

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
January 11, 2011

*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.
- * **Alternate Reservoir Applications (ORS 537.409)**
Applications for storage permits for small ponds filed under a simplified review process.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, 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.
- * **Transfer Preliminary Determinations**
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- * **Transfer Applications: 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.
- * **Water Management and Conservation Plans**
Water management and conservation plans submitted by municipalities and agricultural water suppliers under provisions of OAR Chapter 690, Division 86.

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, February 10, 2011. 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, February 25, 2011.

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	EUGENE OR 97123	16.00S 03.00W 19 NESW	Lane	01/29/2002	0.3700 C	IR	3
	02 A WELL > SPRING CR							
	Uses: IR							

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)

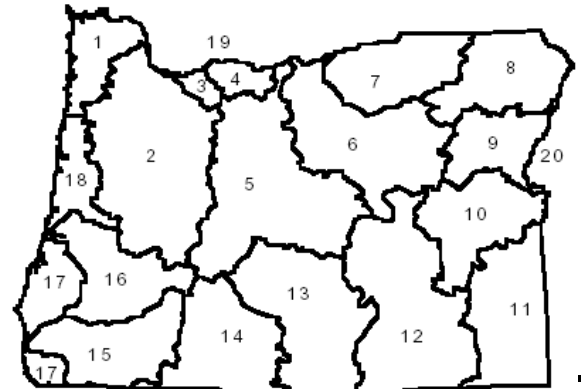
BASINS:

- | | |
|-----------------|---------------------|
| 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
R-87591	DAIL, DAN 830 N FIR VILLA RD DALLAS OR	97338					IR 2
2	UNNAMED STREAM > BASKET SLOUGH	7.00S 5.00W 23 SWSW	Polk	03/12/2010	14.5A		
2	RUNOFF > BASKET SLOUGH	7.00S 5.00W 23 SWSW	Polk	03/12/2010	14.5A		
Uses:	MP						
G-17259	OUTLAND, MATTHEW M G OUTLAND ENTERPRISES LLC PO BOX 429 92629 HWY 140 W LAKEVIEW OR	97630					PFO 3
13	A WELL > COTTONWOOD CREEK	39.00S 19.00E 9 NENW	Lake	09/09/2009	2.5C		
Uses:	IS						

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
G-17299	10	MALH	01/25/2010	THREE VALLEYS RANCH LLC		01/06/2011
G-17326	2	CLAC	03/23/2010		ALLAN ENGELMEYER	01/06/2011
R-86975	15	JOSE	09/17/2007	ROGUE VALLEY DEVELOPMENT LLC	KEITH DREVETS	01/06/2011
R-86976	15	JOSE	09/17/2007	ROGUE VALLEY DEVELOPMENT LLC	KEITH DREVETS	01/06/2011
R-86977	15	JOSE	09/17/2007	ROGUE VALLEY DEVELOPMENT LLC	KEITH DREVETS	01/06/2011
R-86978	15	JOSE	09/17/2007	ROGUE VALLEY DEVELOPMENT LLC	KEITH DREVETS	01/06/2011
R-86979	15	JOSE	09/17/2007	ROGUE VALLEY DEVELOPMENT LLC	KEITH DREVETS	01/06/2011
R-86980	15	JOSE	09/17/2007	ROGUE VALLEY DEVELOPMENT LLC	KEITH DREVETS	01/06/2011
R-86981	15	JOSE	09/17/2007	ROGUE VALLEY DEVELOPMENT LLC	KEITH DREVETS	01/06/2011
S-70447	17	COOS	06/29/1990		RONALD KASPER	01/06/2011
S-71072	2	CLAC	12/27/1990	CANBY UTILITY BOARD		01/06/2011
S-86201	2	BENT	03/15/2005	JENKS OLSEN FARMS INC.		01/06/2011
S-86255	2	POLK	04/13/2005	HOWARD POPE LIVING TRUST; JENKS OLSEN FARMS INC.		01/06/2011
S-86699	2	POLK	10/10/2006		FRED MAGEE	01/06/2011

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 March 12, 2011.

R-87673

BOYDEN, DANIEL J.

B M T LLC

1430 EASTSIDE RD

HOOD RIVER OR 97031

POD: 1 A SPRING > WILLOW CREEK

NE 1/4 NE 1/4 Section 2 T 39.00S R 3.00E WM

Jackson County

2.45 A for MULTIPLE PURPOSE (est.)

POD: 2 RUNOFF > WILLOW CREEK

NE 1/4 NE 1/4 Section 2 T 39.00S R 3.00E WM

Jackson County

2.45 A for MULTIPLE PURPOSE (est.)

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 **February 10, 2011**. 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).

S-87674
MCSILVERS, JEROME M.
1261 S ST
3289 16TH ST
SPRINGFIELD OR 97477

MCSILVERS, SHIRLEY J.
1261 S ST
3289 16TH ST
SPRINGFIELD OR 97477

POD: 1 MCKENZIE RIVER > WILLAMETTE RIVER
SE 1/4 NW 1/4 Section 24T 17.00S R 3.00W WM
Lane County
0.0 AFT for IRRIGATION (est.)

