

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
October 19, 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.
- * **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.
- * **Certificate Issuance**
Included in this section is a listing of recently issued water right certificates.
- * **Participant Substitution – Pilot Project (SB267)**
A listing of a potential substitute participant for the irrigation district temporary transfer pilot project.

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.

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

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How to Read the Listing

App#:

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

County/Basin (See Map)

Applicant Name

Applicant Address

Sources/TRSQ40Q160

Use/Quantity

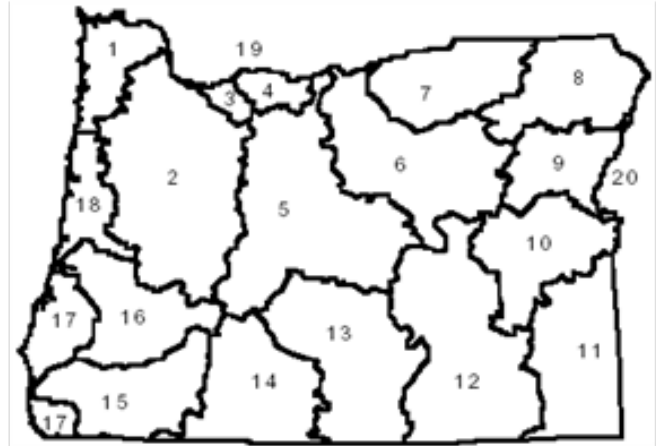
Unit of measure:

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

Priority Date

Stage/Status

- IR: Initial Review
- PFO: Proposed Final Order



BASINS:		
1. North Coast	8. Grande Ronde	15. Rogue
2. Willamette	9. Powder	16. Umpqua
3. Sandy	10. Malheur	17. S. Coast
4. Hood	11. Owyhee	18. Mid-Coast
5. Deschutes	12. Malheur L.	19. Columbia
6. John Day	13. Goose/Summer L.	20. Snake
7. Umatilla	14. Klamath	

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

AG: Agriculture	GR: Groundwater recharge	MU: Municipal
CR: Cranberry uses	GT: Geothermal	NU: Nursery use
CM: Commercial	ID: Irrigation with domestic	PA: Pollution abatement
DI, DN: Domestic including non-commercial lawn & garden	IL: Irrigation with livestock	PW: Power
DO: Domestic	IM: Industrial or manufacturing	QM: Quasi-municipal
DS: Domestic & stock	IR: Irrigation	RC: Recreation
FI: Fish	IS: Irrigation, supplemental	RW: Road construction
FP: Fire protection	LV: Livestock	TC: Temperature control
FW: Fish & wildlife	LW: Livestock & wildlife	WI: Wildlife
GD: Group domestic	MI: Mining	

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Initial Review and Proposed Final Orders

The following pages of this notice list permit applications that the Department is evaluating for compliance with state water law. Public participation and comment is encouraged. Opportunities for public involvement vary according to the stage of the permit evaluation.

Ground water permit applications in the Deschutes Basin (Basin 5) may seek to provide mitigation pursuant to the Deschutes Ground Water Mitigation Rules.

Initial Review Stage (IR)

The Department has given the applicant an initial review of water-use restrictions, water availability and other limitations that affect the agency's decision on whether to issue a permit. The Department welcomes comments from interested persons, agencies and organizations on the proposed water use.

The comment deadline for initial reviews appearing in this public notice is 5pm, Thursday, November 18, 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 \$35. (Any person paying \$35 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, December 03, 2021.

The protest filing fee is \$480 for the applicants and \$950 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 \$270 to retain the ability to participate in future proceedings relating to an application. Before participation in a hearing is allowed, an additional \$680 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

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 \$35 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#	S-89167
County/Basin	Jackson / Rogue (15)
Applicant Name	EDEN VALLEY ELITE PROPERTIES LLC ELLIOT, PAUL PO BOX 1396 TALENT, OR 97540
Priority Date	09/24/2021
Issue Date	10/18/2021
Status	APPROVED

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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 November 18, 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 \$35 (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# [G-12770](#)
Permit Number G-12931
County/Basin Harney / Malheur Lake (12)
Applicant Name HOYT AND SONS RANCH PROPERTIES LTD
PO BOX 427
BURNS, OR 97720

