

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
March 10, 2020

*This notice is also available on our web page at the following address:
http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21*

This publication lists agency activities requiring public notice. It also describes public comment processes and deadlines. Types of water use requests in this week's Public Notice include:

- * **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- * **Alternate Reservoir Applications (ORS 537.409)**
Applications for storage permits for small ponds filed under a simplified review process.
- * **Applications for Allocation Of Conserved Water**
Applications made by a water user who conserves water to use a portion of the conserved water on additional lands, lease or sell the water, or dedicate the water to instream use.
- * **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. Municipal permit extension applications referred to Oregon Department of Fish and Wildlife for review under provisions of OAR 690- 315-0080.
- * **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.
- * **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.
- * **Corrected Notice Ready for Final Review Swan Lake**

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

How to Read the Listing

App#:

- G: Groundwater
- R: Reservoir
- S: Surface water
- I: Instream
- T: Transfer
- LL: Limited License

County/Basin (See Map)

Applicant Name

Applicant Address

Sources/TRSQ40Q160

Use/Quantity

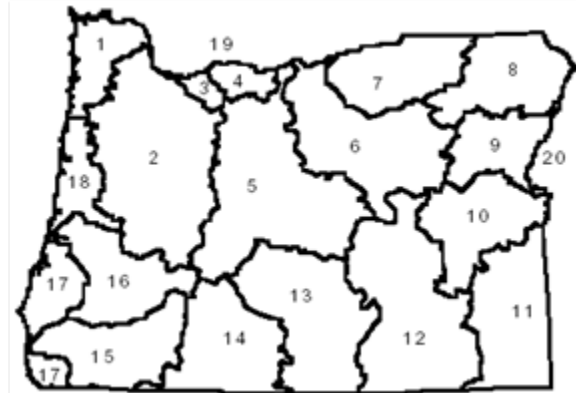
Unit of measure:

- CFS: Cubic feet per second
- GPM: Gallons per minute
- AF: Acre-feet

Priority Date

Stage/ Status

- IR: Initial Review
- PFO: Proposed Final Order



BASINS:

- | | | |
|----------------|--------------------|---------------|
| 1. North Coast | 8. Grande Ronde | 15. Rogue |
| 2. Willamette | 9. Powder | 16. Umpqua |
| 3. Sandy | 10. Malheur | 17. S. Coast |
| 4. Hood | 11. Owyhee | 18. Mid-Coast |
| 5. Deschutes | 12. Malheur L. | 19. Columbia |
| 6. John Day | 13. Goose/Summer L | 20. Snake |
| 7. Umatilla | 14. Klamath | |

Commonly used “Type of Use” abbreviations (for definitions, consult Oregon Administrative Rules 690-300):

- | | | |
|--|---------------------------------|-------------------------|
| AG: Agriculture | GR: Groundwater recharge | MU: Municipal |
| CR: Cranberry uses | GT: Geothermal | NU: Nursery use |
| CM: Commercial | ID: Irrigation with domestic | PA: Pollution abatement |
| DI, DN: Domestic including
non-commercial lawn & garden | IL: Irrigation with livestock | PW: Power |
| DO: Domestic | IM: Industrial or manufacturing | QM: Quasi-municipal |
| DS: Domestic & stock | IR: Irrigation | RC: Recreation |
| FI: Fish | IS: Irrigation, supplemental | RW: Road construction |
| FP: Fire protection | LV: Livestock | TC: Temperature control |
| FW: Fish & wildlife | LW: Livestock & wildlife | WI: Wildlife |
| GD: Group domestic | MI: Mining | |

Initial Review and Proposed Final Orders

The following pages of this notice list permit applications that the Department is evaluating for compliance with state water law. Public participation and comment is encouraged. Opportunities for public involvement vary according to the stage of the permit evaluation.

Ground water permit applications in the Deschutes Basin (Basin 5) may seek to provide mitigation pursuant to the Deschutes Ground Water Mitigation Rules.

Initial Review Stage (IR)

The Department has given the applicant an initial review of water-use restrictions, water availability and other limitations that affect the agency's decision on whether to issue a permit. The Department welcomes comments from interested persons, agencies and organizations on the proposed water use.

The comment deadline for initial reviews appearing in this public notice is 5pm, Thursday, April 09, 2020. 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, April 24, 2020.

