

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS July 6, 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.
- * **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.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **Applications for Limited Licenses**
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- * **Transfer Applications: Drought Temporary Transfers**
Requests to temporarily change character of use, place of use or point of diversion during a drought declared under ORS 536.740.
- * **Transfer Applications: District Permanent for Place of Use - ORS 540.580**
Petitions requesting permanent changes in place(s) of use within a district's boundary.
- * **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 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

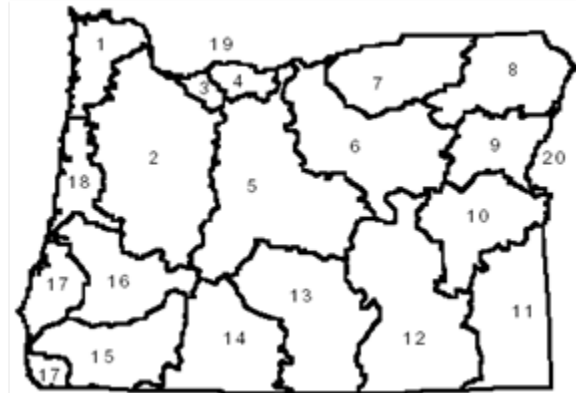
Unit of measure:

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

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, August 05, 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 20, 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-19028
County/Basin	Columbia / Willamette (2)
Applicant Name	MEANS, JAMES R. 33668 JOHNSONS LANDING RD SCAPPOOSE, OR 97056
Sources/TRSQ40Q160	ORENCO RE LLC 33187 KAMMEYER SCAPPOOSE, OR 97056 A WELL > SPRING LAKE / 3.00N 2.00W 13 NWSE A WELL > JACKSON CREEK / 3.00N 2.00W 13 SWSE
Use/Quantity	NURSERY USES / 2.59780 CFS
Priority Date	09/16/2020
Stage/Status	IR / PROPOSE TO APPROVE

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Final Orders - Permit & Limited License Applications

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

App#	G-18472
County/Basin	Jackson / Rogue (15)
Applicant Name	POTTS, EZRA S. PO BOX 928 NORTH SAN JUAN, CA 95960
Priority Date	03/02/2017
Issue Date	07/02/2021
Status	APPROVED
App#	G-18718
County/Basin	Deschutes / Deschutes (5)
Applicant Name	THORSNESS, BRIAN & JACKIE PO BOX 6633 BEND, OR 97708
Priority Date	07/25/2018
Issue Date	07/02/2021
Status	APPROVED
App#	G-18837
County/Basin	Yamhill / Willamette (2)
Applicant Name	LOCHERT, IGOR 22745 NE HIGHWAY 240 NEWBERG, OR 97132
Priority Date	07/08/2019
Issue Date	07/02/2021
Status	DENIED
App#	G-18881
County/Basin	Clackamas / Willamette (2)
Applicant Name	SAVAGE, JACOB 16812 S HOWARDS MILL RD BEAVERCREEK, OR 97004
Priority Date	11/25/2019
Issue Date	07/02/2021
Status	APPROVED
App#	G-18912
County/Basin	Clackamas / Willamette (2)
Applicant Name	GOLD DAD INVESTMENT LLC 6121 SE PARMENTER COURT MILWAUKIE, OR 97267
Priority Date	02/06/2020
Issue Date	07/02/2021
Status	APPROVED
App#	G-19001
County/Basin	Marion / Willamette (2)
Applicant Name	STUTZMAN, MERLE & GRACE 11623 BROADACRES RD NE HUBBARD, OR 97032
Priority Date	06/29/2020

