

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**March 23, 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.
- \* **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.
- \* **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: Permit Amendments**  
Requests to amend permits.
- \* **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 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.
- \* **Certificate Issuance**  
Included in this section is a listing of recently issued water right certificates.
- \* **HE 332 Minor Reauthorization Application**

The Public Notice is published each week on the Department's web site at [www.oregon.gov/OWRD](http://www.oregon.gov/OWRD). 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

**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        |               |

**Priority Date**

**Stage/ Status**

- IR: Initial Review
- PFO: Proposed Final Order

**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<br>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 22, 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, May 07, 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-19001](#)  
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 PFO / PROPOSE TO APPROVE

App# [G-19024](#)  
County/Basin Klamath / Klamath (14)  
Applicant Name DENIS HICKEY AND KELSEY HICKEY LLC  
PO BOX 1022  
MERRILL, OR 97633

Sources/TRSQ40Q160 A WELL > LOST RIVER / 41.00S 11.00E 1 NWSW  
A WELL > LOST RIVER / 41.00S 11.00E 1 SENW

Use/Quantity SUPPLEMENTAL IRRIGATION / 1.560 CFS  
Priority Date 09/21/2020  
Stage/Status PFO / PROPOSE TO DENY

App# [R-88821](#)  
County/Basin Linn / Willamette (2)  
Applicant Name PROGRESSIVE DESIGN BUILDERS  
SMITH, STEPHAN  
PO BOX 727  
ALBANY, OR 97321

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

Use/Quantity STORAGE / 39.300 AF  
Priority Date 05/22/2020  
Stage/Status IR / PROPOSE TO APPROVE

App# [S-88920](#)  
County/Basin Douglas / Umpqua (16)  
Applicant Name CUILTY, BRIAN AND TRACY  
905 WOODRUFF MOUNTAIN RD  
ROSEBURG, OR 97471

Sources/TRSQ40Q160 UNNAMED STREAM > UMPQUA RIVER / 26.00S 7.00W 13 SWNE

Use/Quantity DOMESTIC EXPANDED / 0.010 CFS  
Priority Date 02/16/2021  
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-18892</a>
County/Basin	Josephine / Rogue (15)
Applicant Name	PINERIDGE WATER CO LLC 303 MADRONE RIDGE DR GRANTS PASS, OR 97527
Priority Date	12/09/2019
Issue Date	03/19/2021
Status	WITHDRAWN
App#	<a href="#">G-18952</a>
County/Basin	Washington / Willamette (2)
Applicant Name	CLARK, STUART AND MELONEY 20710 SW MOUNTAIN HOME RD SHERWOOD, OR 97140
Priority Date	04/01/2020
Issue Date	03/19/2021
Status	WITHDRAWN
App#	<a href="#">G-18985</a>
County/Basin	Yamhill / Willamette (2)
Applicant Name	AEBI, RANDAL PO BOX 762 MCMINNVILLE, OR 97128
Priority Date	05/26/2020
Issue Date	03/19/2021
Status	WITHDRAWN
App#	<a href="#">LL-1838</a>
County/Basin	Douglas / South Coast (17)
Applicant Name	CAMAS VALLEY RURAL FIRE DISTRICT PO BOX 220 CAMAS VALLEY, OR 97416
Issue Date	03/19/2021
Status	APPROVED

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App# [LL-1851](#)  
County/Basin Yamhill / Willamette (2)  
Applicant Name ADELSHEIM VINEYARD  
16800 NE CALKINS LANE  
NEWBERG, OR 97132  
Issue Date 03/19/2021  
Status APPROVED

App# [LL-1860](#)  
County/Basin Linn / Willamette (2)  
Applicant Name STELLMACHER FAMILY PROPERTIES LLC  
30416 STELLMACHER DR SW  
ALBANY, OR 97321  
Issue Date 03/19/2021  
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.

