OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS August 17, 2010

This notice is also available on our web page at the following address: http://www1.wrd.state.or.us/cgi-bin/notices.pl?water_rights

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.
- * Alternate Reservoir Applications (ORS 537.409)
 Applications for storage permits for small ponds 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.
- * 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 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: Permit Amendments Requests to amend permits.

* Notice of Open Comment Period Public Hearing Swan Lake North Hydroelectric Project

The Public Notice is published each week on the Department's web site at http://www.wrd.state.or.us/. If you would like to receive a *free* weekly notification when it is published, please send your request to "Jonnine.L.SKAUG@wrd.state.or.us".

Permit Application Initial Reviews and Proposed Final Orders

The following pages of this notice list permit applications that the Oregon Water Resources Department is evaluating for compliance with state water laws and regulations. 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 by implementing a mitigation project or by obtaining mitigation credits made available by a completed mitigation project. Surface water and/or reservoir permit applications in the Deschutes Basin may be proposed ground water mitigation projects.

Initial Review Stage (IR in the "Stage" column of the permit listing)

The Department has given the applicant the results of an initial review of water use restrictions, water availability and other limits that affect the agency's decision on whether to issue a permit. The applicant has asked the agency to proceed to the next stage of evaluation. 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, September 16, 2010. Although we cannot respond individually to all comments, each will be considered as the agency makes its permit decision.

Proposed Final Order Stage (PFO in the "Stage" column of the permit listing)

The proposed final order is the Department's preliminary decision on the water use request. It will indicate how the comments received on the application in the first stage were considered. The PFO documents the agency's decision through specific findings. 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 \$20. (Any person paying \$20 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 district watermaster office nearest the proposed use. 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, October 01, 2010.

The protest filing fee is \$300 for the applicants and \$600 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO. Persons who support the PFO may file a "standing" fee of \$150 to retain the ability to participate in future proceedings relating to an application. Before participation is allowed, an additional \$300 will be required at the time of the proceeding.

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. In addition to the usual state or federal office closures, the Oregon Water Resources Department headquarters office will be closed on the following Fridays: October 16, 2009; November 27, 2009; March 19, 2010; April 16, 2010; June 18, 2010; August 20, 2010; September 17, 2010; November 26, 2010; March 18, 2011; and May 20, 2011.

How to Read the Listing

Applications on the next page are sorted by application number in the following format:

App#	Basin	Source	Township/Range	County	Priority	Quantity	Stage Status	
G-15693		JOHN PO BOX 123 EUGENE OR 97123 A WELL > SPRING CR	16.00s 03.00W 19 NESW	Lane	01/29/2002	0.3700 C	IR 3	

FIRST LINE:

* Application number:

G: groundwater

R: reservoir

S: surface water

I: instream

Agriculture

Applicant name & address

Stage of review:

IR: Initial Review

PFO: Proposed Final Order

Decision status codes

1: permit may be issued as requested

2: permit may be issued with conditions

3: permit unlikely to be issued

SECOND LINE:

* Basin number (see map below right)

* Source > what it flows into

(in the case of wells, this describes the basin in which the well is located)

* General legal description

* County & Priority date

* Amount

* Unit of measure:

C: cubic feet per second

G: gallons per minute

A: acre-feet

THIRD LINE:

* Type of use (see abbreviations below)

MU:

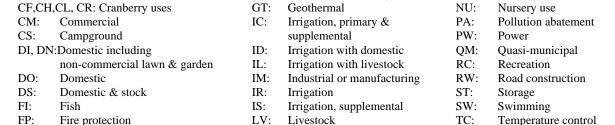
BASINS:

- 1. North Coast
- 2. Willamette
- 3. Sandy
- 4. Hood
- 5. Deschutes
- 6. John Day
- 7. Umatilla
- 8. Grande Ronde
- 9. Powder
- 10. Malheur

11. Owyhee

- 12. Malheur L.
- 13. Goose/Summer L.
- 14. Klamath
- 15. Rogue
- 16. Umpqua
- 17. S. Coast
- 18. Mid-Coast
- 19. Columbia
- 20. Snake

Commonly used "Type



Groundwater recharge

Fire protection LV: Fish & wildlife LW: Livestock & wildlife WI: FW: GD: Group domestic Mining

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

GR:

Wildlife

Municipal

Public Notice date August 17, 2010, Page 4

App#	Basin	Source	Township/Range	County	Priority	Quantity Stage	Status	3
G-17	224	NORTHWESTERN VINEYARD MANAGEMENT NORTH	WESTERN VINEYARD MANAGE	MENT 19820	SW CAPPOEN RD	SHERWO	PFO	2
Uses:		A WELL > WEST FORK CHICKEN CREEK	2.00S 2.00W 23 SESW	Washington	05/21/2009	0.03C		
G-17	004	CLOPTON, BRIAN PO BOX 509 WILSONVILLE	OR 97070				PFO	3
Uses:	2 IR	A WELL > YERGEN CREEK	4.00S 2.00W 13 NENW	Marion	02/11/2008	0.95C		
S-86	705	NETARTS WATER DISTRICT NETARTS WATER D	ISTRICT PO BOX 50 NETAR	TS OR 9714	1		PFO	2
Uses:		FALL CREEK > PACIFIC OCEAN	1.00S 10.00W 29 SWNW	Tillamook	10/19/2006	0.3C		
G-17	310	MINERAL VALLEY LLC MINERAL VALLEY LLC	PO BOX 5075 BRIDGEPORT	OR 97819			PFO	2
Uses:		A WELL > BASIN CREEK	13.00S 42.00E 20 NWNE	Malheur	02/10/2010	1.00		
G-17	312	STEVENS, EDWIN 47667 LOENNING RD HAINE	S OR 97883				PFO	2
Uses:	-	A WELL > LITTLE MUDDY CREEK A WELL > LITTLE MUDDY CREEK	7.00S 38.00E 14 SESE 7.00S 38.00E 14 SESE	Baker Baker	02/19/2010 02/19/2010	1.09C (est 1.09C (est	,	
G-17	334	MARTIN, JODI 31247 JOY LANE HERMISTON	OR 97838				PFO	2
Uses:	7 IR	A WELL > UMATILLA RIVER	5.00N 28.00E 35 NESE	Umatilla	03/29/2010	0.067C		

Permit Application Final Orders

Following is a list of applications that have had final orders issued recently. If you would like a copy of any of the final orders, you may send a request with \$20.00 for each final order to the Water Rights Section, Oregon Water Resources Department, 725 Summer Street NE Ste A, Salem OR 97301. If you have any questions, please contact the Department's customer service staff by dialing 503-986-0801.

Application	Basin	County	Priority	Company	Name	FO Date
R-84768	5	WASC	06/01/2001	BLAINE LIMITED PARTNERSHIP		08/05/2010
R-87568	8	UNIO	01/06/2010	STANDLEY TIMBER LLC	DAVID STANDLEY	08/05/2010
S-84767	5	WASC	06/01/2001	BLAINE LIMITED PARTNERSHIP		08/05/2010
<u>S-87349</u>	5	KLAM	11/21/2008		ARLO GOODWIN	08/05/2010
S-87615	16	DOUG	06/03/2010		JERRY TABOR	08/05/2010
S-87530	2	POLK	09/15/2009	DERAEVE FAMILY LLC	RON LEWIS	08/10/2010
<u>S-87584</u>	2	MARI	02/22/2010		ROBERT DESANTIS	08/10/2010
<u>G-17001</u>	10	MALH	02/04/2008		MITCHEL DUCKWORTH	08/12/2010
R-87574	1	CLAT	01/26/2010		JOHN MCCALL	08/12/2010
R-87596	7	UMAT	04/05/2010		PATRICK DOHERTY	08/12/2010
<u>S-87598</u>	16	DOUG	05/03/2010		MARC EASTMAN	08/12/2010
S-87613	16	DOUG	05/17/2010		ANDREW OWENS	08/12/2010
<u>s-87637</u>	1	TILL	07/07/2010		DENIS LAVIOLETTE	08/16/2010

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 October 16, 2010.

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R-87602
PETERS, TOM
1010 WASHINGTON SUITE 200
VANCOUVER WA 98660
    POD: 1 RUNOFF > JAMESON CANYON
        SW 1/4 NE 1/4 Section 2 T 1.00S R 14.00E WM
         Wasco County
             7.0 A for MULTIPLE PURPOSE
R-87603
VARNER, HERMAN
288 QUINALT ST SE
SALEM OR 97306
VARNER, TOMALYNE
288 QUINALT ST SE
SALEM OR 97306
POD: 1 RUNOFF > NEIL CREEK
          SE 1/4 NE 1/4 Section 33T 8.00S R 3.00W WM
          Marion County
             3.0 A for MULTIPLE PURPOSE
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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 \$20. (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 district watermaster office.