ROOT, ANDY J.
524 HWY 20 N
HINES, OR 97738

SHELLEY, RONALD D.
72987 COW CREEK RD
BURNS, OR 97720
Sources/TRSQ40Q160 WELL 1 > COW CREEK / 22.00S 32.50E 36 NWNE
WELL 2 > COW CREEK / 22.00S 32.50E 36 SWNE
WELL 3 > COW CREEK / 22.00S 32.50E 36 NWSE
WELL 4 > COW CREEK / 22.00S 33.00E 30 NESW
Use/Quantity SUPPLEMENTAL IRRIGATION / 2.960 CFS
Proposed Completion Date 10/01/2024

App# [G-12085](#)
Permit Number G-18426
County/Basin Marion / Willamette (2)
Applicant Name SCHURTER, SHAWN & KIMBERLY
10520 SUNNYVIEW RD NE
SALEM, OR 97317
SALEM, OR 97317
Sources/TRSQ40Q160 A WELL > PUDDING RIVER BASIN / 7.00S 1.00W 19 NESE
A WELL > PUDDING RIVER BASIN / 7.00S 1.00W 19 SESE
Use/Quantity IRRIGATION / 0.540CFS
Proposed Completion Date 10/01/2024

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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 November 09, 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 22
County/Basin Name	Douglas / Umpqua (16) WORSLEY, FRED & IAMBIE 150 AKIN LANE ROSEBURG, OR 97471
Cert#/Priority Date	22030 / 02/13/1951
Source/Tributary To	NORTH UMPQUA RIVER / UMPQUA RIVER 80887 / 02/13/1951 NORTH UMPQUA RIVER / UMPQUA RIVER

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Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before November 18, 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-13844
Water Right	Cert:95393 (T-13350)
County/Basin	Lane / Willamette (2)
Applicant Name	LYONS, JEFFREY A. PO BOX 146 EAST BURKE, VT 05832
Proposed Change	POINT OF DIVERSION, SURFACE WATER TO GROUND WATER
Sources/TRSQ40Q160	A SLOUGH > WILLAMETTE RIVER / 16.00S 4.00W 36 SWNW
Use/Quantity	IRRIGATION / 0.076 CFS
Priority Date	03/12/1951

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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 \$950 protest fee for non-applicant and \$480.00 protest fee for applicant. Call (503) 986-0815 to obtain additional information. Protests must be received by the Department on or before November 18, 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-13486](#) filed by Homer W. Peterson Estate, c/o Jenson and Spratling, LLP, PO Box 550, Pendleton, OR 97801, proposes a change in point of diversion under Certificate 87012. The right allows the use of 0.39 cubic foot per second from Birch Creek in Sec. 22, T1N, R32E, WM for irrigation, domestic, and stock uses in Sects. 10 and 15, T1N, R32E, WM. The applicant proposes to move the point of diversion to Sec. 10, T1N, R32E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13672](#) filed by Nancy Cole, 3020 Cedar Flat Road, Williams, OR 97544, proposes a change in place of use under Certificates 52996 and 52997. Certificate 52996 allows the use of 0.05 cubic foot per second (cfs) from West Fork Williams Creek in Sec. 5, T39S, R5W, WM for irrigation and stock use in Sec. 5, T39S, R5W, WM. Certificate 52997 allows the use of 0.08 cfs from West Fork Williams Creek in Sec. 5, T39S, R5W, WM for irrigation and stock use in Sec. 5, T39S, R5W, WM. The applicant proposes to change the place of use within Sec. 5, T39S, R5W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13548](#) filed by JB Land LLC c/o Greg Juul, PO Box 130, Hermiston, OR 97838, proposes additional points of diversion and changes in place of use under Certificates 89856 and 89858. Certificate 89856 allows the use of 1.63 cubic feet per second (cfs) from the Columbia River in Sec. 7, T5N, R30E, WM for irrigation in Sects. 24, 25 and 26, T5N, R29E, WM. The applicant proposes an additional point of diversion in Sec. 8, T5N, R30E, WM and to change the place of use to Sects. 25 and 36, T5N, R29E, WM. Certificate 89858 allows the use of 13.06 cfs from the Columbia River in Sec. 7, T5N, R30E, WM for irrigation in Sects. 24, 25, 26, and 35, T5N, R29E, WM and in Sects. 19 and 30, T5N, R30E, WM. The applicant proposes an additional point of diversion in Sec. 8, T5N, R30E, WM and to change the place of use to Sects. 24, 25, 26, 35, and 36, T5N, R29E, WM, in Sects 18, 19, and 30, T5N, R30E, WM, and in Sec. 6, T4N, R30E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13409](#) filed by Charles and Louanna Eggert, 18555 SW Teton Ave, Tualatin, OR 97062 and Northwest Farm Credit Services FLCA, 650 Hawthorne Ave SE, Ste 210, Salem, OR 97301, proposes a change in points of appropriation, additional points of appropriation and change in place of use under Certificates 93885 and 94527. Certificate 93885 allows the use of 4.81 cubic feet per second (CFS) from 3 wells in Sects. 10 and 16, T25S, R30E, WM for irrigation in Sec. 16, T25S, R30E, WM. The applicant proposes to move the points of appropriation and additional points of appropriation in Sects. 9, 10 and 16, T25S, R30E, WM. Certificate 94527 allows the use of 3.38 CFS from Wells 1 and 2 in Sects 10 and 15, T25S, R30E, WM. for irrigation in Sec. 15, T25S, R30E, WM. The applicant proposes to move a point of appropriation and additional points of appropriation in Sects. 9, 10 and 16, T25S, R30E, WM and to change the place of use to Sects. 5 and 10, T25S, R30E, 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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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# [95789](#)
App: S-86010
County/Basin Lane / Middle Coast (18)
Applicant Name ANGELI, JOHN JOSEPH; JOHN JOSEPH ANGELI AND BEATRICE J ANGELI REVOCABLE TRUST
ANGELI, BEATRICE J.; JOHN JOSEPH ANGELI AND BEATRICE J ANGELI REVOCABLE TRUST
JOHN JOSEPH ANGELI AND BEATRICE J ANGELI REVOCABLE TRUST
Priority Date 05/17/2004
Issue Date 10/15/2021

