# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A Salem OR 97301

### PUBLIC NOTICE OF WATER USE REQUESTS June 15, 2021

This notice is also available on our web page at the following address: <u>http://apps.wrd.state.or.us/apps/misc/wrd\_notice\_view/?notice\_id=21</u>

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

\* **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders** Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.

### \* Alternate Reservoir Applications (ORS 537.409)

Applications for storage permits for small ponds filed under a simplified review process.

- \* Applications for Extensions of Time to Perfect Water Right Permits New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- \* 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.

### \* 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 Notice: District Permanent Transfers for Place of Use- ORS 540.580(4)** District notices filed for place of use changes within a district's boundary.

### \* 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.

### \* Water Management and Conservation Plan Progress Reports Water management and conservation plan progress reports submitted by municipalities under provisions of OAR Chapter 690, Division 86.

### \* Certificate Issuance

Included in this section is a listing of recently issued water right certificates.

The Public Notice is published each week on the Department's web site at <u>www.oregon.gov/OWRD</u>. If you would like to receive a *free* weekly notification when it is published, please send your request to Tonya.L.Miller@oregon.gov

# How to Read the Listing

### App#:

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

### County/Basin (See Map)

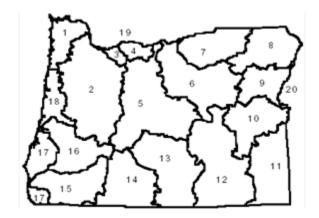
### Applicant Name Applicant Address Sources/TRSQ40Q160 Use/Ouantity

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:

3. Sandy

4. Hood

- 1. North Coast
- 2. Willamette 9. Powder
  - 10. Malheur

14. Klamath

8. Grande Ronde

13. Goose/Summer L

- 11. Owyhee
- 5. Deschutes 12. Malheur L.
- 6. John Day
- 7. Umatilla
- 7. Omatina

# Commonly used "Type of Use" abbreviations (for definitions, consult Oregon Administrative Rules 690-300):

AG: Agriculture Cranberry uses CR: Commercial CM: DI, DN: Domestic including non-commercial lawn & garden DO: Domestic DS: Domestic & stock FI: Fish Fire protection FP: FW: Fish & wildlife

GD: Group domestic

Groundwater recharge GR: GT: Geothermal ID: Irrigation with domestic PA: Irrigation with livestock IL: Industrial or manufacturing IM: IR: Irrigation Irrigation, supplemental IS: LV: Livestock TC: Livestock & wildlife LW: WI: MI: Mining

- 15. Rogue
- 16. Umpqua
- 17. S. Coast
- 18. Mid-Coast 19. Columbia
- 19. Columbia
- 20. Snake
- MU:MunicipalNU:Nursery usePA:Pollution abatementPW:PowerQM:Quasi-municipalRC:RecreationRW:Road constructionTC:Temperature controlWI:Wildlife

# **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, July 15, 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: <u>http://apps.wrd.state.or.us/apps/wr/wrinfo/</u>. 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 30, 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.

### **Initial Review and Proposed Final Orders**

App#	G-18529
County/Basin	Josephine / Rogue (15)
Applicant Name	POPPE, STEPHEN E.
	PO BOX 310
	GRANTS PASS, OR 97528-0024
Sources/TRSQ40Q160	A WELL > BREAKDOWN CREEK BASIN / 34.00S 6.00W 3
Use/Quantity	NURSERY USES / 0.019 CFS
Priority Date	06/21/2017
Stage/Status	PFO / PROPOSE TO APPROVE
2	

App# County/Basin Applicant Name

Sources/TRSQ40Q160 Use/Quantity Priority Date Stage/Status

App# County/Basin Applicant Name

Sources/TRSQ40Q160 Use/Quantity Priority Date Stage/Status

App# County/Basin Applicant Name

Sources/TRSQ40Q160 Use/Quantity Priority Date Stage/Status

App# County/Basin Applicant Name

Sources/TRSQ40Q160 Use/Quantity Priority Date Stage/Status A WELL > BREAKDOWN CREEK BASIN / 34.00S 6.00W 35 NENE NURSERY USES / 0.019 CFS 06/21/2017 PFO / PROPOSE TO APPROVE G-18855 Clackamas / Willamette (2) SIRI AND SON FARMS C/O JOSEPH AND ALMA SIRI

SIRI AND SON FARMS C/O JOSEPH AND ALMA SIRI 21763 FRENCH PRAIRIE RD NE SAINT PAUL, OR 97137 A WELL > WILLAMETTE RIVER BASIN / 3.00S 1.00E 19 SENW NURSERY USES / 0.4998 CFS 08/14/2019 PFO / PROPOSE TO APPROVE

