

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
May 11, 2021

*This notice is also available on our web page at the following address:
http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21*

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

- * **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- * **Alternate Reservoir Applications (ORS 537.409)**
Applications for storage permits for small ponds filed under a simplified review process.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **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.
- * **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.
- * **Renewal of Aquifer Storage and Recovery (ASR) Limited Licenses**

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

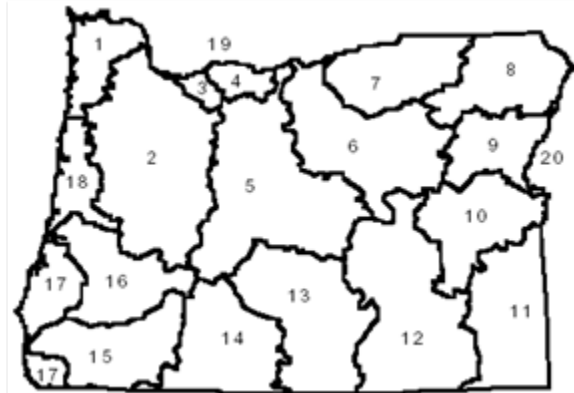
County/Basin (See Map)

- 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, June 10, 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 25, 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-18766 |
| County/Basin | Marion / Willamette (2) |
| Applicant Name | JLPN INC. C/O JEREMY POWELL 1118 LANCASTER DR. NE PMB 409 SALEM, OR 97301 |
| Sources/TRSQ40Q160 | A WELL > FRUITLAND CREEK BASIN / 7.00S 2.00W 33 NWNW A WELL > FRUITLAND CREEK BASIN / 7.00S 2.00W 29 SESE |
| Use/Quantity | NURSERY USES / 1.630 CFS |
| Priority Date | 11/28/2018 |
| Stage/Status | PFO / PROPOSE TO APPROVE |
| App# | R-88925 |
| County/Basin | Malheur / Owyhee (11) |
| Applicant Name | MACKENZIE, MARK 850 ROCKVILLE RD JORDAN VALLEY, OR 97910 |
| Sources/TRSQ40Q160 | MAHOGANY CREEK > COW CREEK / 27.00S 45.00E 16 NESE UNNAMED STREAM > MAHOGANY CREEK / 27.00S 45.00E 16 NESE |
| Use/Quantity | STORAGE / 300.000 AF |
| Priority Date | 03/08/2021 |
| Stage/Status | IR / PROPOSE TO APPROVE |
| App# | G-19073 |
| County/Basin | Polk / Willamette (2) |
| Applicant Name | MCKEE FAMILY FARMS LLC 11640 ELKINS RD MONMOUTH, OR 97361 |
| Sources/TRSQ40Q160 | A WELL > WILLAMETTE RIVER / 9.00S 4.00W 4 SESW |
| Use/Quantity | IRRIGATION / 0.111 CFS |
| Priority Date | 03/11/2021 |
| Stage/Status | IR / PROPOSE TO APPROVE |

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Final Orders - Permit & Limited License Applications

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

| | |
|----------------|--|
| App# | G-18574 |
| County/Basin | Polk / Willamette (2) |
| Applicant Name | JACK HEMPICINE LLC ATTN SETH CRAWFORD 7744 NW MINT AVE ALBANY, OR 97321 |
| Priority Date | 10/31/2017 |
| Issue Date | 05/11/2021 |
| Status | APPROVED |
| App# | G-18974 |
| County/Basin | Benton / Willamette (2) |
| Applicant Name | DUNNING, KYLE L. AND HOLLY J. 4635 NE ELLIOTT CIRCLE CORVALLIS, OR 97330 |
| Priority Date | 05/12/2020 |
| Issue Date | 05/11/2021 |
| Status | APPROVED |
| App# | G-19009 |
| County/Basin | Jackson / Rogue (15) |
| Applicant Name | BONNEY, TOM AND MELISSA PO BOX 976 SHADY COVE, OR 97539 |
| Priority Date | 08/03/2020 |
| Issue Date | 05/11/2021 |
| Status | WITHDRAWN |
| App# | G-19016 |
| County/Basin | Clackamas / Willamette (2) |
| Applicant Name | OREGON CITY SCHOOL DISTRICT 1417 12TH ST OREGON CITY, OR 97045 |
| | ROGERS, WES PO BOX 2110 OREGON CITY, OR 97045 |
| Priority Date | 08/26/2020 |
| Issue Date | 05/11/2021 |
| Status | WITHDRAWN |
| App# | G-19080 |
| County/Basin | Klamath / Klamath (14) |
| Applicant Name | HAMEL, DAVID 18181 CHIN RD KLAMATH FALLS, OR 97603 |
| Priority Date | 04/05/2021 |
| Issue Date | 04/30/2021 |
| Status | APPROVED |