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-18881](#)
County/Basin Clackamas / Willamette (2)
Applicant Name SAVAGE, JACOB
16812 S HOWARDS MILL RD
BEAVERCREEK, OR 97004
Sources/TRSQ40Q160 A WELL > BUCKNER CREEK / 4.00S 2.00E 13 NWSW
Use/Quantity NURSERY USES / 0.140 CFS
Priority Date 11/25/2019
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18883](#)
County/Basin Linn / Willamette (2)
Applicant Name DANA, LOREN C.
2040 SEVEN MILE HIGH RD
THE DALLES, OR 97058
Sources/TRSQ40Q160 A WELL > CALAPOOIA RIVER / 13.00S 3.00W 27 SWSW
Use/Quantity NURSERY USES / 0.089 CFS
Priority Date 11/25/2019
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18893](#)
County/Basin Benton / Willamette (2)
Applicant Name BENTON LANE WINERY LLC; HUNEEUS VINTNERS LLC
GIRARD, STEVE
PO BOX 99
MONROE, OR 97456
Sources/TRSQ40Q160 A WELL > UNNAMED STREAM / 15.00S 5.00W 9 NWNW
Use/Quantity COMMERCIAL USES / 0.134 CFS
Priority Date 12/12/2019
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18898](#)
County/Basin Linn / Willamette (2)
Applicant Name RUCKERT, ROGER A. AND SUSAN J.
33776 RIDGE DR
TANGENT, OR 97389
Sources/TRSQ40Q160 A WELL > SOUTH SANTIAM RIVER / 12.00S 2.00W 24 SESE
Use/Quantity IRRIGATION / 0.480 CFS
Priority Date 12/20/2019
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 \$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-18732
County/Basin	Clackamas / Willamette (2)
Applicant Name	PEARSON, JIMMY A. 12314 SE DIVISION ST PORTLAND, OR 97236
Priority Date	08/27/2018
Issue Date	03/05/2020
Status	APPROVED
App#	G-18806
County/Basin	Lane / Willamette (2)
Applicant Name	KLEMP, R DANIEL AND ANN L. PO BOX 51 BLACHLY, OR 97412
Priority Date	03/27/2019
Issue Date	03/05/2020
Status	APPROVED
App#	G-18813
County/Basin	Lane / Willamette (2)
Applicant Name	CG NURSERY LLC 405 N P ST COTTAGE GROVE, OR 97424
Priority Date	04/08/2019
Issue Date	03/05/2020
Status	APPROVED
App#	G-18848
County/Basin	Linn / Willamette (2)
Applicant Name	TENBUSCH, WILLIAM 36420 HWY 228 BROWNSVILLE, OR 97327
Priority Date	07/30/2019
Issue Date	03/10/2020
Status	APPROVED
App#	G-18887
County/Basin	Linn / Willamette (2)
Applicant Name	MARSHALL, DAVID PO BOX 693 SCIO, OR 97374
Priority Date	12/09/2019
Issue Date	03/12/2020
Status	WITHDRAWN

App# [LL-1799](#)
County/Basin Polk / Willamette (2)
Applicant Name DOMAINE SERENE VINEYARDS AND WINERY INC.
RAMSEY, CHRIS
6555 NE HILLTOP LANE
DAYTON, OR 97114
Issue Date 03/09/2020
Status APPROVED

App# [LL-1807](#)
County/Basin Multnomah / Willamette (2)
Applicant Name UNIVERSITY OF PORTLAND
ATTN: TRANG K LAM
5000 N WILLAMETTE BLVD
PORTLAND, OR 97203
Issue Date 03/06/2020
Status APPROVED

App# [LL-1810](#)
County/Basin Yamhill / Willamette (2)
Applicant Name CITY OF AMITY
ATTN: MICHAEL THOMAS
PO BOX 159
AMITY, OR 97101
Issue Date 03/04/2020
Status APPROVED

App# [R-88742](#)
County/Basin Yamhill / Willamette (2)
Applicant Name K A BERGER FARMS INC.
ATTN: REBECCA BERGER
PO BOX 1359
HILLSBORO, OR 97123
Priority Date 09/17/2019
Issue Date 03/10/2020
Status APPROVED

App# [R-88748](#)
County/Basin Lane / Willamette (2)
Applicant Name LERCH, BRADLEY AND SUSAN
28718 ROYAL AVE
EUGENE, OR 97402
Priority Date 10/24/2019
Issue Date 03/05/2020
Status APPROVED

