

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
April 27, 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.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, 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.
- * **Applications for Limited Licenses**
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- * **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.

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: Drought Temporary Transfers**
Requests to temporarily change character of use, place of use or point of diversion during a drought declared under ORS 536.740.
- * **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.
- * **Hydroelectric Public Meeting - Videoconference**

The Public Notice is published each week on the Department's web site at 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.

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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

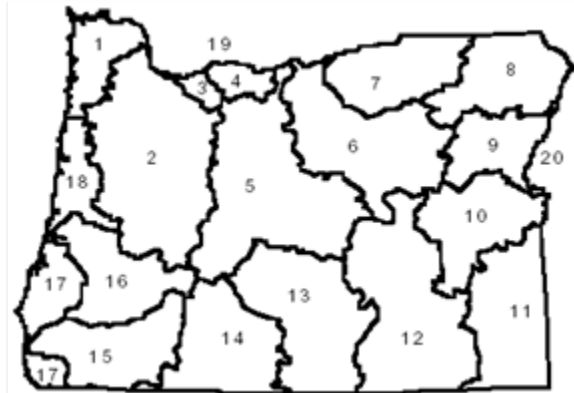
Unit of measure:

- 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, May 27, 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, June 11, 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# [S-88506](#)
County/Basin Washington / Willamette (2)
Applicant Name JOINT WATER COMMISSION
150 E MAIN ST
HILLSBORO, OR 97123
Sources/TRSQ40Q160 TUALATIN RIVER > WILLAMETTE RIVER / 1.00S 3.00W 8 SWSW
Use/Quantity MUNICIPAL USES / 44.000 CFS
Priority Date 01/31/2018
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18829](#)
County/Basin Marion / Willamette (2)
Applicant Name LIPSCOMB, PAUL AND DONNA
PO BOX 579
SISTERS, OR 97759
Sources/TRSQ40Q160 A WELL > JORY CREEK BASIN / 8.00S 3.00W 21 NWSW
Use/Quantity IRRIGATION / 0.110 CFS
Priority Date 05/24/2019
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-19015](#)
County/Basin Lane / Willamette (2)
Applicant Name RAGER, KEAN AND TONYA
83404 RODGERS RD
CRESWELL, OR 97426
Sources/TRSQ40Q160 A WELL > BEAR CREEK / 19.00S 2.00W 7 SESE
Use/Quantity NURSERY USES / 0.340 CFS
Priority Date 08/26/2020
Stage/Status IR / ISSUED

App# [S-88928](#)
County/Basin Coos / South Coast (17)
Applicant Name MESSERLE, BLAINE
63098 N BARRY RD
COOS BAY, OR 97420
Sources/TRSQ40Q160 UNNAMED STREAM > MARLOW CREEK / 25.00S 11.00W 5 NWNE
Use/Quantity HUMAN CONSUMPTION / 0.005 CFS
Priority Date 03/11/2021
Stage/Status IR / PROPOSE TO DENY

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

Final Orders - Permit & Limited License Applications

Following is a list of applications for new appropriations that have had final orders issued recently. If you would like a hard copy of an order mailed to you, send a request with \$30.00 for each order to the Water Rights Section, Oregon Water Resources Department, 725 Summer Street NE Suite A, Salem OR 97301. If you have any questions, please contact the Department's customer service staff by dialing 503-986-0801.

App# [G-18585](#)
County/Basin Jackson / Rogue (15)
Applicant Name RIGGS, JUSTIN
GARCIA, ADRIENNE
9400 STERLING CREEK RD
JACKSONVILLE, OR 97530
Priority Date 11/27/2017
Issue Date 04/16/2021
Status APPROVED

App# [G-18655](#)
County/Basin Marion / Willamette (2)
Applicant Name ISCC NURSERY
CAZARES, ISIDRO
16918 MOUNTAIN VIEW LN NE
WOODBURN, OR 97071
Priority Date 04/18/2018
Issue Date 04/16/2021
Status WITHDRAWN