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App# [G-19084](#)
County/Basin Klamath / Klamath (14)
Applicant Name DIXON, DENNIS
8520 TINGLEY LANE
KLAMATH FALLS, OR 97603
Priority Date 04/12/2021
Issue Date 05/07/2021
Status APPROVED

App# [G-19085](#)
County/Basin Klamath / Klamath (14)
Applicant Name TURNER, CORY
21051 PAYGR RD
MALIN, OR 97632
Priority Date 04/12/2021
Issue Date 05/06/2021
Status APPROVED

App# [G-19086](#)
County/Basin Klamath / Klamath (14)
Applicant Name BENGARD LOST RIVER RANCH
25400 NORTH POE VALLEY RD
KLAMATH FALLS, OR 97603
KERR, JARED
20250 LAKE CALIFORNIA DR
COTTONWOOD, CA 96022
Priority Date 04/08/2021
Issue Date 05/06/2021
Status APPROVED

App# [G-19087](#)
County/Basin Klamath / Klamath (14)
Applicant Name MOYLES, HUNTER
3030 ROUND LAKE RD
KLAMATH FALLS, OR 97601
Priority Date 04/12/2021
Issue Date 04/30/2021
Status APPROVED

App# [G-19090](#)
County/Basin Klamath / Klamath (14)
Applicant Name GREAT WESTERN FARM AND RANCH LLC
13600 HOMEDALE RD
KLAMATH FALLS, OR 97603
Priority Date 04/08/2021
Issue Date 05/06/2021
Status APPROVED

App# [G-19093](#)
County/Basin Klamath / Klamath (14)
Applicant Name GRANT, JUSTIN
PO BOX 195
MIDLAND, OR 97634
Priority Date 04/12/2021
Issue Date 04/30/2021
Status APPROVED

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App# [G-19094](#)
County/Basin Klamath / Klamath (14)
Applicant Name DEJONG, TOM
18231 N POE VALLEY RD
KLAMATH FALLS, OR 97603

JD DAIRY LLC
21821 N POE VALLEY RD
KLAMATH FALLS, OR 97603
Priority Date 04/12/2021
Issue Date 05/06/2021
Status APPROVED

App# [G-19096](#)
County/Basin Klamath / Klamath (14)
Applicant Name SHASTA VIEW IRRIGATION DISTRICT
GROUNDS, NICK
PO BOX 46
MALIN, OR 97632
Priority Date 04/12/2021
Issue Date 05/07/2021
Status APPROVED

App# [G-19097](#)
County/Basin Klamath / Klamath (14)
Applicant Name KING FARMS AND RANCH LLC
8296 KINGS WAY
KLAMATH FALLS, OR 97603
Priority Date 04/12/2021
Issue Date 05/07/2021
Status APPROVED

App# [G-19099](#)
County/Basin Klamath / Klamath (14)
Applicant Name DROST LAND CO. LLC
PO BOX 351
WESTON, OH 43569
Priority Date 04/12/2021
Issue Date 05/06/2021
Status APPROVED

