

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**March 9, 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](http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21)*

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

- \* **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**  
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- \* **Alternate Reservoir Applications (ORS 537.409)**  
Applications for storage permits for small ponds filed under a simplified review process.
- \* **Applications for 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.
- \* **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: District Temporary - ORS 540.570**  
Petitions requesting temporary changes in water use within a district's boundary for one irrigation season.

**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: Permit Amendments**  
Requests to amend permits.
- \* **Transfer Applications: Government Action**  
Notice of change in point of diversion or appropriation necessitated by a government action changing the level of the water source.
- \* **Ground Water Registration Modifications**  
Applications requesting Department recognition of changes in point of appropriation, place of use and character of use under a ground water certificate of registration.
- \* **Water Management and Conservation Plans**  
Water management and conservation plans submitted by municipalities and agricultural water suppliers under provisions of OAR Chapter 690, Division 86.
- \* **Certificate Issuance**  
Included in this section is a listing of recently issued water right certificates.

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).

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## 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**

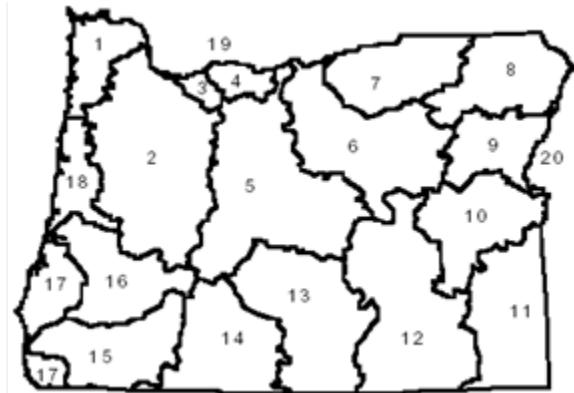
Unit of measure:

- 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, April 08, 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, April 23, 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# [G-18957](#)  
County/Basin Jackson / Rogue (15)  
Applicant Name WHITE RANCH PROPERTIES LLC  
WHITE, GEORGE R. AND KATHLYNN J.  
556 MCDONOUGH RD  
GOLD HILL, OR 97525  
Sources/TRSQ40Q160 A WELL > CLIFF CREEK / 35.00S 2.00W 29 SWNW  
Use/Quantity IRRIGATION / 0.155 CFS  
Priority Date 04/06/2020  
Stage/Status IR / PROPOSE TO DENY

App# [G-18956](#)  
County/Basin Morrow / Umatilla (7)  
Applicant Name OSMIN, ALBERT L.  
60355 BALM FORK RD  
HEPPNER, OR 97836  
Sources/TRSQ40Q160 A WELL > BALM FORK / 3.00S 26.00E 12 NWSE  
Use/Quantity IRRIGATION / 0.290 CFS  
Priority Date 04/09/2020  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18967](#)  
County/Basin Clackamas / Willamette (2)  
Applicant Name HEYERLY BROTHERS  
C/O JEFF HEYERLY  
31958 S PALMER RD  
MOLALLA, OR 97038  
Sources/TRSQ40Q160 A WELL > BEAR CREEK / 5.00S 1.00E 12 NESE  
A WELL > KAISER CREEK / 5.00S 1.00E 12 NWSE  
Use/Quantity IRRIGATION / 1.630 CFS  
Priority Date 05/01/2020  
Stage/Status IR / PROPOSE TO DENY

App# [G-18985](#)  
County/Basin Yamhill / Willamette (2)  
Applicant Name AEBI, RANDAL  
PO BOX 762  
MCMINNVILLE, OR 97128  
Sources/TRSQ40Q160 A WELL > NORTH YAMHILL RIVER / 4.00S 4.00W 10 NWNE  
Use/Quantity IRRIGATION / 0.310 CFS  
Priority Date 05/26/2020  
Stage/Status IR / PROPOSE TO DENY