**Applications for Extensions of Time  
to Perfect Water Right Permits filed pursuant to OAR 690-315**

**Consistent with OAR 690-315-0050, the Department will accept public comment on the following extension applications until April 22, 2021.** Following the comment period, the Department will prepare and issue a proposed final order. Individuals who would like a copy of the proposed final order may request copies by sending a request and \$30 (the charge required by law). Please indicate the file number. Copies of the proposed final order may be viewed at the Department and/or self-copied. Individuals wishing to obtain a copy of the extension application should contact the Department by phone or in person.

App# [S-72659](#)  
Permit Number S-51534  
County/Basin Polk / Willamette (2)  
Applicant Name JOHANN VINEYARDS  
4285 N PACIFIC HWY  
RICKREAL, OR 97371

LARUE FAMILY TRUST  
PO BOX 137  
RICKREAL, OR 97371

LEFT COAST CELLARS LLC  
PO BOX 219  
RICKREAL, OR 97371

VICKI BROWNRIGG REVOCABLE TRUST  
63430 OB RILEY RD  
BEND, OR 97701

Sources/TRSQ40Q160 RESERVOIR E > UNNAMED STREAM / 6.00S 4.00W 31 NESE  
RESERVOIR F > UNNAMED STREAM / 6.00S 4.00W 31 NENE  
RESERVOIR GULCH > UNNAMED STREAM / 6.00S 4.00W 31 NWNE  
RESERVOIR H > UNNAMED STREAM / 7.00S 4.00W 5 SWNW

Use/Quantity IRRIGATION / 107.900 AF  
Proposed Completion Date 10/01/2025

App# [S-72744](#)  
Permit Number S-53731  
County/Basin Klamath / Klamath (14)  
Applicant Name ENZENAUER, EVERETT AND MARY  
12050 CRYSTAL SPRINGS RD  
KLAMATH FALLS, OR 97603

Sources/TRSQ40Q160 NUSS LAKE > LOST RIVER / 39.00S 10.00E 27 SENW  
Use/Quantity SUPPLEMENTAL IRRIGATION / 0.978 CFS  
Proposed Completion Date 10/01/2025

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App# [G-17699](#)  
Permit Number G-17210  
County/Basin Baker / Powder (9)  
Applicant Name KERNS, TOM AND FAWN  
13974 LAUNCHPAD LANE  
HAINES, OR 97833  
Sources/TRSQ40Q160 A WELL > SALMON CREEK / 8.00S 39.00E 23 NENW  
A WELL > SALMON CREEK / 8.00S 39.00E 14 SESW  
A WELL > SALMON CREEK / 8.00S 39.00E 23 SWNE  
A WELL > SALMON CREEK / 8.00S 39.00E 23 SWNW  
Use/Quantity IRRIGATION / 7.240 CFS  
Proposed Completion Date 10/01/2031

App# [R-86923](#)  
Permit Number R-15108  
County/Basin Wasco / Deschutes (5)  
Applicant Name DOG RIVER ORCHARDS LLC  
PO BOX 445  
PARKDALE, OR 97041  
NORTHWEST FARM CREDIT SERVICES FLCA  
3591 KLINDT DR SUITE 110  
THE DALLES, OR 97058  
Sources/TRSQ40Q160 UNNAMED STREAM > WHITE RIVER / 5.00S 12.00E 4 SENE  
Use/Quantity STORAGE / 381.900 AF  
Proposed Completion Date 10/01/2025

App# [G-17319](#)  
Permit Number G-17538  
County/Basin Klamath / Klamath (14)  
Applicant Name SPLENDOR RIDGE INC.  
ADKINS, DOUGLAS E. AND DEBORAH L.  
9338 HILL RD  
KLAMATH FALLS, OR 97603  
Sources/TRSQ40Q160 A WELL > NUSS LAKE BASIN / 39.00S 10.00E 33 NENW  
Use/Quantity SUPPLEMENTAL IRRIGATION / 1.620 CFS  
Proposed Completion Date 10/01/2023

