# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A Salem OR 97301

# PUBLIC NOTICE OF WATER USE REQUESTS June 2, 2020

This notice is also available on our web page at the following address: <a href="http://apps.wrd.state.or.us/apps/misc/wrd">http://apps.wrd.state.or.us/apps/misc/wrd</a> 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.
- \* 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: Drought Temporary Transfers

Requests to temporarily change character of use, place of use or point of diversion during a drought declared under ORS 536.740.

\* Transfer Applications: Permit Amendments

Requests to amend permits.

- \* 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.
- \* Water Management and Conservation Plan Progress Reports
  Water management and conservation plan progress reports submitted by municipalities under provisions of OAR Chapter 690, Division 86.

The Public Notice is published each week on the Department's web site at <a href="http://www.wrd.state.or.us/">http://www.wrd.state.or.us/</a>. 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

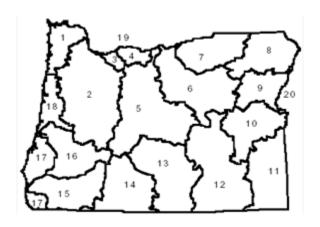
# Priority Date Stage/ Status

GD:

IR: Initial Review

Group domestic

PFO: Proposed Final Order



#### BASINS:

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

. Chiathia 14. Kiamath

#### 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		IL:	Irrigation with livestock	PW:	Power
	non-commercial lawn & garden	IM:	Industrial or manufacturing	QM:	Quasi-municipal
DO:	Domestic	IR:	Irrigation	RC:	Recreation
DS:	Domestic & stock	IS:	Irrigation, supplemental	RW:	Road construction
FI:	Fish	LV:	Livestock	TC:	Temperature control
FP:	Fire protection	LW:	Livestock & wildlife	WI:	Wildlife
FW:	Fish & wildlife	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 02, 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: <a href="http://apps.wrd.state.or.us/apps/wr/wrinfo/">http://apps.wrd.state.or.us/apps/wr/wrinfo/</a>. 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, July 17, 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# <u>G-18706</u>

County/Basin Marion / Willamette (2)
Applicant Name MCKAY, JAMES DANIEL

PO BOX 4460 SALEM, OR 97302

Sources/TRSQ40Q160 A WELL > MILL CREEK BASIN / 8.00S 2.00W 19 SENW

Use/Quantity NURSERY USES / 0.090 CFS

Priority Date 06/26/2018

Stage/Status PFO / PROPOSE TO DENY

App# <u>G-18857</u>

County/Basin Deschutes / Deschutes (5)

Applicant Name EDMONDSON FAMILY FARMS LLC

PO BOX 8554 BEND, OR 97708

Sources/TRSQ40Q160 A WELL > DRY RIVER / 20.00S 17.00E 30 NWNE

A WELL > DRY RIVER / 20.00S 17.00E 30 NENE

Use/Quantity NURSERY USES / 4.900 CFS

Priority Date 08/21/2019

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# <u>G-18785</u>

County/Basin Linn / Willamette (2)
Applicant Name POWELL, MATTHEW

41210 UPPER CALAPOOIA DR

SWEET HOME, OR 97386

 Priority Date
 01/28/2019

 Issue Date
 05/27/2020

 Status
 APPROVED

App# <u>G-18803</u>

County/Basin Marion / Willamette (2)

Applicant Name METZGER, KURT AND KOREEN

1940 105TH AVE NE SALEM, OR 97317

 Priority Date
 03/14/2019

 Issue Date
 05/27/2020

 Status
 APPROVED

App# <u>G-18821</u>

County/Basin Hood River / Hood (4)

Applicant Name RICE FAMILY PROPERTIES LLC

8885 COOPER SPUR RD PARKDALE, OR 97041

Priority Date 05/08/2019
Issue Date 05/27/2020
Status DENIED

App# <u>G-18929</u>

County/Basin Klamath / Klamath (14) Applicant Name FRANK, CONNIE

9002 DEHLINGER LANE

KLAMATH FALLS, OR 97603

 Priority Date
 04/27/2020

 Issue Date
 05/26/2020

 Status
 APPROVED

App# <u>G-18930</u>

County/Basin Klamath / Klamath (14)