App# [R-88763](#)
County/Basin Lane / Willamette (2)
Applicant Name BRAZELTON, DAVID AND BARBARA
PO BOX 156
WALTERVILLE, OR 97489
Priority Date 05/13/2019
Issue Date 03/05/2020
Status APPROVED

App# [R-88773](#)
 County/Basin Yamhill / Willamette (2)
 Applicant Name NIEMEYER, JOHN
 15 82ND DR SUITE 210
 GLADSTONE, OR 97027
 Priority Date 05/23/2019
 Issue Date 03/05/2020
 Status APPROVED

App# [S-88654](#)
 County/Basin Coos / South Coast (17)
 Applicant Name LEMON, JAMES AND JUANELL
 835 9TH ST SW
 BANDON, OR 97411
 Priority Date 08/03/2018
 Issue Date 03/05/2020
 Status APPROVED

App# [S-88683](#)
 County/Basin Marion / Willamette (2)
 Applicant Name GUANS SUBLIMITY LLC
 7251 CASCADE HIGHWAY SE
 SUBLIMITY, OR 97385
 Priority Date 12/13/2018
 Issue Date 03/03/2020
 Status APPROVED

App# [S-88702](#)
 County/Basin Benton / Middle Coast (18)
 Applicant Name VAN HORN, TIMOTHY D.
 1648 NW AWBREY RD
 BEND, OR 97703
 Priority Date 06/05/2019
 Issue Date 03/05/2020
 Status APPROVED

App# [S-88705](#)
 County/Basin Yamhill / Willamette (2)
 Applicant Name PALMER CREEK WATER DISTRICT IMPROVEMENT CO.
 14395 SE WALLACE RD
 DAYTON, OR 97114
 Priority Date 06/11/2019
 Issue Date 03/05/2020
 Status APPROVED

App# [S-88747](#)
 County/Basin Josephine / Rogue (15)
 Applicant Name ESTATE OF MARIE GAIL MCELROY
 RYCKMAN, JOSEPH V.
 10907 EDGEWATER DR
 CLEVELAND, OH 44102
 Priority Date 10/04/2019
 Issue Date 03/05/2020
 Status APPROVED

App# [S-88750](#)
County/Basin Polk / Willamette (2)
Applicant Name HVR INC.
OLSON, PHIL
23725 SE OLD BETHEL RD
AMITY, OR 97101
Priority Date 02/12/2019
Issue Date 03/10/2020
Status APPROVED

App# [S-88783](#)
County/Basin Umatilla / Umatilla (7)
Applicant Name U.S. BUREAU OF RECLAMATION
32871 DIAGONAL RD
HERMISTON, OR 97838
Priority Date 11/25/2019
Issue Date 03/05/2020
Status APPROVED

Alternate Reservoir Applications (ORS 537.409)

For alternate reservoir applications filed under ORS 537.409, the public is invited to comment within 60 days of this notice. The law provides that within 60 days after the Department provides public notice of the application, any person may submit detailed, legally obtained information in writing, requesting the Department to deny the application for a permit on the basis that the reservoir:

- (A) Would result in injury to an existing water right; or
- (B) Would pose a significant detrimental impact to existing fishery resources as determined on the basis of information submitted by the State Department of Fish and Wildlife.

Such comments must be submitted on or before May 09, 2020.

App#	R-88808
County/Basin	Wallowa / Grande Ronde (8)
Applicant Name	SHAW, RICHARD PO BOX 517 ENTERPRISE, OR 97828
Sources/TRSQ40Q160	ALDER CREEK > HURRICANE CREEK / 2.00S 44.00E 16 SESW
Use/Quantity	MULTIPLE PURPOSE / 1.800 AF
Priority Date	02/19/2020
App#	R-88809
County/Basin	Yamhill / Willamette (2)
Applicant Name	PETRIE, ERIC 21001 SW JAQUITH RD NEWBERG, OR 97132
Sources/TRSQ40Q160	UNNAMED STREAM > MCFEE CREEK / 2.00S 2.00W 31 NWNE
Use/Quantity	MULTIPLE PURPOSE / 0.068 AF
Priority Date	02/13/2020
App#	R-88810
County/Basin	Polk / Willamette (2)
Applicant Name	OLSEN, ERIC AND EVE 1520 GWINN ST E MONMOUTH, OR 97361
Sources/TRSQ40Q160	ASH CREEK SOUTH > WILLAMETTE RIVER / 8.00S 4.00W 31 NWNE
Use/Quantity	MULTIPLE PURPOSE / 50.000 AF
Priority Date	02/18/2020