App# [G-17606](#)  
Permit Number G-18474  
County/Basin Deschutes / Deschutes (5)  
Applicant Name AVION WATER CO.  
60813 PARRELL RD  
BEND, OR 97702  
Sources/TRSQ40Q160 A WELL > DESCHUTES RIVER BASIN / 18.00S 12.00E 15 SESW  
A WELL > DESCHUTES RIVER BASIN / 17.00S 12.00E 14 NESE  
A WELL > DESCHUTES RIVER BASIN / 18.00S 12.00E 29 NENE  
Use/Quantity QUASI-MUNICIPAL USES / 10.000 CFS  
Proposed Completion Date 10/01/2040

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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 22, 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 13618</a>
Water Right	Cert: 1091, 1094, 1104, 1107, 1108, 1109, 1111
County/Basin	Klamath / Klamath (14)
Applicant Name	TROUT UNLIMITED 1453 ESPLANADE AVE. KLAMATH FALLS, OR 97601
Proposed Change	POINT OF DIVERSION
Sources/TRSQ40Q160	ANNA CREEK > WOOD RIVER / 33.00S 7.50E 5 SENW ANNIE CREEK > WOOD RIVER / 33.00S 7.50E 5 SENW ANNIE CREEK > WOOD RIVER / 32.00S 7.50E 31 NESW ANNIE CREEK > WOOD RIVER / 33.00S 7.50E 5 SENW
Use/Quantity	LIVESTOCK / 9.629 CFS IRRIGATION, LIVESTOCK AND DOMESTIC / 3.000 CFS LIVESTOCK / 0.500 CFS LIVESTOCK / 3.530 CFS DOMESTIC / 2.000 CFS DOMESTIC / 3.940 CFS DOMESTIC / 6.500 CFS DOMESTIC / 2.001 CFS LIVESTOCK / 3.260 CFS DOMESTIC / 0.836 CFS DOMESTIC / 0.144 CFS
Priority Date	04/30/1898, 12/31/1892, 12/31/1902, 12/31/1891, 12/31/1899, 12/31/1889
Transfer	<a href="#">T 13634</a>
Water Right	Cert: 60418
County/Basin	Josephine / Rogue (15)
Applicant Name	HOELLRICH REV TRUST 100 FERRY ROAD GRANTS PASS, OR 97526
Proposed Change	POINT OF APPROPRIATION
Sources/TRSQ40Q160	A SUMP > ROGUE RIVER / 35.00S 7.00W 36 NWSW A WELL > ROGUE RIVER / 35.00S 7.00W 36 NWSW
Use/Quantity	IRRIGATION / 0.260 CFS IRRIGATION / 0.750 CFS
Priority Date	06/04/1975

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Transfer [T 13640](#)  
Water Right Cert: 86435 (T 11004), 86436 (T 11004), 95437 (T 11004), 95438  
County/Basin Morrow / Umatilla (7)  
Applicant Name MCCARTY, DAN  
27471 MCCARTY RANCH LANE  
ECHO, OR 97826  
Proposed Change ADDITIONAL POINT OF APPROPRIATION  
Sources/TRSQ40Q160 A WELL > WILLOW CREEK / 2.00N 24.00E 36 NWSE  
A WELL > WILLOW CREEK / 2.00N 24.00E 33 SESE  
Use/Quantity IRRIGATION / 2.000 CFS  
IRRIGATION / 2.020 CFS  
IRRIGATION / 5.910 CFS  
IRRIGATION / 5.260 CFS  
IRRIGATION / 2.610 CFS  
Priority Date 11/05/1973, 03/29/1974