Cert# [95669](#)
App: S-88252
County/Basin Douglas / Umpqua (16)
Applicant Name BENTLEY, CINDY
Priority Date 06/30/2016
Issue Date 10/15/2021

Cert# [95840](#)
Xfer: T-10782
County/Basin Umatilla / Umatilla (7)
Applicant Name BRADLEY, BRIAN
BRADLEY, DEIRDRE
Priority Date 08/14/1936
Issue Date 10/15/2021

Cert# [95801](#)
Xfer: T-11975
County/Basin Grant / John Day (6)
Applicant Name BROOKS, KENNETH R.
Priority Date 08/28/1961
Issue Date 10/15/2021

Cert# [95160](#)
App: R-88313
County/Basin Lane / Willamette (2)
Applicant Name CITY OF EUGENE
Priority Date 11/03/2016
Issue Date 10/15/2021

Cert# [95874](#)
Xfer: T-12581
County/Basin Coos / South Coast (17)
Applicant Name COQUILLE INDIAN TRIBE
Priority Date 02/25/1929
Issue Date 10/15/2021

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Cert# [95873](#)
 Xfer: T-12581
 County/Basin Coos / South Coast (17)
 Applicant Name COQUILLE INDIAN TRIBE
 Priority Date 02/25/1929
 Issue Date 10/15/2021

Cert# [95705](#)
 App: G-15703
 County/Basin Wallowa / Grande Ronde (8)
 Applicant Name COUNTY OF WALLOWA; FAIRGROUNDS FAIR BOARD
 Priority Date 02/08/2002
 Issue Date 10/15/2021

Cert# [95831](#)
 Xfer: T-8039
 County/Basin Douglas / Umpqua (16)
 Applicant Name COW CREEK BAND OF THE UMPQUA INDIANS
 Priority Date 08/20/1926
 Issue Date 10/15/2021

Cert# [95692](#)
 App: G-17682
 County/Basin Umatilla / Umatilla (7)
 Applicant Name DUBOIS, GARY
 Priority Date 06/11/2013
 Issue Date 10/15/2021

Cert# [95842](#)
 Xfer: T-12897
 County/Basin Umatilla / Umatilla (7)
 Applicant Name EARL BROWN AND SONS INC.
 Priority Date 01/23/2004
 Issue Date 10/15/2021

Cert# [95799](#)
 Xfer: T-11056
 County/Basin Clatsop, Columbia / North Coast (1)
 Applicant Name FISHHAWK LAKE RESERVE AND COMMUNITY
 Priority Date 05/01/1969
 Issue Date 10/15/2021