Applications for Allocation Of Conserved Water

The following applications for allocation of conserved water have been received pursuant to ORS 537.455 to 537.500 and OAR Chapter 690, Division 18. In reviewing the applications, the Department will consider whether the diversion for the uses allowed under the original water right will be reduced by the conservation project, whether existing water rights will be protected from injury, and whether the project is in compliance with local comprehensive land use plans.

Notice of Application for Allocation of Conserved Water CW-115

CW-115 was filed on January 28, 2020, by Central Oregon Irrigation District (COID), 1055 SW Lake Court, Redmond, OR, 97756, and North Unit Irrigation District (NUID), 2024 NW Beech Street, Madras, OR 97741. The project is expected to yield approx. 5 cfs and 1,605 acre feet of conserved water from the Deschutes River under Certificate 83571 with priority dates of 10/31/1900 and 12/2/1907, by piping 2,210 feet of open unlined canal with HDPE buried pipe eliminating seepage losses. The applicants propose 100% of the conserved Deschutes River water to be applied to lands of NUID. The proposed project will also transfer instream approx. 14.77 cfs and 2,542.72 acre feet of Crooked River water under NUID's Certificate 90177 with a 9/18/1968 priority. The application appears to be consistent with the requirements under ORS 537.465.

Any interested person may submit written comments for the applications. Comments must be received within 20 days of the last date of publication in the newspaper, **03/12/2020**. Comments should be sent to the attention of the ACW Program, Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301.

Proposed Final Orders Regarding Applications for Extensions of Time for Water Right Permits

ORS 537.230, 537.248, 537.630 and 539.010 authorize the Water Resources Department to extend time limits contained in water right permits for completing construction of water development projects and applying water to full beneficial use. Procedures for permit holders to apply for extensions and for the Department to evaluate and determine whether or not to approve extensions of time are contained in OAR 690-320-0010 for extensions filed before July 1, 2001, and in OAR 690-315-0010 for extensions filed on or after July 1, 2001.

Proposed Final Orders (PFO's) are the Department's preliminary decision on extension requests. They document the agency's decision through specific findings. Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of \$25. (Any person paying to receive a PFO by mail will also receive a copy of the Final Order when it is issued). PFO's may be viewed for free at the Department's Salem Office or at the appropriate watermaster district office.

Extension of Time Public Notice and Comment Procedures

Written comments on or written protests against a PFO must be submitted on or before April 24, 2020. There is no fee for submission of comments. The protest filing fee is \$410 for the applicant and \$810 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

1.) OAR-690-315

App#	G-14725
Permit#	G-13590
County/Basin	Crook / Deschutes (5)
Applicant Name	STAFFORD RANCHES, 4411 NW ELLIOTT LANE PRINEVILLE, OR 97754
Sources/TRSQ40Q160 Use/Quantity	A WELL > MCKAY CREEK / 14.00S 15.00E 23 NENW INDUSTRIAL/MANUFACTURING USES / 1.000 CFS

Applications for Instream Lease

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

The deadline for submitting claims of injury to existing water rights or enlargement of the original right against a lease application is March 31, 2020. 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-1789
Certificate	83727, 79212
County/Basin	Jackson / Klamath (14), Rogue (15)
Lessor	TALENT IRRIGATION DISTRICT PO BOX 467 TALENT, OR 97540
Lessor	MCGARRY, E GAIL U.S. BUREAU OF RECLAMATION 1150 N CURTIS RD SUITE 100 BOISE, ID 83706-1234
Lessee	MEDFORD WATER COMMISSION; ATTN BRAD TAYLOR 200 S IVY ST, RM 177 MEDFORD, OR 97501-8601
Priority Date	09/06/1915, 05/23/1912
Source/Tributary To	EMIGRANT CREEK / BEAR CREEK
Lease#	IL-1790
Certificate	74146, 74147
County/Basin	Deschutes / Deschutes (5)
Lessor	TUMALO IRRIGATION DISTRICT 64697 COOK AVE BEND, OR 97703
Lessee	HUBERT, GENEVIEVE DESCHUTES RIVER CONSERVANCY 700 NW HILL ST STE #1 BEND, OR 97703
Priority Date	08/05/1900, 09/30/1900, 10/29/1913
Source/Tributary To	TUMALO CREEK / DESCHUTES RIVER