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Issue Date	07/02/2021
Status	APPROVED
App#	G-19024
County/Basin	Klamath / Klamath (14)
Applicant Name	DENIS HICKEY AND KELSEY HICKEY LLC PO BOX 1022 MERRILL, OR 97633
Priority Date	09/21/2020
Issue Date	07/02/2021
Status	DENIED
App#	G-19152
County/Basin	Klamath / Klamath (14)
Applicant Name	SHAW, CAROLYN 12952 CRYSTAL SPRINGS RD KLAMATH FALLS, OR 97603
Priority Date	06/14/2021
Issue Date	06/30/2021
Status	APPROVED
App#	LL-1861
County/Basin	Lane / Willamette (2)
Applicant Name	ORLANDINI, JEFF 3100 E 17TH AVENUE EUGENE, OR 97403
Issue Date	06/30/2021
Status	WITHDRAWN
App#	LL-1868
County/Basin	Deschutes / Deschutes (5)
Applicant Name	THE STATE OF OREGON ACTING BY AND THROUGH THE BOARD OF TRUSTEES OF OREGON STATE UNIVERSITY 1500 SW CHANDLER AVENUE BEND, OR 97702
Issue Date	06/30/2021
Status	APPROVED
App#	R-88866
County/Basin	Washington / Willamette (2)
Applicant Name	WEBER, JANET 21750 SW CHAPMAN RD SHERWOOD, OR 97140
Priority Date	08/24/2020
Issue Date	06/25/2021
Status	APPROVED
App#	R-88875
County/Basin	Yamhill / Willamette (2)
Applicant Name	ROCKYFORD YAMHILL 2 LLC C/O JULIE COLES PO BOX 82106 BAKERSFIELD, CA 93380
Priority Date	09/15/2020
Issue Date	06/25/2021
Status	APPROVED

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App# [R-88903](#)
County/Basin Douglas / Umpqua (16)
Applicant Name HUDSON, MARGARITA D.
3656 CANYONVILLE RIDDLE RD
RIDDLE, OR 97469
Priority Date 12/17/2020
Issue Date 06/25/2021
Status APPROVED

App# [S-88871](#)
County/Basin Jackson / Rogue (15)
Applicant Name SAFLEY, GARY & JUDITH
3959 OLD STAGE RD
CENTRAL POINT, OR 97502
Priority Date 09/08/2020
Issue Date 07/02/2021
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 20, 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-69804
Permit#	S-52498
County/Basin	Lincoln / Middle Coast (18)
Applicant Name	SOUTHWEST LINCOLN COUNTY WATER PUD PO BOX 368 WALDPOR, OR 97394
Sources/TRSQ40Q160 Use/Quantity	VINGIE CREEK > PACIFIC OCEAN / 14.00S 12.00W 14 NWSE MUNICIPAL USES / 1.000 CFS

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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 **August 05, 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-89105
County/Basin	Umatilla / Umatilla (7)
Applicant Name	US BUREAU OF RECLAMATION 1917 MARSH RD YAKIMA, WA 98907
Sources/TRSQ40Q160	A RESERVOIR > UMATILLA RIVER / 4.00N 29.00E 3 SWNE A CANAL > UMATILLA RIVER / 4.00N 28.00E 28 SWSW A CANAL > UMATILLA RIVER / 3.00N 29.00E 22 SESW
Use/Quantity	IRRIGATION / 76.500 AF
Priority Date	06/06/2021

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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 20, 2021, upon finding that the proposed water use will not impair or be detrimental to the public interest (OAR 690-340-030).** The public is invited to provide comments that will assist the Director in determining whether the use would impair or be detrimental to the public interest. If the applicant applies for a use that is not one of the standard uses listed in OAR 690-300, the Department may, for the purposes of this notice, assign a named use that is reasonably close to the use actually requested. The public may examine the actual application by clicking the associated hyperlink and then choosing “LL Application” under “Scanned Documents.”

App#	LL-1886
County/Basin	Lane / Willamette (2)
Applicant Name	KOSLOFSKY, ADAM 10250 SW GREENBURY RD. SUITE 111 PORTLAND, OR 97223
Sources/TRSQ40Q160	STREAM > SALT CREEK / 21.00S 4.00E 27 NENW STREAM > SALT CREEK / 21.00S 4.00E 26 SESW STREAM > SALT CREEK / 21.00S 4.00E 24 NENW
Use/Quantity	SUBSURFACE EXPLORATIONS TO INVESTINGATE LANDSLIDES / 8.913 CFS
App#	LL-1887
County/Basin	Clackamas / Sandy (3)
Applicant Name	SALMON VALLEY WATER COMPANY PO BOX 205 WELCHES, OR 97067
Sources/TRSQ40Q160	WELL > SANDY RIVER / 2.00S 7.00E 33 SESW WELL > SANDY RIVER / 3.00S 7.00E 4 NENW QUASI-MUNICIPAL / .334 CFS

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Transfer Applications: Drought Temporary Transfer

