OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS September 15, 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.
- * Expedited Secondary Applications to Use Stored Water
 Applications to use stored water exclusively, filed under a simplified review process.
- * 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.
- * 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: 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 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 Plans
 Water management and conservation plans submitted by municipalities and agricultural water suppliers under provisions of OAR Chapter 690, Division 86.

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

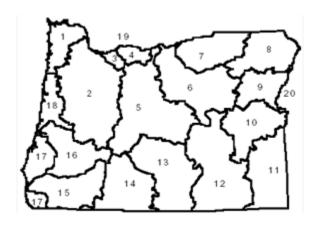
Priority Date Stage/ Status

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
3. Sandy	10. Malheur	17. S. Coast
4 Hood	11 Owyhee	18 Mid-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	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, October 15, 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, October 30, 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#

County/Basin

G-18983 Marion / Willamette (2) FOBERT, PAUL AND SUSAN Applicant Name

18899 FOBERT RD NE HUBBARD, OR 97032

A WELL > PUDDING RIVER / 4.00S 1.00W 26 SESE Sources/TRSQ40Q160

Use/Quantity IRRIGATION / 0.365 CFS

Priority Date 05/18/2020

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-18374</u>

County/Basin Lake / Goose & Summer Lake (13)
Applicant Name TAYLOR WESTSIDE RANCH

21732 HWY 395

LAKEVIEW, OR 97630

 Priority Date
 08/24/2016

 Issue Date
 09/15/2020

 Status
 APPROVED

App# <u>G-18602</u>

County/Basin Douglas / Umpqua (16) Applicant Name TUCKAWAY VINEYARD

> WOOD, JAMES J. 5830 HENDERER RD ELKTON, OR 97436

 Priority Date
 01/26/2018

 Issue Date
 09/15/2020

 Status
 APPROVED

App# <u>G-18</u>690

County/Basin Marion / Willamette (2)

Applicant Name C AND E BRENTANO FAMILY LP

5009 DAVIDSON RD NE SAINT PAUL, OR 97137

 Priority Date
 05/23/2018

 Issue Date
 09/15/2020

 Status
 APPROVED

App# <u>G-18818</u>

County/Basin Linn / Willamette (2)
Applicant Name K2A PROPERTIES LLC

DOERFLER, AMY

12333 SILVER FALLS HWY SE

AUMSVILLE, OR 97325

 Priority Date
 04/22/2019

 Issue Date
 09/15/2020

 Status
 APPROVED

App# G-19011

County/Basin Klamath / Klamath (14)
Applicant Name MCKOEN, JIM

PO BOX 391 MALIN. OR 97632

 Priority Date
 08/10/2020

 Issue Date
 09/03/2020

 Status
 APPROVED

App# <u>LL-1837</u>

County/Basin Linn / Willamette (2)

Applicant Name KNIFE RIVER CORPORATION – NORTHWEST

STEYAERT, JEFF 32260 OLD HWY 34 TANGENT, OR 97389

 Priority Date
 06/22/2020

 Issue Date
 09/08/2020

 Status
 APPROVED

App# R-88718

County/Basin Josephine / Rogue (15) Applicant Name SCHARNS, JUDI

PO BOX 313 SELMA, OR 97538

Priority Date 07/11/2019 Issue Date 09/15/2020 Status APPROVED

App# R-88786

County/Basin Polk / Willamette (2)

Applicant Name LUCKY ROOSTER VINEYARDS LLC

PO BOX 710 AMITY, OR 97101

Priority Date 12/13/2019 Issue Date 09/15/2020 Status APPROVED

App# <u>S-88518</u>

County/Basin Morrow / Umatilla (7)

Applicant Name WILLOW CREEK DISTRICT IMPROVEMENT COMPANY

THOMPSON, BRIAN 55805 HWY 74 HEPPNER, OR 97836

Priority Date 03/09/2018 Issue Date 09/08/2020 Status APPROVED

App# S-88865

County/Basin Jackson / Rogue (15)
Applicant Name THOMPSON, BRIAN
4025 WILLIAMS HWY

GRANTS PASS, OR 97527

Priority Date 08/25/2020 Issue Date 10/15/2020 Status WITHDRAWN

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 **October 15, 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-88865</u>

County/Basin Jackson / Rogue (15)
Applicant Name THOMPSON, BRIAN
4025 WILLIAMS HWY

GRANTS PASS, OR 97527

Sources/TRSQ40Q160 SNIDER CREEK > ROGUE RIVER / 35.00S 2.00W 27 SESE

RUNOFF > SNIDER CREEK / 35.00S 2.00W 27 SESE

Use/Quantity STORAGE / 114.000 AF

Priority Date 08/25/2020

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 October 30, 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

S-86071 App# Permit# S-54145

County/Basin Douglas / Umpqua (16) Applicant Name STUMPE, BRANISLAVA STUMPE, LEIGHTON W.