App# [G-18774](#)
County/Basin Josephine / Rogue (15)
Applicant Name LEVY, JAI B.
LEVY, YORAM
460 BROWNS RD
WILLIAMS, OR 97544
Priority Date 12/31/2018
Issue Date 04/23/2021
Status APPROVED

App# [G-18798](#)
County/Basin Multnomah / Willamette (2)
Applicant Name PORT OF PORTLAND
PO BOX 3529
PORTLAND, OR 97208
Priority Date 03/05/2019
Issue Date 04/23/2021
Status APPROVED

App# [G-18878](#)
County/Basin Yamhill / Willamette (2)
Applicant Name SANDAN LLC
ATTN: EMILY EVERETT
10280 NE OAK SPRINGS FARM RD
CARLTON, OR 97111
Priority Date 11/15/2019
Issue Date 04/23/2021
Status APPROVED

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App# [G-18910](#)
County/Basin Linn / Willamette (2)
Applicant Name SOUTH SANTIAM RIVER FARM LLC
PO BOX 99
LAFAYETTE, OR 97127
Priority Date 02/03/2020
Issue Date 04/23/2021
Status APPROVED

App# [G-19077](#)
County/Basin Klamath / Klamath (14)
Applicant Name HICKEY, JESSE
PO BOX 358
MERRILL, OR 97633
Priority Date 04/01/2021
Issue Date 04/27/2021
Status APPROVED

App# [G-19078](#)
County/Basin Klamath / Klamath (14)
Applicant Name MLM PROPERTY LLC
PO BOX 195
MERRILL, OR 97633
Priority Date 04/05/2021
Issue Date 04/27/2021
Status APPROVED

App# [G-19079](#)
County/Basin Klamath / Klamath (14)
Applicant Name KUCERA ENTERPRISES
13788 MATNEY RD
KLAMATH FALLS, OR 97603
Priority Date 04/05/2021
Issue Date 04/27/2021
Status APPROVED

App# [LL-1855](#)
County/Basin Umatilla / Umatilla (7)
Applicant Name ROCK SOLID SAND AND GRAVEL LLC
74854 WASHINGTON LN
IRRIGON, OR 97844
Issue Date 04/23/2021
Status APPROVED

App# [LL-1859](#)
County/Basin Jackson / Rogue (15)
Applicant Name THE FRESHWATER TRUST
700 SW TAYLOR ST, SUITE 200
PORTLAND, OR 97205
Issue Date 04/23/2021
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.

App# [R-88901](#)
County/Basin Yamhill / Willamette (2)
Applicant Name DOMAINE SERENE VINEYARDS AND WINERY INC.
DEEPWATER C AND D PROPERTIES LLC
6555 NE HILLTOP LANE
DAYTON, OR 97114
Priority Date 12/09/2020
Issue Date 04/23/2021
Status APPROVED

App# [R-88907](#)
County/Basin Polk / Willamette (2)
Applicant Name KRAIG AND NANSIE KELLY REVOCABLE LIVING TRUST
3410 NW VALLEY CREEK RD NW
SALEM, OR 97304
Priority Date 12/23/2020
Issue Date 04/23/2021
Status APPROVED

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Expedited Secondary Applications Under HB 2178 (2005)

For expedited secondary applications to use exclusively stored water filed under HB 2178, the public is invited to comment within 30 days of this notice, by **May 27, 2021**. The expedited secondary applications listed below have been filed recently. Any person may raise public interest issues regarding these applications. If public interest issues are raised, the Department may move the application to the standard process and review the application pursuant to ORS 537.153, and issue a Proposed Final Order. If no public issues are raised, the Department may issue a final order and permit without further prior notice.

Comments must identify the specific public interest under ORS 537.170(8) that would be impaired or detrimentally affected by the proposed use, and specifically how the identified public interest would be affected.

POD 1 is the location of the stored water. POD 2 and any additional points are the redirection point(s).