Applicant Name BAIR FARMS BAIR, TONY

9831 SPRINGLAKE RD KLAMATH FALLS, OR 97603

Priority Date 04/29/2020 Issue Date 05/26/2020 Status APPROVED

App# <u>G-18963</u>

County/Basin Klamath / Klamath (14)
Applicant Name PARKER, DOUG AND JUDY

4582 FRESHWATER RD WILLIAMS, CA 95987

 Priority Date
 04/27/2020

 Issue Date
 05/26/2020

 Status
 APPROVED

App# <u>G-18966</u>

County/Basin Klamath / Klamath (14)
Applicant Name BUNYARD, ROBERT
13939 MANN RD

KLAMATH FALLS, OR 97603

 Priority Date
 05/01/2020

 Issue Date
 05/27/2020

 Status
 APPROVED

App# <u>G-18968</u>

County/Basin Klamath / Klamath (14) Applicant Name HORSLEY, LUTHER

PO BOX 209

MIDLAND, OR 97634

 Priority Date
 05/04/2020

 Issue Date
 05/26/2020

 Status
 APPROVED

App# <u>G-18969</u>

County/Basin Klamath / Klamath (14)

Applicant Name MALIN IRRIGATION DISTRICT

GROUNDS, NICK PO BOX 355 MALIN, OR 97632

 Priority Date
 05/04/2020

 Issue Date
 05/26/2020

 Status
 DENIED

App# <u>G-18970</u>

County/Basin Klamath / Klamath (14)

Applicant Name SHASTA VIEW IRRIGATION DISTRICT

GROUNDS, NICK

PO BOX 46

MALIN, OR 97632

Priority Date 05/04/2020 Issue Date 05/26/2020 Status APPROVED

App# <u>G-18971</u>

County/Basin Klamath / Klamath (14)
Applicant Name PLATT, JACK

11070 OAK HILL RD

INDEPENDENCE, OR 97351

Priority Date 05/12/2020 Issue Date 05/26/2020 Status DENIED

App# <u>G-18972</u>

County/Basin Klamath / Klamath (14)

Applicant Name KING FARMS AND RANCH LLC

KNOLL RANCH LLC 8296 KINGS WAY

KLAMATH FALLS, OR 97603

 Priority Date
 05/13/2020

 Issue Date
 05/27/2020

 Status
 APPROVED

App# <u>G-18977</u>

County/Basin Klamath / Klamath (14) Applicant Name DIXON, DENNIS

8520 TINGLEY LANE

KLAMATH FALLS, OR 97603

Priority Date 05/14/2020 Issue Date 06/01/2020 Status APPROVED

App# <u>G-18978</u>

County/Basin Klamath / Klamath (14) Applicant Name LARSEN, JOANNE

PO BOX C

MERRILL, OR 96134

 Priority Date
 05/15/2020

 Issue Date
 06/01/2020

 Status
 APPROVED

App# <u>G-18979</u>

County/Basin Klamath / Klamath (14)

Applicant Name DEJONG, TOM

18231 N POE VALLEY RD KLAMATH FALLS, OR 97603

JD DAIRY LLC

21821 N POE VALLEY RD KLAMATH FALLS, OR 97603

Priority Date 05/14/2020 Issue Date 06/01/2020 Status APPROVED

App# G-18981

County/Basin Klamath / Klamath (14)

Applicant Name MDB LLC

35350 HWY 50

MALIN, OR 97632

Priority Date 05/18/2020 Issue Date 06/01/2020 Status APPROVED

App# <u>G-18982</u>

County/Basin Klamath / Klamath (14) Applicant Name FRANK, CONNIE

9002 DEHLINGER LANE

KLAMATH FALLS, OR 97603

Priority Date 05/18/2020 Issue Date 06/01/2020 Status APPROVED

App# <u>LL-1819</u>

County/Basin Coos / South Coast (17)

Applicant Name UPPER COOS RIVER WATER ASSOCIATION INC

64170 SOLARI RD COOS BAY, OR 97420

 Priority Date
 03/18/2020

 Issue Date
 05/28/2020

 Status
 APPROVED

App# <u>S-88693</u>

County/Basin Douglas / Umpqua (16)
Applicant Name WIGHTON, MICHAEL
700 THOMAS RD

SUTHERLIN, OR 97479

Priority Date 04/30/2019 Issue Date 05/27/2020 Status APPROVED

App# <u>S-88741</u>

County/Basin Jackson / Rogue (15) Applicant Name THOMPSON, BRIAN

4025 WILLIAMS HWY GRANTS PASS, OR 97527

Priority Date 09/09/2019 Issue Date 05/27/2020 Status APPROVED

# <u>Alternate Reservoir Applications (ORS 537.409)</u>

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 01, 2020.