App# [G-18989](#)  
County/Basin Josephine / Rogue (15)  
Applicant Name LYNKS LLC  
690 EIGHT DOLLAR RD  
SELMA, OR 97538  
Sources/TRSQ40Q160 A WELL > KIRBY DITCH / 39.00S 8.00W 16 NWNE  
Use/Quantity IRRIGATION / 0.049 CFS  
Priority Date 05/29/2020  
Stage/Status IR / PROPOSE TO DENY

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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#	<a href="#">G-18902</a>
County/Basin	Josephine / Rogue (15)
Applicant Name	NORTH VALLEY FARMS LLC STEWART, JOE M. 1651 PLEASANT VALLEY DR MERLIN, OR 97532
Priority Date	01/10/2020
Issue Date	03/05/2021
Status	WITHDRAWN
App#	<a href="#">IS-89023</a>
County/Basin	Douglas / Umpqua (16)
Applicant Name	OREGON DEPARTMENT OF FISH AND WILDLIFE 4034 FAIRVIEW INDUSTRIAL DR SE SALEM, OR 97302-1142
Priority Date	11/30/2020
Issue Date	03/05/2021
Status	WITHDRAWN
App#	<a href="#">LL-1783</a>
County/Basin	Yamhill / Willamette (2)
Applicant Name	SANDAN LLC ATTN: EMILY EVERETT 10280 NE OAK SPRINGS FARM RD CARLTON, OR 97111
Issue Date	03/09/2021
Status	APPROVED
App#	<a href="#">LL-1822</a>
County/Basin	Marion / Willamette (2)
Applicant Name	CITY OF ST. PAULATTN: MIKE DOLAN 20239 MAIN STREET NE ST. PAUL, OR 97137
Priority Date	03/23/2020
Issue Date	03/09/2021
Status	WITHDRAWN
App#	<a href="#">LL-1858</a>
County/Basin	Jefferson / Deschutes (5)
Applicant Name	NORTH UNIT IRRIGATION DISTRICT 2024 NW BEECH ST MADRAS, OR 97741
Issue Date	03/09/2021
Status	APPROVED

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App# [R-88729](#)  
County/Basin Baker / Powder (9)  
Applicant Name CARUCCI FAMILY IRREVOCABLE TRUST  
265 CLINTON ST  
WHITESBORO, NY 13492  
Priority Date 07/31/2019  
Issue Date 03/09/2021  
Status APPROVED

App# [R-88813](#)  
County/Basin Wasco / Deschutes (5)  
Applicant Name JOHNSON LIVESTOCK LLC  
79681 WOODCOCK RD  
WAMIC, OR 97063  
Priority Date 03/02/2020  
Issue Date 03/09/2021  
Status APPROVED

App# [R-88860](#)  
County/Basin Multnomah / Willamette (2)  
Applicant Name GRAFF, BRAD AND LISA  
13610 NW SKYLINE BLVD  
PORTLAND, OR 97231  
Priority Date 08/10/2020  
Issue Date 03/09/2021  
Status APPROVED

App# [S-88287](#)  
County/Basin Umatilla / Umatilla (7)  
Applicant Name EAST IMPROVEMENT DISTRICT  
3750 SW MARSHALL PLACE  
PENDLETON, OR 97801  
Priority Date 09/12/2016  
Issue Date 03/05/2021  
Status APPROVED

App# [S-88827](#)  
County/Basin Polk / Willamette (2)  
Applicant Name FOLEY FAMILY FARMS LP  
1701 VILLAGE CENTER CIRCLE  
LAS VEGAS, NV 89134  
Priority Date 03/25/2020  
Issue Date 03/09/2021  
Status APPROVED

App# [S-88851](#)  
County/Basin Jackson / Rogue (15)  
Applicant Name BURCH, WELLMAN AND DEBBI A.  
10337 HWY 238  
JACKSONVILLE, OR 97530  
Priority Date 07/23/2020  
Issue Date 03/09/2021  
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 May 08, 2021.**

