

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
October 22, 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.
- * **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: District Permanent for Place of Use - ORS 540.580**
Petitions requesting permanent changes in place(s) of use within a district's boundary.
- * **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.
- * **Aquifer Storage and Recovery (ASR) Limited Licenses**
- * **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)

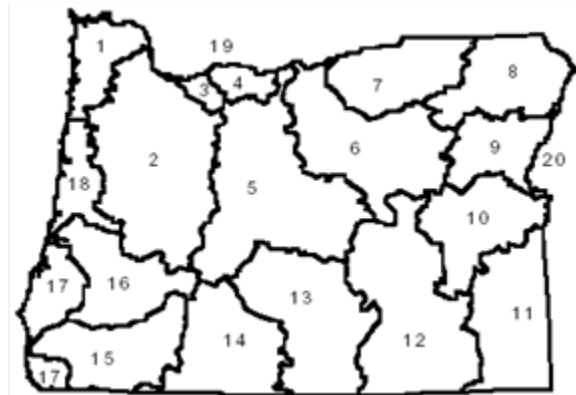
- Applicant Name**
- Applicant Address**
- Sources/TRSQ40Q160**
- Use/Quantity**

- 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, November 21, 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, December 06, 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

***There were no Initial Reviews or Proposed Final Orders processed during the week of October 16th – October 22nd, 2019**

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-18613
County/Basin	Marion / Willamette (2)
Applicant Name	SONNEN, RODERICK J. 8644 BROADACRES RD AURORA, OR 97002
Priority Date	02/26/2018
Issue Date	10/10/2019
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 December 21, 2019.

App# [R-88746](#)
County/Basin Umatilla / Umatilla (7)
Applicant Name REVOCABLE LIVING TRUST OF SCOTT AND CAROLYN CROUTHAMEL
CROUTHAMEL, SCOTT AND CAROLYN
PO BOX 25
MILTON FREEWATER, OR 97862
Sources/TRSQ40Q160 RUNOFF > DUGGER CREEK / 6.00N 35.00E 32 NENW
A SPRING > DUGGER CREEK / 6.00N 35.00E 32 NENW
Use/Quantity MULTIPLE PURPOSE / 4.550 AF
Priority Date 09/23/2019

App# [R-88742](#)
County/Basin Yamhill / Willamette (2)
Applicant Name K A BERGER FARMS INC.
ATTN: REBECCA BERGER
PO BOX 1359
HILLSBORO, OR 97123
Sources/TRSQ40Q160 RUNOFF > DEER CREEK / 5.00S 5.00W 22 NWSE
Use/Quantity MULTIPLE PURPOSE / 25.000 AF
Priority Date 09/17/2019

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 **November 21, 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-88744
County/Basin	Douglas / Umpqua (16)
Applicant Name	MILLER, TOM AND CHARLOTTE 5265 UPPER OLALLA RD WINSTON, OR 97496
Sources/TRSQ40Q160	A RESERVOIR > BERRY CREEK / 29.00S 7.00W 20 NWNE OLALLA CREEK > SOUTH UMPQUA RIVER / 29.00S 7.00W 8 NESW
Use/Quantity	DOMESTIC EXPANDED / 2.000 AF
Priority Date	09/23/2019

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 November 21, 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-12932](#) filed by Dickman Farms, Attn.: Mark Dickman, 15829 Mt Angel-Scotts Mill Hwy NE, Silverton, OR 97381, proposes an additional point of diversion and change in place of use under Certificates 35420 and 54671. Certificate 35420 allows the use of 0.48 cubic foot per second (cfs) from Butte Creek in Sec. 31, T5S, R1E, WM for irrigation in Sec. 31. Certificate 54671 allows the use of 0.27 cfs from Butte Creek in Sec. 31, T5S, R1E, WM for irrigation in Sec. 31. The applicant proposes an additional point of diversion in Sec. 31, T5S, R1E, WM and to change the place of use within Sec. 31, T5S, 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-12903](#) filed by White Hereford Ranch Inc., 31053 Eben Ray Lane, Burns, OR 97720, proposes additional points of appropriation under Certificates 84120 and 89525. Certificate 84120 allows the use of 0.25 cubic foot per second (CFS) from a well in Sec. 5, T23S, R31E, W.M. for supplemental irrigation in Sects. 5 and 6, T23S, R31E, WM. The applicant proposed additional points of appropriation in Sects. 5 and 6, T23S, R31E, WM. Certificate 89525 allows the use of 1.03 cubic feet per second from two wells in Sects. 5 and 6, T 23S, R31E, W.M. for supplemental irrigation in Sec. 31, T22S, R31E WM and Sects. 5 and 6, T23S, R31E, WM. The applicant proposes an additional point of appropriation in Sects. 5 and 6, T23S, R31E, W.M. The Water Resources Department proposes to deny the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Applications for District Permanent Transfer for Place of Use

