

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
May 25, 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.
- * **Establishment of Mitigation Credits in the Deschutes Basin pursuant to OAR Chapter 690, Division 521 (ORS 537.746)**
- * **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.

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 Transfers**
Requests to temporarily change place of use and, if necessary to convey the water to the new place of use, to temporarily change the point of diversion or appropriation.
- * **Transfer Applications: District Temporary - ORS 540.570**
Petitions requesting temporary changes in water use within a district's boundary for one irrigation season.
- * **Water Management and Conservation Plans**
Water management and conservation plans submitted by municipalities and agricultural water suppliers under provisions of OAR Chapter 690, Division 86.

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.

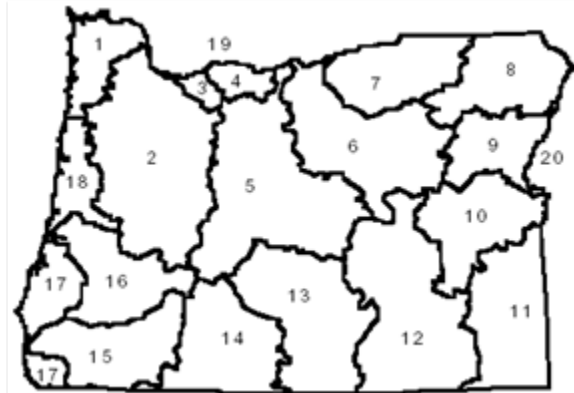
IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified.

How to Read the Listing

App#:

- G: Groundwater
- R: Reservoir
- S: Surface water
- I: Instream
- T: Transfer
- LL: Limited License

County/Basin (See Map)



- Applicant Name**
- Applicant Address**
- Sources/TRSQ40Q160**
- Use/Quantity**

- Unit of measure:
- CFS: Cubic feet per second
 - GPM: Gallons per minute
 - AF: Acre-feet

| 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 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 24, 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, July 09, 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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| <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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Initial Review and Proposed Final Orders

App# [G-18775](#)
County/Basin Benton / Willamette (2)
Applicant Name SCENIC WOODS LLC
C/O CHRIS SCARIANO
840 SCENIC WOOD PLACE NW
ALBANY, OR 97321
Sources/TRSQ40Q160 A WELL > BOWERS SLOUGH BASIN / 11.00S 4.00W 2 NWNW
Use/Quantity IRRIGATION / 0.560 CFS
Priority Date 01/09/2019
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18876](#)
County/Basin Clackamas / Willamette (2)
Applicant Name SHARABARIN, MARINA
6363 S ZIMMERMAN RD
AURORA, OR 97002
Sources/TRSQ40Q160 A WELL > GRIBBLE CREEK BASIN / 4.00S 1.00E 26 NESE
Use/Quantity IRRIGATION / 0.260 CFS
Priority Date 11/08/2019
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18906](#)
County/Basin Clackamas / Willamette (2)
Applicant Name GEORGE SCHEER FARM
BAKER, KENNETH A.
26748 S ELISHA RD
CANBY, OR 97013
Sources/TRSQ40Q160 A WELL > MOLALLA RIVER BASIN / 4.00S 1.00E 13 SWSW
A WELL > MOLALLA RIVER BASIN / 4.00S 1.00E 13 NWSW
A WELL > MOLALLA RIVER BASIN / 4.00S 1.00E 13 NWSW
Use/Quantity IRRIGATION / 0.889 CFS
Priority Date 01/23/2020
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18980](#)
County/Basin Deschutes / Deschutes (5)
Applicant Name OREGON STATE UNIVERSITY-CASCADES
PENTTILA, JARROD
1500 SW CHANDLER AVE
BEND, OR 97702
Sources/TRSQ40Q160 A WELL > DESCHUTES RIVER BASIN / 18.00S 12.00E 6 SENW
A WELL > DESCHUTES RIVER BASIN / 18.00S 12.00E 6 NESW
GEO-THERMAL (ENERGY PRODUCTION) / 2.230 CFS
Priority Date 05/12/2020
Stage/Status PFO / PROPOSE TO APPROVE

App# [S-88893](#)
County/Basin Douglas / Umpqua (16)
Applicant Name KIMOTO, LANI K.
198 HIDDEN VALLEY LANE
ROSEBURG, OR 97471
Sources/TRSQ40Q160 NORTH UMPQUA RIVER > UMPQUA RIVER / 26.00S 6.00W 23 SWNW
Use/Quantity DOMESTIC EXPANDED / 0.010 CFS
Priority Date 11/05/2020
Stage/Status PFO / PROPOSE TO APPROVE