<u>G-18956</u>

Morrow / Umatilla (7) OSMIN, ALBERT L. 60355 BALM FORK RD HEPPNER, OR 97836 A WELL > BALM FORK BASIN / 3.00S 26.00E 12 NWSE IRRIGATION / 0.290 CFS 04/09/2020 PFO / PROPOSE TO APPROVE

<u>S-88890</u>

Jackson / Rogue (15) RAMSAY, SHANE RAMSAY-COOTS, MARCIA 306 PARK DR SHADY COVE, OR 97539 ROGUE RIVER > PACIFIC OCEAN / 34.00S 1.00W 15 NESW HUMAN CONSUMPTION / 0.005 CFS 10/29/2020 PFO / PROPOSE TO APPROVE

<u>S-88926</u>

Douglas / Umpqua (16) GARRETT, MARK & SABRINA PO BOX 1291 ROSEBURG, OR 97570 SOUTH UMPQUA RIVER > UMPQUA RIVER / 30.00S 4.00W 22 SWNW DOMESTIC / 0.005 CFS 03/15/2021 IR / PROPOSE TO DENY

App#	<u>R-89103</u>
County/Basin	Wheeler / John Day (6)
Applicant Name	CORNELL, ANDREW
	TWO BROTHERS RANCH LLC
	61583 HOSMER LAKE DR
	BEND, OR 97702
Sources/TRSQ40Q160	MARSHALL CREEK > MOUNTAIN CREEK / 11.00S 22.00E 36 SESE
	UNNAMED CREEK > MARSHALL CREEK / 11.00S 22.00E 36 SESE
	KEYES CREEK > BRIDGE CREEK / 11.00S 22.00E 26 SESW
	KEYES CREEK > BRIDGE CREEK / 11.00S 22.00E 26 SWSE
Use/Quantity	FISH CULTURE / 25.40 AF
Priority Date	05/06/2021
Stage/Status	IR / PROPOSE TO APPROVE

## 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#	
County/Basin	
Applicant Name	2

Priority Date Issue Date Status

App# County/Basin Applicant Name

Priority Date Issue Date Status

App# County/Basin Applicant Name

Priority Date Issue Date Status

App# County/Basin Applicant Name

Priority Date Issue Date Status

App# County/Basin Applicant Name

Priority Date Issue Date Status G-18973 Josephine / Rogue (15) HENRY, NOLAN J. 728 NE ELIDA DR GRANTS PASS, OR 97526 05/11/2020 06/08/2021 WITHDRAWN

#### G-19123

Klamath / Klamath (14) PASCHKE, TIM PO BOX 1004 MERRIL, OR 97633 04/30/2021 06/03/2021 APPROVED

#### G-19130

Klamath / Klamath (14) CHEYNE, SHANE 14747 CHEYNE RD KLAMATH FALLS, OR 97603 05/13/2021 06/04/2021 APPROVED

#### <u>G-19131</u>

Klamath / Klamath (14) KERR, JARED TERRY BENGARD PROPERTIES 20250 LAKE CALIFORNIA DR COTTONWOOD, CA 96022 05/14/2021 06/04/2021 APPROVED

#### <u>G-19133</u>

Klamath / Klamath (14) PIZANO, ESTEBAN PO BOX 1067 MIDLAND, OR 97634 05/17/2021 06/04/2021 APPROVED

App# County/Basin Applicant Name

Priority Date Issue Date Status

App# County/Basin Applicant Name

Priority Date Issue Date Status

#### <u>G-19136</u>

Klamath / Klamath (14) DELONGE, TARREN 9631 HOMEDALE RD KLAMATH FALLS, OR 97603 05/24/2021 06/04/2021 APPROVED

<u>R-88923</u>

Yamhill / Willamette (2) APPASSIONATA VINEYARD PROPERTIES, LLC ATTN: CLIFFORD ROBBEN 20501 S TRANQUILITY LANE OREGON CITY, OR 97045 02/24/2021 06/08/2021 APPROVED