App# <u>R-88821</u>

County/Basin Linn / Willamette (2)

Applicant Name PROGRESSIVE DESIGN BUILDERS

SMITH, STEPHAN PO BOX 727

ALBANY, OR 97321

Sources/TRSQ40Q160 RUNOFF > CALAPOOIA RIVER / 13.00S 3.00W 36 SENE

Use/Quantity STORAGE / 39.300 AF

Priority Date 05/22/2020

App# R-88822

County/Basin Jackson / Rogue (15)
Applicant Name SCALLON, BRIAN
7861 HIGHBANKS RD

CENTRAL POINT, OR 97502

Sources/TRSQ40Q160 UNNAMED STREAM > ROGUE RIVER / 36.00S 2.00W 21 NENE

Use/Quantity MULTIPLE PURPOSE / 4.000 AF

Priority Date 05/26/2020

# **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 02, 2020**. 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 rediversion point(s).

App# <u>S-88819</u>

County/Basin Marion / Willamette (2)
Applicant Name JANE STOCKFLETH LLC

15561 RIVER RD NE SAINT PAUL, OR 97137

Sources/TRSQ40Q160 WILLAMETTE RIVER > COLUMBIA RIVER / 5.00S 3.00W 25 NENE

WILLAMETTE RIVER > COLUMBIA RIVER / 5.00S 3.00W 24 SWNE

COTTAGE GROVE RESERVOIR > COAST FORK WILLAMETTE RIVER / 21.00S 3.00W 28 SENE COUGAR RESERVOIR > SOUTH FORK MCKENZIE RIVER / 16.00S 5.00E 31 SESE

BLUE RIVER RESERVOIR > BLUE RIVER / 16.00S 4.00E 16 SESE

DETROIT RESERVOIR > NORTH SANTIAM RIVER / 10.00S 5.00E 7 SWNW

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 RESERVOIR > MIDDLE FORK WILLAMETTE RIVER / 21.00S 3.00E 35 NENW LOOKOUT POINT RESERVOIR > MIDDLE FORK WILLAMETTE RIVER / 19.00S

1.00W 13 NWSE

Use/Quantity SUPPLEMENTAL IRRIGATION / 489.7 AF

Priority Date 05/11/2020

App# <u>S-88820</u>

County/Basin Wheeler / John Day (6)

Applicant Name BRIDGE CREEK RANCH LLC

PO BOX 10127 EUGENE, OR 90127

Sources/TRSQ40Q160 A RESERVOIR > BRIDGE CREEK / 10.00S 20.00E 25 NWNW

PAINTED HILLS RESERVOIR > BRIDGE CREEK / 10.00S 20.00E 25 NESW

Use/Quantity FISH CULTURE / 125.000 AF

Priority Date 05/21/2020

App# <u>S-8883</u>

County/Basin Douglas / Umpqua (16)

Applicant Name HARRIS FAMILY PROPERTY TRUST

4627 GRAYWOOD AVE LONG BEACH, CA 96808

Sources/TRSQ40Q160 COW CREEK > UMPQUA RIVER / 32.00S 5.00W 12 SENE

GALESVILLE RESERVOIR > COW CREEK / 31.00S 4.00W 28 SWNE

Use/Quantity IRRIGATION / 24.530 AF

Priority Date 05/26/2020

# **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 02, 2020. 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 \$30 (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# S-46924 Permit Number S-35103

County/Basin Douglas / Umpqua (16)

SOUTH UMPQUA WATER ASSOCIATION Applicant Name

RIDDLE, OR 97469

Sources/TRSO40O160 COW CREEK > SOUTH UMPOUA RIVER / 30.00S 6.00W 24 SENW

QUASI-MUNICIPAL USES / 0.670 CFS Use/Quantity

Proposed Completion Date10/01/2040

App# S-60959 Permit Number S-45405

Douglas / Umpqua (16) County/Basin CITÝ OF RIDDLE Applicant Name **PO BOX 143** 

RIDDLE, OR 97469

Sources/TRSO40O160 COW CREEK > SOUTH UMPQUA RIVER / 30.00S 6.00W 24 SWNE

Use/Quantity MUNICIPAL USES / 3.000 CFS

Proposed Completion Date 10/01/2040

App# S-84852 S-53867 Permit Number

County/Basin Douglas / Umpqua (16)

QUINN, RAY Applicant Name

2080 SHOESTRING RD RIDDLE, OR 97469

SOUTH UMPOUA WATER ASSOC.