Cert# [95772](#)
 App: R-86252
 County/Basin Benton / Willamette (2)
 Applicant Name FOSS, ROBERT
 FOSS, DELORES
 Priority Date 04/11/2005
 Issue Date 10/15/2021

Cert# [95183](#)
 App: S-87659
 County/Basin Coos / South Coast (17)
 Applicant Name FULLAGAR, DAVID
 FULLAGAR, BETSY
 Priority Date 10/07/2010
 Issue Date 10/15/2021

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Cert# [95796](#)
Xfer: T-9752
County/Basin Marion / Willamette (2)
Applicant Name GABRIEL, ROBERT; ROBERT W GABRIEL TRUST
ROBERT W GABRIEL TRUST
Priority Date 09/07/1978
Issue Date 10/15/2021

Cert# [95794](#)
Xfer: T-11483
County/Basin Baker / Powder (9)
Applicant Name GOVER, GEORGE
GOVER, MARCIA
Priority Date 12/31/1890
Issue Date 10/15/2021

Cert# [95688](#)
App: G-17573
County/Basin Lane / Willamette (2)
Applicant Name GRESL, WALLY; RIDGEVIEW ALPACA FARM
LUCAS, JACKIE; RIDGEVIEW ALPACA FARM
RIDGEVIEW ALPACA FARM
Priority Date 08/03/2012
Issue Date 10/15/2021

Cert# [94964](#)
App: S-87004
County/Basin Polk / Willamette (2)
Applicant Name GYLAN AND GWENDOLYN MULKEY REVOCABLE LIVING TRUST
Priority Date 10/03/2007
Issue Date 10/15/2021

Cert# [95798](#)
Xfer: T-11533
County/Basin Tillamook / North Coast (1)
Applicant Name HANKINS, MARILYN
HANKINS, PHILIP
Priority Date 08/18/1916
Issue Date 10/15/2021

Cert# [95875](#)
Xfer: T-13035
County/Basin Clackamas / Willamette (2)
Applicant Name KARAM NURSERY
KARAM, ISSA
Priority Date 10/04/1990
Issue Date 10/15/2021

Cert# [95816](#)
Xfer: T-12419
County/Basin Douglas / Umpqua (16)
Applicant Name KENNADAY, DAVID
Priority Date 12/28/1979
Issue Date 10/15/2021

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Cert#	95691
App:	R-87825
County/Basin	Grant / John Day (6)
Applicant Name	MARCIEL, MARY
Priority Date	07/30/2012
Issue Date	10/15/2021
Cert#	95880
Xfer:	T-12289
County/Basin	Baker / Powder (9)
Applicant Name	MCEST RANCHES LLC
Priority Date	04/05/1978
Issue Date	10/15/2021
Cert#	95805
Xfer:	T-12195
County/Basin	Lane / Willamette (2)
Applicant Name	MOORE, RHONDA MOORE, LYNN
Priority Date	01/22/1958
Issue Date	10/15/2021
Cert#	95693
App:	S-87866
County/Basin	Douglas / Umpqua (16)
Applicant Name	NORRIS FARMS LLC
Priority Date	02/19/2013
Issue Date	10/15/2021
Cert#	95787
App:	S-86514
County/Basin	Douglas / Umpqua (16)
Applicant Name	O'CONNOR, JOHN O'CONNOR, RAQUEL
Priority Date	02/16/2006
Issue Date	10/15/2021
Cert#	95792
Xfer:	T-11483
County/Basin	Baker / Powder (9)
Applicant Name	PINE LAKES DITCH AND RESERVOIR CO.
Priority Date	12/31/1903
Issue Date	10/15/2021
Cert#	95793
Xfer:	T-11483
County/Basin	Baker / Powder (9)
Applicant Name	PINE LAKES DITCH AND RESERVOIR CO.
Priority Date	10/07/1959
Issue Date	10/15/2021
Cert#	95788
App:	S-86499
County/Basin	Douglas / Umpqua (16)
Applicant Name	QUILHAUGH, KERRY QUILHAUGH, GLORIA
Priority Date	01/20/2006
Issue Date	10/15/2021

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Cert# [95735](#)
Xfer: T-12166
County/Basin Douglas / Umpqua (16)
Applicant Name RATHBURN, DON
Priority Date 04/11/1972
Issue Date 10/15/2021