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-88896](#)
County/Basin Douglas / Umpqua (16)
Applicant Name GLEN WRIGHT 1995 IRREVOCABLE LIVING TRUST
C/O MARK WRIGHT
6856 CASUAL COURT
SAN JOSE, CA 95120
Sources/TRSQ40Q160 A SPRING > NORTH FORK DEER CREEK / 27.00S 4.00W 22 SENW
Use/Quantity DOMESTIC EXPANDED / 0.005 CFS
Priority Date 11/16/2020
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18911](#)
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name FITZGERALD RANCHES INC.
FITZGERALD, ELEANOR
28975 HOGBACK RD
PLUSH, OR 97637
Sources/TRSQ40Q160 A WELL > HART LAKE / 36.00S 24.00E 17 NESE
Use/Quantity IRRIGATION / 2.010 CFS
Priority Date 02/12/2020
Stage/Status IR / PROPOSE TO APPROVE

App# [G-19057](#)
County/Basin Benton / Willamette (2)
Applicant Name LOVE AND GRACE FARMS
POWELL, BRENDA N.
BROWN, MITCHELL D.
5478 NE HWY 20
CORVALLIS, OR 97330
Sources/TRSQ40Q160 A WELL > WILLAMETTE RIVER / 11.00S 4.00W 8 NWSW
Use/Quantity NURSERY USES / 0.093 CFS
Priority Date 02/01/2021
Stage/Status IR / PROPOSE TO APPROVE

App# [S-89096](#)
County/Basin Linn / Willamette (2)
Applicant Name STELLMACHER FAMILY PROPERTIES LLC
30416 STELLMACHER DR SW
ALBANY, OR 97321
Sources/TRSQ40Q160 CALAPOOIA RIVER > WILLAMETTE RIVER / 12.00S 4.00W 3 NENE
A RESERVOIR > WILLAMETTE RIVER / 12.00S 4.00W 3 NESE
Use/Quantity IRRIGATION / 0.740 CFS
SUPPLEMENTAL IRRIGATION / 60.000 AF
Priority Date 04/08/2021
Stage/Status IR / PROPOSE TO APPROVE

App# [S-89097](#)
County/Basin Curry / South Coast (17)
Applicant Name RYDER, GREGORY T.
93596 CHINA MOUNTAIN RD
PORT ORFORD, OR 97465
Sources/TRSQ40Q160 AN UNNAMED SPRING > HUBBARD CREEK / 33.00S 15.00W 10 SWNE
Use/Quantity DOMESTIC EXPANDED / 0.010 CFS
Priority Date 04/12/2021
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-19081](#)
County/Basin Klamath / Klamath(14)
Applicant Name PINE GROVE IRRIGATION DISTRICT
MCCABE, DOUG
10642 HWY 140 E
KLAMATH FALLS, OR 97603
Priority Date 04/05/2021
Issue Date 05/14/2021
Status APPROVED

App# [G-19082](#)
County/Basin Klamath / Klamath (14)
Applicant Name PATZKE, ANNIE
11775 CRYSTAL SPRINGS
KLAMATH FALLS, OR 97603
Priority Date 04/07/2021
Issue Date 05/14/2021
Status APPROVED

App# [G-19091](#)
County/Basin Klamath / Klamath (14)
Applicant Name KNOLL, BARRON AND KRISTEN
10227 CRYSTAL SPRINGS RD
KLAMATH FALLS, OR 97603
Priority Date 04/12/2021
Issue Date 05/14/2021
Status APPROVED

App# [G-19092](#)
County/Basin Klamath / Klamath (14)
Applicant Name MCPHERSON, JANI K.
13555 TINGLEY LANE
KLAMATH FALLS, OR 97603
Priority Date 04/12/2021
Issue Date 05/14/2021
Status APPROVED

App# [G-19095](#)
County/Basin Klamath / Klamath (14)
Applicant Name TWELVE KS CATTLE LLC
10227 CRYSTAL SPRINGS RD
KLAMATH FALLS, OR 97603
Priority Date 04/12/2021
Issue Date 05/21/2021
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# [G-19098](#)
County/Basin Klamath / Klamath (14)
Applicant Name HAMEL, RYAN
18181 CHIN RD
KLAMATH FALLS, OR 97603
Priority Date 04/12/2021
Issue Date 05/14/2021
Status APPROVED