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

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

Transfer	T-13751
Water Right	Cert: 37271
County/Basin	Douglas / Umpqua (16)
Applicant Name	PEREZ, BENITO 1334 BREWSTER AVE REDWOOD CITY, CA 94062
Proposed Change	POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	MITCHELL CREEK > SHOESTRING CREEK / 31.00S 5.00W 6 NENW
Use/Quantity	IRRIGATION / 0.100 CFS
Priority Date	06/17/1964

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Applications for District Permanent Transfer for Place of Use

A district may request to permanently change the place of use within district boundaries pursuant to ORS 540.580. A petition (application) for a district permanent water right transfer may be submitted subsequent to (specific noticing requirements apply) or prior to the change in place of use, but no later than the end of the calendar year in which the change occurs. The petition may include an unlimited number of place of use transfers within the same petition. Any recently filed Application for District Permanent Water Right Transfer for Place of Use is listed below.

Public comments may be submitted by any person (please follow the instructions on the last page of this public notice). A protest may be filed by any potentially affected holder of an existing water right, either jointly or severally with other persons, provided the protest is not by a user within a district alleging injury to the delivery of water by the district. Each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing. Protests must be accompanied by a \$810 protest fee for non-applicants and a \$410 protest fee for the applicant, and filed in accordance with OAR Chapter 690, Division 2. **Comments or protests must be received by the Department on or before August 05, 2021.**

Pursuant to ORS 540.580(8), if a water user within the district files a protest claiming injury to a water right delivery by the district, no contested case hearing shall be required, but the district shall resolve the matter directly with the water user.

To view the permanent transfer application, click on the link below.

Transfer	T-13745
County	Malheur
Certificate	74080 & 74081 IN THE NAMES OF THE U.S. BUREAU OF RECLAMATION & VALE OREGON IRRIGATION DISTRICT; 76197 IN THE NAME OF VALE OREGON IRRIGATION DISTRICT
Priority Date	5/10/2026 & 1/11/2027; 12/16/1931 (STORED WATER) & 11/26/1945 (DIRECT FLOW); 10/1/1951; 1883
Name	VALE OREGON IRRIGATION DISTRICT
Address	521 A ST WEST VALE, OR 97918
Use	IRRIGATION; SUPPLEMENTAL IRRIGATION
Source	MALHEUR R > SNAKE R; NORTH FORK MALHEUR R > MALHEUR R & BELUAH RESERVOIR (A.K.A. AGENCY VALLEY RES > NORTH FORK MALHEUR R; WARM SPRINGS CREEK > MALHEUR R

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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# [95518](#)
Xfer: T-12032
County/Basin Harney / Malheur Lake (12)
Applicant Name GILMOUR, JAMES
GILMOUR, SUE
Priority Date 07/08/1999
Issue Date 07/02/2021

Cert# [95586](#)
App: G-16969
County/Basin Harney / Malheur Lake (12)
Applicant Name KRETTINGER, RONALD
Priority Date 11/27/2007
Issue Date 07/02/2021

Cert# [95738](#)
Xfer: T-12638
County/Basin Harney / Malheur Lake (12)
Applicant Name ROOT, ANDY
Priority Date 04/10/1981
Issue Date 07/02/2021

Cert# [95739](#)
Xfer: T-12638
County/Basin Harney / Malheur Lake (12)
Applicant Name ROOT, ANDY
Priority Date 10/21/1970
Issue Date 07/02/2021

Cert# [95637](#)
Xfer: T-12807
County/Basin Harney / Malheur Lake (12)
Applicant Name WRIGHT FARMS LLC
Priority Date 12/15/1976
Issue Date 07/02/2021

Cert# [95638](#)
Xfer: T-12807
County/Basin Harney / Malheur Lake (12)
Applicant Name WRIGHT FARMS LLC
Priority Date 02/14/1978
Issue Date 07/02/2021

Cert# [95639](#)
Xfer: T-12807
County/Basin Harney / Malheur Lake (12)
Applicant Name WRIGHT FARMS LLC
Priority Date 05/23/1989
Issue Date 07/02/2021

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OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

July 6, 2021

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

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

Water Use Request Type & File Number

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

Mail me the order
(payment enclosed)*

Your Name, Address, and Phone Number:

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

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