POD: 2 BLUE RIVER RESERVOIR > BLUE RIVER
SE 1/4 SE 1/4 Section 16T 16.00S R 4.00E WM
Lane County
10.0 AFT for IRRIGATION (est.)

POD: 3 COUGAR RESERVOIR > SOUTH FORK MCKENZIE RIVER
SE 1/4 SE 1/4 Section 31T 16.00S R 5.00E WM
Lane County
10.0 AFT for IRRIGATION (est.)

**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 February 10, 2011. 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-14559
Permit Number: G-13328
WEBB, MICHAEL A.
WINTERS-WEBB, MECHELL M.
PO BOX 1934
BANDON OR 97411
AND...
NORTHWEST FARM CREDIT SERVICES FLCA
PO BOX 2515
SPOKANE WA 99220-2515
Coos County
TWO SUMP WELLS > ROSA CREEK
CRANBERRY USE ON 27 ACRES
October 1, 2017

**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 February 25, 2011. 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-15641
Permit Number:	G-15124
Applicant:	MICHAELS, STEVEN F. ANDERSON, ROBERT L. ANDERSON, MARCY A.
Address:	4179 OLD MIDLAND RD KLAMATH FALLS OR 97603
River Basin:	Klamath Basin
Water Source:	A WELL > LOST RIVER
Authorized Use of Water:	IRRIGATION ON 79.0 Acres
Maximum Diversion/ Appropriation Rate:	0.988 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2006 to October 1, 2013.

County of Use: Jackson
Application File Number: G-15943
Permit Number: G-15782
Applicant: BLANDAU, MARY
Address: 4203 BEAGLE RD
WHITE CITY OR 97503
River Basin: Rogue Basin
Water Source: A WELL > ROGUE RIVER
Authorized Use of Water: IRRIGATION ON 7.0 Acres
Maximum Diversion/
Appropriation Rate: 0.88 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, 2012.

County of Use: Marion
Application File Number: G-16450
Permit Number: G-16083
Applicant: FRITZ AND ROSINA MUELLER LLC
Address: 6576 55TH AVE NE
SALEM OR 97305
River Basin: Willamette Basin
Water Source: TWO WELLS > LITTLE PUDDING RIVER
Authorized Use of Water: IRRIGATION ON 65.3 Acres
Maximum Diversion/
Appropriation Rate: 0.82 CFS, FURTHER LIMITED TO 0.71 CFS FROM
AUGUST 1 THROUGH AUGUST 31 AND 0.67 CFS FROM
SEPTEMBER 1 THROUGH SEPTEMBER 30

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2010 to October 1, 2018.

County of Use: Yamhill
Application File Number: S-69773
Permit Number: S-54038
Applicant: CITY OF MCMINNVILLE
Address: PO BOX 638
MCMINNVILLE OR 97128
River Basin: North Coast Basin
Water Source: MCGUIRE RESERVOIR > NESTUCCA RIVER
Authorized Use of Water: MUNICIPAL USES
Maximum Diversion/
Appropriation Rate: 6040.0 AF

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2008 to October 1, 2042.

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 \$600 protest fee for non-applicant and \$300.00 protest fee for applicant. A Water Right Transfer Protest Form is available at <http://www.oregon.gov/OWRD/PUBS/forms.shtml> or by calling 503-986-0888. Protests must be received by the Department on or before February 10, 2011, 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-9586 filed by Robert and Deborah Keller, 13621 South Myrtle Road, Myrtle Creek OR 97457, proposes a change in point of diversion and a change in place of use under Certificate 8100. The right allows the use of 0.11 cubic foot per second (priority date October 31, 1927) from Weaver Creek in Sec. 16, T 29 S, R 3 W, W.M. for irrigation and domestic in Section 16. The applicants propose to move the point of diversion approximately 1763 feet downstream within Sec. 16 and to change the place of use within Sec. 16. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

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:

County:	UMATILLA
Transfer:	11182
Water Right:	CERT 80773
Priority Date:	MARCH 13, 1972
Name:	JB LAND LLC C/O GREG JUUL
Address:	PO BOX 130, HERMISTON OR 97838
Change:	PLACE OF USE
Source:	COLUMBIA RIVER

Water Management and Conservation Plans

The Department is required to give notice and to invite public review and comment on Water Management and Conservation Plans submitted pursuant to OAR Chapter 690, Division 086. The Department will consider all public comments in its review of the draft plan and will report the results of the review to the water supplier 90 days from the time the plan was submitted.

Any person may review and comment on a draft plan on or before February 10, 2011. The plans are available for viewing at the Salem office of the Water Resources Department. Comments should focus on elements in the draft that do not meet the requirements of OAR Chapter 690, Division 086 and should include suggestions on how to bring the draft into compliance with the rules.

Plans have been submitted by the following agricultural and municipal water suppliers:

City of Bend, Oregon (Municipal)
Swalley Irrigation District (Agricultural)

To review any of the above plans or to provide comments on the plans, contact Lisa Jaramillo at 503-986-0880 or lisa.j.jaramillo@wrd.state.or.us.

**OREGON
WATER
RESOURCES
DEPARTMENT**



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

January 11, 2011

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:

* 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 proposed final order and final order are also available for viewing—at no charge—at our Salem office or at the local watermaster office.)