# 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 August 14, 2021.

App# County/Basin Applicant Name	R-89114 Yamhill / Willamette (2) FOTI, FRANK 17405 NW PANTHER CREEK RD CARLTON, OR 97111
Sources/TRSQ40Q160 Use/Quantity Priority Date	RUNOFF > PANTHER CREEK / 3.00S 5.00W 22 NWSW MULTIPLE PURPOSE / 6.000 AF 05/19/2021
App# County/Basin Applicant Name	R-89123 Marion / Willamette (2) DIETRICH, MARK & NICOLE 3370 ALT LANE NE SILVERTON, OR 97381
Sources/TRSQ40Q160	RUNOFF > MOLALLA RIVER / 7.00S 1.00W 8 SWSW PUDDING RIVER > MOLALLA RIVER / 7.00S 1.00W 8 SWSW
Use/Quantity Priority Date	MULTIPLE PURPOSE / 5.00 AF 05/27/2021
App# County/Basin Applicant Name	<u>R-89116</u> Clackamas / Willamette (2) ADCOCK FAMILY TREE FARM 14200 S UNION MILLS RD MULINO, OR 97042
Sources/TRSQ40Q160 Use/Quantity Priority Date	ADCOCK FAMILY TREE FARM PO BOX 857 MULINO, OR 97042 MOLALLA RIVER > WILLAMETTE RIVER / 4.00S 2.00E 28 NWNW MULTIPLE PURPOSE / 1.500 AF 06/04/2021
App# County/Basin Applicant Name	<u>R-89125</u> Columbia / North Coast (1) CURL, ROBERT EAST FORK HOLDINGS LLC PO BOX 160
Sources/TRSQ40Q160 Use/Quantity Priority Date	NORTH PLAINS, OR 97133 RUNOFF > EAST FORK NEHALEM RIVER / 5.00N 4.00W 36 SWSE MULTIPLE PURPOSE / 30.600 AF 06/03/2021

# **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 July 15, 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#	<u>G-14538</u>
Permit Number	G-13595
County/Basin	Coos / South Coast (17)
Applicant Name	NORTHWEST FARM CREDIT SERVICES ACA
	2222 NW KLINE ST
	ROSEBURG, OR 97471-1739
	ROTH, JOHN
	PO BOX 362
	BANDON, OR 97411

Sources/TRSQ40Q160 A SUMP > GEIGER CREEK / 28.00S 14.00W 32 SESW Use/Quantity CRANBERRY / 1.500 CFS Proposed Completion Date10/01/2025

# **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 30, 2021. There is no fee for submission of comments. The protest filing fee is \$410 for the applicant and \$810 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

App#	S-67362
Permit#	S-54916
County/Basin	Malheur / Malheur (10)
Applicant Name	VALE OREGON IRRIGATION DISTRICT
	521 A STREET WEST
	VALE, OR 97918
Sources/TRSQ40Q160	WARM SPRINGS RESERVOIR > MALHEUR RIVER / 23.00S 37.00E 8 NWSE
	BEULAH RESERVOIR > MALHEUR RIVER / 19.00S 37.00E 15 SWSE
	BULLY CREEK RESERVOIR > MALHEUR RIVER / 18.00S 43.00E 12 SESW
	BULLY CREEK > SNAKE RIVER / 18.00S 43.00E 12 SESW
	A RESERVOIR > SNAKE RIVER / 20.00S 41.00E 31 NWSE
	MALHEUR RIVER > SNAKE RIVER / 16.00S 43.00E 10 SESE
	MALHEUR RIVER > SNAKE RIVER / 16.00S 43.00E 14 SWSE
	MALHEUR RIVER > SNAKE RIVER / 16.00S 43.00E 24 SWNW
	MALHEUR RIVER > SNAKE RIVER / 16.00S 44.00E 32 SWNW
	MALHEUR RIVER > SNAKE RIVER / 17.00S 44.00E 4 SWSE
	MALHEUR RIVER > SNAKE RIVER / 17.00S 44.00E 15 NESE
	MALHEUR RIVER > SNAKE RIVER / 16.00S 43.00E 9 NENE
Use/Quantity	IRRIGATION / 72.0996 CFS
A	0 17752
App#	G-17753
Permit#	<u>G-17486</u>
County/Basin	Harney / Malheur Lake (12)
Applicant Name	SINGHOSE, TRAVIS & KELLY
	29327 WEAVER SPRINGS LANE
	BURNS, OR 97720
Sources/TRSQ40Q160	A WELL > SAGE HEN CREEK BASIN / 25.00S 31.00E 15 NWNE
Use/Quantity	IRRIGATION / 3.870 CFS