Extension of Time Public Notice and Comment Procedures

Written comments on or written protests against a PFO must be submitted on or before October 01, **2010.** There is no fee for submission of comments. The protest filing fee is \$300 for the applicant and \$600 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

1.) OAR-690-315

County of Use: Klamath Application File Number: G-15844

Permit Number: G-15486

Applicant: U.S. PUBLIC HEALTH SERVICE; KLAMATH TRIBES OF OR

Address: PO BOX436

CHILOQUIN OR 97625

River Basin: Klamath Basin

Water Source: A WELL > WILLIAMSON RIVER Authorized Use of Water: DOMESTIC USE FOR 25 HOUSEHOLDS

Maximum Diversion/

0.03 CFS Appropriation Rate:

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2009 to October 1, 2019. County of Use: Clackamas Application File Number: G-15966 Permit Number: G-15924

Applicant: WICHITA NURSERY INC. Address: 9413 S HEINZ RD

CANBY OR 97013 River Basin: Willamette Basin

Water Source: A WELL > CREAMERY CREEK
A WELL > WHEELER CREEK

Authorized Use of Water: NURSERY USES ON 152.1 Acres

Maximum Diversion/

Appropriation Rate: 4.9 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2009 to October 1, 2017.

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 August 31, 2010, 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.

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LL-1314
KIMMEL, CHUCK KIMMEL, KEVIN
PO BOX 562
EAGLE POINT OR 97524
    POD: 1 LOST CREEK RES > ROGUE R
        SW 1/4 NE 1/4 Section 13 T 36.00S R 3.00W WM
         Jackson County
            0.13 C for RIPARIAN HABITAT RESTORATION PROJECT
LL-1315
DIAZ, STEVE
489 BAILEY WAY
ROSEBURG OR 97470
    POD: 1 GALESVILLE RES > COW CR
        NE 1/4 NW 1/4 Section 3 T 28.00S R 6.00W WM
         Douglas County
            1.78 A for IRRIGATION
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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 September 07, 2010. 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.

County: Douglas

Instream Lease Number: IL 716

Lessor:

WONDRA, ATTN: NORB

INTERNATIONAL PAPER COMPANY

77622 U.S. HIGHWAY 101 GARDINER OR 97441

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO PACIFIC OCEAN

Cert# Permit	Priority	Use	Rate(cfs) Duty(acf)	Source	Tributary to Ac	res
80656 RR *	3/16/1955	SUPPL IM	1.65	SILTCOOS LAKE & RESERVOIR	PACIFIC OCEAN	
80656 RR *	11/9/1955	тм	17.55	TAHKENITCH LAKE & RESERVOIR	PACIFIC OCEAN	

County: Lane/Douglas

Instream Lease Number: IL 717

Lessor:

WONDRA, ATTN: NORB

INTERNATIONAL PAPER COMPANY

77622 U.S. HIGHWAY 101 GARDINER OR 97441

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE PACIFIC OCEAN

Cert# Permit Priority Use Rate(cfs) Duty(acf) Source Tributary to Acres

80657 RR * R 2341 6/20/1955 IM 16.01 11595.0 SILTCOOS LAKE RESERVOIR PACIFIC OCEAN

County: Douglas

Instream Lease Number: IL 718

Lessor:

WONDRA, ATTN: NORB

INTERNATIONAL PAPER COMPANY

77622 U.S. HIGHWAY 101

GARDINER OR 97441

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE PACIFIC OCEAN

Cert# Permit Priority Use Rate(cfs) Duty(acf) Source Tributary to Acres

Public Notice date August 17, 2010, Page 12

80658 RR * R 2342 8/3/1955 IM 10.39 7525.0 TAHKENITCH CREEK & PACIFIC OCEAN TAHKENITCH LAKE RESERVOIR 80658 RR * R 2342 11/9/1955 IM 7.71 5580.0 TAHKENITCH CREEK & PACIFIC OCEAN TAHKENITCH LAKE RESERVOIR TAHKENITCH LAKE RESERVOIR

County: Coos

Instream Lease Number: IL 1091

Lessor:

LEIBELT, CHARLES

1003 NE DIVISION STREET MYRTLE CREEK OR 97457

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE MOUTH OF THE COQUILLE RIVER

Cert# Permit Priority Use Rate(cfs) Duty(acf) Source Tributary to Acres 66576 OR * S 38931 1/18/1974 2.4 481.0 COQUILLE RIVER PACIFIC OCEAN 192.4 IR

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 (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

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 September 16, 2010. 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.