Cert# [95791](#)
App: S-85959
County/Basin Douglas / Umpqua (16)
Applicant Name REIGEL, DAVID
Priority Date 03/05/2004
Issue Date 10/15/2021

Cert# [95797](#)
Xfer: T-8817
County/Basin Douglas / Umpqua (16)
Applicant Name REUSTLE, STEPHEN M.
Priority Date 05/08/1962
Issue Date 10/15/2021

Cert# [95815](#)
Xfer: T-11605
County/Basin Yamhill / Willamette (2)
Applicant Name ROBINSON, RICK; ROBINSON FARM LLC
ROBINSON FARM LLC
Priority Date 09/14/1949
Issue Date 10/15/2021

Cert# [95748](#)
Xfer: T-11867
County/Basin Harney / Malheur Lake (12)
Applicant Name SHELEY, ROGER L.
Priority Date 01/20/1984
Issue Date 07/09/2021

Cert# [95790](#)
App: S-87775
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name SHINE BROTHERS RANCHES LLC
Priority Date 12/30/2011
Issue Date 10/15/2021

Cert# [95841](#)
Xfer: T-10782
County/Basin Umatilla / Umatilla (7)
Applicant Name U.S. BUREAU OF RECLAMATION; PACIFIC NORTHWEST REGION
Priority Date 07/01/1924
Issue Date 10/15/2021

Cert# [95690](#)
App: S-85920
County/Basin Polk / Willamette (2)
Applicant Name VFO INDEPENDENCE LLC
Priority Date 01/27/2004
Issue Date 10/15/2021

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Cert# [95832](#)
Xfer: T-12624
County/Basin Lane / Willamette (2)
Applicant Name WAGONER, DALE
WAGONER, SUZANNE
Priority Date 07/27/1955
Issue Date 10/15/2021

Cert# [95833](#)
Xfer: T-12624
County/Basin Lane / Willamette (2)
Applicant Name WAGONER, DALE
WAGONER, SUZANNE
Priority Date 04/29/1965
Issue Date 10/15/2021

Cert# [95786](#)
App: S-86597
County/Basin Douglas / Umpqua (16)
Applicant Name WALLACE, BONNY L.
Priority Date 05/15/2006
Issue Date 10/15/2021

Cert# [95808](#)
App: G-18363
County/Basin Gilliam / John Day (6)
Applicant Name WILDE, GARY
WILDE, KAREN
Priority Date 08/23/2016
Issue Date 10/15/2021

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.

Notice of Proposed District Substitution for Irrigation District Pilot Project **Opportunity to Provide Information**

Oregon Laws 2003, chapter 705, section 23 as amended by Oregon Laws 2015, chapter 384, section 2, authorizes a pilot project allowing certain irrigation districts to make annual place of use changes to water rights within their legal boundaries without applying to the Water Resources Department for a temporary transfer. This pilot program has been extended by the Legislature on several occasions, most recently by SB 130 (2021).

Under the pilot program, 15 irrigation districts are authorized to participate. If any of the specified districts are unable to participate in the pilot, the Department may substitute another district. Before allowing another district to participate in the project for the first time, the Department is required to publish notice of the district's potential participation and accept information from the public for 20 days about whether the district meets the criteria below.

An alternate district must:

- a) have defined state boundaries;
- b) have a management structure that can ensure that water is applied only where the water use is authorized;
- c) not irrigate an area in any one irrigation season that exceeds the maximum number of acres allowed to be irrigated under the right;
- d) have a full and accurate measurement of the water appropriated;
- e) have an accurate map identifying the location of the authorized use, by priority date, for review upon request and provide a copy of the map to the water master; and
- f) have on file statements by any landowner affected by the water use changed indicating that the landowner agrees to the change.

Beginning with the 2022 irrigation season, a potential alternate district is being proposed as follows:

Non-Participating District: Swalley Irrigation District
64672 Cook Ave, Suite 1
Bend, Or 97703

Proposed District Substitute: Tumalo Irrigation District
64697 Cook Ave
Bend, Or 97703

The public may provide information to assist the Department in determining whether Tumalo Irrigation District meets the criteria above. If you have questions please contact Ann Reece by telephone at 503-979-3214 or via email at Ann.L.Reece@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

October 19, 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 \$35 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 \$35 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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