App#	<a href="#">R-88922</a>
County/Basin	Lane / Willamette (2)
Applicant Name	SUNSET FARM JC LLC LEMIEUX, SHANNON JOHNSON, LISA 93737 DORSEY LANE JUNCTION CITY, OR 97448
Sources/TRSQ40Q160	RUNOFF > FLAT CREEK / 16.00S 5.00W 1 NWSE
Use/Quantity	RECREATION / 1.380 AF
Priority Date	02/19/2021
App#	<a href="#">R-88913</a>
County/Basin	Coos / South Coast (17)
Applicant Name	BALLY BANDON LLC ATTN: MICHAEL L KEISER 2450 N LAKEVIEW CHICAGO, IL 60614
Sources/TRSQ40Q160	A WELL > MINER CREEK / 27.00S 14.00W 20 SWNW A WELL > WHISKEY RUN / 27.00S 14.00W 20 NWSW
Use/Quantity	MULTIPLE PURPOSE / 37.00 AF
Priority Date	02/01/2021
App#	<a href="#">R-88912</a>
County/Basin	Coos / South Coast (17)
Applicant Name	BALLY BANDON LLC ATTN: MICHAEL L KEISER 2450 N LAKEVIEW CHICAGO, IL 60614
Sources/TRSQ40Q160	A WELL > MINER CREEK / 27.00S 14.00W 20 SWNW A WELL > WHISKEY RUN / 27.00S 14.00W 20 NWSW
Use/Quantity	MULTIPLE PURPOSE / 9.2 AF
Priority Date	02/01/2021
App#	<a href="#">R-88923</a>
County/Basin	Yamhill / Willamette (2)
Applicant Name	APPASSIONATA VINEYARD PROPERTIES, LLC ATTN: CLIFFORD ROBBEN 20501 S TRANQUILITY LANE OREGON CITY, OR 97045
Sources/TRSQ40Q160	RUNOFF > CHEHALEM CREEK / 3.00S 3.00W 2 SENE
Use/Quantity	MULTIPLE PURPOSE / 1.850 AF
Priority Date	02/24/2021

**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.



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

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

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

### **Extension of Time Public Notice and Comment Procedures**

**Written comments on or written protests against a PFO must be submitted on or before April 23, 2021.** 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.

App# G-14020  
Permit# [G-12754](#)  
County/Basin Josephine / Rogue (15)  
Applicant Name HORIZON VILLAGE HOMEOWNERS ASSOCIATION INC.  
1630 WILLIAMS HWY 224  
GRANTS PASS, OR 97527  
Sources/TRSQ40Q160 A WELL > SAND CREEK BASIN / 36.00S 6.00W 27 SENE  
Use/Quantity GROUP DOMESTIC / 0.070 CFS

App# G-17237  
Permit# [G-16668](#)  
County/Basin Malheur / Malheur (10)  
Applicant Name TREASURE VALLEY MANAGEMENT LLC  
1000 HOPE ST 43  
VALE, OR 97918  
Sources/TRSQ40Q160 A WELL > MALHEUR RIVER / 18.00S 45.00E 19 NWSE  
Use/Quantity IRRIGATION / 0.080 CFS

App# G-17554  
Permit# [G-16988](#)  
County/Basin Malheur / Malheur (10)  
Applicant Name SNAKE RIVER CORRECTIONAL INSTITUTION  
777 STANTON BLVD  
ONTARIO, OR 97914  
Sources/TRSQ40Q160 A WELL > CANYON NUMBER 1 / 17.00S 46.00E 22 SENE  
A WELL > CANYON NUMBER 1 / 17.00S 46.00E 22 NWNE  
Use/Quantity SUPPLEMENTAL IRRIGATION / 0.749 CFS

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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 March 30, 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-1840](#)  
Certificate 94956  
County/Basin Crook, Deschutes / Deschutes (5)  
Lessor TALBOTT, JESSICA  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 SW LAKE COURT  
REDMOND, OR 97756

Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST STE #1  
BEND, OR 97703

Priority Date 10/31/1900, 12/02/1907  
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL-1841](#)  
Certificate 94956  
County/Basin Crook, Deschutes / Deschutes (5)  
Lessor TALBOTT, JESSICA  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 SW LAKE COURT  
REDMOND, OR 97756

Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST STE #1  
BEND, OR 97703

Priority Date 10/31/1900  
Source/Tributary To DESCHUTES RIVER / COLUMBIA 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 April 08, 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-13619](#)  
Water Right Cert: 12181, 44677  
County/Basin Marion, Yamhill / Willamette (2)  
Applicant Name A & S INVESTMENTS LLC  
22100 RIVERWOOD ROAD  
DUNDEE, OR 97115  
Proposed Change PLACE OF USE  
Sources/TRSQ40Q160 WILLAMETTE RIVER > COLUMBIA RIVER / 4.00S 3.00W 12 NWSE  
YAMHILL RIVER > WILLAMETTE RIVER / 4.00S 3.00W 12 SWSW  
YAMHILL RIVER > WILLAMETTE RIVER / 4.00S 3.00W 13 NENW  
Use/Quantity IRRIGATION / 1.250 CFS  
IRRIGATION / 1.650 CFS  
Priority Date 04/05/1937, 02/27/1973

Transfer [T-13620](#)  
Water Right Cert: 26918, 30734, 62138, 66173  
County/Basin Marion / Willamette (2)  
Applicant Name BLUE LINE FARMS INC.  
C/O ROBERT AND KARL DETTWYLER  
4741 BRUSH CREEK DR NE  
SILVERTON, OR 97381  
Proposed Change ADDITIONAL POINT OF DIVERSION  
Sources/TRSQ40Q160 PUDDING R/RESERVOIR > MOLALLA RIVER / 7.00S 1.00W 5 SWNW  
PUDDING RIVER > MOLALLA RIVER / 7.00S 1.00W 5 SWNW  
PUDDING RIVER > MOLALLA RIVER / 7.00S 1.00W 5 NESW  
Use/Quantity IRRIGATION / 0.260 CFS  
SUPPLEMENTAL IRRIGATION / 0.070 CFS  
IRRIGATION / 0.380 CFS  
IRRIGATION / 0.110 CFS  
Priority Date 06/26/1951, 03/07/1961, 12/12/1969, 07/08/1987

Transfer [T-13622](#)  
Water Right Cert: 33986  
County/Basin Marion / Willamette (2)  
Applicant Name SPADA, ANGELO  
A AND R SPADA FARMS LLC  
PO BOX 157  
SAINT PAUL, OR 97137  
Proposed Change ADDITIONAL POINT OF APPROPRIATION  
Sources/TRSQ40Q160 A WELL > CHAMPOEG CREEK / 4.00S 2.00W 23 NWSE  
Use/Quantity IRRIGATION / 1.840 CFS  
Priority Date 06/20/1962

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Transfer [T-13628](#)  
Water Right Cert: 65679  
County/Basin Lane / Willamette (2)  
Applicant Name DELTA SAND AND GRAVEL CO.  
999 DIVISION AVE  
EUGENE, OR 97404  
Proposed Change ADDITIONAL POINT OF DIVERSION, PLACE OF USE,USE  
Sources/TRSQ40Q160 WILLAMETTE RIVER > COLUMBIA RIVER / 17.00S 3.00W 18 NWNW  
Use/Quantity INDUSTRIAL/MANUFACTURING USES / 7.140 CFS  
Priority Date 08/04/1987

Transfer [T-13631](#)  
Water Right Cert: 22695  
County/Basin Columbia / Willamette (2)  
Applicant Name DAVIS, STEPHANIE  
PO BOX 97051  
ST HELENS, OR 97051  
Proposed Change POINT OF DIVERSION, PLACE OF USE  
Sources/TRSQ40Q160 MILTON CREEK > SCAPPOOSE BAY / 4.00N 1.00W 5 NENE  
Use/Quantity DOMESTIC / 0.010 CFS  
Priority Date 05/09/1951