Transfer Applications: Regular

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

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before April 09, 2020. 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-13259
Water Right	Cert: 44307 (T-2529), 45802, 45803, 45804, 92299
County/Basin	Polk / Willamette (2)
Applicant Name	KAZEMIER, EUGENE RICKREALL DAIRY LLC 8845 RICKREALL RD RICKREALL, OR 97371
Proposed Change	POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	A RESERVOIR > BASKETT SLOUGH / 7.00S 4.00W 29 NESW A RESERVOIR > BASKETT SLOUGH / 7.00S 4.00W 29 NWSW A RESERVOIR > BASKETT SLOUGH / 7.00S 4.00W 28 SWNW RICKREALL CREEK > WILLAMETTE RIVER / 7.00S 4.00W 29 SWSW WASTEWATER > BASKETT SLOUGH / 7.00S 4.00W 29 NWSW
Use/Quantity	IRRIGATION / 157.500 AF IRRIGATION / 46.000 AF IRRIGATION / 0.550 CFS IRRIGATION / 0.160 CFS IRRIGATION / 0.050 CFS IRRIGATION / 0.040 CFS DAIRY BARN USES / 6.680 CFS
Priority Date	11/18/1937, 05/25/1971, 05/11/1935, 07/20/1995
Transfer	T-13377
Water Right	Cert: 68109
County/Basin	Linn / Willamette (2)
Applicant Name	EAGLE CREEK NORTHWEST LLC 1314 12TH AVE S SUITE 5 NAMPA, ID 83651
Proposed Change	PLACE OF USE, USE
Sources/TRSQ40Q160	SMALLMAN CREEK > NORTH SANTIAM RIVER / 10.00S 2.00W 10 NENW
Use/Quantity	IRRIGATION / 0.970 CFS
Priority Date	06/26/1990

Transfer	T-13382
Water Right	Cert: 15608, 16530, 16533
County/Basin	Josephine / Rogue (15)
Applicant Name	LONG, BRYAN 1690 LELAND ROAD SUNNY VALLEY, OR 97526
Proposed Change	PLACE OF USE, USE
Sources/TRSQ40Q160	GRAVE CREEK > ROGUE RIVER / 34.00S 6.00W 4 NESE GRAVE CREEK > ROGUE RIVER / 34.00S 6.00W 12 NESW MACKIN GULCH > GRAVE CREEK / 34.00S 6.00W 3 SESW
Use/Quantity	IRRIGATION / 0.220 CFS IRRIGATION / 1.090 CFS IRRIGATION / 1.820 CFS IRRIGATION / 0.570 CFS IRRIGATION / 0.050 CFS
Priority Date	07/21/1943, 12/31/1891, 06/30/1873
Transfer	T-13384
Water Right	Cert: 29402, 29405, 35499
County/Basin	Clackamas, Marion / Willamette (2)
Applicant Name	FOBERT, SUSAN 18899 FOBERT RD NE HUBBARD, OR 97032
Proposed Change	ADDITIONAL POINT OF APPROPRIATION, ADDITIONAL POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > PUDDING RIVER / 4.00S 1.00W 35 NENE A WELL > PUDDING RIVER / 4.00S 1.00W 26 NESE PUDDING RIVER > MOLALLA RIVER / 4.00S 1.00W 36 NENW
Use/Quantity	IRRIGATION / 0.200 CFS IRRIGATION / 0.820 CFS SUPPLEMENTAL IRRIGATION / 0.560 CFS
Priority Date	06/06/1958, 11/13/1958, 05/22/1962

Transfer Preliminary Determinations

A Preliminary Determination provides the Department's conclusion as to whether a proposed change in place of use, point of diversion or appropriation, or character of use of an existing water right should be approved. Changes of water rights may be proposed in an application for transfer (including instream, historic POD, exchange, substitution or ground water registration modification).

The Department has issued preliminary determinations on the transfer applications listed below. In addition to this notice, the Department is complying with ORS 540.520(2) that requires publication of notice in a local newspaper for all transfers except those proposing a change in place of use only or a change in point of diversion of less than ¼ mile where there are no intervening diversion points.