App# [G-19103](#)
County/Basin Klamath / Klamath (14)
Applicant Name BAKER, JACK
9375 HWY 39
KLAMATH FALLS, OR 97603
Priority Date 04/13/2021
Issue Date 05/14/2021
Status APPROVED

App# [G-19104](#)
County/Basin Klamath / Klamath (14)
Applicant Name CHEYNE BROTHERS LLC
1649 DEPOT RD
MALIN, OR 97623
Priority Date 04/14/2021
Issue Date 05/21/2021
Status APPROVED

App# [G-19106](#)
County/Basin Klamath / Klamath (14)
Applicant Name KLAMATH BASIN RESEARCH AND EXTENSION CENTER
6941 WASHBURN WAY
KLAMATH FALLS, OR 97603
Priority Date 04/13/2021
Issue Date 05/14/2021
Status APPROVED

App# [G-19107](#)
County/Basin Klamath / Klamath (14)
Applicant Name BAIR, WILLIAM
7751 DEHLINGER
KLAMATH FALLS, OR 97603
Priority Date 04/16/2021
Issue Date 05/14/2021
Status APPROVED

App# [G-19108](#)
County/Basin Klamath / Klamath (14)
Applicant Name KERNS, E G.
MULLIS, CURT
11120 HWY 66
KLAMATH FALLS, OR 97601
KERNS, E G.
11821 HWY 66
KLAMATH FALLS, OR 97601
Priority Date 04/16/2021
Issue Date 05/25/2021
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# [G-19109](#)
County/Basin Klamath / Klamath (14)
Applicant Name WRIGHT FAMILY FARM
WRIGHT, ROY
PO BOX 447
MALIN, OR 97632
Priority Date 04/20/2021
Issue Date 05/18/2021
Status APPROVED

App# [G-19110](#)
County/Basin Klamath / Klamath (14)
Applicant Name BAIR FARMS
BAIR, ANTHONY
9831 SPRINGLAKE RD
KLAMATH FALLS, OR 97603
Priority Date 04/19/2021
Issue Date 05/21/2021
Status APPROVED

App# [G-19111](#)
County/Basin Klamath / Klamath (14)
Applicant Name HYNES, DENNIS
3939 S 6TH ST 301
KLAMATH FALLS, OR 97603
Priority Date 04/30/2021
Issue Date 05/21/2021
Status APPROVED

App# [G-19114](#)
County/Basin Klamath / Klamath (14)
Applicant Name PARKER, DOUG AND JUDY
4582 FRESHWATER RD
WILLIAMS, CA 95987
Priority Date 04/20/2021
Issue Date 05/21/2021
Status APPROVED

App# [G-19115](#)
County/Basin Klamath / Klamath (14)
Applicant Name HAGERTY FARMS LLC
HAGERTY, CLAUDE AND MARILYN
28605 TRANSFORMER RD
MALIN, OR 97632
Priority Date 04/23/2021
Issue Date 05/21/2021
Status APPROVED

App# [G-19117](#)
County/Basin Klamath / Klamath (14)
Applicant Name STURM, ERIC
21791 MORELOCK RD
MALIN, OR 97632
Priority Date 04/23/2021
Issue Date 05/14/2021
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# [G-19118](#)
County/Basin Klamath / Klamath (14)
Applicant Name HORSLEY, LUTHER
PO BOX 209
MIDLAND, OR 97634
Priority Date 04/26/2021
Issue Date 05/16/2021
Status APPROVED

App# [G-19119](#)
County/Basin Klamath / Klamath (14)
Applicant Name BOSHUIZEN, GERRIT
18191 HWY 39
KLAMATH FALLS, OR 97603
Priority Date 04/26/2021
Issue Date 05/14/2021
Status APPROVED

App# [G-19120](#)
County/Basin Klamath / Klamath (14)
Applicant Name MALIN IRRIGATION DISTRICT
GROUNDS, NICK
PO BOX 355
MALIN, OR 97632
Priority Date 04/26/2021
Issue Date 05/18/2021
Status APPROVED

App# [G-19122](#)
County/Basin Klamath / Klamath (14)
Applicant Name HADLEY MCCORMICK IRRIGATION DISTRICT
HILL, CLAYTON
PO BOX D
MERRILL, OR 97633
Priority Date 04/26/2021
Issue Date 05/21/2021
Status APPROVED

App# [R-88845](#)
County/Basin Douglas / Umpqua (16)
Applicant Name GREEN, TERENCE
2336 RICHARDSONS RD
MYRTLE CREEK, OR 97457
Priority Date 07/17/2020
Issue Date 05/21/2021
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 24, 2021.