Transfer [T 13642](#)  
Water Right Cert: 87856  
County/Basin Douglas / Umpqua (16)  
Applicant Name NEAL, RICK  
PO BOX 861  
WINCHESTER, OR 97495  
Proposed Change ADDITIONAL POINT OF DIVERSION  
Sources/TRSQ40Q160 NORTH UMPQUA RIVER > UMPQUA RIVER / 26.00S 6.00W 27 SWNE  
Use/Quantity IRRIGATION / 0.545 CFS  
Priority Date 02/15/1956

**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 April 22, 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-13316](#) filed by City of Salem Attn: Jason Pulley, 555 Liberty St SE, Room 325, Salem OR 97301 proposes additional points of appropriation and modification in place of use under Registration Application GR-3507 (Certificate of Registration GR-3227). The registration allows the use of 1550 gallons per minute from Pump Well in Sec. 13, T9S, R1W, WM for Municipal Water Supply in Sects. 22, 23, 24, 27, 28, 34 and 35, T7S, R3W, WM. The applicant proposes additional points of appropriation in Sects. 11 and 13, T9S, R1W, WM and to change the place of use to the City of Salem Service Area. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

[T-13315](#) filed by City of Salem Attn: Jason Pulley, 555 Liberty St SE, Room 325, Salem OR 97301 proposes additional points of appropriation and a modification in place of use under Registration Application GR-3510 (Certificate of Registration GR-3230). The registration allows the use of 1775 gallons per minute from Pump Well in Sec. 13, T9S, R1W, WM for Municipal Water Supply in Sects. 22, 23, 24, 27, 28, 34 and 35, T7S, R3W, WM. The applicant proposes additional points of appropriation in Sects. 11 and 13, T9S, R1W, WM and to change the place of use to the City of Salem Service Area. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

[T-13314](#) filed by City of Salem Attn: Jason Pulley, 555 Liberty St SE, Room 325, Salem OR 97301 proposes additional points of appropriation and a modification in place of use under Registration Application GR-3502 (Certificate of Registration GR-3223). The registration allows the use of 5555 gallons per minute from Infiltration Gallery #1 in Sec. 13, T9S, R1W, WM for Municipal Water Supply in Sects. 22, 23, 24, 26, 27, 28, 34 and 35, T7S, R3W, WM. The applicant proposes additional points of appropriation in Sects. 11 and 13, T9S, R1W, WM and to change the place of use to the City of Salem Service Area. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

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[T-13313](#) filed by City of Salem, Attn: Jason Pulley, 555 Liberty Street SE, Room 325, Salem, OR 97301, proposes additional points of appropriation under Certificate 91526. The right allows the use of 30.0 cubic feet per second from the Stayton Island Infiltration System in Sec. 13, T9S, R1W, WM for municipal use in Sects. 31 and 32, T6S, R2W, WM; Sec. 23, T6S, R3W, WM; Sects. 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, T7S, R2W, WM; Sects. 10, 11, 12, 13, 14, 15, 16, 17, 24, 25, 26, 27, 28, 29, 30, 31, 32, and 33, T7S, R3W, WM; Sects. 5, 6, 7, 8, 9, 16, 17, 18, 19, and 20, T8S, R2W, WM; Sects. 6, 7, 8, 9, 10, 11, 12, 13, and 14, T8S, R3W, WM; and Sects. 9, 10, 11, 12, 14, 15, and 16, T9S, R1W, WM. The applicant proposes additional points of appropriation in Sects. 11 and 13, T9S, 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-13312](#) filed by City of Salem, Attn: Jason Pulley, 555 Liberty St SE, Room 325, Salem OR 97301 proposes additional points of appropriation and a modification in place of use under Registration Application GR-3509 (Certificate of Registration GR-3229). The registration allows the use of 1100 gallons per minute from Pump Well in Sec. 13, T9S, R1W, WM for Municipal Water Supply in Sects. 22, 23, 24, 27, 28, 34 and 35, T7S, R3W, WM. The applicant proposes additional points of appropriation in Sects. 11 and 13, T9S, R1W, WM and to change the place of use to the City of Salem Service Area. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

[T-12866](#) and [T-13536](#) filed by Oregon Dept. of Fish and Wildlife (ODFW), 4034 Fairview Industrial Dr. SE, Salem, OR 97302, proposes changes under Certificate 8265. Cert. 8265 allows the use 0.35 cfs from Fairey (Ferry) Creek, tributary to the Coquille River in Section 30, T 28 S, R 14 W, WM, for raising trout in a fish pond within Sec. 30.