App# [G-19101](#)
County/Basin Klamath / Klamath (14)
Applicant Name STAUNTON HOLDING LLC
STAUNTON, MARC
22217 STATELINE RD
MALIN, OR 97362
Priority Date 04/05/2021
Issue Date 05/06/2021
Status APPROVED

App# [G-19102](#)
County/Basin Klamath / Klamath (14)
Applicant Name FRANK, CONNIE
9002 DEHLINGER LANE
KLAMATH FALLS, OR 97603
Priority Date 04/05/2021
Issue Date 05/06/2021
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# [LL-1860](#)
 County/Basin Linn / Willamette (2)
 Applicant Name STELLMACHER FAMILY PROPERTIES LLC
 30416 STELLMACHER DR SW
 ALBANY, OR 97321
 Issue Date 05/04/2021
 Status APPROVED

App# [LL-1862](#)
 County/Basin Douglas / Umpqua (16)
 Applicant Name HOGUE, MIKAEL
 332 CISCO LANE
 AZALEA, OR 97410
 Issue Date 05/04/2021
 Status APPROVED

App# [LL-1863](#)
 County/Basin Wasco / Deschutes (5)
 Applicant Name CRESTLINE CONSTRUCTION COMPANY LLC
 3600 CRATES WAY
 THE DALLES, OR 97058
 Issue Date 05/04/2021
 Status APPROVED

App# [LL-1864](#)
 County/Basin Baker / Powder (9)
 Applicant Name IDAHO POWER CO.
 1221 W IDAHO ST
 BOISE, ID 83702
 Issue Date 05/04/2021
 Status APPROVED

App# [LL-1865](#)
 County/Basin Douglas / Umpqua (16)
 Applicant Name HOGUE, MIKAEL
 332 CISCO LANE
 AZALEA, OR 97410
 Issue Date 05/11/2021
 Status APPROVED

App# [LL-1866](#)
 County/Basin Jackson / Rogue (15)
 Applicant Name 15877 N. APPLGATE RD LLC (SCOTT SALTON)
 15877 N. APPLGATE RD LLC
 GRANTS PASS, OR 97527
 Issue Date 05/11/2021
 Status APPROVED

App# [R-88597](#)
 County/Basin Jackson / Klamath (14)
 Applicant Name SARLYA, LEAF
 1585 COLESTIN RD
 ASHLAND, OR 97520
 Priority Date 06/28/2018
 Issue Date 05/11/2021
 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# [S-88910](#)
County/Basin Wallowa / Grande Ronde (8)
Applicant Name ALLEN FAMILY TRUST
7533 FAWN COURT
CARMEL, CA 93923
Priority Date 01/11/2021
Issue Date 05/11/2021
Status APPROVED

App# [S-88916](#)
County/Basin Douglas / Umpqua (16)
Applicant Name LONG, MICHAEL
729 YEUST RD
AZALEA, OR 97410
Priority Date 02/08/2021
Issue Date 05/11/2021
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.

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 July 10, 2021.

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|--------------------|---|
| App# | R-89098 |
| County/Basin | Yamhill / Willamette (2) |
| Applicant Name | VANDYKE RIVERVIEW FARMS 8456 NW MCSWEEN LANE YAMHILL, OR 97148 |
| Sources/TRSQ40Q160 | RUNOFF > YAMHILL CREEK / 3.00S 4.00W 4 SWSE YAMHILL CREEK > NORTH YAMHILL RIVER / 3.00S 4.00W 4 SWSE YAMHILL CREEK > NORTH YAMHILL RIVER / 3.00S 4.00W 3 SWNW |
| Use/Quantity | MULTIPLE PURPOSE / 9.099 AF |
| Priority Date | 04/21/2021 |

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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 **June 10, 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-89101](#)
County/Basin Josephine / Rogue (15)
Applicant Name DARBY, JAMES B.
10250 JAMESTOWN DR APT 8
ANCHORAGE, AK 99507
Sources/TRSQ40Q160 A RESERVOIR > JIMMY CREEK / 39.00S 8.00W 17 NWSE
Use/Quantity WILDLIFE / 3.000 AF
Priority Date 04/14/2021

App# [S-89100](#)
County/Basin Yamhill / Willamette (2)
Applicant Name ABG OREGON VINEYARDS, LLC
ATTN: BRANDON ACKLEY
600 UNIVERSITY ST SUITE 902
SEATTLE, WA 98101
Sources/TRSQ40Q160 EFFIES POND > STAG HOLLOW CREEK / 2.00S 4.00W 35 NESW
Use/Quantity IRRIGATION / 9.110 AF
Priority Date 04/26/2021

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 June 25, 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.

