

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

## PUBLIC NOTICE OF WATER USE REQUESTS

November 2, 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](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.
- \* **Alternate Reservoir Applications (ORS 537.409)**  
Applications for storage permits for small ponds filed under a simplified review process.
- \* **Applications for Extensions of Time to Perfect Water Right Permits**  
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- \* **Applications for Limited Licenses**  
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- \* **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.

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, December 02, 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, December 17, 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	DOE, JOHN PO BOX 123 02 A WELL > SPRING CR Uses: IR	EUGENE OR 97123	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
- \* 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)

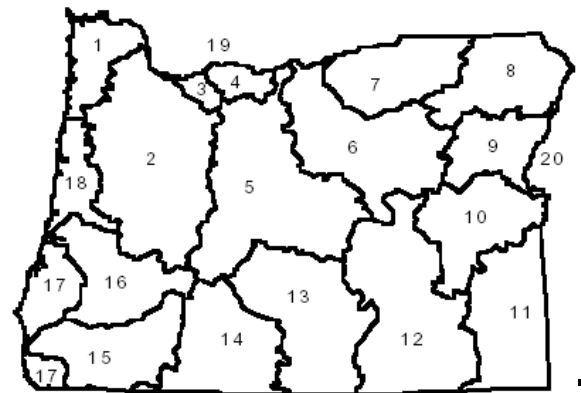
**BASINS:**

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

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

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

Commonly used “Type



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
<a href="#">G-17421</a>	MARTIN, CRAIG 31247 JOY LANE HERMISTON OR	97838					IR 2
7	A WELL > UMATILLA DRAIN	5.00N 28.00E 35 NESE	Umatilla	09/07/2010	0.02C		
Uses: IR							
<a href="#">G-17409</a>	LAVIOLETTE, DENIS PO BOX 432 TILLAMOOK OR	97141					IR 3
1	A WELL > VAUGHN CREEK	1.00S 10.00W 1 SWNE	Tillamook	08/09/2010	0.19C (est)		
1	A WELL > VAUGHN CREEK	1.00S 10.00W 1 SWNE	Tillamook	08/09/2010	0.19C (est)		
1	A WELL > VAUGHN CREEK	1.00S 10.00W 1 SWNE	Tillamook	08/09/2010	0.19C (est)		
Uses: IR PM							
<a href="#">S-87656</a>	KLOPFENSTEIN, GARY LEE 2429 SW CHINABERRY AVE ROSEBURG OR	97470					IR 2
16	NORTH UMPQUA RIVER > UMPQUA RIVER	26.00S 6.00W 27 SWSE	Douglas	10/04/2010	0.01C		
Uses: DN							
<a href="#">S-87654</a>	SHAMEY, KATHERINE 85110 DUNN LANE FLORENCE OR	97439					IR 2
18	CLEAWOX LAKE > WOA HINK LAKE	19.00S 12.00W 3 SWSE	Lane	09/24/2010	0.005C		
Uses: DO							

## 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
<a href="#">R-87636</a>	1	TILL	07/07/2010		DENIS LAVIOLETTE	10/26/2010
<a href="#">G-12672</a>	2	MARI	10/03/1991	MORSE BROTHERS INC.		10/28/2010
<a href="#">G-12677</a>	2	LINN	10/03/1991	MORSE BROTHERS INC.		10/28/2010
<a href="#">G-16574</a>	5	DESC	11/30/2005	PINE RIDGE RANCH	JOHN LEASON	10/28/2010
<a href="#">S-86574</a>	11	MALH	04/07/2006		ROY HALL	10/28/2010
<a href="#">R-86674</a>	5	CROO	08/24/2006	RIVER RUN RANCH		10/29/2010
<a href="#">S-87540</a>	2	LANE	10/15/2009	WHITEWATER RANCH LLC	RICHARD HAAKE	10/29/2010
<a href="#">S-87581</a>	18	LANE	02/16/2010	OREGON TRAIL COUNCIL BSA		10/29/2010

## **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 January 01, 2011.**

R-87657  
BOYDEN, DANIEL J.  
REDS CABIN LLC  
1430 EASTSIDE RD  
HOOD RIVER OR 97031  
POD: 1 A SPRING > EMIGRANT CREEK  
NW 1/4 NW 1/4 Section 12T 39.00S R 1.00E WM  
Jackson County  
4.9 A for MULTIPLE PURPOSE

**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 December 02, 2010.** 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 \$20 (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.