**Under T-12866** ODFW proposes to change the place of use and character of use of 1.0 cfs to create an instream use in Ferry Creek from the point of diversion in Sec. 30 to the mouth.

**Under T-13536** ODFW proposes to change the place of use and move the point of diversion approx. 1.5 miles upstream on Ferry Creek to the Bandon Fish Hatchery for the remaining portion (2.5 cfs) of Certificate 8265. The Bandon Fish Hatchery is located in Sec. 29, T 28 S, R 14 W, WM.

The Water Resources Department proposes to approve the transfers based on the requirements of ORS Chapter 540, OAR 690-380-5000, and OAR 690-077-0075.

[T-13265](#) filed by Herb Snodgrass, PO Box 325, Maupin, OR 97037, and Craig H. Ericson Irrevocable Trust, Gary Ericson, Trustee, 10825 S. Fir Street Jenks, OK 74037, proposes changes in place of use and character of use under Certificates 77326 and 77733. Certificate 77326 allows the use of one acre foot per acre to July 1<sup>st</sup> of each year and not to exceed 3.0 acre feet per acre or acre equivalent during any irrigation season; provided, that the rate of flow shall not exceed 1/40<sup>th</sup> of a second foot per acre or acre equivalent up to July 1<sup>st</sup> of each year and thereafter not to exceed 1/80<sup>th</sup> of a second foot per acre from direct flow from Clear Creek (diversion in Sec.10, T5S, R9E, WM) and Frog Creek (diversion in Sec. 34, T4S, R9E, WM) and storage in Clear Lake Reservoir (Sec. 32, T4S, R9E, WM), tributaries to White River, for irrigation within Sec. 25, T5S, R12E, WM. Certificate 77333 allows the use of 33.19 acre feet from Clear Lake Reservoir, tributary to White River, for supplemental irrigation within Sec. 25, T5S, R12E, WM. The applicant proposes to change the place of use of a portion of the above to Sec. 24, T5S, R12E, WM. and to Sec. 8, T5S, R13E, WM., and also proposes to change the character of use of 1.0 acre equivalent to pond maintenance within Sec. 24, T5S, R12E, WM. and Sec. 19, T5S, R13E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13116](#) filed by Walker and Jenny Sirmio, et al. 35056 Matthews Rd., Eugene, OR 97405, proposes additional points of appropriation under Certificate 46210. The right allows the use of 0.09 cubic foot per second from Coast Fork Willamette River in Sec. 30, T18S, R2W, WM for irrigation in Sec. 30, T18S, R2W, WM. The applicant proposes additional points of diversion in Sec. 30, T18S, R2W, WM. The Water Resources Department proposes to deny 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-13404](#) filed by Christopher James Ray and Anna R. Ray, 6144 Molthan Ranch Rd., Ironside, OR 97908, proposes additional points of diversion and to change the places of use under Certificates 48389 and 56242, and to change the places of use under Certificates 33312 and 56243. Certificate 33312 allows the use of 1.31 cubic feet per second (cfs) from a well in Sec. 32, T14S, R39E, WM for irrigation in Sects. 28 and 33, T14S, R39E, WM. The applicant proposes to change the place of use to Sects 27 and 28, T14S, R39E, WM. Certificate 48389 allows the use of 1.60 cfs from South Fork Willow Creek in Sec. 28, T14S, R39E, WM for supplemental irrigation in Sects. 28 and 33, T14S, R39E, WM. The applicant proposes an additional point of diversion in Sec. 32, T14S, R39E, WM, and to change the place of use to Sects 27 and 28, T14S, R39E, WM. Certificate 56242 allows the use of 0.38 cfs from South Fork Willow Creek in Sec. 28, T14S, R39E, WM for irrigation in Sects. 28 and 33, T14S, R39E, WM. The applicant proposes an additional point of diversion in Sec. 32, T14S, R39E, WM, and to change the place of use to Sects 28 and 33, T14S, R39E, WM. Certificate 56243 allows the use of 0.34 cfs from a well in Sec. 28, T14S, R39E, WM for supplemental irrigation in Sects. 28 and 33, T14S, R39E, WM. The applicant proposes to change the place of use to Sects 27 and 28, T14S, R39E, WM. The Water Resources Department proposes to deny the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13451](#) filed by C. Glen and Ronda G. Smith, 563 NW 21<sup>st</sup> Street, Pendleton, OR 97801, proposes a change in place of use and character of use under Certificate 6459. Certificate 6459 allows the use of 0.48 cubic foot per second from Catherine Creek in Sec. 34, T4S, R40E, WM for irrigation in Sec. 34. The applicant proposes to create time-limited instream use in Catherine Creek from the point of diversion to the mouth of the Creek. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540, OAR 690-380-5000 and OAR 690-077-0075.