> 287 BAILEY DR ROSEBURG, OR 97470

A RESERVOIR > SOUTH UMPOUA RIVER / 28.00S 6.00W 3 SENW Sources/TRSO40O160

IRRIGATION / 2.230 AF Use/Quantity

App# S-86098 Permit# S-54178

County/Basin Clackamas / Willamette (2) Applicant Name MOSTUL, BURL

11900 S CRITESER RD

OREGON CITY, OR 97045

Sources/TRSO40O160 A RESERVOIR > BEAVER CREEK / 3.00S 1.00E 24 NENE

Use/Quantity NURSERY USES / 3.000 AF

Applications for Limited Licenses

A limited license allows the right to use or store water for no more than 5 consecutive years. Use of water under a limited license is subordinate to all other authorized uses and may be shut-off at any time to satisfy those other uses. In addition, the Department may revoke a limited license if its use causes injury to any other water right or minimum perennial streamflow.

Licensees must maintain a record of how much water they are using (ORS 537.143). The Department may approve a license after September 29, 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-1848</u>

County/Basin Umatilla / Umatilla (7)

Applicant Name HUDSON BAY DISTRICT IMPROVEMENT COMPANY

PO BOX 110

MILTON FREEWATER, OR 97862

WALLA WALLA BASIN WATERSHED COUNCIL

810 S MAIN ST

MILTON FREEWATER, OR 97862

Sources/TRSQ40Q160 WALLA WALLA RIVER > COLUMBIA RIVER / 5.00N 35.00E 12 SWNE

WALLA WALLA RIVER > COLUMBIA RIVER / 5.00N 35.00E 1 NENW

Use/Quantity GROUND WATER RECHARGE / 45.00 CFS

App# <u>LL-1849</u>

County/Basin Klamath / Klamath (14)

Applicant Name PACIFICORP AN OREGON CORPORATION

825 NE MULTNOMAH ST STE 1700

PORTLAND, OR 97232

Sources/TRSQ40Q160 KLAMATH RIVER > PACIFIC OCEAN / 40.00S 7.00E 6 SWNW

Use/Quantity POWER DEVELOPMENT / 500.000 CFS

App# <u>LL-1850</u>

County/Basin Douglas / Umpqua (16)

Applicant Name KOLINSNICHENKO, OLEKSANDR

PODZIZEY, OLEKSANDR 1955 NW KEASEY ST ROSEBURG, OR 97471

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

SOUTH UMPQUA RIVER > UMPQUA RIVER / 28.00S 6.00W 20 NESE

Use/Quantity IRRIGATION / 0.125 CFS

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 October 15, 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-13516
Water Right Cert: 54145

County/Basin Douglas / Umpqua (16) Applicant Name PITTMAN, STEPHEN

2739 E MARIQUITA STREET LONG BEACH, CA 90803

Proposed Change POINT OF DIVERSION

Sources/TRSQ40Q160 NORTH UMPQUA RIVER > UMPQUA RIVER / 26.00S 4.00W 19 SWNW

Use/Quantity DOMESTIC / 0.035 CFS

Priority Date 03/21/1973

Transfer T-13517

Water Right Cert: 49447, 53049

County/Basin Harney / Malheur Lake (12)

Applicant Name TITUS, TODD

43613 RODEO LANE BURNS, OR 97720

Proposed Change POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE

Sources/TRSQ40Q160 A WELL > CRANE CREEK / 26.00S 34.00E 6 SENE

WELL 3 > MALHEUR LAKE / 26.00S 34.00E 5 SWNW

Use/Quantity IRRIGATION / 1.380 CFS

IRRIGATION / 1.880 CFS

Priority Date 09/06/1955, 04/12/1977

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 October 15, 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.

<u>T-13281</u> filed by Lombard Water Co. LLC, PO Box 699, Newberg, OR 97132, proposes an additional point of appropriation under Certificate 35771. The right allows the use of 0.50 cubic foot per second from a well in Sec. 18, T7S, R2W, WM. for domestic use and fire protection in Sec. 18, T7S, R2W WM. The applicant proposes an additional point of appropriation in Sec. 18, T7S, R2W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

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 2020-029
County Deschutes
Certificate 94956, 76714

Priority Date 10/31/1900; 12/2/1907; 2/28/1913

Name CENTRAL OREGON IRRIGATION DISTRICT

Address 1055 S.W. LAKE CT REDMOND, OR 97756

Use IRRIGATION; SUPPLEMENTAL IRRIGATION

Source DESCHUTES R > COLUMBIA R

CRANE PRAIRIE RES > DESCHUTES

Acres: 0.51

Authorized POU: T18S R13E 09 NENW Proposed POU: T18S R13E 09 NENW

Water Management and Conservation Plans

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

Any person may review and comment on a draft plan on or before October 15, 2020.

The plans may be viewed electronically at <u>WMCP Public Notice</u>. 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:

City of Cannon Beach (Municipal)

City of Mt. Angel (Municipal)

City of Cannon Beach (Municipal)

City of Banks (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*.

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

September 15, 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	Mail me the order			
(e.g. "Permit Application G-12345" or "Transfer T-1234"):	(payment enclosed)*			
	[]			
	L J			
	L J			
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.