Any person may protest the application and preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-0900, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by a \$810 protest fee for non-applicant and \$410.00 protest fee for applicant. Call (503) 986-0815 to obtain additional information. Protests must be received by the Department on or before April 09, 2020, 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-12349](#) filed by Lofland LLC, 560-A NE "F" St. Ste. 641, Grants Pass, OR 97526, proposes additional points of appropriation under Registration Application GR-200 (Certificate of Registration GR-186). The registration allows the use of 17.1 gallons per minute from trenches in Sects. 14 and 23, T38S, R5W, WM, for irrigation in Sects. 23 and 24, T38S, R5W, WM. The applicant proposes additional points of appropriation in Sec. 23, T38S, R5W, WM. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

[T-13277](#) filed by Gary A. and Shelly Mull, 20925 SE DeRaeve Ln, Amity, OR 97101, proposes a modification in the place of use under Registration Application GR-395 (Certificate of Registration GR-2437). The registration allows the use of 120 gallons per minute from a well in Sec. 27, T 5S, R 4W, WM. for irrigation in Sec. 27. The applicant proposes to change the place of use to Sec. 27, T 5S, R4W, WM. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

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-13379
Water Right	Cert: 13743
County/Basin	Washington / Willamette (2)
Applicant Name	DECKER FARMS INC. 12475 SW RIVER RD HILLSBORO, OR 97123
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	TUALATIN RIVER > WILLAMETTE RIVER / 2.00S 2.00W 4 SESW
Use/Quantity	IRRIGATION / 0.850 CFS
Priority Date	08/05/1938

Transfer	T-13385
Water Right	Cert: 87800
County/Basin	Morrow / Umatilla (7)
Applicant Name	ST HILAIRE, CARL ST HILAIRE BROTHERS 84186 HIGHWAY 37 HERMISTON, OR 97838
Proposed Change	POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	COLUMBIA RIVER > PACIFIC OCEAN / 4.00N 25.00E 18 NENE
Use/Quantity	IRRIGATION / 11.280 CFS
Priority Date	10/16/1968, 12/19/1968

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-13378
Water Right	Permit: G-17520
County/Basin	Morrow / Umatilla (7)
Applicant Name	HARRIS, GREG THREEMILE CANYON FARMS INC. 75906 THREEMILE RD BOARDMAN, OR 97818
Proposed Change	POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > WILLOW CREEK BASIN / 3.00N 23.00E 26 NWNE A WELL > WILLOW CREEK BASIN / 3.00N 23.00E 23 NESE
Use/Quantity	AGRICULTURE USES / 2.700 CFS
Priority Date	04/25/2014
Transfer	T-13383
Water Right	Permit: S-54944
County/Basin	Lane / Willamette (2)
Applicant Name	JACKSON, BRIAN AND AMBER 42510 MCKENZIE HWY SPRINGFIELD, OR 97478
Proposed Change	ADDITIONAL POINT OF DIVERSION
Sources/TRSQ40Q160	BLUE RIVER RESERVOIR > BLUE RIVER / 16.00S 4.00E 16 SESE COUGAR RESERVOIR > SOUTH FORK MCKENZIE RIVER / 16.00S 5.00E 31 SESE MCKENZIE RIVER > WILLAMETTE RIVER / 17.00S 1.00W 23 NESE WALTERVILLE CANAL > MCKENZIE RIVER / 17.00S 1.00W 22 SESE
Use/Quantity	IRRIGATION / 16.500 AF IRRIGATION / 16.500 AF
Priority Date	AGRICULTURE USES / 0.740 CFS 05/23/2014

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 April 09, 2020. 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-13368](#)
Water Right Claim: GR-305
County/Basin Marion / Willamette (2)
Applicant Name IVANOV, KARL
NORTHSTAR COMMUNITIES LLC
9550 SE CLACKAMAS RD
CLACKAMAS, OR 97015
Proposed Change POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160 A WELL > LITTLE PUDDING RIVER / 6.00S 2.00W 32 NESW
Use/Quantity IRRIGATION / 0.557 CFS
Priority Date 09/30/1951