[T-13424](#) filed by Joseph L. Harter, Susan M. Harter, Andy Harter, and Kerry Harter, 10902 Swan Lake Rd., Klamath Falls, OR 97063, proposes a change in point of appropriation and a change in place of use under Certificate 22847, and a change in places of use under Certificates 33176, 83328, 87897, and 88113. Certificate 22847 allows the use of 0.32 cubic foot per second (cfs) from a well in Sec. 30, T37S, R10E, WM for irrigation in Sec. 30. The applicant proposes to move the point of appropriation to Sec. 19, T37S, R10E, WM, and to change the place of use to Sects. 19 and 30, T37S, R10E, WM. Certificate 33176 allows the use of 0.31 cfs from Anderson Creek and Reservoir in Sec. 23, T37S, R9E, WM, and Sec. 19, T37S, R10E, WM for irrigation in Sec. 19, T37S, R10E, WM. The applicant proposes to change the place of use to Sects. 19 and 20, T37S, R10E, WM. Certificate 83328 allows the use of 0.32 cfs from a well in Sec. 19, T37S, R10E, WM for irrigation in Sects. 19 and 20, T37S, R10E, WM, and supplemental irrigation in Sec. 19, T37S, R10E, WM. The applicant proposes to change the place of use within Sects. 19 and 20, T37S, R10E, WM. Certificate 87897 allows the use of 0.03 cfs from a well in Sec. 19, T37S, R10E, WM for irrigation in Sec. 19, T37S, R10E, WM. The applicant proposes to change the place of use within Sec. 19, T37S, R10E, WM. Certificate 88113 allows the use of 0.276 cfs from a well in Sec. 30, T37S, R10E, WM for irrigation in Sec. 30. The applicant proposes to change the place of use within Sec. 30, T37S, R10E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

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## 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-13641</a>
Water Right	Cert: 24531
County/Basin	Benton / Willamette (2)
Applicant Name	SMITH, TODD O O AGRICULTURE LLC PO BOX 824 CORVALLIS, OR 97339
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	BEAVER CREEK > MUDDY CREEK / 13.00S 5.00W 7 NWSW BEAVER CREEK > MUDDY CREEK / 13.00S 6.00W 12 NWSW
Use/Quantity	IRRIGATION / 0.710 CFS
Priority Date	05/14/1952

