

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**June 22, 2021**

*This notice is also available on our web page at the following address:  
[http://apps.wrd.state.or.us/apps/misc/wrd\\_notice\\_view/?notice\\_id=21](http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21)*

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

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

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

**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**

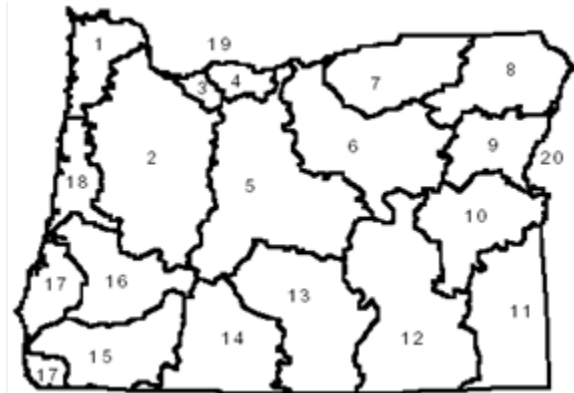
Unit of measure:

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

**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, July 22, 2021.** Although we cannot respond individually to all comments, each will be considered as the agency makes its decision regarding proposed allocations.

### **Proposed Final Order Stage (PFO)**

The proposed final order is the Department's penultimate decision on the water use request. The PFO documents the agency's decision through specific findings, including review of comments received. If appropriate, it includes a draft permit specifying any conditions or restrictions on the use. Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of \$30. (Any person paying \$30 to receive a PFO by mail will also receive a copy of the Final Order when it is issued.) PFO's may be viewed free of charge online at: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>. Those disagreeing with the Department's decision as expressed in the PFO have 45 days to file a protest.

**The protest deadline for proposed final orders appearing in this public notice is 5pm, Friday, August 06, 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-18914](#)  
County/Basin Lane / Willamette (2)  
Applicant Name KLEST, SHEILA  
3326 VIDERA DR  
EUGENE, OR 97405  
  
TRILLIUM GARDENS  
34610 HWY 58  
EUGENE, OR 97405  
Sources/TRSQ40Q160 A WELL > COAST FORK WILLAMETTE / 18.00S 2.00W 19 NWSW  
Use/Quantity NURSERY USES / 0.450 CFS  
Priority Date 02/13/2020  
Stage/Status PFO / 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#	<a href="#">G-18798</a>
County/Basin	Multnomah / Willamette (2)
Applicant Name	PORT OF PORTLAND PO BOX 3529 PORTLAND, OR 97208
Priority Date	03/05/2019
Issue Date	06/18/2021
Status	APPROVED
App#	<a href="#">G-19135</a>
County/Basin	Lake / Goose & Summer Lake (13)
Applicant Name	J SPEAR RANCH CO. PO BOX 257 KLAMATH FALLS, OR 97601
Priority Date	05/21/2021
Issue Date	06/16/2021
Status	APPROVED
App#	<a href="#">G-19140</a>
County/Basin	Klamath / Klamath (14)
Applicant Name	MON-MEG LLC THOMPSON, COREY 21753 MALIN RD MALIN, OR 97632
Priority Date	05/26/2021
Issue Date	06/16/2021
Status	APPROVED

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## **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 August 06, 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-87594
Permit#	<a href="#">S-54704</a>
County/Basin	Douglas / Umpqua (16)
Applicant Name	BENNINGTON, CRAIG AND MARY 347 BAILEY DR ROSEBURG, OR 97471
Sources/TRSQ40Q160	SOUTH UMPQUA RIVER > UMPQUA RIVER / 28.00S 6.00W 3 SENW A RESERVOIR > COW CREEK / 31.00S 4.00W 28 SWNE
Use/Quantity	IRRIGATION / 0.000 AF IRRIGATION / 1.670 AF
App#	S-87251
Permit#	<a href="#">S-54530</a>
County/Basin	Douglas / Umpqua (16)
Applicant Name	YOUNG, DENA YOUNG, LAUREN 820 OLD GARDEN VALLEY RD ROSEBURG, OR 97470
Sources/TRSQ40Q160	NORTH UMPQUA RIVER > UMPQUA RIVER / 26.00S 6.00W 33 NWNW
Use/Quantity	DOMESTIC EXPANDED / 0.010 CFS
App#	G-17089
Permit#	<a href="#">G-18370</a>
County/Basin	Harney / Malheur Lake (12)
Applicant Name	STROEMPLE, GEORGE PO BOX 1810 LAKE OSWEGO, OR 97035
Sources/TRSQ40Q160	A WELL > STONEHOUSE CREEK BASIN / 35.00S 33.00E 15 SENE
Use/Quantity	SUPPLEMENTAL IRRIGATION / 0.480 CFS

