

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
March 1, 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.
- * **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.
- * **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.
- * **Surface Water Registration Statement (SWR) Amendments (OAR 690-028-055(1))**
Requests to amend Pre-1909 Surface Water Registration Statements filed pursuant to ORS 539.240, including amendments in ownership, point of diversion, place of use, and type of use.
- * **Application for Instream Lease**
Application by water right holder to lease existing water rights to instream use.
- * **Water Management and Conservation Plan Progress Reports**

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, March 31, 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, April 15, 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)

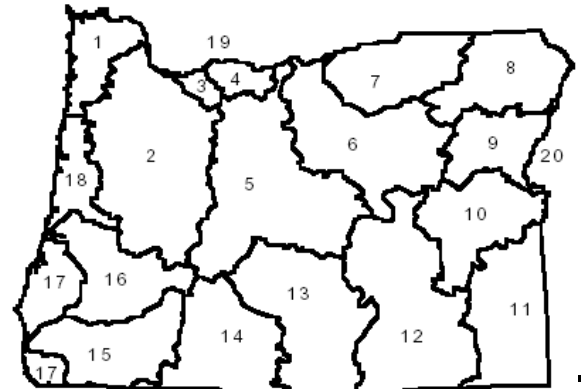
BASINS:

- | | |
|-----------------|---------------------|
| 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
S-87685	ANDERSON, GERALD L. PO BOX 1123 13605 N BANK RD ROSEBURG, OR 97470						IR 2
Uses: DN	16 NORTH UMPQUA RIVER > UMPQUA RIVER	26.00S 4.00W 17 NESE	Douglas	01/28/2011	0.02C		
G-17392	CHASCHIN, GREGORY PO BOX 309 PLAMONDON, TOA2TO						IR 2
Uses: IR	2 A WELL > ROCK CREEK	5.00S 1.00W 1 SWSE	Clackamas	06/02/2010	0.14C		
G-17410	CASALE, CARL 1 WINDCASTLE DR SAINT CHARLES, MO 63304						IR 2
Uses: NU	2 A WELL > WILLAMETTE RIVER	3.00S 1.00W 27 SWNE	Clackamas	08/10/2010	0.445C		

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-16072	2	LANE	08/13/2003	LAMONTAI IMPROVEMENT DISTRICT	BRIAN DUELLETTE	02/17/2011
R-74326	17	COOS	07/29/1994		JOHN A MCMAHON	02/17/2011
S-73190	17	COOS	03/21/1991		JOHN A MCMAHON	02/17/2011
S-74327	17	COOS	07/29/1994		JOHN A MCMAHON	02/17/2011
S-87298	12	HARN	10/01/2008		WILLIAM DUNBAR	02/17/2011
R-87376	2	CLAC	01/15/2009		DAVE OBRIST	02/18/2011
S-87493	15	JACK	07/02/2009		EDWARD HARRISON	02/25/2011

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 **March 31, 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-87691
MULKEY, GARTH
MULKEY, SUSAN
13535 DE ARMOND RD
MONMOUTH, OR 97361
POD: 1 A RESERVOIR > BERRY CREEK
SW 1/4 SW 1/4 Section 35T 9.00S R 5.00W WM
Polk County
103.0 AFT for IRRIGATION

**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 March 31, 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-15800
Permit Number: G-16016
DIAMOND RIDGE WATER ASSOCIATION
PO BOX 8411
COBURG, OR 97408-1306
Lane County
THREE WELLS > DANIELS CREEK
0.13 CFS
GROUP DOMESTIC FOR 27 HOUSEHOLDS
October 1, 2030

Application Number: S-16497
Permit Number: S-29882
U.S. BUREAU OF RECLAMATION
1150 CURTIS ROAD
BOISE, ID 83706-1234
Malheur County
BULLY CREEK & BULLY CREEK RES > MALHEUR RIVER
121.9 CFS FROM BULLY CREEK AND 24,309 AF STORED WATER FROM
BULLY CREEK RESERVOIR
IRRIGATION AND SUPPLEMENTAL IRRIGATION ON 5,402 ACRES
October 1, 2012