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| App# | R-89110 |
| County/Basin | Deschutes / Deschutes (5) |
| Applicant Name | BULL SPRINGS RANCH LLC ATTN: TODD TAYLOR 18525 BULL SPRINGS RD BEND, OR 97703 |
| Sources/TRSQ40Q160 | A WELL > TUMALO CREEK / 17.00S 11.00E 22 NESW A WELL > TUMALO CREEK / 17.00S 11.00E 22 SESW |
| Use/Quantity | MULTIPLE PURPOSE / 9.000 AF |
| Priority Date | 05/14/2021 |

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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 24, 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-89106](#)
County/Basin Polk / Willamette (2)
Applicant Name CROWE FARMS, LLC
ATTN: STEVE CROWE
17200 PLEASANT HILL RD
SHERIDAN, OR 97378
Sources/TRSQ40Q160 A RESERVOIR > UNNAMED STREAM / 6.00S 6.00W 11 SESW
A RESERVOIR > UNNAMED STREAM / 6.00S 6.00W 14 NWNW
Use/Quantity IRRIGATION / 5.000 AF
IRRIGATION / 20.500 AF
Priority Date 05/10/2021

App# [S-89107](#)
County/Basin Linn / Willamette (2)
Applicant Name DEMERGASSO FAMILY OREGON FARM TRUST
30946 WYATT DR
HARRISBURG, OR 97446
Sources/TRSQ40Q160 CURTIS SLOUGH > COLUMBIA RIVER / 15.00S 4.00W 27 NENW
DORENA RESERVOIR > ROW RIVER / 20.00S 2.00W 32 NWSE
COUGAR RESERVOIR > S FORK MCKENZIE RIVER / 16.00S 5.00E 31 SESE
HILLS CREEK RES > MIDDLE FORK WILLAMETTE RIVER / 21.00S 3.00E 35 NENW
BLUE RIVER RES > BLUE RIVER / 16.00S 4.00E 16 SESE
COTTAGE GROVE RES > CENTER FORK WILLAMETTE RIVER / 21.00S 3.00W 28 SENE
LOOKOUT POINT RES > MIDDLE FORK WILLAMETTE RIVER / 19.00S 1.00W 13 NWSE
FALL CREEK RES > FALL CREEK / 19.00S 1.00W 1 NESW
Use/Quantity IRRIGATION / 454.749 AF
Priority Date 05/17/2021

App# [S-89109](#)
County/Basin Polk / Willamette (2)
Applicant Name ATTHEJOY LLC
LYTLE, ANDY
1213 38TH AVE E
SEATTLE, WA 98112
Sources/TRSQ40Q160 A RESERVOIR > ASH SWALE / 6.00S 4.00W 22 NWSW
Use/Quantity IRRIGATION / 27.000 AF
Priority Date 05/13/2021

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.

Establishment of Mitigation Credits in the Deschutes Basin

ORS 537.746 authorizes the Department to award mitigation credits in the Deschutes Basin to approved mitigation projects. Mitigation credits may be used in the Deschutes Basin, specifically the Deschutes Ground Water Study Area, to mitigate for the impacts of ground water use on surface water flows. Pursuant to OAR Chapter 690, Division 521, upon receipt of notification of a mitigation project, the Department shall give public notice of the intent to establish mitigation credits.

The public is invited to comment on establishment of mitigation credits for the project(s) described below. Comments must be received within 21 days of the date of this public notice. Comments should address the award of mitigation credits to the proposed project and its use for mitigation purposes. Included in this public notice is a preliminary determination as to the amount of mitigation credits that may be available from the proposed project.