App# Permit# County/Basin Applicant Name	S-67361 <u>S-50728</u> Malheur / Malheur (10) VALE OREGON IRRIGATION DISTRICT 521 A STREET WEST VALE, OR 97918
Sources/TRSQ40Q160	WARM SPRINGS RESERVOIR > MALHEUR RIVER / 23.00S 37.00E 8 NWSE BEULAH RESERVOIR > NORTH FORK MALHEUR RIVER / 19.00S 37.00E 15 SWSE BULLY CREEK > MALHEUR RIVER / 18.00S 43.00E 12 SESW MALHEUR RIVER > SNAKE RIVER / 16.00S 43.00E 31 NWSE MALHEUR RIVER > SNAKE RIVER / 16.00S 43.00E 9 NENE MALHEUR RIVER > SNAKE RIVER / 16.00S 43.00E 10 SESE MALHEUR RIVER > SNAKE RIVER / 16.00S 43.00E 14 SWSE MALHEUR RIVER > SNAKE RIVER / 16.00S 43.00E 24 SWNW MALHEUR RIVER > SNAKE RIVER / 16.00S 44.00E 32 SWNW MALHEUR RIVER > SNAKE RIVER / 17.00S 44.00E 4 SWSE MALHEUR RIVER > SNAKE RIVER / 17.00S 44.00E 15 NESE IRRIGATION / 29.8096 CFS
Use/Quantity	IRRIGATION / 29.8090 CFS
App# Permit#	G-15198 G-17360
County/Basin	Morrow / Umatilla (7)
Applicant Name	JOHN AND JANNA VANDEN BRINK FAMILY TRUST VANDEN BRINK, JOHN & JANNA
	PO BOX 165 IONE, OR 97843
	NORTHWEST FARM CREDIT SERVICES FLCA 12 SW NYE AVE PENDLETON, OR 97801
	NORTHWEST FARM CREDIT SERVICES PCA
	PO BOX 878 PENDLETON, OR 97801
Sources/TRSQ40Q160	A WELL > KING CANYON / 1.00S 24.00E 35 NENE A WELL > WILLOW CREEK / 1.00S 24.00E 22 NESE
	A WELL > WILLOW CREEK / 1.00S 24.00E 26 SWNW A WELL > WILLOW CREEK / 1.00S 24.00E 35 SENE
Use/Quantity	IRRIGATION / 1.49 CFS
App#	R-86923
Permit#	<u>R-15108</u>
County/Basin Applicant Name	Wasco / Deschutes (5) DOG RIVER ORCHARDS LLC
	PO BOX 445 PARKDALE, OR 97041
	NORTHWEST FARM CREDIT SERVICES FLCA
	3591 KLINDT DR SUITE 110 THE DALLES, OR 97058
Sources/TRSQ40Q160 Use/Quantity	UNNAMED STREAM > WHITE RIVER / 5.00S 12.00E 4 SENE STORAGE / 381.900 AF

# **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 29, 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 for a use that is not one of the standard uses listed in OAR 690-300, the Department may, for the pupposes 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# County/Basin	LL-1877 Polk / Willamette (2)
Applicant Name	OLIVIER, MEGHÁN 15660 OAKDALE RD DALLAS, OR 97338
Sources/TRSQ40Q160 Use/Quantity	A WELL > NORTH FORK ASH CREEK / 8.00S 5.00W 6 NENW IRRIGATION TO ESTABLISH A VINEYARD / 0.015 CFS
App#	<u>LL-1878</u>
App# County/Basin	LL-1878 Marion / Willamette (2)
	Marion / Willamette (2) SILBERNAGEL, TERRY
County/Basin	Marion / Willamette (2)

# **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 July 06, 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# Certificate County/Basin Lessor	<u>IL-1877</u> 82246 Crook / Deschutes (5) OCHOCO IRRIGATION DISTRICT 1001 NW DEER ST PRINEVILLE, OR 97754
Lessee	HUBERT, GENEVIEVE DESCHUTES RIVER CONSERVANCY 700 NW HILL ST STE #1 BEND, OR 97703
Priority Date	08/10/1917
Source/Tributary To	OCHOCO CREEK /CROOKED RIVER
Lease#	<u>IL-1878</u>
Certificate	88890
County/Basin	Jefferson / Deschutes (5)
Lessor	SCHULSTAD, CRAIG
	1341 NW PINON CT
	CAMAS, WA 98607
Lessee	HUBERT, GENEVIEVE DESCHUTES RIVER CONSERVANCY 700 NW HILL ST STE #1 BEND, OR 97703
Priority Date	12/31/1888
Source/Tributary To	LAKE CREEK / NORTH FORK LAKE CREEK