Transfer [T-13632](#)  
Water Right Cert: 86211, 86212  
County/Basin Umatilla / Umatilla (7)  
Applicant Name MCCARTY, DAN  
27471 MCCARTY RANCH LANE  
ECHO, OR 97826  
Proposed Change POINT OF APPROPRIATION  
Sources/TRSQ40Q160 A WELL > STAGE GULCH / 3.00N 30.00E 23 SESE  
A WELL > UMATILLA RIVER / 3.00N 31.00E 30 NWNE  
Use/Quantity IRRIGATION / 1.220 CFS  
IRRIGATION / 0.130 CFS  
Priority Date 07/19/1974, 09/09/1976

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## Transfer Preliminary Determinations

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

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

Any person may protest the application and preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-0900, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by a \$810 protest fee for non-applicant and \$410.00 protest fee for applicant. Call (503) 986-0815 to obtain additional information. Protests must be received by the Department on or before April 08, 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-13292](#) filed by Oregon Department of Transportation, Attn: Katie Hubler and David Bowers, 200 Hawthorne Ave. SE, Suite B240, Salem, OR 97301, proposes an additional point of appropriation under Certificate 94508. The right allows the use of 0.089 cubic foot per second from a well in Sec. 13, T4N, R24E, WM for irrigation and supplemental irrigation in Sec. 13, T4N, R24E, WM. The applicant proposes an additional point of appropriation in Sec. 13, T4N, R24E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13487](#) filed by Blue Line Farms Inc., c/o Robert Dettwyler and Karl H. Dettwyler, 4741 Brush Creek Dr. NE, Silverton, OR 97381, proposes a change in point of appropriation under Certificate 87452. The right allows the use of 0.74 cubic foot per second from a sump in Sec. 23, T6S, R1W, WM for supplemental irrigation in Sects. 22 and 23, T6S, R1W, WM. The applicant proposes to move the point of appropriation within Sec. 23, T6S, R1W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13364](#) filed by Robin L. and DeNae M. Vincent, 97546 Cogswell Creek Ln., Lakeview, OR 97630, proposes additional points of diversion, changes in points of diversion and a change in place of use under Certificates 5276, 7624, 38348, 41095, and 62705. Certificate 5276 allows the use of three-fourths acre foot (af) per acre during any 30-day period prior to June 1<sup>st</sup>, and one-half acre foot per acre during any 30 day period after June 1<sup>st</sup> of each year: and two and one-half af per acre from Cogswell Creek in Sec. 25, T40S, R20E, WM for irrigation in Sec. 26, T40S, R20E, WM. The applicant proposes two additional points of diversion in Sec. 25, T40S, R20E, WM and to change the place of use to Sects. 23, 25, and 26, T40S, R20E, WM. Certificate 7624 allows the use of 0.25 cfs from Cogswell Creek in Sec. 25, T40S, R20E, WM for irrigation in Sec. 25, T40S, R20E, WM. The applicant proposes to move the point of diversion in Sec. 25, T40S, R20E, WM and to change the place of use to Sect. 26, T40S, R20E, WM. Certificate 38348 allows the use of 0.44 cfs from Cogswell Creek in Sec. 25, T40S, R20E, WM for irrigation in Sec. 25, T40S, R20E, WM and a change in place of use to Sec. 26, T40S, R20E, WM. The applicant proposes to move the point of diversion in Sec. 25, T 40S, R 20E, WM. Certificate 41095 allows the use of 0.47 cfs from a well in Sec. 25, T40S, R20E, WM for supplemental irrigation in Sec. 25, T40S, R20E, WM, and to change the place of use to Sects. 23, 25, and 26, T40S, R20E, WM. Certificate 62705 allows the use of 0.15 cfs from a well in Sec. 25, T 40S, R20E, WM for supplemental irrigation in Sec. 25, T40S, R20E, WM. The applicant proposes to change the place of use to Sects. 25 and 26, T 40S, R20E, 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>
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[T-13501](#) filed by Michael Moore, 91 Christmas Hills Rd., St. Maries, ID 83861, proposes changes in points of appropriation under Certificates 31787 and 37578. Certificate 31787 allows the use of 0.78 cubic foot per second (cfs) from a well in Sec. 24, T40S, R9E, WM for irrigation in Sec. 24, T40S, R9E, WM and in Sects. 18 and 19, T40S, R10E, WM. Certificate 37578 allows the use of 0.407 cfs from a well in Sec. 24, T40S, R9E, WM for supplemental irrigation in Sec. 24, T40S, R9E, WM and in Sects. 18 and 19, T40S, R9E, WM. The applicant proposes to move the point of appropriation within Sec. 24, T40S, R9E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13390](#) filed by Douglas R. Henton, 34047 Hampton Rd, Eugene, OR 97405, proposes a change in point of diversion and place of use under Certificate 94247. The right allows the use of 0.3734 cubic foot per second from an unnamed stream in Sec. 25, T18S, R2W, WM for irrigation in Sec. 25, T18S, R2W, WM. The applicant proposes to move the point of diversion to Sec. 9, T18S, R2W, WM and to change the place of use to Sec. 9, T18S, R2W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