App#	S-89099
County/Basin	Douglas / Umpqua (16)
Applicant Name	ESQUIVEL, ERIC 7436 BROOK DALE DR CITRUS HEIGHTS, CA 95621
Sources/TRSQ40Q160	COW CREEK > UMPQUA RIVER / 31.00S 4.00W 33 SWSE A RESERVOIR > COW CREEK / 31.00S 4.00W 28 SWNE
Use/Quantity	IRRIGATION / 7.800 AF
Priority Date	04/15/2021

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**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 May 27, 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-87544](#)
Permit Number S-54684
County/Basin Douglas / Umpqua (16)
Applicant Name MCCOY, MICHAEL AND JAN
9624 S BANK DR
ROSEBURG, OR 97470
Sources/TRSQ40Q160 NORTH UMPQUA RIVER > UMPQUA RIVER / 26.00S 4.00W 19 NENW
Use/Quantity DOMESTIC EXPANDED / 0.010 CFS
Proposed Completion Date 10/01/2021

App# [G-17713](#)
Permit Number G-17481
County/Basin Clackamas / Willamette (2)
Applicant Name DOW AGROSCIENCES
32905 S MORCOM ST
WOODBURN, OR 97071
Sources/TRSQ40Q160 A WELL > BUTTE CREEK BASIN / 5.00S 1.00W 14 SWSE
Use/Quantity NURSERY USES / 0.390 CFS
Proposed Completion Date

App# [G-17988](#)
Permit Number G-17557
County/Basin Clackamas / Willamette (2)
Applicant Name GABRIEL, ROBERT W.
8474 HAZELGREEN RD NE
SILVERTON, OR 97381
Sources/TRSQ40Q160 A WELL > PUDDING RIVER BASIN / 3.00S 1.00E 30 SWNW
A WELL > PUDDING RIVER BASIN / 3.00S 1.00E 30 SENW
Use/Quantity IRRIGATION / 0.399 CFS
Proposed Completion Date 10/01/2026

App# [G-17089](#)
Permit Number G-18370
County/Basin Harney / Malheur Lake (12)
Applicant Name STROEMPLE, GEORGE
PO BOX 1810
LAKE OSWEGO, OR 97035
Sources/TRSQ40Q160 A WELL > STONEHOUSE CREEK BASIN / 35.00S 33.00E 15 SENE
Use/Quantity SUPPLEMENTAL IRRIGATION / 0.480 CFS
Proposed Completion Date 10/01/2025

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 Limited Licenses

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

Licensees must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after May 11, 2021, upon finding that the proposed water use will not impair or be detrimental to the public interest (OAR 690-340-030).** The public is invited to provide comments that will assist the Director in determining whether the use would impair or be detrimental to the public interest. If the applicant applies for a use that is not one of the standard uses listed in OAR 690-300, the Department may, for the purposes of this notice, assign a named use that is reasonably close to the use actually requested. The public may examine the actual application by clicking the associated hyperlink and then choosing “LL Application” under “Scanned Documents.”

App#	LL-1867
County/Basin	Coos / South Coast (17)
Applicant Name	UPPER COOS RIVER WATER ASSOCIATION INC WINFREY, STEVEN 64170 SOLARI RD COOS BAY, OR 97420
Sources/TRSQ40Q160	SMITH CREEK > COOS RIVER / 25.00S 12.00W 34 NWSE
Use/Quantity	HUMAN CONSUMPTION / 0.010 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 May 18, 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-980
Certificate	74145
County/Basin	Deschutes / Deschutes (5)
Lessee	HUBERT, GENEVIEVE DESCHUTES RIVER CONSERVANCY 700 NW HILL ST STE #1 BEND, OR 97703
Lessor	SWALLEY IRRIGATION DISTRICT 64672 COOK AVE SUITE 1 BEND, OR 97703
Lessor	BEND METRO PARK AND REC DISTRICT 799 SW COLUMBIA ST BEND, OR 97702
Priority Date	09/01/1899
Source/Tributary To	DESCHUTES R / COLUMBIA R
Lease#	IL-1615
Certificate	67308
County/Basin	Deschutes / Deschutes (5)
Lessor	OSELAND, GLENN 19910 TUMALO RD BEND, OR 97703
Lessee	DESCHUTES RIVER CONSERVANCY 700 NW HILL STREET SUITE 1 BEND, OR 97703
Priority Date	07/19/1917
Source/Tributary To	DESCHUTES RIVER / COLUMBIA RIVER