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| App# | G-17699 |
| Permit# | 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 |

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 25, 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.”

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|--------------------|---|
| App# | LL-1870 |
| County/Basin | Douglas / Umpqua(16) |
| Applicant Name | ROSEBURG FOREST PRODUCTS PO BOX 1088 ROSEBURG, OR 97470 |
| Sources/TRSQ40Q160 | SOUTH UMPQUA RIVER > UMPQUA RIVER / 28.00S 6.00W 33 SESW COW CREEK > SOUTH UMPQUA RIVER / 30.00S 6.00W 26 SENW GALESVILLE RESERVOIR > UMPQUA RIVER / 31.00S 4.00W 28 SWNE |
| Use/Quantity | INDUSTRIAL USE / 1.860 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 June 01, 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.

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|---------------------|--|
| Lease# | IL-1866 |
| Certificate | 93627, 16900, 93627 |
| County/Basin | Washington / Willamette (2) |
| Lessor | SHEPHERD, GARY METRO 600 NE GRAND AVE PORTLAND, OR 97232 |
| Priority Date | 07/11/1967, 12/15/1944 |
| Source/Tributary To | A RESERVOIR / TUALATIN RIVER TUALATIN RIVER / WILLAMETTE RIVER |
| Lease# | IL-1867 |
| Certificate | 54760, 86543, 51483, 47326, 48403, 48313, 91137 |
| County/Basin | Wallowa / Grande Ronde (8) |
| Lessor | FRASCH, RICHARD LONG OAK LLC, BRANTWOOD LLC, PRAIRIE CREEK HOLDINGS LLC PO BOX 459 ENTERPRISE, OR 97828 |
| Lessor | WALLOWA LAKE IRRIGATION DISTRICT 65196 DOBBIN RD JOSEPH, OR 97846 |
| Lessor | WILLIS, CRAIG ALDER SLOPE DITCH CO PO BOX 264 ENTERPRISE, OR 97828 |
| Priority Date | 01/29/1979, 03/20/1992, 06/11/1963, 03/08/1974, 11/30/1901, 12/31/1893, 12/31/1900 |
| Source/Tributary To | WALLOWA RIVER / GRANDE RONDE RIVER A RESERVOIR / WALLOWA RIVER HURRICANE CREEK / WALLOWA 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 June 10, 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-13686](#)
Water Right Cert: 89615
County/Basin Crook / Deschutes (5)
Applicant Name DICE, DENNIS
PO BOX 1521
PRINEVILLE, OR 97754
Proposed Change PLACE OF USE
Sources/TRSQ40Q160 OCHOCO CREEK > CROOKED RIVER / 14.00S 17.00E 35 SENW
Use/Quantity IRRIGATION / 0.190 CFS
Priority Date 12/31/1880

Transfer [T-13689](#)
Water Right Cert: 53854
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name KITTREDGE PROPERTIES LLC
PO BOX 149
FORT ROCK, OR 97735
Proposed Change POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160 A WELL > FORT ROCK BASIN / 26.00S 15.00E 17 NESE
Use/Quantity IRRIGATION / 3.150 CFS
Priority Date 06/13/1978