# **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 July 15, 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 -13719
Water Right	Decree: Vol:9 Page: 79, Decree: Vol:9 Page: 79
County/Basin	Harney / Malheur Lake (12)
Applicant Name	CLEMENS LAND AND LIVESTOCK, LLC
	PO BOX 233
	BURNS, OR 97720
Proposed Change	POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	FOLEY SLOUGH > EMBREE SLOUGH /
	SILVIES R > W FK SILVIES R /
	SILVIES RIVER > WEST FORK SILVIES RIVER /
	WHITING SLOUGH > SILVIES RIVER /
Use/Quantity	IRRIGATION / 3.66 CFS
Priority Date	12/31/1888, 12/31/1877, 12/31/1884, 12/31/1899

# **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 <sup>1</sup>/<sub>4</sub> 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 July 15, 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-13535 filed by Black Butte Ranch Corporation and Black Butte Ranch Association, PO Box 8000, Black Butte Ranch, OR 97759, proposes additional points of appropriation under Certificates 76002, 86708, 92269, 92270, and 92271 and changes in place of use and character of use under Certificates 76002, 86708, 92269, and 92271. Certificate 76002 allows the use of 1.65 cubic feet per second (cfs) from Well 3 in Sec. 22, T14S, R9E, WM for group domestic use in Sects. 9, 10, 15, 16, 21, 22, and 23, T14S, R9E, WM. The applicant proposes additional points of appropriation in Sects. 9, and 16, T14S, R9E, WM and to change the place of use to the service area of Black Butte Ranch; and to change the character of use to quasimunicipal. Certificate 86708 allows the use of 1.8 cfs from Black Butte Ranch Well 1 in Sec. 9, T14S, R9E, WM for group domestic use in Sects. 9, 10, 15, 16, 21, 22, and 23, T14S, R9E, WM. The applicant proposes additional points of appropriation in Sects. 9, 16, and 22, T14S, R9E, WM and to change the place of use to the service area of Black Butte Ranch; and to change the character of use to quasi-municipal. Certificate 92269 allows the use of 0.27 cfs from three wells in Sects. 9 and 16, T14S, R9E, WM for group domestic use for 155 families in Sec. 21, T14S, R9E, WM. The applicant proposes additional points of appropriation in Sects. 9 and 22, T14S, R9E, WM and to change the place of use to the service area of Black Butte Ranch; and to change the character of use to quasi-municipal. Certificate 92270 allows the use of 4.8 cfs from three wells in Sects. 9 and 16, T14S, R9E, WM for quasi-municipal use in Sects. 9, 10, 15, 16, 21, 22, and 23, T14S, R9E, WM. The applicant proposes additional points of appropriation in Sects. 9 and 22, T14S, R9E, WM. Certificate 92271 allows the use of 2.9 cfs from two wells in Sec. 16, T14S, R9E, WM for group domestic use in Sec. 9, 10, 15, 16, 21, 22, and 23, T14S, R9E, WM. The applicant proposes additional points of appropriation in Sec. 9 and 22, T14S, R9E, WM and to change the place of use to the service area of Black Butte Ranch; and to change the character of use to quasi-municipal. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

<u>T-12837</u> filed by Andreas and Carole Blech, 1867 Williams Highway #260, Grants Pass, OR 97527, proposes a change in point of diversion, a change in place of use, and a change in character of use under Certificate 3943. The right allows the use of 0.81 cubic foot per second from Grave Creek in Sec. 8, T34S, R5W, WM for irrigation within Sects. 7 and 8, T34S, R5W, WM. The applicant proposes to move the point of diversion in Sec. 8, T34S, R5W, WM and to change the place of use to Sects. 7 and 8, T34S, R5W, WM and to change the character of use to mining uses. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-13275 filed by Willamette Valley Land LLC, c/o Paul Kuehne, PO Box 99, Lafayette, OR 97127, proposes a change in places of use under Certificates 15091, 35059, 47237, and 47564, and for an additional point of appropriation under Certificate 47237. Certificate 15091 allows the use of 0.27 cfs from the Yamhill River in Sec. 18, T4S, R3W, WM. for irrigation in Sec. 18, T4S, R3W, WM. The applicant proposes to change the place of use to Sects. 7 and 18, T4S, R3W, WM. and in Sec.12, T4S, R4W, WM. Certificate 35059 allows the use of 0.25 cfs from the Yamhill River in Sec. 18, T4S, R3W, WM. for irrigation in Sect. 18, T4S, R3W, WM and Sect. 13 T4S, R4W, WM. The applicant proposes to change the place of use to Sec. 18, T4S, R3W, WM. and in Sects. 12 and 13, T4S, R4W, WM. Certificate 47237 allows the use of 0.04 cfs from the Yamhill River in Sec. 12, T4S, R4W, WM. for irrigation in Sects. 12 and 13, T4S, R4W, WM. Certificate 47237 allows the use of 0.04 cfs from the Yamhill River in Sec. 18, T4S, R3W, WM. for irrigation in Sects. 12 and 13, T4S, R4W, WM and an additional point of appropriation in Sec.18, T4S, R3W, WM. Certificate 47564 allows the use of 0.22 cfs from the Yamhill River in Sec. 18, T4S, R3W, WM. for irrigation in Sec. 18, T4S, R3W, WM. Certificate 47564 allows the use of 0.22 cfs from the Yamhill River in Sec. 18, T4S, R3W, WM. for irrigation in Sec. 18, T4S, R3W, WM. The applicant proposes to change the place of use to Sects. 7 and 18, T4S, R3W, WM. for irrigation in Sec. 18, T4S, R3W, WM. Certificate 47564 allows the use of 0.22 cfs from the Yamhill River in Sec. 18, T4S, R3W, WM. for irrigation in Sec. 18, T4S, R3W, WM. for irrigation in Sec. 18, T4S, R3W, WM. The applicant proposes to change the place of use to Sects. 7 and 18, T4S, R3W, WM. for irrigation in Sec. 18, T4S, R3W, WM. The applicant proposes to change the place of use to Sects. 7 and 18, T4S, R3W, WM. and in Sec. 12, T4S, R4W, WM. The water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 54

