

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**December 29, 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](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.
- \* **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: District Permanent for Place of Use - ORS 540.580**  
Petitions requesting permanent changes in place(s) of use within a district's boundary.
- \* **Transfer Applications: Permit Amendments**  
Requests to amend permits.

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](mailto:Tonya.L.Miller@oregon.gov).

**IMPORTANT:** Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified.

## 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**

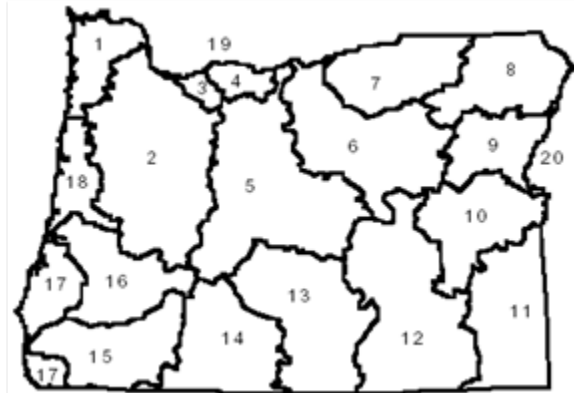
Unit of measure:

- 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	

**IMPORTANT:** Due to COVID-19, the Department’s office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified.

## **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, January 28, 2021.** 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, February 12, 2021.**

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.

<p><b>IMPORTANT:</b> Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified.</p>
--

## Initial Review and Proposed Final Orders

App#	<a href="#">G-19001</a>
County/Basin	Marion / Willamette (2)
Applicant Name	STUTZMAN, MERLE AND GRACE 11623 BROADACRES RD NE HUBBARD, OR 97032
Sources/TRSQ40Q160	A WELL > MILL CREEK / 4.00S 1.00W 32 NESE A WELL > MILL CREEK / 4.00S 1.00W 32 NWSE
Use/Quantity	IRRIGATION / 0.150 CFS
Priority Date	06/29/2020
Stage/Status	IR / PROPOSE TO DENY
App#	<a href="#">S-88896</a>
County/Basin	Douglas / Umpqua (16)
Applicant Name	GLEN WRIGHT 1995 IRREVOCABLE LIVING TRUST C/O MARK WRIGHT 6856 CASUAL COURT SAN JOSE, CA 95120
Sources/TRSQ40Q160	A SPRING > NORTH FORK DEER CREEK / 27.00S 4.00W 22 SENW
Use/Quantity	DOMESTIC EXPANDED / 0.005 CFS
Priority Date	11/16/2020
Stage/Status	IR / PROPOSE TO APPROVE

**IMPORTANT:** Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified.

## **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#	<a href="#">G-18703</a>
County/Basin	Linn / Willamette (2)
Applicant Name	EAGLE CREEK NORTHWEST LLC 1314 12TH AVE S SUITE 5 NAMPA, ID 83651
Priority Date	06/14/2018
Issue Date	12/18/2020
Status	APPROVED

**IMPORTANT:** Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified.

## **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 February 27, 2021.**

App#	<a href="#">R-88901</a>
County/Basin	Yamhill / Willamette (2)
Applicant Name	DOMAINE SERENE VINEYARDS AND WINERY INC. DEEPWATER C AND D PROPERTIES LLC KARP, EVAN 6555 NE HILLTOP LANE DAYTON, OR 97114
Sources/TRSQ40Q160	RUNOFF > HESS CREEK / 2.00S 3.00W 35 NWNW
Use/Quantity	MULTIPLE PURPOSE / 12.000 AF
Priority Date	12/09/2020

**IMPORTANT:** Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified.

## 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 January 28, 2021. 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	<a href="#">T-13574</a>
Water Right	Cert: 65691
County/Basin	Lane / Willamette (2)
Applicant Name	TOWNSEND, WILLIAM TOWNSEND HB, LLC 23400 NE TOWNSEND WAY FAIRVIEW, OR 97024
Proposed Change	ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > PATTERSON SL / 17.00S 3.00W 26 NWSE
Use/Quantity	QUASI-MUNICIPAL USES / 1.560 CFS
Priority Date	07/14/1980
Transfer	<a href="#">T-13580</a>
Water Right	Cert: 40901
County/Basin	Umatilla / Umatilla (7)
Applicant Name	BRUERE, STEVE 12119 STRATFORD MDR STE B CLIVE, IA 50325
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > WALLA WALLA RIVER / 6.00N 36.00E 30 SENW
Use/Quantity	IRRIGATION / 2.400 CFS
Priority Date	08/25/1967