Transfer [T-13691](#)
Water Right Cert: 39893
County/Basin Marion / Willamette (2)
Applicant Name BLANCHARD, DAVID
9992 SARATOGA DR NE
SALEM, OR 97305
Proposed Change ADDITIONAL POINT OF APPROPRIATION, USE
Sources/TRSQ40Q160 A WELL > SCISM CREEK / 6.00S 1.00W 18 NWSE
Use/Quantity IRRIGATION / 0.470 CFS
Priority Date 01/03/1966

Transfer [T-13692](#)
Water Right Cert: 36859
County/Basin Curry / South Coast (17)
Applicant Name WEINER, DAVID
23151 LORENTZ RD
PLYMOUTH, CA 95669
Proposed Change PLACE OF USE
Sources/TRSQ40Q160 ELK RIVER > PACIFIC OCEAN / 32.00S 15.00W 21 NENW
Use/Quantity IRRIGATION / 0.600 CFS
Priority Date 04/14/1964

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| <p>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.</p> |
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Transfer [T-13695](#)
Water Right Cert: 16900, 22091, 27473
County/Basin Washington / Willamette (2)
Applicant Name SHEPHERD, GARY
METRO
600 NE GRAND AVE
PORTLAND, OR 97232
Proposed Change POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160 TUALATIN RIVER > WILLAMETTE RIVER / 1.00S 4.00W 25 NWNE
TUALATIN RIVER > WILLAMETTE RIVER / 1.00S 4.00W 25 SWNE
Use/Quantity IRRIGATION / 0.454 CFS
IRRIGATION / 0.360 CFS
IRRIGATION / 0.130 CFS
Priority Date 12/15/1944, 02/18/1953, 04/18/1956

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 June 10, 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-13112](#) filed by Robert W. Gabriel, 8474 Hazelgreen Rd. NE, Silverton, OR 97381, proposes changes in points of diversion and place of use under Certificates 15413 and 54224, and a change in point of appropriation and place of use under Certificate 54225. Certificate 15413 allows the use of 0.11 cubic foot per second (cfs) from the Pudding River in Sects. 30 and 31, T3S, R1E, WM for irrigation in Sects. 30 and 31, T3S, R1E, WM. The applicant proposes to move the points of diversion within Sec. 30, T3S, R1E, WM and to change the place of use to Sec. 30, T3S, R1E, WM. Certificate 54224 allows the use of 0.69 cfs from the Pudding River in Sec. 30, T3S, R1E, WM for irrigation in Sec. 30, T3S, R1E, WM. The applicant proposes to move the point of diversion within Sec. 30, T3S, R1E, WM and to change the place of use to Sec. 30, T3S, R1E, WM. Certificate 54225 allows the use of 1.09 cubic feet per second from a well in Sec. 30, T3S, R1E, WM for irrigation in Sec. 29, T3S, R1E, WM, and supplemental irrigation in Sec. 30, T3S, R1E, WM. The applicant proposes to move the point of appropriation to Sects. 29 and 30, T3S, R1E, WM and to change the place of use to Sec. 30, T3S, R1E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13498](#) filed by Murphy Electric Irrigation, Inc., 8227 New Hope Road, Grants Pass, OR 97527, proposes a change in place of use under Certificate 54510. The right allows the use of 0.018 cubic foot per second from Applegate River in Sec. 21, T37S, R5W, WM, and Sec. 6, T38S, R4W, WM for irrigation in Sec. 19, T37S, R5W, WM. The applicant proposes to change the place of use to Sec. 20, T37S, R5W, WM. The Water Resources Department proposes to deny the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13534](#) filed by Spies Real Estate Group LLC, PO Box 548, Corvallis OR 97339, proposes a change in place of use under Certificate 24311. The right allow the use of 0.02 cubic foot per second from Hammer Creek in Sec. 26, T14S, R6W, WM for irrigation in Sec. 26, T14S, R6W, WM. The applicant proposes to change the place of use to Sec. 26, T14S, R6W, 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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[T-13459](#) filed by Erl McLaughlin, 65708 Sunrise Road, Enterprise, OR 97828, proposes a change in point of diversion and place of use under Certificate 7716, and a change in place of use under Certificates 9045, 9046, 9311, and 48403. Certificate 7716 allows the use of not to exceed 1.5 acre feet per acre during any period of thirty days prior to July 31st of each year, and thereafter not to exceed 1.0 acre foot per acre during the entire remainder of the irrigation season from the Wallowa River in Sec. 31, T2S, R45E, WM, and Sec. 5, T3S, R45E, WM for irrigation in Sec. 29, T2S, R45E, WM. The applicant proposes to move the points of diversion to Sec. 24, T2S, R44E, WM and to change the place of use to Sects. 32 and 33, T1S, R44E, WM. Certificate 9045 allows the use of 0.04 cubic foot per second (cfs) from Hurricane Creek and numerous springs, and spring creeks including Scotch Creek, being all waters of any nature intercepted by canal for irrigation in Sec. 5, T2S, R44E, WM. The applicant proposes to change the place of use to Sec. 33, T1S, R44E, WM. Certificate 9046 allows the use of 0.04 cfs of water from the Wallowa River in Sec. 24, T2S, R44E, WM for supplemental irrigation in Sec. 5, T2S, R44E, WM. The applicant proposes to change the place of use to Sec. 33, T1S, R44E, WM. Certificate 9311 allows the use of 0.13 cfs of water from Eagle Cap Reservoir in Sec. 5, T3S, R45E, WM for supplemental irrigation and domestic in Sec. 29, T2S, R45E, WM. The applicant proposes to change the place of use to Sects. 32 and 33, T1S, R44E, WM. Certificate 48403 allows the use of not to exceed 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season from Hurricane Creek in Sec. 3, T3S, R44E, WM for irrigation in Sec. 5, T2S, R44E, WM. The applicant proposes to change the place of use to Sec. 33, T1S, R44E, 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:

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| Transfer | T-13687 |
| Water Right | Cert: 95358, 95541 CR |
| County/Basin | Marion / Willamette (2) |
| Applicant Name | KUENZI, NELSON 10155 SUNNYVIEW RD NE SALEM, OR 97317 |
| Proposed Change | PLACE OF USE |
| Sources/TRSQ40Q160 | A WELL > BEAVER CREEK BASIN / 7.00S 1.00W 17 SWSE A WELL > PUDDING RIVER BASIN / 7.00S 1.00W 19 NWNE |
| Use/Quantity | IRRIGATION / 0.730 CFS IRRIGATION / 0.340 CFS |
| Priority Date | 02/06/2015, 02/15/1995 |
| Transfer | T-13688 |
| Water Right | Cert: 95641 |
| County/Basin | Marion / Willamette (2) |
| Applicant Name | BUCK, CAM BLUE SKY FARM 21333 FRENCH PRAIRIE RD NE ST PAUL, OR 97137 |
| Proposed Change | PLACE OF USE |
| Sources/TRSQ40Q160 | A WELL > CHAMPOEG CREEK BASIN / 5.00S 2.00W 10 NENW |
| Use/Quantity | NURSERY USES / 1.810 CFS |
| Priority Date | 12/17/1998 |
| Transfer | T-13696 |
| Water Right | Cert: 7716, 48313 (T-2813) |
| County/Basin | Wallowa / Grande Ronde (8) |
| Applicant Name | FRASCH, RICHARD LONG OAK LLC, BRANTWOOD LLC, PRAIRIE CREEK HOLDINGS LLC PO BOX 459 ENTERPRISE, OR 97828 |
| Proposed Change | POINT OF DIVERSION, PLACE OF USE |
| Sources/TRSQ40Q160 | WALLOWA RIVER > GRANDE RONDE RIVER / 2.00S 45.00E 31 NENE WALLOWA RIVER > GRANDE RONDE RIVER / 3.00S 45.00E 5 NENW |
| Use/Quantity | DOMESTIC / 30.000 CFS IRRIGATION / 50.149 CFS |
| Priority Date | 02/28/1884, 12/31/1893 |

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 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.