**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: 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	<a href="#">T-13624</a>
Water Right	Cert: 40065
County/Basin	Yamhill / Willamette (2)
Applicant Name	KAUER, DAVE KAUER FAMILY FARMS/TRIPLE K FARMS 7325 SE AMITY DAYTON HWY AMITY, OR 97101
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	SOUTH FORK YAMHILL RIVER > YAMHILL RIVER / 4.00S 4.00W 34 SENE SOUTH FORK YAMHILL RIVER > YAMHILL RIVER / 4.00S 4.00W 34 NWSW
Use/Quantity	IRRIGATION / 4.650 CFS
Priority Date	02/21/1964

Transfer	<a href="#">T-13625</a>
Water Right	Cert: 82862 (T-3745)
County/Basin	Douglas / Umpqua (16)
Applicant Name	TUGEL, HOWARD 942 SCOTTS VALLEY ROAD YONCALLA, OR 97499
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	ELK CREEK > UMPQUA RIVER / 22.00S 4.00W 31 NWNE
Use/Quantity	IRRIGATION / 0.300 CFS
Priority Date	02/16/1939

**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: 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-13621](#)  
Water Right Permit: G-18154  
County/Basin Crook / Deschutes (5)  
Applicant Name KLANN, ERIC  
CITY OF PRINEVILLE  
387 NE 3RD STREET  
PRINEVILLE, OR 97754  
Proposed Change POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION  
Sources/TRSQ40Q160 A WELL > CROOKED RIVER BASIN / 15.00S 16.00E 8 NWNW  
A WELL > CROOKED RIVER BASIN / 15.00S 16.00E 8 SWNW  
Use/Quantity MUNICIPAL USES / 4.460 CFS  
Priority Date 04/25/2018

Transfer [T-13623](#)  
Water Right Permit: G-15503  
County/Basin Klamath / Klamath (14)  
Applicant Name HAYDEN-MYER, JAMES & JANET  
10807 WARNERVILLE RD  
OAKDALE, CA 95361  
Proposed Change PLACE OF USE  
Sources/TRSQ40Q160 A WELL > SYCAN RIVER / 36.00S 12.00E 4 SWSE  
Use/Quantity IRRIGATION / 1.910 CFS  
Priority Date 01/22/2003

Transfer [T-13629](#)  
Water Right Permit: G-18386  
County/Basin Harney / Malheur Lake (12)  
Applicant Name CLW FARMS LLC  
PO BOX 9324  
SALT LAKE CITY, UT 84109  
Proposed Change ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE  
Sources/TRSQ40Q160 A WELL > MALHEUR LAKE BASIN / 24.00S 33.00E 26 NENW  
A WELL > MALHEUR LAKE BASIN / 24.00S 33.00E 26 NENE  
A WELL > MALHEUR LAKE BASIN / 24.00S 33.00E 25 NENW  
A WELL > MALHEUR LAKE BASIN / 24.00S 33.00E 26 NESW  
A WELL > MALHEUR LAKE BASIN / 24.00S 33.00E 26 NESE  
A WELL > MALHEUR LAKE BASIN / 24.00S 33.00E 25 NESW  
A WELL > MALHEUR LAKE BASIN / 24.00S 33.00E 35 NENW  
A WELL > MALHEUR LAKE BASIN / 24.00S 33.00E 36 NENW  
A WELL > MALHEUR LAKE BASIN / 24.00S 33.00E 36 NESW  
Use/Quantity IRRIGATION / 7.9794 CFS  
Priority Date 01/03/2002