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Lease# [IL-1857](#)
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-1858](#)
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-1859](#)
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

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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 May 27, 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-13672](#)
Water Right Cert: 52996, 52997
County/Basin Josephine / Rogue (15)
Applicant Name COLE, NANCY
3020 CEDAR FLAT RD
WILLIAMS, OR 97544
Proposed Change PLACE OF USE
Sources/TRSQ40Q160 MUNGER CREEK > WEST FORK WILLIAMS CREEK / 39.00S 5.00W 5 NESW
Use/Quantity IRRIGATION / 0.500 CFS
IRRIGATION / 0.140 CFS
Priority Date 02/28/1877, 02/28/1877

Transfer [T-13674](#)
Water Right Cert: 39560, 47123
County/Basin Yamhill / Willamette (2)
Applicant Name AEBI, RANDAL
PO BOX 762
MCMINNVILLE, OR 97128
Proposed Change PLACE OF USE, USE
Sources/TRSQ40Q160 A WELL > NORTH YAMHILL RIVER / 4.00S 4.00W 10 NWNE
Use/Quantity POND MAINTENANCE / 0.010 CFS
POND MAINTENANCE / 0.040 CFS
Priority Date 04/01/1969, 07/02/1973

Transfer [T-13675](#)
Water Right Cert: 76538
County/Basin Linn / Willamette (2)
Applicant Name J-S RANCH
34905 RANCH DRIVE
BROWNSVILLE, OR 97327
Proposed Change ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE, USE
Sources/TRSQ40Q160 A WELL > SOUTH SANTIAM RIVER / 10.00S 2.00W 10 NESW
Use/Quantity IRRIGATION / 0.570 CFS
Priority Date 09/28/1993

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Transfer [T-13676](#)
Water Right Cert: 3619, 83066
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name SC RANCH LLC
27423 HIGHWAY 395
LAKEVIEW, OR 97630
Proposed Change PLACE OF USE
Sources/TRSQ40Q160 CLOVER CREEK > CROOKED CREEK / 36.00S 21.00E 32 NWNE
CROOKED CREEK > CHEWAUCAN RIVER /
UNNAMED DRAINAGE > CROOKED CREEK / 36.00S 21.00E 21 SENW
UNNAMED DRAINAGE > CROOKED CREEK / 36.00S 21.00E 21 NWSW
UNNAMED DRAINAGE > CROOKED CREEK / 36.00S 21.00E 28 NWNW
UNNAMED DRAINAGE > CROOKED CREEK / 36.00S 21.00E 29 SESE
UNNAMED STREAM > CROOKED CREEK / 36.00S 21.00E 20 NWSE
Use/Quantity IRRIGATION / 3.120 CFS
IRRIGATION / 7.490 CFS
Priority Date 12/31/1880, 12/04/1981

Transfer [T-13679](#)
Water Right Cert: 20809, 46392
County/Basin Harney / Malheur Lake (12)
Applicant Name 3 J LAND, LLC
TEMPLE, JERRY
32872 AIRPORT LANE
BURNS, OR 97720
Proposed Change ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160 A WELL > POISON CREEK SLOUGH / 23.00S 31.00E 13 SWNW
GARDNER WELL NO 1 > FOLEY SL / 23.00S 31.00E 13 NWSW
Use/Quantity SUPPLEMENTAL IRRIGATION / 1.113 CFS
SUPPLEMENTAL IRRIGATION / 1.230 CFS
Priority Date 03/02/1951, 08/21/1972

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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 May 27, 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-13456](#) filed by Hettervig Properties, LLC, 1976 SE Ochoco Street, Milwaukie, OR 97222, proposes to change the place of use and character of use to instream use under Certificate 90239. The right allows the use of up to 0.50 Cubic Feet per Second (CFS) from the Little Deschutes River in Sec. 34, T23S, R9E, W.M. for Irrigation in Sec. 34, T22S, R10E, WM. The applicant proposes to create an instream use in the Little Deschutes River from the point of diversion to Lake Billy Chinook on the Deschutes River at a maximum of 0.50 CFS, and to establish mitigation credits in the Deschutes Groundwater Study Area. 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. The Department has also concluded that the proposed transfer appears to result in mitigation credits pursuant to OAR 690-521-0300 & OAR 690-521-0400.