A district may request to permanently change the place of use within district boundaries pursuant to ORS 540.580. A petition (application) for a district permanent water right transfer may be submitted subsequent to (specific noticing requirements apply) or prior to the change in place of use, but no later than the end of the calendar year in which the change occurs. The petition may include an unlimited number of place of use transfers within the same petition. Any recently filed Application for District Permanent Water Right Transfer for Place of Use is listed below.

Public comments may be submitted by any person (please follow the instructions on the last page of this public notice). A protest may be filed by any potentially affected holder of an existing water right, either jointly or severally with other persons, provided the protest is not by a user within a district alleging injury to the delivery of water by the district. Each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing. Protests must be accompanied by a \$810 protest fee for non-applicants and a \$410 protest fee for the applicant, and filed in accordance with OAR Chapter 690, Division 2. **Comments or protests must be received by the Department on or before November 21, 2019.**

Pursuant to ORS 540.580(8), if a water user within the district files a protest claiming injury to a water right delivery by the district, no contested case hearing shall be required, but the district shall resolve the matter directly with the water user.

To view the permanent transfer application, click on the link below.

Transfer	T-13268
County	Hood River
Certificate	74306; 85974; 74299; 85975; 85976; PERMIT S-55225; ALL IN THE NAME OF FARMERS IRRIGATION DISTRICT
Priority Date	5/7/1906; 1874; 12/1/1905; 1874; 2/29/1924; 5/23/2016
Name	FARMERS IRRIGATION DISTRICT
Address	1985 COUNTY CLUB ROAD HOOD RIVER, OR 97031
Use	IRRIGATION; SUPPLEMENTAL IRRIGATION
Source	HOOD RIVER > COLUMBIA RIVER; DITCH CREEK > HOOD RIVER; NORTH AND SOUTH FORKS GREEN POINT CREEK, DEAD POINT CREEK AND SOUTH FORK PINE CREEK > HOOD RIVER; SPRING CREEK AT CAMP 4 (CABIN CREEK)>HOOD RIVER; CAPRON SPRING INFLOW, WINAN SPRING INFLOW, DAGO SPRING INFLOW, SAVAGE SPRING INFLOW, NO-NAME SPRING INFLOW, YUMIBE SPRING INFLOW, NORTH FORK PINE CREEK, UNNAMED STREAM AND INDIAN CREEK > HOOD RIVER; UPPER GREEN POINT RESERVOIR (ENLARGED UNDER R-15387)

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	2019-04
County	Jackson
Certificate	83381, 80578, 83383, Permit S-4951, all in the name of Medford Irrigation District; 83728 in the name of the Bureau of Reclamation
Priority Date	7/23/1909; 3/31/1910; 3/1/1915; 6/8/1953; 6/18/1920;
Name	MEDFORD IRRIGATION DISTRICT
Address	PO BOX 70 JACKSONVILLE, OR 97535
Use	IRRIGATION; SUPPLEMENTAL IRRIGATION
Source	NF & SF LITTLE BUTTE CREEKS > LITTLE BUTTE CREEK SALT CREEK > LITTLE BUTTE CREEK FOURMILE LAKE > FOURMILE CREEK FISH LAKE > NF LITTLE BUTTE CREEK BEAR CREEK > ROGUE RIVER EMIGRANT CREEK & RES > BEAR CREEK CONDE CREEK > DEAD INDIAN CREEK DEAD INDIAN & BEAVER DAM CREEKS > SF LITTLE BUTTE CREEK DALEY, POLE BRIDGE, & DEADWOOD CREEKS > BEAVER DAM CREEK KEENE, LITTLE BEAVER & GRIZZLY CREEKS > JENNY CREEK SODA CREEK > GRIZZLY CREEK MULTIPLE CREEKS (SEE PERMIT S-4951) > ROGUE RIVER
Acres:	1.75
Authorized POU:	T37S R2W 26 NESE
Proposed POU:	T37S R2W 28 SWNW, SENW, NESW