Mitigation Project #: MP-275, Deschutes County

Project Applicant: Deschutes River Conservancy Mitigation Bank and Three Sisters Irrigation District on behalf of several landowners

Mitigation Project And Process: Instream Lease IL-1872 - see also instream lease section of this notice for additional application details

Subbasin/Source: Whychus Creek subbasin – Whychus Creek, tributary to the Deschutes River

Amount of Water: Certificate 74135 up to 3.301 Cubic Foot per Second and 707.14 Acre-Feet for mitigation
Certificate 74135 up to 0.136 Cubic Foot per Second and 29.03 Acre-Feet for restoration only
Certificate 74135 up to 0.014 Cubic Foot per Second and 3.00 Acre-Feet

Current Use: Certificate 74135 Irrigation of 235.79 acres for mitigation
Certificate 74135 Irrigation of 9.68 acres for restoration
Certificate 74135 pond maintenance of 1.0 acre equivalent for restoration
Certificate 93680 Irrigation of 49.1 acres for mitigation

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation Credit Determination: 512.8 mitigation credits that may be available for use in the Whychus Creek and/or General Zones of Impact

Contact: Sarah Henderson (503) 979-9872

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 July 09, 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.

1.) OAR-690-315

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|------------------------------------|---|
| App# | G-12421 |
| Permit# | G-11578 |
| County/Basin | Deschutes / Deschutes (5) |
| Applicant Name | WILDHORSE MEADOWS LLC 16900 ASPEN LAKES DR SISTERS, OR 97759 |
| Sources/TRSQ40Q160 Use/Quantity | WELL 5 > SQUAW CREEK / 15.00S 10.00E 1 SESW AESTHETICS / 3.409 CFS |
| App# | G-17855 |
| Permit# | G-17368 |
| County/Basin | Clackamas / Sandy (3) |
| Applicant Name | GAGNON, STEVEN AND PAULA 3014 NE 36TH AVE PORTLAND, OR 97212 |
| Sources/TRSQ40Q160 Use/Quantity | SCRUMPY FARM 46710 SE JADRNY RD SANDY, OR 97055 A WELL > SOUTH FORK BEAVER CREEK / 2.00S 5.00E 34 NESW IRRIGATION / 0.034 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.

App# G-17093
Permit# [G-17587](#)
County/Basin Deschutes / Deschutes (5)
Applicant Name BULLSPRINGS RANCH LLC
18500 BULLSPRINGS RD
BEND, OR 97703
Sources/TRSQ40Q160 A WELL > TUMALO CREEK BASIN / 17.00S 11.00E 22 NESW
A WELL > TUMALO CREEK BASIN / 17.00S 11.00E 22 SESW
Use/Quantity IRRIGATION / 0.240 CFS

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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 June 08, 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-1872 |
| County/Basin | Deschutes / Deschutes (5) |
| Applicant Name | AVION WATER CO. INC. ATTN: JASON WICK 60813 PARRELL RD BEND, OR 97702 |
| Sources/TRSQ40Q160 | A WELL > WHYCHUS CREEK / 14.00S 11.00E 17 SWSW |
| Use/Quantity | QUASI-MUNICIPAL USES / 0.669 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 15, 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# | SL 58 |
| County/Basin | Wallowa / Grande Ronde (8) |
| Certificate | 95217, 94779, 94781, 95648 |
| Lessor | JOHNSTON, PERRY 81703 HWY 82 WALLOWA, OR 97885 |
| Lessor | BAKER, BOBBIE 81705 HWY 82 WALLOWA, OR 97885 |
| Lessor | BAKER, KENNETH M. 81705 HWY 82 WALLOWA, OR 97885 |
| Lessee | HUMPHREYS, JESSICA TROUT UNLIMITED 401 NE 1ST ST ENTERPRISE, OR 97828 |
| Priority Date | 12/31/1882, 12/31/1883 |
| Source/Tributary To | LOSTINE RIVER / WALLOWA RIVER |
| Lease# | SL 59 |
| County/Basin | Wallowa / Grande Ronde (8) |
| Certificate | 3162 |
| Lessor | MCCULLOCH, JEREMY ROCKING M CATTLE COMPANY 70208 WARNOCK RD WALLOWA, OR 97885 |
| Lessee | HUMPHREYS, JESSICA TROUT UNLIMITED 401 NE 1ST ST ENTERPRISE, OR 97828 |
| Priority Date | 12/31/1883 |
| Source/Tributary To | UNNAMED STREAM / WALLOWA RIVER |