[T-12740](#) filed by Kurt Bowman, 67495 Hwy 237 La Grande, OR 97850, proposes a change in place of use under Certificate 93271. The right allows the use of three acre-feet per acre in any irrigation season diverted at a rate of not to exceed one-fortieth of a cubic foot per second per acre from the Grande Ronde River in Sec. 31, T2S, R38E, WM for irrigation in Sec. 33, T2S, R38E, WM. The applicant proposes to change the place of use to Sec. 34, T2S, R38E, 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 [T-13670](#)
Water Right Cert: 33312, 48389, 56242, 56243
County/Basin Malheur / Malheur (10)
Applicant Name RAY, CHRISTOPHER AND ANN R.
6144 MOLTHAN RANCH RD
IRONSIDE, OR 97908
Proposed Change PLACE OF USE
Sources/TRSQ40Q160 A WELL > SOUTH WILLOW CREEK / 14.00S 39.00E 28 SWSW
SOUTH WILLOW CREEK > WILLOW CREEK / 14.00S 39.00E 28 SWNW
WELL 2 > SOUTH WILLOW CREEK / 14.00S 39.00E 32 NENE
Use/Quantity SUPPLEMENTAL IRRIGATION / 1.000 CFS
SUPPLEMENTAL IRRIGATION / 1.600 CFS
IRRIGATION / 0.380 CFS
IRRIGATION / 1.310 CFS
Priority Date 06/18/1962, 02/16/1972, 02/09/1981, 04/06/1977

Transfer [T-13673](#)
Water Right Claim: KA 67
County/Basin Klamath / Klamath (14)
Applicant Name THOMAS FAMILY LIMITED PARTNERSHIP
2500 VENTURE OAKS WAY
SUITE 175
SACRAMENTO, CA 95833
Proposed Change POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160 CROOKED CREEK > WOOD RIVER / 34.00S 7.50E 13 NWSE
WOOD RIVER > UPPER KLAMATH LAKE / 34.00S 7.50E 14 NWNW
Use/Quantity IRRIGATION / 30.01 CFS
Priority Date 10/14/1864

Transfer [T-13678](#)
Water Right Cert: 94277 (T-12984)
County/Basin Wallowa / Grande Ronde (8)
Applicant Name MELVILLE, TIM
84887 JOSEPH HWY
ENTERPRISE, OR 97828
Proposed Change POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160 HURRICANE CREEK > WALLOWA RIVER / 3.00S 45.00E 6 NESE
Use/Quantity IRRIGATION / 8.723 CFS
Priority Date 11/30/1901

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.
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Transfer Applications: Drought Temporary Transfer

During the effective time period of a drought declaration under ORS 536.740, the Commission or the Director may: (1) Allow a temporary transfer of a water right without complying with the notice and waiting requirements of ORS 540.520; (2) Allow a temporary exchange of water without giving notice as required under ORS 540.535; and (3) Use an expedited notice and waiting requirement for the substitution of a supplemental ground water right for a primary water right.

Notice is given that the following applications for Drought Temporary Transfers have been received by the Department. Consistent with the drought emergency, an order approving or denying the drought transfer will be issued as soon as the Department is able to process the application.