2080 SHOESTRING RD RIDDLE, OR 97469

A RESERVOIR > COW CREEK / 31.00S 4.00W 28 SWNE Sources/TRSQ40Q160

COW CREEK > SOUTH UMPQUA RIVER / 30.00S 6.00W 24 SWNE

Use/Quantity QUASI-MUNICIPAL USES / 0.670 CFS (est)

QUASI-MUNICIPAL USES / 0.000 CFS (est)

Proposed Completion Date 10/01/2040

G-16067 App# Permit Number G-15809

County/Basin Yamhill / Willamette (2) HILAND WATER CORP. INC. Applicant Name

PO BOX 699

NEWBERG, OR 97132

Sources/TRSQ40Q160 A WELL > HARVEY CREEK / 3.00S 3.00W 24 SWSW A WELL > HARVEY CREEK / 3.00S 3.00W 24 SWSW

Use/Quantity QUASI-MUNICIPAL USES / 0.070 CFS (est) QUASI-MUNICIPAL USES / 0.070 CFS (est)

Proposed Completion Date 10/01/2035

App# G-11640 Permit Number G-17749

County/Basin Lake / Goose & Summer Lake (13) MACDONALD, THOMAS A. Applicant Name

PO BOX 87

SUMMER LAKE, OR 97640

Sources/TRSQ40Q160

A WELL > ANA RIVER BASIN / 30.00S 17.00E 8 NENW A WELL > ANA RIVER BASIN / 30.00S 17.00E 5 SENW A WELL > ANA RIVER BASIN / 30.00S 17.00E 5 SWSE A WELL > ANA RIVER BASIN / 30.00S 17.00E 5 NWSE A WELL > ANA RIVER BASIN / 30.00S 17.00E 5 SESW

Use/Quantity FISH CULTURE / 17.7993 CFS

Proposed Completion Date 10/01/2025

# **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 July 17, 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-17802 Permit# G-17336

County/Basin Baker / Powder (9)
Applicant Name SMITH, RUSTIN
PO BOX 885

BAKER CITY, OR 97814

Sources/TRSQ40Q160 A WELL > BALDOCK SLOUGH / 8.00S 40.00E 16 SESE

A WELL > BALDOCK SLOUGH / 8.00S 40.00E 21 NENE

Use/Quantity IRRIGATION / 4.580 CFS

## **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 June 16, 2020, 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# <u>LL-1830</u>

County/Basin Yamhill / Willamette (2)
Applicant Name KUNZE ORCHARDS, LLC

EEVIN KUNZE PO BOX 313 DAYTON, OR 97114

Sources/TRSQ40Q160 YAMHILL RIVER > WILLAMETTE RIVER / 4.00S 3.00W 10 NWSW

Use/Quantity ESTABLISH HAZELNUTS / 7 GPM

App# <u>LL-1832</u>

County/Basin Sherman / Deschutes (5)
Applicant Name BARNETT ESTATE

PO BOX 206 WASCO, OR 97065

Sources/TRSQ40Q160 A WELL > SPANISH HALLOW BASIN / 1.00N 17.00E 4 SWNW

Use/Quantity CONSTRUCTION FOR WIND FARM / 180 GPM

App# LL-1833

County/Basin Klamath / Klamath (14)

Applicant Name BUREAU OF LAND MANAGEMENT 2795 ANDERSON AVE BUILDING 25

KLAMATH FALLS, OR 97603

Sources/TRSQ40Q160 JC BOYLE > KLAMATH RIVER / 39.00S 7.00E 31 NESE

MINER'S CREEK POND > MINER'S CREEK / 39.00S 6.00E 7 NENE

BUCK 15 POND > BUCK LAKE / 38.00S 5.00E 15 NESW

Use/Quantity ROAD DUST ABATEMENT / 350,000 GPM

ROAD DUST ABATEMENT / 34,000 GPM ROAD DUST ABATEMENT / 34,000 GPM

App# <u>LL-1831</u>

County/Basin Douglas / Umpqua (16)