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 March 15, 2011, 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-1339
BLATTNER ENERGY INC
FAROUGH, NAOMI
392 COUNTY RD 50
AVON, MN 56310
POD: 1 A WELL > JUNIPER CAN
SE 1/4 NW 1/4 Section 16 T 5.00N R 32.00E WM
Umatilla County
0.13 C for ROAD CONSTRUCTION (DUST CONTROL & COMPACTION)

LL-1340
BUREAU OF LAND MANAGEMENT
STOFLETH, VERN
1301 SOUTH G ST
LAKEVIEW, OR 97630
POD: 1 HART LAKE > WARNER LS
SW 1/4 SW 1/4 Section 18T 36.00S R 25.00E WM
Lake County
34.0 C for IRRIGATION (PERPETUATION OF WETLAND PLANTS)

Surface Water Registration Statement (SWR) Amendments

The following are amendments to Surface Water Registration Statements, including amendments in ownership, point of diversion, place of use, and type of use which have been received by the Department. Questions or comments should be directed to: Adjudication Section, Oregon Water Resources Department, 725 Summer Street NE Ste A, Salem OR 97301. Copy fees for copies of the amendments or other documents will be charged at a rate of \$2.00 for the first page and 50¢ for each additional page.

File #: SWR 251
Filed by: Oregon Parks and Recreation Department
Source: Succor Creek, Tributary to the Snake River
Basin: Owyhee
Location: Sections 4 and 5, Township 24 South, Range 46 East, W.M.
Section 33, Township 23 South, Range 46 East, W.M.

Priority: March 17, 1903 and April 11, 1907
Nature of Amendment: Change in Point of Diversion

Original PODS: Lot 8, Section 5, Township 24 South, Range 46 East, W.M. and
Lot 14, Section 5, Township 24 South, Range 46 East, W.M.

Proposed POD: SWSE, Section 33, Township 23 South, Range 46 East, W.M.

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 March 22, 2011. 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: Deschutes

Instream Lease Number: IL 1058

**** Lessor ****

GRAHAM ETUX, ROGER C.
P.O. BOX 784
REDMOND, OR 97756

**** Lessor ****

BUTTERFIELD, SUZANNE
SWALLEY IRRIGATION DISTRICT
64672 COOK AVE SUITE 1
BEND, OR 97701

**** Lessee ****

DESCHUTES RIVER CONSERVANCY
PO BOX 1560
BEND, OR 97709

Contact: LAURA WILKE at (503) 986-0884

Reach: PROTECTED FROM THE SWALLEY MAIN CANAL TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
74145	CF RR *	9/1/1899	IR	0.12	41.51	DESCHUTES R	COLUMBIA R	8.0

Water Management and Conservation Plan Progress Reports

The Department is required to give notice to invite public comment on Water Management and Conservation Plan updates pursuant to OAR Chapter 690-086-0120(5) to provide an opportunity for written public comment. The Department shall provide copies of any comments received to the municipal water supplier.

Any Person may review and comment on these progress reports; the Department requests that these comments be submitted no later than 30 days after this notice.

Progress Reports have been submitted by the following municipal provider(s):

City of Sweethome

To review any of the above progress reports or to provide comments on the progress reports, contact Lisa Jaramillo at 503-986-0880 or Lisa.J.JARAMILLO@wrd.state.or.us or Bill Fujii at 503 986 0887 or by email at william.h.fujii@wrd.state.or.us ..

OREGON WATER RESOURCES DEPARTMENT



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

PUBLIC NOTICE OF WATER USE REQUESTS
March 1, 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 propose final order and final order are also available for viewing—at no charge—at our Salem office or at the local watermaster office.)