

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

June 28, 2011

*This notice is also available on our web page at the following address:
http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21*

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.
- * **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: Permit Amendments**
Requests to amend permits.
- * **District Permanent Transfers (ORS 540.580)**
Petitions requesting transfers in place of use within a district's boundaries.
- * **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, July 28, 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, August 12, 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 02 A WELL > SPRING CR Uses: IR	EUGENE OR 97123	16.00S 03.00W 19 NESW	Lane	01/29/2002	0.3700 C	IR	3

FIRST LINE:

- * Application number:
 - G: groundwater
 - R: reservoir
 - S: surface water
 - I: instream
- * Applicant name & address
- * Stage of review:
 - IR: Initial Review
 - PFO: Proposed Final Order
- * Decision status codes
 - 1: permit may be issued as requested
 - 2: permit may be issued with conditions
 - 3: permit unlikely to be issued

SECOND LINE:

- * Basin number (see map below right)
- * Source > what it flows into
(in the case of wells, this describes the basin in which the well is located)
- * General legal description
- * County & Priority date
- * Amount
- * Unit of measure:
 - C: cubic feet per second
 - G: gallons per minute
 - A: acre-feet

THIRD LINE:

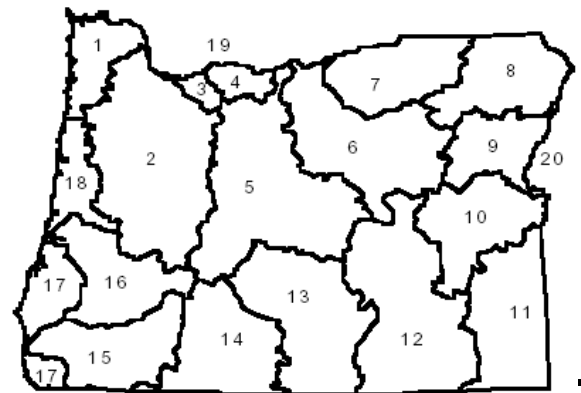
- * Type of use (see abbreviations below)

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

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

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

Commonly used “Type



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
S-87720	MAJORS, JANETTE PO BOX 681 ASHLAND, OR 97520						IR 2
	15 APPLEGATE RIVER > ROGUE RIVER	40.00S 3.00W 19 SWNE	Jackson	05/09/2011	0.0A		
	15 A RESERVOIR > APPLEGATE RIVER	40.00S 4.00W 25 SESE	Jackson	05/09/2011	22.5A		
Uses:	HC IR						
G-17267	TA OPERATING LLC 24601 CENTER RIDGE RD SUITE 200 WESTLAKE, OH 44145-5639						PFO 2
	2 A WELL > SENECA CREEK	4.00S 1.00W 9 SENE	Marion	10/05/2009	0.18C		
Uses:	CM						
S-87688	GRIMLER, ELSIE L. 5107 VALE COURT SE SALEM, OR 97306						PFO 2
	5 A SPRING > DOUGLAS CREEK	23.00S 6.00E 14 SWSE	Klamath	02/04/2011	0.005C		
Uses:	HC						
G-17417	TRENKEL, SAM 1010 RAIL ROAD AVE ONTARIO, OR 97914						PFO 2
	10 A WELL > MALHEUR RIVER	18.00S 45.00E 13 NWSE	Malheur	08/23/2010	1.75C		
Uses:	IR IS						
G-17406	TOOPS, JAMES J. 16287 S HWY 211 MOLALLA, OR 97038						IR 3
	2 A WELL > MOLALLA RIVER	5.00S 2.00E 2 SWNW	Clackamas	07/19/2010	0.078C		
Uses:	IR						
S-87665	BUTCHER, PHYLLIS J. 176 NEHALEM LOOP ROSEBURG, OR 97471						PFO 2
	16 CALAPOOYA CREEK > UMPQUA RIVER	25.00S 4.00W 9 SENW	Douglas	11/09/2010	0.005C		
Uses:	HC						

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-17421	7	UMAT	09/07/2010		CRAIG MARTIN	06/16/2011
G-17441	10	HARN	12/01/2010		M MARTIN DAVIES	06/16/2011
S-87580	16	DOUG	02/16/2010	HELEN E NORTHCRAFT TRUST	HELEN NORTHCRAFT	06/16/2011
G-17447	12	HARN	01/03/2011		DAN AHART	06/20/2011

Proposed Final Orders Regarding Applications for Extensions of Time for Water Right Permits

ORS 537.230, 537.248, 537.630 and 539.010 authorize the Water Resources Department to extend time limits contained in water right permits for completing construction of water development projects and applying water to full beneficial use. Procedures for permit holders to apply for extensions and for the Department to evaluate and determine whether or not to approve extensions of time are contained in OAR 690-320-0010 for extensions filed before July 1, 2001, and in OAR 690-315-0010 for extensions filed on or after July 1, 2001.

Proposed Final Orders (PFO's) are the Department's preliminary decision on extension requests. They document the agency's decision through specific findings. Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of \$20. (Any person paying to receive a PFO by mail will also receive a copy of the Final Order when it is issued). PFO's may be viewed for free at the Department's Salem Office or at the appropriate district watermaster office.