**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	<a href="#">T 13638</a>
Water Right	Permit: G 18372
County/Basin	Linn / Willamette (2)
Applicant Name	VERHOEVEN, BENJAMIN KATHRYN WEEKS 32277 PEORIA RD SW ALBANY, OR 97321
Proposed Change	ADDITIONAL POINT OF DIVERSION
Sources/TRSQ40Q160	A WELL > MUDDY CREEK BASIN / 12.00S 4.00W 17 SWSW A WELL > MUDDY CREEK BASIN / 12.00S 4.00W 17 SESW
Use/Quantity	NURSERY USES / 2.010 CFS
Priority Date	05/05/2017
Transfer	<a href="#">T 13639</a>
Water Right	Permit: G 18055
County/Basin	Clackamas / Willamette (2)
Applicant Name	WESTPHAL, SHANE INDO SUPPLY LLC 16724 S WINDY CITY RD MULINO, OR 97042
Proposed Change	POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > LITTLE CEDAR CREEK BASIN / 4.00S 2.00E 26 NWNE
Use/Quantity	NURSERY USES / 0.050 CFS
Priority Date	05/12/2017
Transfer	<a href="#">T 13644</a>
Water Right	Permit: G 17647
County/Basin	Harney / Malheur Lake (12)
Applicant Name	OTLEY BROTHERS INC. 40926 S DIAMOND LANE DIAMOND, OR 97722
Proposed Change	ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > DONNER UND BLITZEN RIVER BASIN / 29.00S 31.00E 9 SENW A WELL > DONNER UND BLITZEN RIVER BASIN / 29.00S 31.00E 9 NWNW A WELL > DONNER UND BLITZEN RIVER BASIN / 29.00S 31.00E 9 NESE
Use/Quantity	IRRIGATION / 5.330 CFS
Priority Date	08/11/2015

**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 22, 2021.**

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

Transfer	<a href="#">T-13643</a>
County	Jackson
Certificate	89373
Priority Date	AUGUST 21, 1915
Name	EAGLE POINT IRRIGATION DISTRICT
Address	PO BOX 157 EAGLE POINT, OR 97524
Use	IRRIGATION
Source	BIG BUTTE CR > ROGUE R

**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.

## 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.

<b>Notice</b>	<b>N2021-004</b>
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	DESCHUTES R > COLUMBIA R CRANE PRAIRIE RES > DESCHUTES
Source	
Acres:	1.80
Authorized POU:	T17S R13E 27 NESW; T17S R14E 27 NESW, NWSW
Proposed POU:	T17S R14E 27 NWSW

**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#	<a href="#">95495</a>
App:	G 13098
County/Basin	Deschutes / Deschutes (5)
Applicant Name	CITY OF BEND
Priority Date	08/27/1992
Issue Date	03/16/2021

Cert#	<a href="#">95472</a>
Xfer:	T 10794
County/Basin	Josephine / Rogue (15)
Applicant Name	SISKIYOU FIELD INSTITUTE
Priority Date	12/31/1885
Issue Date	03/26/2021

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## **Application to Reauthorize A Minor Hydroelectric Project**

The Oregon Water Resources Department seeks public comment on the following application to reauthorize minor hydroelectric project HE 332 in Klamath County. Comments on the application and requests by interested parties who want to obtain future notices must be submitted within 45 days of publication of the notice. The application and supporting documents can be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the application please contact Craig Kohanek (503) 986-0823 or [ron.c.kohanek@oregon.gov](mailto:ron.c.kohanek@oregon.gov) A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Application: **HE 332**  
Applicant: Cameron A. & Jennie L. Curtiss  
Project Address: 21051 Highway 140 West, Klamath Falls, OR 97601  
Amount of water: 12.0 cubic feet per second (cfs)  
Source of water: Denny Creek, tributary to Upper Klamath Lake  
Point of Diversion: NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 9, Township 37 South, Range 7 East, W.M.  
Place of Use: NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 9, Township 37 South, Range 7 East, W.M.  
Purpose: Hydroelectric for on-site use.  
Power developed: Up to 95 Theoretical horsepower

**Comments and requests to obtain future notices are due by May 7, 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.

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS  
March 23, 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.