Applicant Name ROSEBURG FOREST PRODUCTS

PO BOX 1088

ROSEBURG, OR 97470

Sources/TRSQ40Q160 GALEVILLE RESERVOIR > UMPQUA RIVER / 28.00S 6.00W 33 SESW

GALESVILLE RESERVOIR > UMPQUA RIVER / 30.00S 6.00W 26 SENW

GENERAL INDUSTRIAL USE / 1.86 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 June 23, 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# <u>SL-54</u> Certificate 3170

County/Basin Wallowa / Grande Ronde (8)

Lessor WADE, SAM

79265 WADE GULTCH LN LOSTINE, OR 97857

Lessor FRYE, TRACI

79353 WADE GULTCH LN LOSTINE, OR 97857

Lessee HUMPHREYS, JESSICA

THE FRESHWATER TRUST 401 NE 1ST ST BOX 6 ENTERPRISE, OR 97828

Priority Date 12/31/1888

Source/Tributary To WALLOWA RIVER / GRANDE RONDE 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 July 02, 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  $\underline{T-13440}$ 

Water Right Cert: 10256, 10320, 10207 County/Basin Baker / Powder (9) Applicant Name WILLIAMS, GENE 36739 ALLSTEAD LANE

HALFWAY, OR 97834

Proposed Change ADDITIONAL POINT OF DIVERSION

Sources/TRSQ40Q160 HOLBROOK CREEK > CLEAR CREEK / 7.00S 45.00E 24 NWSE

Use/Quantity IRRIGATION, LIVESTOCK AND DOMESTIC / 0 CFS Priority Date 12/31/1895, 12/31/1901, 12/31/1910, 12/31/1892

Transfer T-13444

Water Right Cert: 10401, 10505, 10437 County/Basin Baker / Powder (9) Applicant Name GULICK, ROGER 46152 OLIVER RD

46152 OLIVER RD HALFWAY, OR 97834

Proposed Change ADDITIONAL POINT OF DIVERSION Sources/TRSQ40Q160 CLEAR CREEK > PINE CREEK