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Lease# [IL 1871](#)
County/Basin Wallowa / Grande Ronde (8)
Certificate 53267, 3009, 7716, 48313, 91137
Lessor WALLOWA LAKE IRRIGATION DISTRICT
65196 DOBBIN RD
JOSEPH, OR 97846
Priority Date 11/04/1974, 08/10/1900, 02/28/1884, 12/31/1893, 12/31/1900
Source/Tributary To UNNAMED STREAM / PRAIRIE CREEK
WALLOWA RIVER / GRANDE RONDE RIVER

Lease# [IL 1872](#)
County/Basin Deschutes, Jefferson / Deschutes (5)
Certificate 74135
Lessor THREE SISTERS IRRIGATION DISTRICT
PO BOX 2230
SISTERS, OR 97759
Lessee HUBERT, GENEVIEVE
DESCHUTES RIVER CONSERVANCY MITIGATION BANK
700 NW HILL ST STE 1
BEND, OR 97703
Priority Date 12/31/1869, 12/31/1895
Source/Tributary To WHYCHUS CREEK / DESCHUTES RIVER

Lease# [IL 1873](#)
County/Basin Deschutes, Jefferson / Deschutes (5)
Certificate 74135, 93689, 93690, 93692
Lessor THREE SISTERS IRRIGATION DISTRICT
PO BOX 2230
SISTERS, OR 97759
Lessee HUBERT, GENEVIEVE
DESCHUTES RIVER CONSERVANCY
700 NW HILL ST STE #1
BEND, OR 97703
Priority Date 12/31/1908, 10/07/1912, 12/31/1895, 12/31/1899, 12/31/1903, 12/31/1904
Source/Tributary To WHYCHUS CREEK / DESCHUTES RIVER

Lease# [IL 1874](#)
County/Basin Deschutes, Klamath / Deschutes (5)
Certificate 90239
Lessor DELASHMUTT, KAMERON
PINNACLE UTILITIES, LLC
2447 NW CANYON DR
REDMOND, OR 97756
Priority Date 12/31/1897
Source/Tributary To LITTLE DESCHUTES RIVER / DESCHUTES 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.

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 24, 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.

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|--------------------|---|
| Transfer | T 13655 |
| Water Right | Cert: 33136, Cert: 39030, Cert: 86775 |
| County/Basin | Clatsop / North Coast (1) |
| Applicant Name | GIBSON, RICHARD CANNON VIEW PARK, INC 80478 CARNAHAN RD ARCH CAPE, OR 97102 |
| Proposed Change | PLACE OF USE, USE |
| Sources/TRSQ40Q160 | A SPRING > AUSTIN CREEK / 4.00N 10.00W 19 NENW A SPRING > UNNAMED STREAM / 4.00N 10.00W 19 NENW |
| Use/Quantity | DOMESTIC / 0.060 CFS DOMESTIC / 0.020 CFS DOMESTIC / 0.010 CFS |
| Priority Date | 08/21/1946, 07/06/1962, 12/14/1992 |
| Transfer | T 13704 |
| Water Right | Cert: 45075 |
| County/Basin | Linn, Marion / Willamette (2) |
| Applicant Name | FERY, BRENDA PO BOX 361 STAYTON, OR 97383 |
| Proposed Change | POINT OF DIVERSION, POINT OF DIVERSION, SURFACE WATER TO GROUND WATER |
| Sources/TRSQ40Q160 | A RESERVOIR > NORTH SANTIAM RIVER / 9.00S 1.00W 16 NWSE DETROIT RESERVOIR > NORTH SANTIAM RIVER / 10.00S 5.00E 7 SENW NORTH SANTIAM RIVER > SANTIAM RIVER / 9.00S 1.00W 16 NWSE |
| Use/Quantity | IRRIGATION / 2.700 CFS |
| Priority Date | 01/31/1975 |
| Transfer | T 13705 |
| Water Right | Cert: 57771 |
| County/Basin | Marion / Willamette (2) |
| Applicant Name | MCKAY, MARK 5057 BROOKLAKE RD NE SALEM, OR 97305 |
| Proposed Change | POINT OF APPROPRIATION |
| Sources/TRSQ40Q160 | WELL 2 > EAST CHAMPOEG CREEK / 5.00S 2.00W 21 NWNW |
| Use/Quantity | IRRIGATION / 1.620 CFS |
| Priority Date | 01/09/1975 |