<u>T-13583</u> filed by The Tree Farm LLC, 409 Franklin Ave., Bend, OR 97703, proposes a change in point of appropriation and a change in place of use under Certificate 94958. The right allows the use of 0.23 cubic foot per second from a well in Sec. 35, T17S, R11E, WM for quasi-municipal use in Sects. 35 and 36, T17S, R11E, WM. The applicant proposes to move the point of appropriation to Sec. 13, T17S, R11E, WM and to change the place of use to Sec. 13, T17S, R11E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

<u>T-13369</u> filed by John and Linda Vandree, Trustees of Revocable Living Trust-Sept 1998, 812 Grand Ave, Everett, WA 98201, proposes a change in points of appropriation under Certificates 30638 and 89896. Certificate 30638 allows the use of 1.24 cubic feet per second from a well in Sec. 35, T6N, R34E, WM for irrigation in Sects. 26 and 35. The applicant proposes to move the well in Sec. 35, T6N, R34E, WM; Certificate 89896 allows the use of 0.497 cubic feet per second from a well in Sec.35, T6N, R 34E, WM; Certificate 89896 allows the use of 0.497 cubic feet per second from a well in Sec.35, T6N, R 34E, WM; Certificate 89896 allows the use of 0.497 cubic feet per second from a well in Sec.35, T6N, R 34E, WM for primary and supplemental irrigation in Sects. 26 and 35, T6N, R 34E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

# **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-13723
Water Right	Decree: Vol: 3 Page: 127, Decree: Vol: 3 Page: 127
County/Basin	Umatilla / Umatilla (7)
Applicant Name	CORREA, DAVID
	31777 ANDREWS RD
	ECHO, OR 97826
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	UMATILLA R >
Use/Quantity	IRRIGATION / 16.760 CFS
	IRRIGATION / 23.570 CFS
Priority Date	01/09/1900, 12/31/1870

# **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.

<u>T-13729</u>
Cert: 85428
Klamath / Klamath (14)
BILIKAS, SHEILA
2622 ROUND LAKE RD
KLAMATH FALLS, OR 97601
PLACE OF USE
A WELL > ROUND LAKE / 39.00S 8.00E 7 NENE
IRRIGATION / 0.120 CFS
08/06/1990
<u>T-13732</u>
Cert: 75420 (T-6107), 80406, 80407
Jackson / Rogue(15)
MEDICINAL PROPERTIES LLC
263 REITEN DRIVE
ASHLAND, OR 97520
PLACE OF USE
EVANS CREEK > ROGUE RIVER / 35.00S 4.00W 11 SENE
EVANS CREEK > ROGUE RIVER / 35.00S 4.00W 12 SWNW
IRRIGATION / 0.290 CFS
IRRIGATION / 0.395 CFS
IRRIGATION / 0.200 CFS
12/31/1881, 12/31/1881, 06/05/1950

# Notice of District Permanent Transfer for Place of Use

A district may allow a change in place of use prior to the Department issuing a final order approving a district permanent transfer application provided, in part, that (1) the District files a notice with the Department of the change in place of use prior to making the change, and (2) prior to the end of the calendar year in which the change in place of use occurs the District submits a district permanent transfer application for the same change in place of use [ORS 690-385-4100(1)(a) and (b)]. Notices for District Permanent Transfers for Place of Use submitted to the Department are listed below.