PINE CREEK > SNAKE RIVER SAG CREEK/WASTE > PINE CREEK SPRING CREEK/WASTE > PINE CREEK

Use/Quantity IRRIGATION, LIVESTOCK AND DOMESTIC / 0 CFS

SUPPLEMENTAL IRRIGATION / 0 CFS

Priority Date 12/31/1870, 12/31/1910, 12/31/1885, 12/31/1907

## **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 ½ 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 02, 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-12583 filed by JRS Properties III LP, PO Box 27, Boise, ID 83707, proposes changes in points of appropriation and changes in places of use under Certificates 34169, 34170, 34171, 50751, 50755, 50757, 50760, 50917, 50918, 65758, and 65759. Certificate 34169 allows the use of 0.09 cubic foot per second (cfs) from a well in Sec. 32, T27S, R19E, WM for irrigation in Sec. 29, T27S, R19E, WM. The applicant proposes to move the point of appropriation to Sec. 28, T27S, R19E, WM and to change the place of use to Sec. 28, T27S, R19E, WM. Certificate 34170 allows the use of 0.105 cfs from a well in Sec. 32, T27S, R19E, WM for irrigation in Sec. 32, T27S, R19E, WM. The applicant proposes to move the point of appropriation to Sec. 28, T27S, R19E, WM and to change the place of use to Sec. 28, T27S, R19E, WM. Certificate 34171 allows the use of 0.137 cfs from a well in Sec. 29, T27S, R19E, WM for irrigation in Sec. 29, T27S, R19E, WM. The applicant proposes to move the point of appropriation to Sec. 28, T27S, R19E, WM and to change the place of use to Sec. 28, T27S, R19E, WM. Certificate 50751 allows the use of 0.10 cfs from a well in Sec. 29, T27S, R19E, WM for irrigation in Sec. 29, T27S, R19E, WM. The applicant proposes to move the point of appropriation to Sec. 28, T27S, R19E, WM and to change the place of use to Sec. 28, T27S, R19E, WM. Certificate 50755 allows the use of 0.05 cfs from a well in Sec. 29, T27S, R19E, WM for irrigation in Sects. 29 and 30, T27S, R19E, WM. The applicant proposes to move the point of appropriation to Sec. 28, T27S, R19E, WM and to change the place of use to Sec. 28, T27S, R19E, WM. Certificate 50757 allows the use of 0.347 cfs from a well in Sec. 19, T27S, R19E, WM for irrigation in Sects. 19, 20, 29 and 30, T27S, R19E, WM. The applicant proposes to move the point of appropriation to Sec. 20, T27S, R19E, WM and to change the place of use to Sects. 19, 20, 21, 28, and 29, T27S, R19E, WM. Certificate 50760 allows the use of 0.43 cfs from a well in Sec. 19, T27S, R19E, WM for irrigation in Sec. 19, T27S, R19E, WM. The applicant proposes to move the point of appropriation to Sec. 28, T27S, R19E, WM and to change the place of use to Sec. 28, T27S, R19E, WM. Certificate 50917 allows the use of 0.97 cfs from three wells in Sects. 18, 19, and 20, T27S, R19E, WM for irrigation in Sects. 13 and 24, T27S, R18E, WM, and Sects. 19, 29, and 30, T27S, R18E, WM. The applicant proposes to move the points of appropriation to Sec. 19, T27S, R19E, WM and to change the place of use to Sec. 28, T27S, R19E, WM. Certificate 50918 allows the use of 0.14 cfs from a well in Sec. 18, T27S, R19E, WM for irrigation in Sec. 18, T27S, R19E, WM. The applicant proposes to move the point of appropriation to Sec. 28, T27S, R19E, WM and to change the place of use to Sec. 28, T27S, R19E, WM. Certificate 65758 allows the use of 0.16 cfs from two wells in Sects. 19 and 20, T27S, R19E, WM for irrigation in Sects. 17, 19, 20, and 21, T27S, R19E, WM. The applicant proposes to move the points of appropriation to Sects. 20 and 28, T27S, R19E, WM and to change the place of use to Sects. 19, 20, and 28, T27S, R19E, WM. Certificate 65759 allows the use of 2.28 cfs from two wells in Sects. 16 and 21, T27S, R19E, WM for irrigation in Sects. 16, 17, 20, and 21, T27S, R19E, WM. The applicant proposes an additional point of appropriation in Sec. 16, T27S, R19E, WM, to change the points of appropriation to Sec. 28, T27S, R19E, WM, and to change the place of use to Sects. 20 and 28, T27S, R19E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

<u>T-13272</u> filed by Alfred Obrist, 16600 SE Foster Rd, Gresham, OR 97080, proposes a change in point of diversion under Certificate 86730. The right allows the use of 0.026 cubic foot per second from Kelly Creek in Sec. 19, T1S, R3E, WM for pond maintenance in Sec. 19. The applicant proposes to move the point of diversion in Sec. 19, T1S, R3E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-12660 filed by Nicholas and Julie Cock, 1059 Reaser Ln, Ramona, CA 92065, proposes a point of appropriation under Registration Application T-12660 GR-200 (Certificate of Registration GR-186). The registration allows the use of 14.8 gallons per minute from an infiltration trench in Sec. 23, T38S, R5W, WM for irrigation in Sects. 23 and 24, T38S, R5W, WM. The applicant proposes to move the point of appropriation to within Sects. 23 and 24, T38S, R5W, WM. The Water Resources Department proposes to deny the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

T-13023 filed by Moss Ranch LLC, 8555 W. Langell Valley Rd., Bonanza, OR 97623, proposes a change in point of appropriation and a change in place of use under Certificate 65412. The right allows the use of 4.35 cubic feet per second from a well in Sec. 31, T39S, R12E, WM for irrigation in Sects. 25, 26, 35, and 36, T39S, R11E, WM, and Sec. 31, T39S, R12E, WM. The applicant proposes to move the point of appropriation in Sec. 31, T39S, R12E, WM and to change the place of use to Sec. 25, T39S, R11E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-12617 filed by Klamath Falls City School Districts 1 and 2 (Klamath Union High School), 1336 Avalon Street, Klamath Falls OR, 97603, proposes an additional point of appropriation under Certificate 85356. The right allows the use of 0.45 cubic foot per second from a well in Sec. 28, T38S, R9E, WM for heating in Sec. 28 and 29, T38S, R9E, WM. The applicant proposes an additional point of appropriation in Sec. 28, T38S, R9E, WM. 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-13439