Extension file information is included in the following format:

- (a) Application Number;
- (b) Permit number;
- (c) Applicant name and address;
- (d) County of application;
- (e) Common name of water source(s) listed in the permit;
- (f) Amount of water use permitted in gallons per minute (gpm), cubic feet per second (cfs) or acre feet (af) of storage;
- (g) Use allowed in the permit;
- (h) Proposed extended date of completion as requested by the extension applicant;

Application Number: G-7373  
Permit Number: G-6899  
ZIG ZAG VILLAGE HOMEOWNERS ASSOCIATION  
PO BOX 525  
WELCHES OR 97067  
MULTNOMAH County  
A WELL > SANDY RIVER  
0.2 CFS  
GROUP DOMESTIC FOR 85 FAMILIES  
October 1, 2015

Application Number: G-13664  
Permit Number: G-13029  
MCKENZIE, SCOTT H; ARRIOLA, BRIAN AND KYLE  
PO BOX 458  
COQUILLE OR 97423  
Curry County  
A WELL > FLORAS LAKE  
0.6 CFS  
SUPPLEMENTAL CRANBERRY OPERATIONS ON 70.0 ACRES  
October 1, 2020

Application Number: G-16556  
Permit Number: G-16065  
BANY, DAVID  
5442 SW KRUSE RD  
WILSONVILLE OR 97070  
Clackamas County  
FOUR WELLS > WILLAMETTE RIVER  
0.078 CFS, FURTHER LIMITED TO 0.022 CFS FOR AGRICULTURE  
AND 0.073 CFS FOR IRRIGATION  
AGRICULTURE USES AND IRRIGATION USES ON 5.8 ACRES  
October 1, 2011



**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 December 17, 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:	Yamhill
Application File Number:	S-44208
Permit Number:	S-32489
Applicant:	CITY OF CARLTON
Address:	191 E MAIN ST CARLTON OR 97111-9107
River Basin:	Willamette Basin
Water Source:	PANTHER CREEK > NORTH YAMHILL RIVER
Authorized Use of Water:	MUNICIPAL USES
Maximum Diversion/ Appropriation Rate:	2.5 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1997 to October 1, 2009; and grant an extension of time to apply water to full beneficial use from October 1, 1997 to October 1, 2009.

## 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 November 16, 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.

LL-1325

HILLSBORO LANDFILL INC

REEVES, MARK

WMI 7227 NE 55<sup>TH</sup> AVE

PORTLAND OR 97218

POD: 1 A WELL > TUALATIN R

NE 1/4 SE 1/4 Section 7 T 1.00S R 2.00W WM

Washington County

0.05 C (est)for FIRE SUPPRESION

0.05 C (est)for INDUSTRIAL/MANUFACTURING USES

POD: 2 A WELL > TULATIN R

NE 1/4 SE 1/4 Section 7 T 1.00S R 2.00W WM

Washington County

0.05 C (est)for FIRE SUPPRESION

0.05 C (est)for INDUSTRIAL/MANUFACTURING USES

LL-1326

RUBY PIPELINE LLC

GREDVIG, DAN

RM 518 PO BOX 1087

COLORADO SPRINGS CO 80944

AND ...

SUSSMAN, ADAM

1600 SW WESTERN BLVD SUITE 240

CORVALLIS OR 97333

POD: 1 A WELL > GOOSE & SUMMER LAKE

NE 1/4 SW 1/4 Section 10 T 40.00S R 20.00E WM

Lake County

1.11 C (est)for GENERAL CONSTRUCTION OR MAINTENANCE  
AND HYDROSTATIC TESTING

POD: 2 A WELL > GOOSE & SUMMER LAKE

SE 1/4 NE 1/4 Section 10 T 40.00S R 20.00E WM

Lake County

1.11 C (est)for GENERAL CONSTRUCTION OR MAINTENANCE  
AND HYDROSTATIC TESTING

POD: 3 A WELL > GOOSE & SUMMER LAKE

SW 1/4 NE 1/4 Section 10 T 40.00S R 20.00E WM

Lake County

1.11 C (est)for GENERAL CONSTRUCTION OR MAINTENANCE  
AND HYDROSTATIC TESTING

## 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 December 02, 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: CLACKAMAS  
Transfer: 11147  
Water Right: CERT 43436  
Priority Date: DECEMBER 3, 1963  
Name: SUNRISE WATER AUTHORITY, ATTN: TIM JANNSEN  
Address: 10602 SE 129TH AVE, HAPPY VALLEY OR 97086  
Change: POINT OF APPROPRIATION  
Source: WELL

County: MALHEUR  
Transfer: 11148  
Water Right: CERT 1620, 1120  
Priority Date: 1898, 1913  
Name: SCOTT LIVESTOCK CO.  
Address: 4876 NORTH ROAD H, VALE OR 97918  
Change: PLACE OF USE, POINT OF DIVERSION  
Source: TURNER CREEK/TURNER SPRINGS

# **OREGON WATER RESOURCES DEPARTMENT**



**725 Summer Street NE Ste A  
Salem OR 97301**

**PUBLIC NOTICE OF WATER USE REQUESTS**  
November 2, 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**  
(e.g. "Permit Application G-12345" or "Transfer T-1234"):  
enclosed)\*

Mail me the order  
(payment

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

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\* 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.)