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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 July 06, 2021, upon finding that the proposed water use will not impair or be detrimental to the public interest (OAR 690-340-030).** The public is invited to provide comments that will assist the Director in determining whether the use would impair or be detrimental to the public interest. If the applicant applies for a use that is not one of the standard uses listed in OAR 690-300, the Department may, for the purposes of this notice, assign a named use that is reasonably close to the use actually requested. The public may examine the actual application by clicking the associated hyperlink and then choosing “LL Application” under “Scanned Documents.”

App#	<a href="#">LL-1879</a>
County/Basin	Deschutes / Deschutes (5)
Applicant Name	DELASHMUTT, KAMERON PINNACLE UTILITIES, LLC 2447 NW CANYON DR REDMOND, OR 97756
Sources/TRSQ40Q160	A WELL > DESCHUTES RIVER / 15.00S 12.00E 28 SENE A WELL > DESCHUTES RIVER / 15.00S 12.00E 28 NWSE A WELL > DESCHUTES RIVER / 15.00S 12.00E 29 NWSE A WELL > DESCHUTES RIVER / 15.00S 12.00E 20 NESE A WELL > DESCHUTES RIVER / 15.00S 12.00E 29 NENE
Use/Quantity	ROAD CONSTRUCTION / 4.50 CFS
App#	<a href="#">LL-1880</a>
County/Basin	Douglas / Umpqua (16)
Applicant Name	FREERKSEN, LANCE PO BOX 1116 RIDDLE, OR 97469
Sources/TRSQ40Q160	GALESVILLE RESERVOIR > COW CREEK / 31.00S 4.00W 28 SWNE COW CREEK > SOUTH UMPQUA RIVER / 30.00S 6.00W 33 NENE
Use/Quantity	IRRIGATION FROM STORED WATER / 0.310 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 July 13, 2021.** Parties to the lease, including the Department, will review any such claims before the lease is finalized. The lease files are available for viewing at the Salem office of the Water Resources Department. If you have questions or comments please contact the Lease Specialist at 503-986-0898.

Lease# [IL-1194](#)  
Certificate 87426  
County/Basin Jackson / Rogue (15)  
Lessor KONG, CLEMENT  
2430 J STREET  
SACRAMENTO, CA 95816  
Priority Date 07/28/1955  
Source/Tributary To ROGUE RIVER / PACIFIC OCEAN

Lease# [IL-1879](#)  
Certificate 82246  
County/Basin Crook / Deschutes (5)  
Lessor 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

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## Transfer Preliminary Determinations

A Preliminary Determination provides the Department's conclusion as to whether a proposed change in place of use, point of diversion or appropriation, or character of use of an existing water right should be approved. Changes of water rights may be proposed in an application for transfer (including instream, historic POD, exchange, substitution or ground water registration modification).

The Department has issued preliminary determinations on the transfer applications listed below. In addition to this notice, the Department is complying with ORS 540.520(2) that requires publication of notice in a local newspaper for all transfers except those proposing a change in place of use only or a change in point of diversion of less than ¼ mile where there are no intervening diversion points.