Water Right Cert: 38044, 38507, 75769
County/Basin Clackamas / Willamette (2)

Applicant Name HEYERLY, JEFF

HEYERLY BROTHERS 31958 S PALMER RD MOLALLA, OR 97038

Proposed Change POINT OF APPROPRIATION, PLACE OF USE Sources/TRSQ40Q160 A WELL > KAISER CREEK / 5.00S 1.00E 14 SESW

A WELL > MOLALLA RIVER / 5.00S 2.00E 7 NESW WELL 1 > GRIBBLE CREEK / 4.00S 2.00E 31 SWSE WELL 2 > GRIBBLE CREEK / 4.00S 2.00E 31 NESW

Use/Quantity IRRIGATION / 0.110 CFS

IRRIGATION / 1.098 CFS IRRIGATION / 0.640 CFS IRRIGATION / 0.900 CFS

Priority Date 02/13/1968, 11/14/1966, 06/08/1965

# **Transfer Applications: Drought Temporary Transfer**

During the effective time period of a drought declaration under ORS 536.740, the Commission or the Director may: (1) Allow a temporary transfer of a water right without complying with the notice and waiting requirements of ORS 540.520; (2) Allow a temporary exchange of water without giving notice as required under ORS 540.535; and (3) Use an expedited notice and waiting requirement for the substitution of a supplemental ground water right for a primary water right.

Notice is given that the following applications for Drought Temporary Transfers have been received by the Department. Consistent with the drought emergency, an order approving or denying the drought transfer will be issued as soon as the Department is able to process the application.

Transfer T-13443

Water Right Permit: G-17646

County/Basin Klamath / Klamath (14) Applicant Name STASTNY JR, EDWIN J.

32121 HWY 50

MALIN, OR 97632 Proposed Change PLACE OF USE

Sources/TRSQ40Q160 A WELL > LOST RIVER BASIN / 41.00S 12.00E 13 SENE

A WELL > LOST RIVER BASIN / 41.00S 12.00E 12 SESE

Use/Quantity SUPPLEMENTAL IRRIGATION / 5.260 CFS

Priority Date 12/14/1992

# **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-13445

Water Right Permit: G-17077

County/Basin Marion / Willamette (2)
Applicant Name BUCK, CAMERON
BLUE SKY FARM

17728 BUTTEVILLE RD NE WOODBURN, OR 97071

Proposed Change ADDITIONAL POINT OF APPROPRIATION

Sources/TRSQ40Q160 A WELL > SENECAL CREEK BASIN / 5.00S 2.00W 22 SESW

Use/Quantity NURSERY USES / 2.500 CFS

Priority Date 12/04/2012

## **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 19-2 County Jackson

Certificate 83727 IN THE NAME OF U.S. BUREAU OF RECLAMATION

Priority Date 9/6/1915

Name TALENT IRRIGATION DISTRICT Address PO BOX 467 TALENT, OR 97540

Use IRRIGATION

Source EMIGRANT CR and EMIGRANT RES > BEAR CR; S FK LITTLE BUTTE CR > LITTLE

BUTTE CR; CONDE CREEK & DEAD INDIAN CREEK & DALEY CR & BEAVER DAM CR & POLE BRIDGE CR & DEADWOOD > S FK LITTLE BUTTE CR; KEENE CR and KEEN

CR RES & GRIZZLY CR and HOWARD PRAIRIE RES > JENNY CR

Acres: 5.72

Authorized POU: T37S 1W 26 SESW, SWSE Proposed POU: T38S R1E 20 NWSE, SWNE

Notice 19-3 County Jackson

Certificate 79212 IN THE NAME OF TALENT IRRIGATION DISTRICT;