Aquifer Storage and Recovery (ASR) Limited Licenses

ASR means the storage of water from a separate source that meets drinking water standards in a suitable aquifer for later recovery and not having as one of its primary purposes the restoration of the aquifer (ORS 537.531). The use of water for ASR testing purposes requires a limited license pursuant to ORS 537.534. The requirements and procedures of an ASR limited license are different than those for limited licenses pursuant to ORS 537.143. Only after completion of an ASR testing program under a limited license may an applicant apply for a permanent ASR permit. The appearance of an application in the public notice commences a 30-day public comment period. Following the public comment period, the Department may request additional information regarding the application, issue the limited license, issue the limited license with additional conditions, or deny the request.

Application	ASR Limited License-027
Certificate	67891, 81026, 81027, 85913
County/Basin	WASHINGTON / Willamette
Applicant	City of Hillsboro Attn: Niki Iverson 150 E. Main Street Hillsboro, OR 97123-4028
Source/TRS	Sain Creek > Scoggins Creek / 1.00S 5.00W 14; 1.00S 3.00W 8 Scoggins Creek > Tualatin River/ 1.00S 4.00W 20 Tualatin River > Willamette River/ 1.00S 3.00W 8
Use/Quantity	Aquifer Storage and Recovery Testing / 8.5 CFS
ASR Well Locations	Crandall Res ASR Well (proposed): 745 ft N, 144 ft W from SE corner of Sec 24, T1N/R3E Butternut Cr. ASR Well (proposed): 2182 ft N, 2607 ft E from SW corner of Sec 14, T1S/R2W Wood Street ASR Well (proposed): 2504 ft N, 1513 ft W from NE corner of Sec 1, T1S/R3W
Max Injection/Withdrawal	1,275 GPM / 1,725 GPM THROUGH EACH OF 3 WELLS
Max Storage Volume	900 MILLION GALLONS

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# [94560](#)
App: G-15024
County/Basin Marion / Willamette (2)
Applicant Name HUPP, DELBERT
HUPP, BARBARA
HUPP, JAN
Priority Date 09/01/1999
Issue Date 10/18/2019

Cert# [94561](#)
App: G-15025
County/Basin Marion / Willamette (2)
Applicant Name HUPP, JAN
Priority Date 09/08/1999
Issue Date 10/18/2019

Cert# [94569](#)
Xfer: T-11322
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name THE POPLARS RANCH INC.
Priority Date 12/29/1954
Issue Date 10/18/2019

Cert# [94570](#)
Xfer: T-11322
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name THE POPLARS RANCH INC.
Priority Date 08/21/1979
Issue Date 10/18/2019

Cert# [94571](#)
Xfer: T-11322
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name THE POPLARS RANCH INC.
Priority Date 09/23/1974
Issue Date 10/18/2019

Cert# [94572](#)
Xfer: T-11322
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name THE POPLARS RANCH INC.
Priority Date 07/15/1980
Issue Date 10/18/2019

Cert# [94573](#)
Xfer: T-11322
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name THE POPLARS RANCH INC.
Priority Date 01/09/1981
Issue Date 10/18/2019

Cert# [94568](#)
Xfer: T-11525
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name THE POPLARS RANCH INC.
Priority Date 04/06/1983
Issue Date 10/18/2019

Cert# [94557](#)
App: R-69356
County/Basin Harney / Malheur Lake (12)
Applicant Name U.S. BUREAU OF LAND MANAGEMENT
Priority Date 12/31/1991
Issue Date 10/18/2019

Cert# [94558](#)
Xfer: T-11835
County/Basin Jackson / Rogue (15)
Applicant Name WHITE, GEORGE R.
WHITE, KATHLYNN J.
Priority Date 09/08/1980
Issue Date 10/18/2019

Cert# [94562](#)
App: G-17599
County/Basin Harney / Malheur Lake (12)
Applicant Name ZELLEY, LORETTA
CAMPBELL, JAMES
Priority Date 11/19/2012
Issue Date 10/18/2019

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
October 22, 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.