<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>
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Transfer [T-13630](#)  
Water Right Permit: G-13083, G-15661  
County/Basin Yamhill / Willamette (2)  
Applicant Name RED HILLS FARM LLC  
15505 NE STOLLER RD  
DAYTON, OR 97114  
Proposed Change POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION  
Sources/TRSQ40Q160 A WELL > MILLER CREEK / 4.00S 3.00W 9 NWNW  
A WELL > YAMHILL RIVER BASIN / 4.00S 3.00W 8 NWNE  
A WELL > YAMHILL RIVER BASIN / 4.00S 3.00W 5 NESE  
A WELL > YAMHILL RIVER BASIN / 4.00S 3.00W 5 SESE  
A WELL > YAMHILL RIVER BASIN / 4.00S 3.00W 8 NENE  
A WELL > YAMHILL RIVER BASIN / 4.00S 3.00W 9 NWNW  
DRAIN TILE > HENRY CREEK / 4.00S 3.00W 8 NWNE  
Use/Quantity IRRIGATION / 0.579 CFS  
IRRIGATION / 0.140 CFS  
Priority Date 11/04/1994, 05/23/2003

Transfer [T-13633](#)  
Water Right Permit: G-12649  
County/Basin Deschutes / Deschutes (5)  
Applicant Name WATER WONDERLAND IMPROVEMENTS DISTRICT  
17153 CRANE DR  
BEND, OR 97707  
Proposed Change POINT OF DIVERSION  
Sources/TRSQ40Q160 CRANE WELL > DESCHUTES RIVER / 20.00S 10.00E 13 SESE  
MERGANZER WELL > DESCHUTES RIVER / 20.00S 11.00E 18 SWNW  
SEEVERS WELL > DESCHUTES RIVER / 20.00S 10.00E 25 NWNW  
Use/Quantity QUASI-MUNICIPAL USES / 1.250 CFS  
QUASI-MUNICIPAL USES / 0.760 CFS  
QUASI-MUNICIPAL USES / 1.110 CFS  
Priority Date 02/25/1994

**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.

## Application for District Temporary Transfer

A district with a manager may request to temporarily change a water use within district boundaries for one irrigation season pursuant to ORS 540.570. District temporary transfers may include a change: (1) in place of use; (2) in type of use of a water right to store water; (3) in type of use from a primary right to a supplemental right; (4) in point of diversion/appropriation to facilitate a change in place of use; (5) in point of diversion in response to an emergency; and (6) from a surface water point of diversion to a ground water appropriation. A district may allow proposed changes to occur upon submission of an Application for District Temporary Water Right Transfer to the Department.

The Department shall approve the request provided it does not cause injury to any existing water right or expand the water use. A district temporary transfer may be conditioned or revoked at any time to avoid injury to other water rights. The use of water reverts to the prior authorized place of use, type of use, point of diversion/appropriation upon expiration of the temporary change.

The Department is requesting public comments on the recently filed district temporary transfer application(s) listed below. Comments may be submitted by any person (please follow the instructions on the last page of this public notice). The Department shall consider all comments that pertain to the potential for injury to an existing water right or to the enlargement of the water use subject to transfer in determining whether to condition, reject or revoke a temporary transfer. **Comments must be received by the Department on or before April 08, 2021.**

To view the district temporary transfer application, click on the link below.