83727 IN THE NAME OF U.S. BUREAU OF RECLAMATION

Priority Date 5/12/1912; 9/6/1915

Name TALENT IRRIGATION DISTRICT Address PO BOX 467 TALENT, OR 97540

Use IRRIGATION; SUPPLEMENTAL IRRIGATION

Source EMIGRANT RES & EMIGRANT CR > BEAR CR; S FK LITTLE BUTTE CR > LITTLE

BUTTE CR; CONDE CREEK & DEAD INDIAN CREEK & DALEY CR & BEAVER DAM CR & POLE BRIDGE CR & DEADWOOD CR > S FK LITTLE BUTTE CR; KEEN CR and KEEN

CR/HYATT RES & GRIZZLY CR and HOWARD PRAIRIE RES > JENNY CR

Acres: 3.35

Authorized POU: T38S 1W 25 SWNW, NESW, NWSW; T38S 2W 02, NWNE

Proposed POU: T39S R1E 24 NENE, SENE

Notice **20-1** County Jackson

Certificate 83727 IN THE NAME OF U.S. BUREAU OF RECLAMATION

Priority Date 9/6/1915

Name TALENT IRRIGATION DISTRICT Address PO BOX 467 TALENT, OR 97540

Use IRRIGATION

Source EMIGRANT RES & EMIGRANT CR > BEAR CR; S FK LITTLE BUTTE CR > LITTLE

BUTTE CR; CONDE CREEK & DEAD INDIAN CREEK & DALEY CR & BEAVER DAM CR & POLE BRIDGE CR & DEADWOOD CR > S FK LITTLE BUTTE CR; KEEN CR and KEEN

CR/HYATT RES & GRIZZLY CR and HOWARD PRAIRIE RES > JENNY CR

Acres: 0.55

Authorized POU: T39S 1E 12 NWNW

Proposed POU: T38S 2W 13 SENW, NESW

Notice 20-2 County Jackson

Certificate 79212 IN THE NAME OF TALENT IRRIGATION DISTRICT;

83727 IN THE NAME OF U.S. BUREAU OF RECLAMATION

Priority Date 5/12/1912; 9/6/1915

Name TALENT IRRIGATION DISTRICT Address PO BOX 467 TALENT, OR 97540

Use IRRIGATION; SUPPLEMENTAL IRRIGATION

Source EMIGRANT RES & EMIGRANT CR > BEAR CR; S FK LITTLE BUTTE CR > LITTLE

BUTTE CR; CONDE CREEK & DEAD INDIAN CREEK & DALEY CR & BEAVER DAM CR & POLE BRIDGE CR & DEADWOOD CR > S FK LITTLE BUTTE CR; KEEN CR and KEEN

CR/HYATT RES & GRIZZLY CR and HOWARD PRAIRIE RES > JENNY CR

Acres: 1.00

Authorized POU: T38S 1W 10 NENW, Lot 3 Proposed POU: T40S R2E 05 NENE

Notice 20-3 County Jackson

Certificate 79212 IN THE NAME OF TALENT IRRIGATION DISTRICT;

83727 IN THE NAME OF U.S. BUREAU OF RECLAMATION

Priority Date 5/12/1912; 9/6/1915

Name TALENT IRRIGATION DISTRICT Address PO BOX 467 TALENT, OR 97540

Use IRRIGATION; SUPPLEMENTAL IRRIGATION

Source EMIGRANT RES & EMIGRANT CR > BEAR CR; S FK LITTLE BUTTE CR > LITTLE

BUTTE CR; CONDE CREEK & DEAD INDIAN CREEK & DALEY CR & BEAVER DAM CR & POLE BRIDGE CR & DEADWOOD CR > S FK LITTLE BUTTE CR; KEEN CR and KEEN

CR/HYATT RES & GRIZZLY CR and HOWARD PRAIRIE RES > JENNY CR

Acres: 1.00

Authorized POU: T38S 1W 10 NENW, Lot 3 Proposed POU: T38S R1E 30 NESE, NWSE

# **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):

#### Port of Umatilla (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 <a href="mailto:Kerri.H.Cope@oregon.gov">Kerri.H.Cope@oregon.gov</a>.

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A Salem OR 97301

## PUBLIC NOTICE OF WATER USE REQUESTS

June 2, 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: <a href="http://apps.wrd.state.or.us/apps/wr/wrinfo/">http://apps.wrd.state.or.us/apps/wr/wrinfo/</a>, 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	Mail me the order		
(e.g. "Permit Application G-12345" or "Transfer T-1234"):	(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.