

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
January 12, 2021

*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.
- * **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.
- * **Certificate Issuance**
Included in this section is a listing of recently issued water right certificates.

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

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

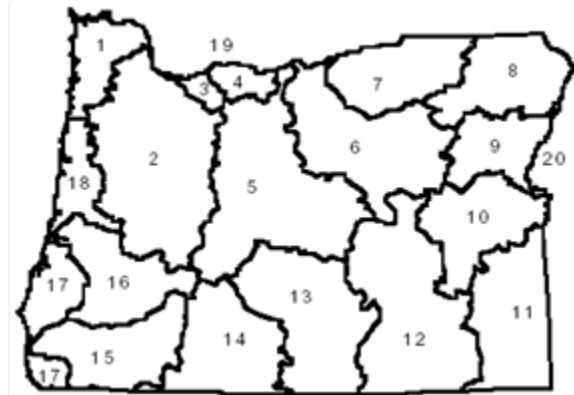
Unit of measure:

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	

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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, February 11, 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 26, 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.

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Initial Review and Proposed Final Orders

App# [R-88876](#)
County/Basin Jefferson / Deschutes (5)
Applicant Name HETTERVIG PROPERTIES LLC
1976 SE OCHOCO ST
MILWAUKIE, OR 97222
Sources/TRSQ40Q160 A WELL > DESCHUTES RIVER BASIN / 10.00S 13.00E 6 NWSW
Use/Quantity STORAGE / 4.000 AF
Priority Date 09/11/2020
Stage/Status PFO / PROPOSE TO APPROVE

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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-18333
County/Basin	Umatilla / Umatilla (7)
Applicant Name	VALETTE, HENRI AND SANDRA M. 1151 FRANKLIN ST LEBANON, OR 97355
Priority Date	07/05/2016
Issue Date	01/08/2021
Status	WITHDRAWN
App#	LL-1848
County/Basin	Umatilla / Umatilla (7)
Applicant Name	HUDSON BAY DISTRICT IMPROVEMENT COMPANY WALLA WALLA BASIN WATERSHED COUNCIL 810 S MAIN ST MILTON FREEWATER, OR 97862
Issue Date	01/05/2021
Status	APPROVED

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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 March 13, 2021.

App# [R-88907](#)
County/Basin Polk / Willamette (2)
Applicant Name KRAIG AND NANSIE KELLY REVOCABLE LIVING TRUST
3410 NW VALLEY CRK. RD NW
SALEM, OR 97304

WARREN, THOMPSON
596 IDYLWOOD DR SE
SALEM, OR 97302
Sources/TRSQ40Q160 RUNOFF > SPRING VALLEY CREEK / 6.00S 3.00W 30 NWNE
Use/Quantity LIVESTOCK / 9.000 AF
Priority Date 12/23/2020

App# [R-88909](#)
County/Basin Umatilla / Umatilla (7)
Applicant Name HAYES, JACOB C. AND BAILEY E.
85038 WINESAP RD
MILTON FREEWATER, OR 97862
Sources/TRSQ40Q160 A SPRING > WEST CROCKETT BRANCH RIVER / 6.00N 35.00E 22 NESE
Use/Quantity MULTIPLE PURPOSE / 0.900 AF
Priority Date 01/07/2021

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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 February 02, 2021. 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 1832](#)
Certificate 51758
County/Basin Douglas / Umpqua (16)
Lessor BLOEMENDAAL - TRUSTEE, DEAN
3230 GAZLEY RD
MYRTLE CREEK, OR 97457
Priority Date 03/30/1973
Source/Tributary To SOUTH UMPQUA RIVER / UMPQUA RIVER

Lease# [IL 1833](#)
Certificate 24121
County/Basin Douglas / Umpqua (16)
Lessor EVENSON, GEOLYN C.
919 N PARK AVE
HELENA, MT 59601
Priority Date 07/16/1951
Source/Tributary To SOUTH UMPQUA RIVER / UMPQUA RIVER

Lease# [IL 1834](#)
Certificate 2252, 64158
County/Basin Jefferson / Deschutes (5)
Lessor OTTER, GERALD
16512 OTTER LN NE
MT ANGEL, OR 97362
Lessor OTTER, ELIZABETH
16512 OTTER LN NE
MT ANGEL, OR 97362
Priority Date 12/31/1897, 12/31/1904, 05/24/1979, 12/31/1904
Source/Tributary To SAGEBRUSH CREEK / MUD SPRINGS CREEK
TROUT CREEK / DESCHUTES RIVER

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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 February 11, 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	T 13586
Water Right	Cert: 43636
County/Basin	Columbia / North Coast (1)
Applicant Name	CURL, ROBERT PO BOX 160 NORTH PLAINS, OR 97133
Proposed Change	USE, POINT OF DIVERSION, SURFACE WATER TO GROUND WATER
Sources/TRSQ40Q160	EAST FORK NEHALEM RIVER > NEHALEM RIVER / 5.00N 4.00W 36 SWSE
Use/Quantity	INDUSTRIAL/MANUFACTURING USES / 0.010 CFS
Priority Date	07/08/1971

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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#	95440
App:	R 72269
County/Basin	Jackson / Klamath (14)
Applicant Name	BOUCHER, BRAD
Priority Date	03/20/1992
Issue Date	01/08/2021
Cert#	95486
App:	G 13197
County/Basin	Marion / Willamette (2)
Applicant Name	GEHRING, LAWRENCE W. SCHURTER, ANDREW SCHURTER, MARGARET DETTWYLER, ROBERT E.; BLUE LINE FARMS INC. DETTWYLER, GAIL Z.; BLUE LINE FARMS INC. BLUE LINE FARMS INC.
Priority Date	11/24/1992
Issue Date	01/08/2021

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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)*

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[]
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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.

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