Notice County Certificate Priority Date Name Address Use	2021-005 Deschutes 94956, 76714 10/31/1900; 12/2/1907; 2/28/1913 CENTRAL OREGON IRRIGATION DISTRICT 1055 S.W. LAKE CT REDMOND, OR 97756 IRRIGATION; SUPPLEMENTAL IRRIGATION
Source	DESCHUTES R > COLUMBIA R CRANE PRAIRIE RES > DESCHUTES
Acres: Authorized POU: Proposed POU:	0.90 T17S R13E 34 SESW T17S R13E 34 SESW
Notice	2021-013
County	Deschutes
County Certificate	Deschutes 94956, 76714
County Certificate Priority Date	Deschutes 94956, 76714 10/31/1900; 12/2/1907; 2/28/1913
County Certificate Priority Date Name	Deschutes 94956, 76714 10/31/1900; 12/2/1907; 2/28/1913 CENTRAL OREGON IRRIGATION DISTRICT
County Certificate Priority Date	Deschutes 94956, 76714 10/31/1900; 12/2/1907; 2/28/1913 CENTRAL OREGON IRRIGATION DISTRICT 1055 S.W. LAKE CT
County Certificate Priority Date Name	Deschutes 94956, 76714 10/31/1900; 12/2/1907; 2/28/1913 CENTRAL OREGON IRRIGATION DISTRICT
County Certificate Priority Date Name Address	Deschutes 94956, 76714 10/31/1900; 12/2/1907; 2/28/1913 CENTRAL OREGON IRRIGATION DISTRICT 1055 S.W. LAKE CT REDMOND, OR 97756
County Certificate Priority Date Name Address Use	Deschutes 94956, 76714 10/31/1900; 12/2/1907; 2/28/1913 CENTRAL OREGON IRRIGATION DISTRICT 1055 S.W. LAKE CT REDMOND, OR 97756 IRRIGATION; SUPPLEMENTAL IRRIGATION DESCHUTES R > COLUMBIA R

# 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 July 15, 2021.

The plans may be viewed electronically at <u>WMCP Public Notice</u>. 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:

### **County of Wasco (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* 

# Water Management and Conservation Plan Progress Reports

Pursuant to OAR 690-086-0120(4) and (5), the Department is required to give notice of progress reports on Water Management and Conservation Plans.

Any person may review and comment on these progress reports. The Department requests that comments be submitted no later than 30 days after the date of this notice.

Progress reports have been submitted by the following municipal supplier(s):

### City of Sandy (Municipal)

To review any of the above progress report(s) or to provide comments on the progress report(s), contact Kerri H. Cope at 503-986-0919 or <u>Kerri.H.Cope@oregon.gov</u>

## Certificate Issuance

Following is a list of certificates that have been recently issued. If you are viewing this electronically then you should be able to view the certificate by clicking on the underlined blue text. Appeal rights are provided on each certificate document.

Cert# Xfer: County/Basin Applicant Name Priority Date Issue Date

Cert# Xfer: County/Basin Applicant Name Priority Date Issue Date

Cert# Xfer: County/Basin Applicant Name Priority Date Issue Date

Cert# Xfer: County/Basin Applicant Name Priority Date Issue Date

Cert# Xfer: County/Basin Applicant Name Priority Date Issue Date

Cert# Xfer: County/Basin Applicant Name Priority Date Issue Date

Cert# App: County/Basin Applicant Name Priority Date Issue Date 95564 T-12165 Crook / Deschutes (5) ASPEN VALLEY RANCH 07/08/1916 06/11/2021

#### <u>95565</u>

T-12165 Crook / Deschutes (5) ASPEN VALLEY RANCH 03/03/1910 06/11/2021

#### <u>95566</u>

T-12165 Crook / Deschutes (5) ASPEN VALLEY RANCH 07/27/1922 06/11/2021

## <u>95569</u>

T-12440 Marion / Willamette (2) BREITENBUSH HOT SPRINGS 04/24/1969 06/11/2021

# <u>95563</u>

T-11601 Umatilla / Umatilla (7) CITY OF STANFIELD 03/06/1959 06/11/2021

### <u>95576</u>

T-9287 Marion / Willamette (2) D AND D FRANK FAMILY LLC 03/17/1977 06/11/2022

### <u>95585</u>

G-16029 Multnomah / Willamette (2) DELTA MANAGEMENT CO. 06/12/2003 06/11/2021

Cert# App: County/Basin Applicant Name

Priority Date Issue Date

Cert# Xfer: County/Basin Applicant Name

Priority Date Issue Date

Cert# Xfer: County/Basin Applicant Name Priority Date Issue Date

Cert# App: County/Basin Applicant Name Priority Date Issue Date

Cert# App: County/Basin Applicant Name Priority Date Issue Date

Cert# Xfer: County/Basin Applicant Name Priority Date Issue Date

Cert# App: County/Basin Applicant Name

Priority Date Issue Date 95489 G-16483 Crook / Deschutes (5) DORSCH, ANTHONY ROST, BRIAN M. ROST, JEFFREY T. 06/13/2005 06/11/2021

