

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
May 17, 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.
- * **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.

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, June 16, 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, July 01, 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)

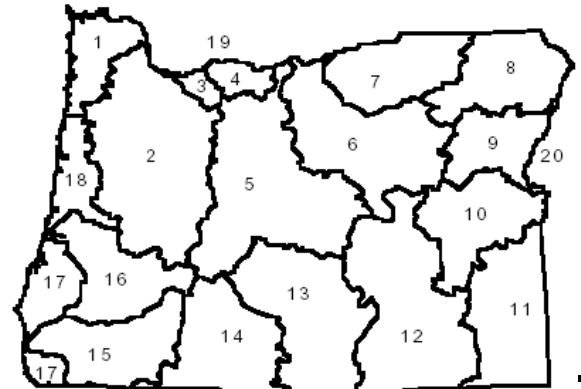
BASINS:

- | | |
|-----------------|---------------------|
| 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
<u>R-87705</u>	RUE, JOEL 1316 VICTOR POINT RD SE SILVERTON, OR 97381						IR 3
2	RUNOFF > PUDDING RIVER	7.00S 1.00W 33 SENW	Marion	03/09/2011	9.2A		
Uses: ST							
<u>G-17460</u>	9 L FARMS LLC 4153 NE COLLINS DR MADRAS, OR 97741						IR 2
12	A WELL > MALHEUR SLOUGH	23.00S 33.00E 32 NWNW	Harney	04/08/2011	2.0C		
Uses: IR							
<u>G-17145</u>	UNDERWOOD, HAROLD 8400 BUENA VISTA RD INDEPEDENCE, OR 97351						IR 3
2	A WELL > DUCK SLOUGH	9.00S 4.00W 3 SENE	Polk	11/20/2008	1.0C		
Uses: IR							
<u>G-17428</u>	DE HOOP, BOUDEWYN 19000 S POE VALLEY RD KLAMATH FALLS, OR 97603						IR 2
14	A WELL > LOST RIVER	39.00S 11.50E 33 NWSW	Klamath	10/04/2010	2.86C		
Uses: IS							
<u>S-87395</u>	SUSSMAN, ADAM GSI WATER SOLUTIONS INC. 1600 SW WESTERN BLVD SUITE 240 CORVALLIS, OR 97333						PFO 2
2	WILLAMETTE RIVER > COLUMBIA RIVER	15.00S 4.00W 16 NESE	Lane	02/17/2009	2.61C		
Uses: MU							
<u>G-17411</u>	BANKS SCHOOL DISTRICT 450 S MAIN ST BANKS, OR 97106						PFO 2
2	A WELL > WEST FORK DAIRY CREEK	2.00N 3.00W 31 NWSW	Washington	08/10/2010	0.06C		
Uses: IR							
<u>G-16887</u>	MESKERS, MARTIN W. OREGON FLOWERS INC. PO BOX 311 AURORA, OR 97002						PFO 3
2	A WELL > MILK CREEK	4.00S 2.00E 17 NWNE	Clackamas	06/29/2007	0.4C (est)		
2	A WELL > MILK CREEK	4.00S 2.00E 17 NWNE	Clackamas	06/29/2007	0.4C (est)		
2	A WELL > MILK CREEK	4.00S 2.00E 17 NWSE	Clackamas	06/29/2007	0.4C (est)		
2	A WELL > MILK CREEK	4.00S 2.00E 17 NWSE	Clackamas	06/29/2007	0.4C (est)		
2	A WELL > MILK CREEK	4.00S 2.00E 17 NWSW	Clackamas	06/29/2007	0.4C (est)		
Uses: NU							

App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
<u>G-17448</u>	KELLEY, MIKE 32008 DIAGONAL RD HERMISTON, OR 97838						PFO 2
7	A WELL > HERMISTON DRAIN	4.00N 29.00E 6 SWNW	Umatilla	01/12/2011	0.16C		
Uses: IR							
<u>G-17202</u>	RAMSAY, EDWARD L. COLEMAN CREEK RANCH LLC PO BOX 797 CRANE, OR 97732						PFO 2
10	A WELL > SOUTH FORK MALHEUR RIVER	25.00S 36.00E 16 SWNW	Harney	04/06/2009	2.0C		
Uses: IR							
<u>S-87597</u>	ROTH, JOHN J AND K FARMS PO BOX 362 BANDON, OR 97411						PFO 3
17	A RESERVOIR > GEIGER CREEK	29.00S 14.00W 4 SENW	Coos	04/28/2010	105.0A		
17	GEIGER CREEK > FERRY CREEK	28.00S 14.00W 32 SENW	Coos	04/28/2010	0.0A		
Uses: CR							

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
<u>S-83776</u>	15	JOSE	02/25/1998	BLACK BAR LODGE INC.	WILLIAM E HULL	05/05/2011
<u>S-87592</u>	17	COOS	03/16/2010		RON LAFRANCHI	05/06/2011
<u>G-17104</u>	5	CROO	09/16/2008	KNIFE RIVER INC.	JEFF STEYAERT	05/11/2011
<u>R-87714</u>	2	CLAC	04/19/2011		GORDON SATRUM	05/11/2011
<u>S-87652</u>	16	DOUG	09/03/2010		WAYNE PARKER	05/12/2011

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 July 16, 2011.

R-87722

ENGLE, GARY

ENGLE HOME RANCH LLC

37796 COTTONWOOD RD

MONUMENT, OR 97864

POD: 1 A SPRING > COTTONWOOD CREEK

NW 1/4 SE 1/4 Section 26T 10.00S R 27.00E WM

Grant County

3.75 A for MULTIPLE PURPOSE (est.)

POD: 2 RUNOFF > COTTONWOOD CREEK

NW 1/4 SE 1/4 Section 26T 10.00S R 27.00E WM

Grant County

3.75 A for MULTIPLE PURPOSE (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 June 16, 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-16476
Permit Number: G-16033
MCVICKER, BARBARA & MCVICKER, SEAN
1485 N LOCUST ST
CANBY, OR 97013
Clackamas County
A WELL > MOLALLA RIVER
0.1 CFS
NURSERY USES
October 1, 2014

Application Number: G-16158
Permit Number: G-15756
HENSCHEL, BRIAN & HENSCHEL, KAREN
38424 JEFFERSON SCIO DR
SCIO, OR 97374
Linn County
4 WELLS > THOMAS CREEK
0.249 CFS
IRRIGATION
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 July 01, 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-15496
Permit Number:	G-15210
Applicant:	HILL, DAVID
Address:	18827 HILL RD KLAMATH FALLS, OR 97603
River Basin:	Klamath Basin
Water Source:	A WELL > LOST RIVER
Authorized Use of Water:	IRRIGATION ON 91.4 Acres SUPPLEMENTAL IRRIGATION ON 300.8 Acres
Maximum Diversion/ Appropriation Rate:	3.34 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, 2012.

County of Use: Baker
Application File Number: G-12361
Permit Number: G-13680
Applicant: GULICK, STANLEY
Address: 39486 PINE TOWN LANE
HALFWAY, OR 97834
River Basin: Powder Basin
Water Source: A WELL > CLEAR CREEK
Authorized Use of Water: SUPPLEMENTAL IRRIGATION ON 118.0 Acres
Maximum Diversion/
Appropriation Rate: 0.668 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, 2020.

County of Use: Klamath
Application File Number: G-12869
Permit Number: G-12451
Applicant: NASH, JASON PATRICK
Address: 5200 TEARE LANE
BONANZA, OR 97623
River Basin: Klamath Basin
Water Source: A WELL > LOST RIVER
Authorized Use of Water: IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 440.3 ACRES
Maximum Diversion/
Appropriation Rate: 5.5 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2010 to October 1, 2015; and grant an extension of time to apply water to full beneficial use from October 1, 2010 to October 1, 2015.

County of Use: Yamhill
Application File Number: G-15838
Permit Number: G-15489
Applicant: REVANA FAMILY PARTNERS LP
Address: 5118 TANGLE LANE
HOUSTON TX 77056
River Basin: Willamette Basin
Water Source: A WELL > CHEHALEM CREEK
Authorized Use of Water: IRRIGATION ON 20.0 Acres
Maximum Diversion/
Appropriation Rate: 0.11 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, 2015.

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 May 31, 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-1357
CITY OF MERRILL
MATTHEWS, GREGORY
PO BOX 487
MERRILL, OR 97633
POD: 1 A WELL > LOST R
NE 1/4 NE 1/4 Section 11 T 41.00S R 10.00E WM
Klamath County
1.0 C for MUNICIPAL USES

LL-1358
LITTLE BUTTE CREEK WATERSEHD COUNCIL
WEAVER, TIM
PO BOX 89
EAGLE POINT, OR 97524
POD: 1 LITTLE BUTTE CR > ROGUE R
SW 1/4 SE 1/4 Section 31 T 35.00S R 2.00E WM
Jackson County
0.111 C for RIPARIAN REPLANT

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 June 07, 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 1170

**** Lessee ****

THE FRESHWATER TRUST;
C/O NATASHA BELLIS
65 SW YAMHILL STREET, SUITE 200
PORTLAND, OR 97204

**** Lessor ****

KOLOEN, GREGORY
MUIR AND MCDONALD TANNERY
561 SW HAYTER ST
DALLAS, OR 97338

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM POD TO RICKREALL CR TO THE MOUTH OF WILLAMETTE R

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
38639 OR *		12/31/1863	IM	0.18	130.31	RICKREALL CREEK	WILLAMETTE RIVER	

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 June 16, 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: CLACKAMAS
Transfer: 11244
Water Right: CERT 64135
Priority Date: SEPTEMBER 29, 1984
Name: BUREAU OF LAND MANAGEMENT
Address: 1717 FABRY ROAD SE, SALEM OR 97302
Change: APOA
Source: A WELL

**OREGON
WATER
RESOURCES
DEPARTMENT**



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

May 17, 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.)