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 [T 13706](#)
Water Right Cert: 75769
County/Basin Clackamas / Willamette (2)
Applicant Name WEBER, JOE
PO BOX 1229
MOLALLA, OR 97038
Proposed Change POINT OF APPROPRIATION
Sources/TRSQ40Q160 A WELL > MOLALLA RIVER / 5.00S 2.00E 7 NESW
Use/Quantity IRRIGATION / 1.098 CFS
Priority Date 06/08/1965

Transfer [T 13707](#)
Water Right Cert: 9638, 9648
County/Basin Douglas, Josephine / Umpqua (16)
Applicant Name OWENS, MARIAN
MARIAN M OWENS IRREVOCABLE TRUST
6523 AZALEA GLEN RD
GLENDALE, OR 97442
Proposed Change ADDITIONAL POINT OF DIVERSION
Sources/TRSQ40Q160 COW CREEK > SOUTH UMPQUA RIVER
COW CREEK > SOUTH UMPQUA RIVER
Use/Quantity IRRIGATION / 0.523 CFS
IRRIGATION / 0.857 CFS
Priority Date 09/30/1901

Transfer [T 13715](#)
Water Right Cert: 89306
County/Basin Harney / Malheur Lake (12)
Applicant Name BEAUBIEN, KURT ELDON
32553 AIRPORT LN
BURNS, OR 97720
Proposed Change ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160 A WELL > POISON CREEK SLOUGH / 23.00S 31.00E 11 SWSE
Use/Quantity IRRIGATION / 0.995 CFS
Priority Date 04/20/1956

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 24, 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-13497](#) filed by Bailey Nurseries Inc., Jon Estes, PO Box 398, Dayton, OR 97114, proposes an additional point of appropriation under Certificate 94391. The right allows the use of 48.0 acre-feet stored water only from Willamette River Basin Project Reservoir in Sec. 4, T6S, R3W, WM for irrigation in Sec. 8, T5S, R3W, WM. The applicant proposes an additional point of diversion in Sec. 10, T5S, R3W, 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-13701 |
| Water Right | Cert: 91508 |
| County/Basin | Lane / Willamette (2) |
| Applicant Name | STEYAERT, JEFF KNIFE RIVER CORP. 32260 OLD HWY 34 TANGENT, OR 97389 |
| Proposed Change | POINT OF DIVERSION, PLACE OF USE |
| Sources/TRSQ40Q160 | MIDDLE FORK WILLAMETTE RIVER > WILLAMETTE RIVER / 18.00S 2.00W 8 NWNE MILL RACE > MIDDLE FORK WILLAMETTE RIVER / 18.00S 3.00W 1 NENW |
| Use/Quantity | INDUSTRIAL/MANUFACTURING USES/MINING / 1.300 CFS |
| Priority Date | 10/16/1963 |
| Transfer | T-13703 |
| Water Right | Cert: 94958 |
| County/Basin | Deschutes / Deschutes (5) |
| Applicant Name | DELASHMUTT, KAMERON PINNACLE UTILITIES, LLC 2447 NW CANYON DR REDMOND, OR 97756 |
| Proposed Change | POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE |
| Sources/TRSQ40Q160 | A WELL > DESCHUTES BASIN / 17.00S 11.00E 35 NWSE |
| Use/Quantity | QUASI-MUNICIPAL USES / 0.780 CFS |
| Priority Date | 01/30/1995 |

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 June 24, 2021.**

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

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|---------------|-----------------------------------|
| Transfer | T-13709 |
| County | Hood River |
| Certificate | 92000 |
| Priority Date | NOVEMBER 25, 1895 |
| Name | EAST FORK IRRIGATION DISTRICT |
| Address | PO BOX 162 ODELL, OR 97044 |
| Use | IRRIGATION |
| Source | EAST FORK HOOD RIVER > HOOD 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.

Water Management and Conservation Plans

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

Any person may review and comment on a draft plan on or before June 24, 2021.

The plans may be viewed electronically at [WMCP Public Notice](#). Comments should focus on elements in the draft that do not meet the requirements of OAR Chapter 690, Division 086 and should include suggestions on how to bring the draft into compliance with the rules.

Plans have been submitted by the following agricultural and municipal water suppliers:

Canby Utility (Municipal)

To review any of the above plan(s) or to provide comments on the plan(s), contact Kerri Cope at 503-979-9544 or Kerri.H.Cope@oregon.gov.

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OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
May 25, 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.

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.