Any person may protest the application and preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-0900, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by a \$810 protest fee for non-applicant and \$410.00 protest fee for applicant. Call (503) 986-0815 to obtain additional information. Protests must be received by the Department on or before July 22, 2021, or within 30 days of the last date of publication in a newspaper, whichever is later. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

[T-12712](#) filed by Robert Beck, Alicel Irrigation District, 64841 Imbler Rd, Cove, OR 97824, proposes a change in point of diversion and change in place of use under Certificate 91331. The right allows the use of 0.66 cubic foot per second from the Grande Ronde River in Sec. 10, T2S, R39E, WM for irrigation in Sects. 3 and 10, T2S, R39E, WM. The applicant proposes to move the point of diversion within Sec. 10, T2S, R39E, WM and to change the place of use to Sects. 9 and 10, T2S, R39E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13291](#) filed by Andrew Hendricks and Kelsy Hendricks, 85091 Edwards Road, Milton Freewater, OR 97862, proposes a change from a surface water point of diversion to a groundwater point of appropriation under Certificates 45 and 47. Certificate 45 allows the use of 0.04 cubic foot per second (cfs) from the South Branch of Mud Creek for irrigation in Sec. 20, T6N, R35E, WM. Certificate 47 allows the use of 0.24 cfs from the South Branch of Mud Creek for irrigation in Sec. 20, T6N, R35E, WM. The applicant proposes to move the point of diversion to a well in Sec. 20, T6N, R35E, WM. The Water Resources Department proposes to deny the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

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## Transfer Applications: Drought Temporary Transfer

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

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

Transfer	<a href="#">T-13737</a>
Water Right	Cert: 86697, 86698, 92937
County/Basin	Baker / Powder (9)
Applicant Name	KERNS, ADAM 13685 WILLOW CREEK LANE HAINES, OR 97833
Proposed Change	ADDITIONAL POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	ROCK CREEK > POWDER RIVER / 7.00S 38.00E 34 SENW ROCK CREEK > POWDER RIVER / 7.00S 38.00E 33 NWSE
Use/Quantity	IRRIGATION / 0.250 CFS IRRIGATION / 0.500 CFS IRRIGATION/ 2.450 CFS
Priority Date	12/31/1868, 12/31/1868, 12/31/1874, 12/31/1904
Transfer	<a href="#">T-13738</a>
Water Right	Permit: G-17530
County/Basin	Baker / Powder(9)
Applicant Name	ROHNER, JOHN T. 19997 CULLY LN BAKER CITY, OR 97814
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > BALDOCK SLOUGH BASIN / 8.00S 40.00E 2 SWSW
Use/Quantity	IRRIGATION / 1.840 CFS
Priority Date	03/02/2015

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## 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	<b>N20.005</b>
County	Deschutes
Certificate	95175; 95176; 95177; 95178; 74149
Priority Date	6/1/1907 10/29/1913; 4/7/1911; 1905; 12/8/1961
Name	TUMALO IRRIGATION DISTRICT
Address	64697 COOK AVENUE BEND, OR 97703
Use	IRRIGATION; SUPPLEMENTAL IRRIGATION
Source	TUMALO CR > DESCHUTES R; TUMALO CR, CRATER CR, LITTLE CRATER CR, THREE SPRING BRANCHES > DESCHUTES R; CRESCENT LAKE RES > CRESCENT CR, AND LITTLE DESCHUTES R > DESCHUTES R; DESCHUTES R > COLUMBIA RIVER
Acres:	1.67
Authorized POU:	T16S R12E 18 SESE
Proposed POU:	T16S R12E 08 NESW; T16S R12E 18 SESE

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# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
June 22, 2021

Use this form to offer comments on water use requests or other items in this notice, or to order copies of proposed and final orders. You are welcome to submit comments on a separate sheet, but please be sure to include your name and address and reference the specific request or document that concerns you. Please mail your comments to the address listed above.

Alternatively, you may use our new Public Comment tool available on our website. Go to our website: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>, and enter identifying information about the application. On the Water Rights Information Query Results page, use the "Submit a Public Comment" link, or under 'View all Scanned Documents' use the "Submit a Public Comment" link.

**Water Use Request Type & File Number**

(e.g. "Permit Application G-12345" or "Transfer T-1234"):

Mail me the order  
(payment enclosed)\*

[ ]  
[ ]  
[ ]

**Your Name, Address, and Phone Number:**

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

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