Transfer [T-13380](#)
Water Right Claim: GR-63
County/Basin Yamhill / Willamette (2)
Applicant Name CITY OF NEWBERG
ATTN: JAY HARRIS
PO BOX 970
NEWBERG, OR 97132
Proposed Change POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160 A WELL > WILLAMETTE RIVER / 3.00S 2.00W 29 NESW
A WELL > WILLAMETTE RIVER / 3.00S 2.00W 29 NESW
Use/Quantity MUNICIPAL USES / 2.228 CFS
MUNICIPAL USES / 2.228 CFS
Priority Date 09/30/1951

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 April 09, 2020. 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:

Pinnacle Utilities, LLC (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# [94958](#)
App: G-13965
County/Basin Deschutes / Deschutes (5)
Applicant Name THE TREE FARM LLC
Priority Date 01/30/1995
Issue Date 03/06/2020

Cert# [94952](#)
Xfer: T-12173
County/Basin Crook / Deschutes (5)
Applicant Name VOGEL, DONALD G.
VOGEL, KIMBERLEY D.
Priority Date 12/31/1891
Issue Date 03/05/2020

Cert# [94953](#)
App: S-20036
County/Basin Crook / Deschutes (5)
Applicant Name DEBACA LAND AND CATTLE LLC
CROOK COUNTY PLANNING DEPARTMENT
VOGEL, DONALD G.
VOGEL, KIMBERLEY D.
Priority Date 09/11/1943
Issue Date 03/05/2020

Corrected Notice
Notice of Application Ready for Final Review
Swan Lake North Hydroelectric Project

This corrected notice is issued to clarify that a second public meeting is not being scheduled for this Project. A public meeting was held on December 16, 2019. For follow-up questions or concerns, please contact Mary Graine, 503-986-0833, or Mary.s.graine@oregon.gov. Any comments or recommendations must be submitted in writing to the Department as explained below.

Comments on this application for a new hydroelectric project are requested from interested citizens, organizations, tribal and other governmental entities, and other parties. The Department has determined that after the initial comment period and public meeting that no additional studies have been requested for the Project, including no requests for studies of the potential for cumulative effects with other existing or proposed hydroelectric projects. Therefore, the Application is ready for final review. A proposed final order will be prepared after the close of this 60 day comment period.

The application and supporting documents including updated mitigation plans may be viewed at this link:

<http://filepickup.wrd.state.or.us/files/Uploads/Swan%20Lake%20North%20Hydroelectric/>

Comments may be submitted at the public hearing, or in writing to the Oregon Water Resources Department at 725 Summer St NE, Salem OR, 97302, or by email to Mary.s.graine@oregon.gov by **5 p.m. Monday, May 4, 2020**.

Application #:	HE 617 Klamath County
Applicant:	Swan Lake North Hydro LLC
Address:	1050 SW 6 th Avenue, Suite 1650, Portland OR 97204
Amount of water:	Initial Fill 3,001 acre-feet – offset by forbearance of 1040.7 acres of irrigation use under Certificates 29530, 87006 and 92375 Annual maintenance water: 420 acre-feet - permanent transfer of 141.6 acres irrigation use to hydroelectric use, application T-13280
Sources of water:	Well #1 - Klam 2263, 660 feet North and 1690 feet West from SE Corner Section 9, being within the SW ¼ SE ¼ of Section 9 Well #2 - Klam 2259, 48 feet North and 20 feet East from SW Corner, Section 8, being within the SW ¼ SW ¼ of Section 8 Well #3 - Klam 2262, 2020 feet North and 500 feet East from SW Corner Section 8, being within the NW ¼ SW ¼ of Section 8, Well #4 – Klam 2260, 3240 feet North and 2670 feet east from SW corner Section 8, being within the SW ¼ NE ¼ of Section 8. all in Township 37 South, Range 10 East, W.M.
Upper Reservoir:	Maximum Surface Area 64.21 acres and volume of 3,228 acre-feet in Section 3, Township 37 South, Range 10 East, W.M. Lower Reservoir & Maximum Surface Area 60.14 acres and volume of 3,206 acre-feet
Powerhouse:	Section 16, Township 37 South, Range 10 East, W.M.
Purpose:	Hydroelectric power production of 1,187 gigawatt-hours/yr.
Plant Capacity:	631,300 Theoretical Horsepower or 393.3 MW

For Further Information Contact: Mary Graine 503-986-0833, Mary.s.graine@oregon.gov

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
March 10, 2020

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.