Transfer	<a href="#">T-13627</a>
County	Morrow
Certificate	94871; 94873; 94874
Priority Date	7/25/2073; 2/7/21974
Name	COLUMBIA IMPROVEMENT DISTRICT
Address	PO BOX 47 BOARDMAN, OR 97818
Use	IRRIGATION
Source	COLUMBIA RIVER > PACIFIC OCEAN

**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: Government Action

The owner of a water right may give the Department notice of a change in point of diversion or an additional point of diversion because government action has resulted in or has created a reasonable expectation of a change in the surface level of a surface water source that impairs or threatens to impair access to a point of diversion authorized by a water right permit, certificate or decree. Pursuant to ORS 540.610(6), the Department shall issue a decision on a government action transfer notice within 60 days after the Department receives notice from the owner.

The Department seeks public comment on the recently filed government action transfer notice(s) listed below. Comments must be received by the Department on or before April 08, 2021.

Transfer	<a href="#">T-13637</a>
Water Right	Cert: 19509, 30981, 30982
County/Basin	Lane / Willamette (2)
Applicant Name	WILLETT, TIM 37405 WHEELER ROAD PLEASANT HILL, OR 97455
Proposed Change	POINT OF DIVERSION
Sources/TRSQ40Q160	ALDER CR/GREENS RESERVOIR > WILLAMETTE RIVER / 18.00S 2.00W 36 NESE ALDER CREEK > MIDDLE FORK WILLAMETTE RIVER / 18.00S 2.00W 3 NESE ALDER SPRINGS > ALDER CREEK / 18.00S 2.00W 36 NESE MIDDLE FORK WILLAMETTE RIVER > WILLAMETTE RIVER / 18.00S 1.00W 31 SWSW MIDDLE FORK WILLAMETTE RIVER > WILLAMETTE RIVER / 18.00S 2.00W 36 SESE RATTLESNAKE CREEK > MIDDLE FORK WILLAMETTE RIVER / 18.00S 2.00W 36 SWSE
Use/Quantity	FISH CULTURE / 0.500 CFS STORAGE / 8.900 AF IRRIGATION / 0.410 CFS
Priority Date	12/24/1945, 02/18/1959, 02/18/1959

**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: Ground Water Registration Modification**

The holder of a ground water certificate of registration may request that the Department recognize a change in point of appropriation, place of use or character of use under the ground water registration. Modifications of ground water registrations are authorized under ORS 537.610(4) and OAR Chapter 382.

The Department seeks public comment on the recently-filed applications for recognition of modifications in ground water registrations listed below. Any person may comment on an application for a ground water registration modification. Comments must be received by the Department on or before April 08, 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 recognized after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

Transfer	<a href="#">T-13626</a>
Water Right	Claim: G-1703
County/Basin	Linn / Willamette (2)
Applicant Name	CASE FAMILY LLC 33010 DEVER CONNER RD NE ALBANY, OR 97321
Proposed Change	POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > CROOKS CREEK / 10.00S 3.00W 16 SWSE
Use/Quantity	IRRIGATION / 0.067 CFS
Priority Date	12/31/1951

**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.

## **Water Management and Conservation Plans**

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

### **Any person may review and comment on a draft plan on or before April 08, 2021.**

The plans may be viewed electronically at [WMCP Public Notice](#). 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:

#### **Heceta Water People's Utility District (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](mailto:Kerri.H.Cope@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.

## 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# [95506](#)  
Xfer: T-12577  
County/Basin Jackson / Rogue (15)  
Applicant Name 3020 COLEMAN CREEK LLC  
Priority Date 02/17/1982  
Issue Date 03/05/2021

Cert# [95507](#)  
Xfer: T-12577  
County/Basin Jackson / Rogue (15)  
Applicant Name 3020 COLEMAN CREEK LLC  
Priority Date 02/17/1982  
Issue Date 03/05/2021

Cert# [95501](#)  
Xfer: T-10827  
County/Basin Polk / Willamette (2)  
Applicant Name CITY OF INDEPENDENCE  
Priority Date 03/08/1984  
Issue Date 03/05/2021

Cert# [95502](#)  
Xfer: T-12261  
County/Basin Polk / Willamette (2)  
Applicant Name CITY OF INDEPENDENCE  
Priority Date 10/15/1962  
Issue Date 03/05/2021

<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>
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# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
March 9, 2021

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:**

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\* 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.