**IMPORTANT:** Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified.

## 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 January 28, 2021, 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-13350](#) filed by Shaundele Leatherberry, 215 Hileman Lane, Eugene, OR 97404, and Shirley Rodecki, 1199 N. Terry St. #382, Eugene, OR 97402, proposes a change from a surface water point of diversion to groundwater points of appropriation under Certificate 21006. The right allows the use of 0.142 cubic foot per second from a slough in Sec. 36, T16S, R4W, WM for irrigation in Sec. 36, T16S, R4W, WM. The applicant proposes to change from a surface water point of diversion to groundwater points of appropriation in Sec. 36, T16S, R4W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13320](#) filed by State of Oregon, acting by and through the Board of Trustees of Oregon State University, 448 Strand Agriculture Hall, Corvallis, OR 97331, proposes a change in point of appropriation and additional points of appropriation under Certificate 60433. The right allows the use of 0.891 cubic foot per second from a well in Sec. 6, T12S, R4W, WM for primary irrigation in Sects. 6 and 7, T12S, R4W, WM and supplemental irrigation in Sec. 6, T12S, R4W, WM. The applicant proposes a change in point of appropriation in Sec. 6, T12S, R4W, WM and additional points of appropriation in Sec. 6, T12S, R4W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

<p><b>IMPORTANT:</b> Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified.</p>
--



## 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	<a href="#">T-13578</a>
Water Right	Permit: S-55189
County/Basin	Douglas / Umpqua (16)
Applicant Name	THEISS, ROLAND PO BOX 824 MYRTLE CREEK, OR 97457
Proposed Change	POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	A RESERVOIR > BERRY CREEK / 29.00S 7.00W 20 NWNE OLALLA CREEK > LOOKINGGLASS CREEK / 29.00S 7.00W 8 SWNE
Use/Quantity	IRRIGATION / 225.000 AF IRRIGATION / 0.000 AF
Priority Date	10/09/2018
Transfer	<a href="#">T-13579</a>
Water Right	Permit: G-17689
County/Basin	Umatilla / Umatilla (7)
Applicant Name	BOTEFUHR, STORMY DUNCAN, BRADLEY 32016 DIAGONAL ROAD HERMISTON, OR 97838
	SALMON, LINDA 79982 HOPE LANE HERMISTON, OR 97838
Proposed Change	POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > HERMISTON DRAIN BASIN / 4.00N 29.00E 6 NWSW
Use/Quantity	IRRIGATION / 0.110 CFS
Priority Date	01/12/2011

**IMPORTANT:** Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified.

## Applications for District Permanent Transfer for Place of Use

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

Public comments may be submitted by any person (please follow the instructions on the last page of this public notice). A protest may be filed by any potentially affected holder of an existing water right, either jointly or severally with other persons, provided the protest is not by a user within a district alleging injury to the delivery of water by the district. Each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing. Protests must be accompanied by a \$810 protest fee for non-applicants and a \$410 protest fee for the applicant, and filed in accordance with OAR Chapter 690, Division 2. **Comments or protests must be received by the Department on or before January 28, 2021.**

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

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

Transfer	<a href="#">T-13576</a>
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

Transfer	<a href="#">T-13577</a>
County	Jackson
Certificate	Certificate 83381, 83383, Permit S-4951, all in the name of Medford Irrigation District
Priority Date	7/23/1909; 3/31/1910; 6/18/1920
Name	MEDFORD IRRIGATION DISTRICT
Address	PO BOX 70 JACKSONVILLE, OR 97535
Use	IRRIGATION AND SUPPLEMENTAL IRRIGATION
Source	NF & SF LITTLE BUTTE CREEKS > LITTLE BUTTE CREEK; SALT CREEK > LITTLE BUTTE CREEK FOURMILE LAKE > FOURMILE CREEK; FISH LAKE > NF LITTLE BUTTE CREEK; AND BEAR, LAKE, OSBORNE, YANKEE, ANTELOPE, DRY, ANDERSON, COLEMAN, GRIFFIN, JACKSON, HORN, GRIFFIN, WILLOW, AND LITTLE BUTTE CREEKS > ROGUE RIVER

**IMPORTANT:** Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified.

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301  
December 29, 2020

## PUBLIC NOTICE OF WATER USE REQUESTS

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.

**IMPORTANT:** Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified.