

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
March 15, 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](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.
- \* **Water Right Cancellations**  
Abandonment of perfected and developed water rights and requests to cancel all or a portion of rights.
- \* **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.
- \* **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.
- \* **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.
- \* **District Permanent Transfers (ORS 540.580)**  
Petitions requesting transfers in place of use within a district's boundaries.
- \* **Renewal of Aquifer Storage and Recovery (ASR) Limited Licenses (OAR 690-350-020(5)(c))**  
Requests to renew ASR Limited Licenses for 5 years or less.

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, April 14, 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 29, 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)

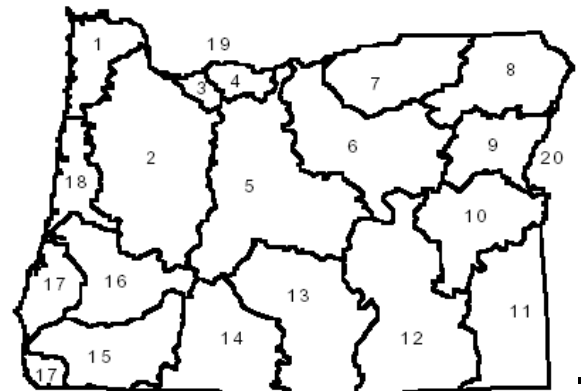
**BASINS:**

- |                 |                     |
|-----------------|---------------------|
| 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
<a href="#">G-17451</a>		RAY, CHRIS 6144 MOLTHAN RANCH RD IRONSIDE, OR 97908						IR 2
10	A WELL >	WILLOW CREEK	14.00S 39.00E 21 SESW	Malheur	01/24/2011	1.849C		
Uses:	IR							
<a href="#">G-17412</a>		KASTOR, RANCE 21202 SE PINE CREEK RD POST, OR 97752						IR 2
5	A WELL >	CROOKED RIVER	17.00S 19.00E 2 NENW	Crook	08/16/2010	0.345C		
Uses:	IR							
<a href="#">G-17438</a>		NELSON, REID AVELLA STONE LLC 212 S DIVISION ST WALLA WALLA, WA 99362						IR 3
7	A WELL >	COTTONWOOD CREEK	6.00N 36.00E 13 NESE	Umatilla	11/18/2010	3.556C		
Uses:	IR							
<a href="#">G-17422</a>		ZIGLER, DONNA LA PINE WATER DISTRICT PO BOX 2460 LA PINE, OR 97739-2460						IR 3
5	A WELL >	LITTLE DESCHUTES RIVER	22.00S 11.00E 18 SENW	Deschutes	09/13/2010	0.7C (est)		
5	A WELL >	LITTLE DESCHUTES RIVER	22.00S 11.00E 18 SENW	Deschutes	09/13/2010	0.7C (est)		
Uses:	QM							
<a href="#">G-17171</a>		CLAUS, R J. 22211 SW PACIFIC HWY SHERWOOD, OR 97140						PFO 2
6	A WELL >	SNIPTION CANYON	4.00S 21.00E 18 SESE	Gilliam	01/30/2009	0.372C		
6	A WELL >	SNIPTION CANYON	4.00S 21.00E 19 NENE	Gilliam	01/30/2009	0.372C		
6	A WELL >	SNIPTION CANYON	4.00S 21.00E 19 SENW	Gilliam	01/30/2009	0.372C		
6	A WELL >	SNIPTION CANYON	4.00S 21.00E 30 NWNE	Gilliam	01/30/2009	0.372C		
6	A WELL >	SNIPTION CANYON	4.00S 20.00E 25 NESE	Gilliam	01/30/2009	0.372C		
6	A WELL >	SNIPTION CANYON	4.00S 20.00E 25 SESW	Gilliam	01/30/2009	0.372C		
Uses:	IS PM							

App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
<a href="#">R-87591</a>	DAIL, DAN 830 N FIR VILLA RD DALLAS, OR 97338						PFO 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:	RC ST WI						
<a href="#">R-87645</a>	STRANGE, BRUCE 42041 CUPPER CREEK RD KIMBERLY, OR 97848						PFO 2
6	CUPPER CREEK > DRY CREEK	9.00S 27.00E 8 NENW	Grant	07/28/2010	0.2A		
6	NORTH FORK JOHN DAY RIVER > JOHN DAY RIVER	9.00S 27.00E 8 NENW	Grant	07/28/2010	0.2A		
Uses:	FP LV RC ST WI						

## 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="#">S-87566</a>	2	LANE	12/30/2009		GARRIE NEIL JOHNS	03/03/2011
<a href="#">G-17386</a>	4	WASC	05/21/2010		TODD DAVIS	03/10/2011
<a href="#">G-17405</a>	4	WASC	07/14/2010		MATTHEW OCONNOR	03/10/2011
<a href="#">G-17435</a>	15	JOSE	11/04/2010	RENDA DATA INDUSTRIAL PARK LLC		03/10/2011
<a href="#">S-87664</a>	2	POLK	11/09/2010		CANDACE TAYLOR	03/10/2011
<a href="#">R-87435</a>	2	BENT	04/09/2009		ROGER KING	03/14/2011

## 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 May 14, 2011.**

R-87680

WESTERN RIVERS CONSERVANCY 71 SW OAK ST SUITE 100 PORTLAND, OR 97204

POD: 1 RUNOFF > ESAU CANYON

SE 1/4 NE 1/4 Section 36T 1.00S R 19.00E WM

Gilliam County

5.0 A for MULTIPLE PURPOSE

R-87682

MAYHEW, CYNTHIA PO BOX 881 EAGLE POINT, OR 97529 MAYHEW, MARK PO BOX 881

EAGLE POINT, OR 97529

POD: 1 RUNOFF > LOST CREEK

SW 1/4 NE 1/4 Section 15T 37.00S R 2.00E WM

Jackson County

3.0 A for FIRE PROTECTION

R-87686

U.S. BUREAU OF LAND MANAGEMENT; LAKEVIEW DISTRICT 1301 SOUTH G ST LAKEVIEW, OR 97630

POD: 1 UNNAMED STREAM > LAST CHANCE LAKES

SE 1/4 SW 1/4 Section 16T 32.00S R 25.00E WM

Harney County

0.5 A for LIVESTOCK

R-87687

DAYSRING PARTNERS LLC 15350 SW SEQUOIA PARKWAY SUITE 250 PORTLAND, OR 97224

PAGEL, MARTHA O. SCHWABE, WILLIAMSON, AND WYATT P C 530 CENTER ST NE SUITE 400 SALEM, OR 97301

POD: 1 SHINGLE CREEK > PINE HOLLOW

SW 1/4 SW 1/4 Section 28T 12.00S R 24.00E WM

Wheeler County

4.55 A for MULTIPLE PURPOSE (est.)

POD: 2 SHINGLE CREEK > PINE HOLLOW

NE 1/4 SW 1/4 Section 28T 12.00S R 24.00E WM

Wheeler County

4.55 A for MULTIPLE PURPOSE (est.)



R-87692  
HOERAUF, RYAN C. PO BOX 14821 ODESSA, TX 79768  
POD: 1 WOLF CREEK > OCHOCO CREEK  
NW 1/4 NE 1/4 Section 30T 14.00S R 19.00E WM  
Crook County  
13.6 A for MULTIPLE PURPOSE

R-87693  
HOERAUF, RYAN C. PO BOX 14821 ODESSA, TX 79768  
POD: 1 WOLF CREEK > OCHOCO CREEK  
SE 1/4 NE 1/4 Section 30T 14.00S R 19.00E WM  
Crook County  
15.0 A for MULTIPLE PURPOSE

R-87694  
HOERAUF, RYAN C. PO BOX 14821 ODESSA, TX 79768  
POD: 1 CADLE CREEK > WOLF CREEK  
SE 1/4 SE 1/4 Section 30T 14.00S R 19.00E WM  
Crook County  
15.1 A for MULTIPLE PURPOSE

R-87695  
HOERAUF, RYAN C. PO BOX 14821 ODESSA, TX 79768  
POD: 1 WOLF CREEK > OCHOCO CREEK  
SW 1/4 SW 1/4 Section 29T 14.00S R 19.00E WM  
Crook County  
15.5 A for MULTIPLE PURPOSE

R-87696  
HOERAUF, RYAN C. PO BOX 14821 ODESSA, TX 79768  
POD: 1 CADLE CREEK > WOLF CREEK  
SW 1/4 SW 1/4 Section 29T 14.00S R 19.00E WM  
Crook County  
12.8 A for MULTIPLE PURPOSE

R-87697  
HOERAUF, RYAN C. PO BOX 14821 ODESSA, TX 79768  
POD: 1 WOLF CREEK > OCHOCO CREEK  
SW 1/4 SW 1/4 Section 29T 14.00S R 19.00E WM  
Crook County  
9.8 A for MULTIPLE PURPOSE

R-87698  
HOERAUF, RYAN C. PO BOX 14821 ODESSA, TX 79768  
POD: 1 WOLF CREEK > OCHOCO CREEK  
SE 1/4 NW 1/4 Section 33T 14.00S R 19.00E WM  
Crook County  
5.7 A for MULTIPLE PURPOSE

R-87699  
HOERAUF, RYAN C. PO BOX 14821 ODESSA, TX 79768  
POD: 1 WOLF CREEK > OCHOCO CREEK  
NE 1/4 SE 1/4 Section 33T 14.00S R 19.00E WM  
Crook County  
7.3 A for MULTIPLE PURPOSE

## Water Right Cancellations

ORS 540.621 authorizes the Director to issue an order canceling a perfected and developed water right whenever the owner certifies under oath that the right has been abandoned and requests a cancellation of the right.

The Department has received affidavits from owners of land to which a water right is appurtenant stating the owner has abandoned the water right, and requesting that the Department cancel portions of the right appurtenant to the land.

The Department proposes to issue orders canceling all or a portion of the following water right(s):

COUNTY:	DESCHUTES
WATER RIGHT CERTIFICATES:	83571 AND 76714, IN THE NAME OF CENTRAL OREGON IRRIGATION DISTRICT
LANDOWNER:	THOMAS G. COBURN LIVING TRUST, THOMASS COBURN TRSTE
ADDRESS:	61784 WARD RD, BEND, OR, 97702
USE:	IRRIGATION & SUPPLEMENTAL IRRIGATION
SOURCE:	DESCHUTES RIVER & CRANE PRAIRIE RESERVOIR >
COLUMBIA RIVER	
PRIORITY:	OCTOBER 31, 1900 & DECEMBER 2, 1907
ACREAGE:	0.69
LOCATION:	T18S, R12E, SEC. 01, NWSW, TAX LOT 300

**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 April 14, 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-16198  
Permit Number: G-15771  
COLUMBIA EMPIRE FARMS  
R 2 RANCH  
31461 NE BELL RD  
SHERWOOD, OR 97140  
Jefferson County  
A WELL > PONY CREEK  
1.67 CFS  
SUPPLEMENTAL IRRIGATION 833.61 ACRES  
October 1, 2011

Application Number: S-85070  
Permit Number: S-53832  
CONFEDERATED TRIBES OF GRAND RONDE COMMUNITY OF OREGON  
SCOTT, ERIC  
9615 GRAND RONDE RD  
GRAND RONDE, OR 97347-9712  
Polk County  
SOUTH YAMHILL RIVER > YAMHILL RIVER  
0.512 CFS, AUTHORIZED FROM OCTOBER 1 THROUGH MARCH 31  
QUASI-MUNICIPAL  
October 1, 2016

**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 April 29, 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:	Deschutes
Application File Number:	G-13993
Permit Number:	G-12954
Applicant:	RUNCO, ROY
Address:	PO BOX 82 SISTERS, OR 97759
River Basin:	Deschutes Basin
Water Source:	A WELL > SQUAW CR
Authorized Use of Water:	SUPPLEMENTAL IRRIGATION ON 40.0 Acres
Maximum Diversion/ Appropriation Rate:	0.5 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2009 to October 1, 2015; and grant an extension of time to apply water to full beneficial use from October 1, 2009 to October 1, 2015.

County of Use: Morrow  
Application File Number: G-15341  
Permit Number: G-15396  
Applicant: CLEAVER, ALAN  
Address: PO BOX 1191  
HERMISTON, OR 97838  
River Basin: Umatilla Basin  
Water Source: EIGHT WELLS > COLUMBIA RIVER  
Authorized Use of Water: IRRIGATION ON 67.0 Acres  
SUPPLEMENTAL IRRIGATION ON 939.2 Acres  
Maximum Diversion/  
Appropriation Rate: 12.5 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2007 to October 1, 2011.

County of Use: Deschutes  
Application File Number: G-15773  
Permit Number: G-15357  
Applicant: ROTH, STEPHEN F.; ROTH, CLANCY R.  
Address: 41600 HWY 20  
BROTHERS OR 97712  
AND...  
ROTH, DAVID; ROTH, JANETTE  
PO BOX 358  
CHRISTMAS VALLEY, OR 97641  
AND...  
NORTHWEST FARM CREDIT SERVICES FLCA  
PO BOX 148  
KLAMATH FALLS, OR 97601  
AND...  
ROSS JR, ROBERT G.; ROSS, NANETTE T.  
NORTHWEST FARM CREDIT SERVICES FLCA  
2222 NW KLINE ST  
ROSEBURG, OR 97470  
AND...  
NORTHWEST FARM CREDIT SERVICES FLCA  
PO BOX 607  
REDMOND, OR 97756  
River Basin: Deschutes Basin  
Water Source: FOUR WELLS > CAMP CREEK  
Authorized Use of Water: IRRIGATION ON 1375.0 Acres  
Maximum Diversion/  
Appropriation Rate: 17.2 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2010 to 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 29, 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-1341

BOND, BARBARA

KISTLER, ROB

4875 SE MILLIES LN

AMITY, OR 97101

POD: 1 A WELL > YAMHILL R

NE 1/4 NW 1/4 Section 21 T 5.00S R 4.00W WM

Yamhill County

0.044 C for IRRIGATION

(200,000 GALLONS A YEAR)

## 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 April 05, 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: Polk

Instream Lease Number: IL 692

\*\* Lessor \*\*  
CATES, KENDALL  
JUSTESEN RANCHES  
529 NW JASPER STREET  
DALLAS, OR 97338

Contact: KODY THURGOOD at 503-986-0892

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

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
47859 CF *	S 19015	9/30/1949	IR	0.085	17.03	LUCKIAMUTE RIVER	WILLAMETTE RIVER	6.8

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

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
13778 OR SP S	13671	5/8/1939	IR	0.099	19.83	LUCKIAMUTE RIVER	WILLAMETTE RIVER	7.9



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

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
14226 OR *	S 13670	5/8/1939	IR	0.329	65.91	LUCKIAMUTE RIVER	WILLAMETTE RIVER	26.3

County: Lane

Instream Lease Number: IL 733

\*\* Lessor \*\*

WOOLCOT, CHRISTINE  
879 W. 100 S.  
SPANISH FORK, UT 84660

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM POD TO MOUTH OF CALICO CREEK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
43390 OR *	S 36138	4/16/1971	IR	0.12	24.75	CALICO CREEK	SILK CREEK	9.9

## 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 April 14, 2011. 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: MARION  
Transfer: 10817  
Water Right: CERT 31508  
Priority Date: 1962  
Name: PATRICIA SAULS  
Address: PO BOX 996, MILL CITY OR 97360  
Change: POU POD  
Source: A SPRING  
Authorized POD: T9S R3E 28  
Proposed POD: T9S R3E 28

County: DESCHUTES  
Transfer: 11204  
Water Right: CERT 82932  
Priority Date: AUGUST 11, 1993  
Name: PATRICK & FRANCES DRENNEN  
Address: 17461 SE FORKED HORN DRIVE, SISTERS OR 97759  
Change: POU/POA  
Source: A WELL

County: LANE  
Transfer: 11205  
Water Right: CERT 84576  
Priority Date: NOVEMBER 22, 1993  
Name: LARRY W. & DOROTHY M. NULL  
Address: PO BOX 2716 FLORENCE OR 97439  
Change: POU  
Source: SIUSLAW RIVER

## **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 April 14, 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-11142 filed by Twila M. Wettstein Trust, 9533 Yergen Road NE, Aurora, OR 97002, proposes additional points of appropriation under Certificate 34687. The right allows the use of 0.858 cubic foot per second (priority date May 13, 1965) from a well in Sec. 13, T 4 S, R 2 W, W.M. (Willamette Basin) for irrigation in Secs. 7 and 18, T 4 S, R 1 W, W.M., and Secs. 12 and 13, T 4 S, R 2 W, W.M. The applicant proposes additional points of appropriation approximately 40 feet and 310 feet southeast in Sec. 18, T 4 S, R 1 W, W.M. and Sec. 13, T 4 S, R 2 W, W.M. 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.

T 11143 filed by Twila M. Wettstein Trust, 9533 Yergen Road NE, Aurora, OR 97002, proposes to modify the point of appropriation under Registration Application 2687 (Certificate of Registration GR-2545).

The ground water registration claims the use of 173.11 gallons per minute (tentative priority date June 8, 1952 from a well in Sec 18, T 4 S, R 1 W, W.M. (Willamette Basin) for irrigation in Secs. 7 and 18, T 4 S, R 1 W, W.M., and Secs. 12 and 13, T 4 S, R 2 W, W.M. The applicant proposes to modify the location of the original point of appropriation approximately 500 to 800 feet northwesterly from the original well to three wells located in Sec. 18, T 4 S, R 1 W, W.M., and Sec. 13, T 4 S, R 2 W, W.M. The Water Resources Department has concluded that the proposed modification appears to be consistent with the requirements of ORS Chapter 537, ORS Chapter 540 and OAR 690-382-1000.

T-11149 filed by HALE FARMS LLC, 73120 HWY 207, ECHO, OR 97826, proposes a change in place of use under Certificates 86679 and 86680.

Certificate 86679 allows the use of 1.17 CUBIC FEET PER SECOND (CFS) (priority date JULY 19, 1974) and Certificate 86680 allows the use of 1.25 CFS (priority date OCTOBER 21, 1974) from 6 wells in Sec. 14, 23 and 2, T 3 N, R 29 E; and Sec. 7, 20 and 30, T 3 N, R 30 E, W.M. (Umatilla Basin) for IRRIGATION in Sec. 5, 7 and 8, T 3 N, R 30 E, W.M.. The applicant proposes to change the place of use to Sec. 13, 23 and 24, T 3 N, R 29 E; and Sec. 6, T 3 N, R 30 W.M. 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.

T-11180 filed by U.S Forest Service, Mt. Hood National Forest, 16400 Champion Way, Sandy, OR 97055, proposes a change in character of use under Certificate 29948. The right allows the use of 0.50 cubic foot per second (priority date April 7, 1959) from two unnamed springs in Sec. 7, T 3 S, R 9 E, W.M. for domestic use at Timberline Lodge. The applicant proposes to change the character of use to commercial use.

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:	WASHINGTON
Transfer:	11207
Water Right:	CERT 28627
Priority Date:	1957
Name:	DON & ALAN WACHLIN
Address:	20225 SW SCHOLLS SHERWOOD RD SHERWOOD OR 97140
Change:	POU/POD
Source:	TUALATIN RIVER

## **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:	DOUGLAS
Transfer:	11206
Water Right:	PERMIT S 54411
Priority Date:	JUNE 22, 2007
Name:	RIVER BEND WEST WATER ASSOCIATION
Address:	PO BOX 1304, ROSEBURG OR 97470
Change:	POD
Source:	A RESERVOIR/UMPQUA RIVER

## District Permanent Transfers (ORS 540.580)

A district may request to permanently change the place of use within district boundaries. A district may provide notice to the Department of a change before it is made, and shall submit a district permanent application prior to the end of the calendar year in which the change occurs. The Department shall approve the transfer application provided it does not cause injury to existing water rights or expand the water use. The final order approving the permanent transfer is subject to protest.

This public notice also includes district notices of proposed changes. The Department will accept comments on injury and enlargement of changes in place of use associated with the notice and use those comments in the review of the proposed change.

The Department seeks public comment on recently filed district transfer applications listed below. The deadline for comments or protests to the transfer application must be received by the Department on or before April 14, 2011. The Department will hold a contested case hearing if: 1) a protest and \$600 protest fee for non-applicant and \$300.00 protest fee for applicant are received within the time allowed; or 2) the Department finds a hearing is needed to determine whether the proposed changes would result in injury to existing rights. (If a water user believes that a proposed change could injure a water delivery within a district's boundaries, the matter will be resolved directly between the district and the water user.)

COUNTY: DESCHUTES  
NOTICE OF DISTRICT  
PERMANENT TRANSFER: NOTICE # T-2011-004  
CERTIFICATE: 83571,76714  
PRIORITY DATE: 1900,1907,1913  
NAME: CENTRAL OREGON IRRIGATION DISTRICT  
ADDRESS: 1055 SW LAKE COURT REDMOND OR 97756  
CHANGE: POU  
SOURCE: DESCHUTES RIVER/CRANE PRAIRIE RES  
ACRES: 2.20  
AUTHORIZED POU: T17S R14E 13  
PROPOSED POU: T17S R14E 13

COUNTY: DESCHUTES  
NOTICE OF DISTRICT  
PERMANENT TRANSFER: NOTICE # T-2011-005  
CERTIFICATE: 83571,76714  
PRIORITY DATE: 1900,1907,1913  
NAME: CENTRAL OREGON IRRIGATION DISTRICT  
ADDRESS: 1055 SW LAKE COURT REDMOND OR 97756  
CHANGE: POU  
SOURCE: DESCHUTES RIVER/CRANE PRAIRIE RES  
ACRES: 0.15  
AUTHORIZED POU: T15S R12E 12

PROPOSED POU: T15S R12E 12

COUNTY: DESCHUTES  
NOTICE OF DISTRICT  
PERMANENT TRANSFER: NOTICE # N 11.001  
CERTIFICATE: 74147  
PRIORITY DATE: 1913  
NAME: TUMALO IRRIGATION DISTRICT  
ADDRESS: 64697 COOK AVE BEND OR 97701  
CHANGE: POU  
SOURCE: TUMALO CREEK  
ACRES: 1.00  
AUTHORIZED POU: T16S R11E 33  
PROPOSED POU: T17S R11E 01

COUNTY: DESCHUTES  
NOTICE OF DISTRICT  
PERMANENT TRANSFER: NOTICE # N 11.002  
CERTIFICATE: 74147,76106  
PRIORITY DATE: 1913,1961  
NAME: TUMALO IRRIGATION DISTRICT  
ADDRESS: 64697 COOK AVE BEND OR 97701  
CHANGE: POU  
SOURCE: TUMALO CREEK  
ACRES: 1.00  
AUTHORIZED POU: T17S R11E 02  
PROPOSED POU: T17S R11E 01



**Renewal of Aquifer Storage and Recovery (ASR)  
Limited Licenses (OAR 690-350-020(5)(c))**

ASR means the storage of water from a separate source that meets drinking water standards in a suitable aquifer for later recovery and not having as one of its primary purposes the restoration of the aquifer (ORS 537.531). The use of water for ASR testing purposes requires a limited license pursuant to ORS 537.534. The requirements and procedures of an ASR limited license are different than those for limited licenses pursuant to ORS 537.143. Only after completion of an ASR testing program under a limited license may an applicant apply for a permanent ASR permit. The appearance of a renewal request in the public notice commences a 30-day public comment period. Following the public comment period, the Department may request additional information regarding the renewal request, renew the limited license, renew the limited license with additional conditions, or deny the request.

An ASR Limited License may be renewed if the applicant demonstrates to the Director's satisfaction that further testing is necessary and that the applicant complied with the terms of the limited license. The standards, findings and process used in the license renewal process shall be as provided in OAR 690-350-0020. The Director may renew an ASR Limited License for a term of not more than 5 years.

POLK

ASR LL #011  
Renewal

City of Dallas  
Jerry Wyatt, City Manager  
187 SE Court St.  
Dallas, OR 97338

The license holder requests to renew the existing ASR limited license for 5 years.

## CURRENTLY AUTHORIZED

Diversion of 1,300 gpm from the Rickreall Creek, Applegate Creek, and Rockhouse Creek tributaries of the Willamette River, using authorization of Certificate 68474.

Storage of 273 million gallons in a Siletz River Volcanics aquifer

Maximum injection of 1,300 gpm through four wells

Maximum withdrawal of 1,900 gpm through four wells

For municipal use

Diversion of 175 gpm from Rickreall Creek, Applegate Creek, and Rockhouse Creek, tributaries of the Willamette River by ASR limited license for aquifer storage and recovery testing as a non-municipal use.

Storage of 0.76 million gallons in the Siletz River Volcanics aquifer

Maximum injection of 175 gpm through one well

Maximum withdrawal of 300 gpm through one well

For aquifer storage and recovery testing for a non-municipal use

Rickreall Creek POD: T7S, R6W, Section 35

ASR Wells: T7S, R6W, Section 36 and T8S, R5W Section 5

**OREGON  
WATER  
RESOURCES  
DEPARTMENT**



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**

March 15, 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:**

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