Transfer	T-13677
Water Right	Permit: G-12450, 27103
County/Basin	Klamath / Klamath (14)
Applicant Name	UNRUH, ROBERT 30083 PICKETT RD MALIN, OR 97632
Proposed Change	ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	PEREIRA WELL > TULELAKE SU / 40.00S 12.00E 28 SWSW WELL 1 > LOST RIVER / 40.00S 12.00E 28 SWSW
Use/Quantity	IRRIGATION / 1.400 CFS
Priority Date	PRIMARY AND SUPPLEMENTAL IRRIGATION / 1.345 CFS 04/06/1992, 05/28/1956

Transfer	T-13681
Water Right	Permit: G-18390
County/Basin	Klamath / Klamath (14)
Applicant Name	MLM PROPERTY LLC PO BOX 195 MERRILL, OR 97633
Proposed Change	POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > DODDS HOLLOW BASIN / 41.00S 11.00E 7 SWNE A WELL > LOST RIVER BASIN / 40.00S 10.00E 29 SWNW
Use/Quantity	SUPPLEMENTAL IRRIGATION / 0.7199 CFS
Priority Date	03/01/2005

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-13680
Water Right	Permit: G-18042
County/Basin	Clackamas / Willamette (2)
Applicant Name	STALEY, DAN & DAWN 10377 S TOLIVER RD MOLALLA, OR 97038
Proposed Change	POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > BEAR CREEK BASIN / 5.00S 1.00E 2 SWNE
Use/Quantity	NURSERY USES / 0.330 CFS
Priority Date	10/20/2017

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 May 27, 2021.**

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

Transfer	T-13671
County	Malheur
Certificate	81012 IN THE NAME OF U.S. BUREAU OF RECLAMATION
Priority Date	FEBRUARY 14, 1916 & AUGUST 19, 1924 (LIVE FLOW), AND FEBRUARY 15, 1916 & AUGUST 20, 1924 (STORED WATER)
Name	RIDGEVIEW IRRIGATION DISTRICT
Address	PO BOX 67 HOMEDALE, OR 83628
Use	IRRIGATION
Source	OWHYEE RIVER AND OWYHEE RESERVOIR > SNAKE RIVER

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

Notice of Open Comment Period
Public Videoconference
Eagle Point Irrigation District
Hydroelectric Project

Wednesday, April 28, 2021, 2:00 p.m.

The Department seeks public comment on an application for a new hydroelectric permit for an existing project from interested citizens, organizations, governmental entities, and other parties. Comments are requested on whether the impacts of this project are such that they might be cumulative with other proposed or existing hydroelectric projects in the Little Butte Creek basin. Requests for additional studies related to the project impacts may also be submitted.

The application and supporting documents can be viewed at this link:
https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=205481

Join Videoconference via Zoom: You may register to join the meeting by sending an email to Mary.s.grainey@oregon.gov. A link to the videoconference will be sent to those who register. To prevent background noise, all attendees will be muted upon joining the meeting. To improve bandwidth during the meeting, only members of the District and Department staff will appear on video display.

Comments or requests for additional studies may be submitted at the public hearing, or by email to Mary.s.grainey@oregon.gov at the Oregon Water Resources Department by **5 p.m. Monday, June 14, 2021**.

Application #:	PC 912
Applicant:	Eagle Point Irrigation District
Address:	PO Box 157 Eagle Point, OR 97524
County:	Jackson
Amount of water:	100 Cubic Feet per Second
Source of water:	Tailrace of Powerhouse 1, tributary to unnamed stream, tributary to Nichols Branch in Little Butte Creek subbasin.
Point of Diversion:	SW ¼ NW ¼, Section 19, Township 35 South, Range 1 East W.M.
Powerhouse:	NW ¼ NW ¼, Section 30, Township 35 South, Range 1 East W.M.
Purpose:	Hydroelectric power production
Plant Capacity:	1,531 Theoretical Horsepower Average annual power generation is 2,660,000 kWh

Note: The services, programs and activities of the Water Resources Department are covered by the Americans with Disabilities Act (ADA). The ADA prohibits discrimination against persons with disabilities. The Department intends to comply with the ADA. If you are interested and need special accommodations to participate in the public hearing, please contact Mary Grainey at (503) 986-0833, at least 48 hours prior to the public meeting.

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
April 27, 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:

* 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.