/2017
Issue Date	08/28/2019
Status	APPROVED
App#	R-88695
County/Basin	Washington / Willamette (2)
Applicant Name	RED HILLS FARM LLC PO BOX 189 DAYTON, OR 97114
Priority Date	01/22/2019
Issue Date	08/28/2019
Status	APPROVED
App#	R-88696
County/Basin	Yamhill / Willamette (2)
Applicant Name	RED HILLS FARM LLC PO BOX 189 DAYTON, OR 97114
Priority Date	01/22/2019
Issue Date	08/28/2019
Status	APPROVED
App#	S-88681
County/Basin	Benton / Willamette (2)
Applicant Name	BYLUND KIGER FARMS LLC 1986 SE POWELLS RD CORVALLIS, OR 97333
Priority Date	11/29/2018
Issue Date	08/28/2019
Status	APPROVED

App#	S-88716
County/Basin	Benton / Willamette (2)
Applicant Name	MERRITT HOLDINGS LLC ATTN: GARY HORNING 27949 EUREKA RD CORVALLIS, OR 97333
Priority Date	07/09/2019
Issue Date	08/30/2019
Status	WITHDRAWN

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 November 02, 2019.

App#	R-88733
County/Basin	Polk / Willamette (2)
Applicant Name	KEALIHHER, JEREMIAH 7085 CORVALLIS RD INDEPENDENCE, OR 97351
Sources/TRSQ40Q160	RUNOFF > WILLAMETTE RIVER / 8.00S 4.00W 33 NESW
Use/Quantity	MULTIPLE PURPOSE / 30.000 AF
Priority Date	08/20/2019

Extensions of Time Progress
Checkpoint Progress Reports filed pursuant to OAR 690-315

Consistent with OAR 690-315-0050(6), the Department will accept public comment on the following Extension of time Checkpoint Progress Reports until October 03, 2019. Comments must be in writing and must indicate the application file and permit numbers. Following the comment period, the Department shall review evidence to determine whether or not the permit holder has been diligent in developing and perfecting the water use permit and has complied with all terms and conditions of the permit and/or extension of time. Additionally, the Department will provide notice of its determination to anyone who has submitted comments.

App#	G-16534
Permit Number	G-17019
County/Basin	Baker / Powder (9)
Applicant Name	KERNS, TIM L. AND JANICE L. 45917 QUAIL RD HAINES, OR 97833
Use	NORTHWEST FARM CREDIT SERVICES FLCA 3370 10TH ST SUITE B BAKER CITY, OR 97814 IRRIGATION

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 September 24, 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-1768
Certificate	19870
County/Basin	Yamhill / Willamette (2)
Lessor	CHRISTENSEN, ZACH 16201 SW CHRISTENSEN RD MCMINNVILLE, OR 97128
Priority Date	02/06/1948
Source/Tributary To	SOUTH FORK YAMHILL RIVER / YAMHILL RIVER

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-13243
Water Right	Cert: 21244, 36915
County/Basin	Polk / Willamette (2)
Applicant Name	KAUER, BLAKE KAUER FAMILY FARMS AND TRIPLE K 7325 SE AMITY DAYTON HWY AMITY, OR 97101
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	LITTLE LUCKIAMUTE RIVER > LUCKIAMUTE RIVER / 9.00S 5.00W 7 SWNE LITTLE LUCKIAMUTE RIVER > LUCKIAMUTE RIVER / 9.00S 5.00W 7 NWSE LITTLE LUCKIAMUTE RIVER > LUCKIAMUTE RIVER / 9.00S 5.00W 7 NESE LITTLE LUCKIAMUTE RIVER > LUCKIAMUTE RIVER / 9.00S 5.00W 8 NWSW
Use/Quantity	IRRIGATION / 0.37480 CFS IRRIGATION / 0.740 CFS
Priority Date	03/30/1940, 08/03/1966

Transfer Applications: Ground Water Registration Modification

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

The Department seeks public comment on the recently-filed applications for recognition of modifications in ground water registrations listed below. Any person may comment on an application for a ground water registration modification. Comments must be received by the Department on or before October 03, 2019. Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be recognized after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

Transfer	T-13242
Water Right	Claim: GR-1535
County/Basin	Marion / Willamette (2)
Applicant Name	ISCC NURSERY INC. 16918 MOUNTAIN VIEW LN. NE WOODBURN, OR 97071
Proposed Change	POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	WELL 1 > MILL CREEK / 5.00S 1.00W 8 NENE
Use/Quantity	IRRIGATION / 0.713 CFS
Priority Date	01/02/1951

Water Management and Conservation Plans

The Department is required to give notice and to invite public review and comment on Water Management and Conservation Plans submitted pursuant to OAR Chapter 690, Division 086. The Department will consider all public comments in its review of the draft plan and will report the results of the review to the water supplier 90 days from the time the plan was submitted.

Any person may review and comment on a draft plan on or before October 03, 2019. The plans are available for viewing at the Salem office of the Water Resources Department. Comments should focus on elements in the draft that do not meet the requirements of OAR Chapter 690, Division 086 and should include suggestions on how to bring the draft into compliance with the rules.

Plans have been submitted by the following agricultural and municipal water suppliers:

Port of Portland (Municipal)

To review any of the above plan(s) or to provide comments on the plan(s), contact Kerri 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# [94512](#)
App: S-87654
County/Basin Lane / Middle Coast (18)
Applicant Name KRAMER, BONNIE
SHAMEY, KATHERINE
Priority Date 09/24/2010
Issue Date 08/30/2019

Cert# [94513](#)
App: R-61040
County/Basin Douglas / Umpqua (16)
Applicant Name CITY OF YONCALLA
Priority Date 12/03/1980
Issue Date 08/30/2019

Cert# [94514](#)
App: S-61041
County/Basin Douglas / Umpqua (16)
Applicant Name CITY OF YONCALLA
Priority Date 12/03/1980
Issue Date 08/30/2019

Cert# [94515](#)
App: G-12662
County/Basin Deschutes / Deschutes (5)
Applicant Name LONG BUTTE WATER SYSTEM INC.
Priority Date 09/23/1991
Issue Date 08/30/2019

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

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September 3, 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)*

[]
[]
[]

Your Name, Address, and Phone Number:

* We are required by law to charge a fee of \$30 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 \$30 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.