County: DESCHUTES Transfer: 11111
Water Right: CERT 74145
Priority Date: SEPTEMBER 1, 1899

Name:

DESCHUTES RIVER CONSERVANCY
SWALLEY IRRIGATION DISTRICT
Address:
700 NW HILL BEND OR 97701
Change:
USE, PLACE OF USE
Source:
DESCHUTES RIVER

County: JACKSON
Transfer: 11117
Water Right: CERT 17227, 85714, 83349
Priority Date: 1896, 1899, 1966

1090, 1899, 1966
BETTY KNOEBEL
PO BOX 558, EAGEL POINT OR 97524
PLACE OF USE Name:

Address:

Change:

Source: S & N FORK LITTLE BUTTE CREEK, A RES, LOST CR

HARRISON CR, CHARLEY CR, COON CR

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 expand 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:

UMATILLA County: Transfer: Transfer: 11094
Water Right: CERT 86375
Priority Date: MAY 22, 1972

Name: LON G. WADEKAMPER
Address: 29899 COUNTRY LANE, HERMISTON OR 97838
Change: PLACE OF USE
Source: A WELL

Transfer Applications: Permit Amendments

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU) pursuant to ORS 537.211 (4).

Notice is given that the following applications for Permit Amendments have been received by the Department. If the proposed change in point of diversion or appropriation is for a distance greater than 1/4 mile or includes intervening diversion points, notice also will be published in a local newspaper.

County: HARNEY

Transfer: 11118
Water Right: PERMIT G 16483
Priority Date: MAY 29, 2008
Name:

Name: VETTER ENTERPRISES LLC
Address: PO BOX 755, HINES OR 97738
Change: POA/APOA
Source: A WELL

Notice of Open Comment Period Public Hearing Swan Lake North Hydroelectric Project

August 31, 2010, 6:30 p.m. Klamath County Government Center 305 Main Street; Klamath Falls, OR

Comments on this application for preliminary permit for a new hydroelectric project are requested from interested citizens, organizations, governmental entities, and other parties. Comments are requested on whether the impacts of this project are such that they might be cumulative with other proposed or existing projects in the Klamath basin. Requests for additional studies related to project impacts may also be submitted.

The application and supporting documents may be viewed at the Water Resources Department, 725 Summer Street NE, Salem, Oregon 97301. The project is also filed with the Federal Energy Regulatory Commission (FERC) as docket p-13318

Comments may be submitted at the public hearing, or in writing to the Oregon Water Resources Department by September 15, 2010.

The Swan Lake North Hydro L.L.C. application for a preliminary permit for a major hydroelectric project in Klamath County.

Application #: HE 592

Applicant: Swan Lake North LLC

Address: 975 S State Highway, Logan, UT 84321

Amount of water: 15,922 cubic feet per second

Source of water: Two existing permitted wells will be used for the initial fill

of 13,965 acre-feet. 1,574 additional acre-feet will be needed

annually for replacement due to evaporation.

Reservoir Location: Sections 13, 14, 15, 22, 23 of Township 37 South, Range 10 East,

W.M.

Purpose: Hydroelectric power production.
Plant Capacity: 2,359,351 Theoretical Horsepower

For Further Information Contact: R. Craig Kohanek 503-986-0823.

Note: The services, programs and activities of the Water Resources Department are covered by the Americans with Disabilities Act (ADA). The ADA prohibits discrimination against persons with disabilities. The Department intends to comply with the ADA. If you are interested and need special accommodations to participate in the public hearing, please contact Mary Grainey at (503) 986-0833, at least 48 hours prior to the hearing.

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS August 17, 2010

Use the back of this form to offer comments on water use requests or other items in this notice or to order copies of proposed final 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.

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 \$20 to mail a copy of a proposed and final order on a pending water right application or permit extension to any interested person. Please include a check made out to the Oregon Water Resources Department in the amount of \$20 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 propose final order and final order are also available for viewing—at no charge—at our Salem office or at the local watermaster office.)