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| Transfer | T-13694 |
| Water Right | Cert: 66876 |
| County/Basin | Jackson / Klamath (14) |
| Applicant Name | DUBIEL, STEFAN NATIONAL CITY, CA 91950 |
| Proposed Change | PLACE OF USE |
| Sources/TRSQ40Q160 | A SPRING > FALL CREEK / 41.00S 4.00E 2 SENW UNNAMED STREAM > FALL CREEK / 41.00S 4.00E 2 SENW |
| Use/Quantity | IRRIGATION / 0.5000 CFS |
| Priority Date | 07/07/1975 |

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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 June 10, 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.

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| Transfer | T-13693 |
| Water Right | Claim: GR-2289 |
| County/Basin | Linn / Willamette (2) |
| Applicant Name | CASE FAMILY LLC 33010 DEVER CONNER RD NE ALBANY, OR 97321 |
| Proposed Change | ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE, USE |
| Sources/TRSQ40Q160 | WELL 4 > CROOKS CREEK / 10.00S 3.00W 8 SWNE |
| Use/Quantity | IRRIGATION / 0.446 CFS |
| Priority Date | 12/31/1951 |

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Renewal of Aquifer Storage and Recovery (ASR) Limited Licenses

ASR means the storage of water from a separate source that meets drinking water standards in a suitable aquifer for later recovery and not having as one of its primary purposes the restoration of the aquifer (ORS 537.531). The use of water for ASR testing purposes requires a limited license pursuant to ORS 537.534. The requirements and procedures of an ASR limited license are different than those for limited licenses pursuant to ORS 537.143. Only after completion of an ASR testing program under a limited license may an applicant apply for a permanent ASR permit. The appearance of a renewal request in the public notice commences a 30-day public comment period. Following the public comment period, the Department may request additional information regarding the renewal request, renew the limited license, renew the limited license with additional conditions, or deny the request.

An ASR Limited License may be renewed if the applicant demonstrates to the Director's satisfaction that further testing is necessary and that the applicant complied with the terms of the limited license. The standards, findings and process used in the license renewal process shall be as provided in OAR 690-350-0020. The Director may renew an ASR Limited License for a term of not more than 5 years.

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| Application Certificate | ASR Limited License-005 Renewal |
| County/Basin | ORS 538.420; Permits S-32410, S-37839; Certificates 78332, 85913 |
| Applicant | Washington / Willamette City of Tigard, c/o Rob Murchison 13125 SW Hall Blvd. Tigard, OR 97223 |
| Source/TRS | Bull Run River > Sandy River / 1.00S 5.00W 25 Tualatin River > Willamette River / 1.00S 3.00E 8 Clackamas River > Willamette River / 2.00S 2.00E 20 |
| Use/Quantity | Aquifer Storage and Recovery Testing / 9 CFS |
| ASR Well Locations | ASR 1 (WASH 58003) 1,550 feet South, 50 feet West from NW corner of Section 11 ASR 2 (WASH 61622) 1,725 feet South, 25 feet East from NW corner of Section 10 ASR 3 (WASH 66115) 1,770 feet South, 1,500 feet West from NE corner of Section 9 ASR 4 (proposed) 25 feet South, 500 feet East from NW corner of SW quarter of Section 10 ASR 5 (proposed) 770 feet North, 1,870 feet West from SE corner of Section |
| Max Injection/Withdrawal | 1750 GPM / 1750 GPM THROUGH 5 WELL(S) |
| Max Storage Volume | 500 MILLION GALLONS IN A BASALT AQUIFER |

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OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

May 11, 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)*

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Your Name, Address, and Phone Number:

* We are required by law to charge a fee of \$30 to mail a copy of proposed and final orders on a pending permit or permit extension applications to any interested person. Please include a check made out to the Oregon Water Resources Department in the amount of \$30 for each type of order you would like mailed to you. This fee entitles you to also receive a copy of the final order, when issued. Copies of proposed and final orders are also available for viewing (at no charge) at our Salem office, at the local watermaster office, or online.

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