#### <u>95414</u>

T-12122 Crook / Deschutes (5) DOW FLP, NEAL J. DOW, ANNA 04/13/1915 06/11/2021

#### <u>95568</u> T-12186

Lake / Goose & Summer Lake (13) FLOWERREE HAY AND GRAIN LLC 01/19/1978 06/01/2021

#### <u>95562</u>

R-86656 Morrow / Umatilla (7) FRENCH, RAYMOND 08/07/2006 06/11/2021

### <u>95561</u>

R-86657 Morrow / Umatilla (7) FRENCH, RAYMOND 08/07/2006 06/11/2021

#### <u>95584</u>

T-12640 Klamath / Klamath (14) FRUEH, WILHELM 10/25/1961 06/11/2021

#### <u>95782</u>

G-17858 Baker / Powder (9) HILL, DANA B. HILL, JOSEPH L. NORTHWEST FARM CREDIT SERVICES 05/12/2014 06/11/2021

Cert# App: County/Basin Applicant Name Priority Date Issue Date

Cert# Xfer: County/Basin Applicant Name

Priority Date Issue Date

Cert# Xfer: County/Basin Applicant Name

Priority Date Issue Date

Cert# Xfer: County/Basin Applicant Name

Priority Date Issue Date

Cert# Xfer: County/Basin Applicant Name

Priority Date Issue Date

Cert# Xfer: County/Basin Applicant Name Priority Date Issue Date

Cert# Xfer: County/Basin Applicant Name Priority Date Issue Date 95800 G-17887 Washington / Willamette (2) HILLSBORO SCHOOL DISTRICT 1J 07/03/2014 06/11/2021

95579 T-12667 Wasco / Deschutes (5) INDIAN CREEK HOI

Wasco / Descrutes (5) INDIAN CREEK HOLDINGS LLC FORMAN, LOWELL; INDIAN CREEK HOLDINGS LLC FORMAN, MARY; INDIAN CREEK HOLDINGS LLC 12/31/1892 06/11/2021

<u>95580</u>

T-12667 Wasco / Deschutes (5) INDIAN CREEK HOLDINGS LLC FORMAN, LOWELL; INDIAN CREEK HOLDINGS LLC FORMAN, MARY; INDIAN CREEK HOLDINGS LLC 02/28/1968 06/11/2021

#### <u>95581</u>

T-12667 Wasco / Deschutes (5) INDIAN CREEK HOLDINGS LLC FORMAN, LOWELL; INDIAN CREEK HOLDINGS LLC FORMAN, MARY; INDIAN CREEK HOLDINGS LLC 07/26/1971 06/11/2021

### <u>95575</u>

T-6371 Linn / Willamette (2) KOOS, MARK JOHNSON KOOS, DENISE 08/16/1967 06/11/2021

#### <u>95582</u>

T-10718 Baker / Powder (9) PINE VALLEY LAND LLC 04/21/1914 06/11/2021

### <u>95583</u>

T-10718 Baker / Powder (9) PINE VALLEY LAND LLC 09/20/1950 06/11/2021

Cert# Xfer: County/Basin Applicant Name

Priority Date Issue Date

Cert# Xfer: County/Basin Applicant Name

Priority Date Issue Date

Cert# App: County/Basin Applicant Name Priority Date Issue Date

#### <u>95577</u>

T-12872 Klamath / Klamath (14) SEES, JOAN SEES, LARRY 12/19/1966 06/11/2021

### <u>95578</u>

T-12872 Klamath / Klamath (14) SEES, JOAN SEES, LARRY 04/22/1983 06/11/2021

#### <u>95592</u>

G-17540 Marion / Willamette (2) STADELI, TOBY 03/08/2012 06/11/2021

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A Salem OR 97301

#### PUBLIC NOTICE OF WATER USE REQUESTS June 15, 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: <u>http://apps.wrd.state.or.us/apps/wr/wrinfo/</u>, 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	Mail me the order	
(e.g. "Permit Application G-12345" or "Transfer T-1234"):	(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.