Extension of Time Public Notice and Comment Procedures

Written comments on or written protests against a PFO must be submitted on or before August 12, 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:	Crook
Application File Number:	G-15744
Permit Number:	G-15285
Applicant:	DURGAN RANCH LLC
Address:	PO BOX 40069 BELLEVUE WA 98015 And... NORTHWEST FARM CREDIT SERVICES FLCA PO BOX 607 REDMOND, OR 97756
River Basin:	Deschutes Basin
Water Source:	THREE WELLS > WOLF CREEK
Authorized Use of Water:	IRRIGATION ON 175.5 Acres SUPPLEMENTAL IRRIGATION ON 243.2 Acres
Maximum Diversion/ Appropriation Rate:	5.236 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, 2012.

County of Use: Yamhill
Application File Number: G-16016
Permit Number: G-15661
Applicant: RED HILLS FARM LLC
Address: 15909 NE MCDOUGALL RD
DAYTON, OR 97114
River Basin: Willamette Basin
Water Source: A WELL > MILLER CREEK
DRAIN TILE > MILLER CREEK
Authorized Use of Water: IRRIGATION ON 349.2 Acres
Maximum Diversion/
Appropriation Rate: 0.14 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2008 to October 1, 2021.

County of Use: Linn
Application File Number: S-58905
Permit Number: S-44389
Applicant: CITY OF LEBANON
Address: 925 MAIN ST
LEBANON, OR 97355
River Basin: Willamette Basin
Water Source: SOUTH SANTIAM RIVER > SANTIAM RIVER
Authorized Use of Water: MUNICIPAL USES
Maximum Diversion/
Appropriation Rate: 18 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2001 to October 1, 2068; and grant an extension of time to apply water to full beneficial use from October 1, 2001 to October 1, 2068.

County of Use: Yamhill
Application File Number: R-72542
Permit Number: R-11801
Applicant: YAMHILL VISTA VINEYARDS LLC
Address: MILLICH, CHRIS
PO BOX 3989
NAPA, CA 94558
River Basin: Willamette Basin
Water Source: UNNAMED STREAMS > STAG HOLLOW CREEK
Authorized Use of Water: LIVESTOCK WATERING, WILDLIFE USE, RECREATION USE
AND SUPPLEMENTAL IRRIGATION
Maximum Diversion/
Appropriation Rate: 13.3 AF STORED WATER ONLY

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1998 to October 1, 2015; and grant an extension of time to apply water to full beneficial use from October 1, 1999 to October 1, 201.

County of Use: Yamhill
Application File Number: S-72543
Permit Number: S-52267
Applicant: YAMHILL VISTA VINEYARDS LLC
Address: MILLICH, CHRIS
PO BOX 3989
NAPA, CA 94558
River Basin: Willamette Basin
Water Source: FOUR PONDS > STAG HOLLOW CREEK
Authorized Use of Water: LIVESTOCK WATERING, WILDLIFE USE, RECREATION USE
AND SUPPLEMENTAL IRRIGATION
Maximum Diversion/
Appropriation Rate: 13.3 AF STORED WATER ONLY

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1998 to October 1, 2015; and grant an extension of time to apply water to full beneficial use from October 1, 1999 to October 1, 2015.

County of Use: Yamhill
Application File Number: S-85624
Permit Number: S-54076
Applicant: RED HILLS FARM LLC
Address: 15909 NE MCDUGALL RD
DAYTON, OR 97114
River Basin: Willamette Basin
Water Source: A RESERVOIR > MILLER CREEK
Authorized Use of Water: SUPPLEMENTAL IRRIGATION ON 349.2 Acres
Maximum Diversion/
Appropriation Rate: 40.0 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, 2021.

County of Use: Curry
Application File Number: R-86310
Permit Number: R-14247
Applicant: LOSHBAUGH, DANIEL
Address: PO BOX 343
SIXES, OR 97476
River Basin: South Coast Basin
Water Source: RUNOFF > PRICE CREEK
Authorized Use of Water: STORAGE
Maximum Diversion/
Appropriation Rate: 8.0 AF EACH YEAR

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2010 to October 1, 2015.

County of Use: Curry
Application File Number: S-86311
Permit Number: S-54236
Applicant: LOSHBAUGH, DANIEL
Address: PO BOX 343
SIXES, OR 97476
River Basin: South Coast Basin
Water Source: A RESERVOIR > PRICE CREEK
Authorized Use of Water: CRANBERRY ON 4.0 Acres
Maximum Diversion/
Appropriation Rate: 8.0 AF

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2010 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 July 12, 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-1366
GARRETT CONSTRUCTION
MURPHY, BILL
PO BOX 276
DRAIN, OR 97435
POD: 1 SOUTH MYRTLE CR > MYRTLE CR
SE 1/4 NW 1/4 Section 22 T 29.00S R 4.00W WM
Douglas County
0.6 C for ROAD CONSTRUCTION

LL-1367
NORRIS FARMS LLC
NORRIS, PAUL
8181 OAK HILL RD
ROSEBURG, OR 97471
POD: 1 GALESVILLE RES > COW CR
SW 1/4 SW 1/4 Section 30T 25.00S R 7.00W WM
Douglas County
162.8 AF for IRRIGATION

LL-1368
CRESTLINE CONSTRUCTION COMPANY LLC
KERR, ERIK
3775 CRATES WAY
THE DALLES, OR 97058
POD: 1 A WELL > COLUMBIA R
NE 1/4 SW 1/4 Section 17 T 1.00S R 14.00E MD
Wasco County
12 TO 15 MILLION GALLONS TOTAL for ROAD CONSTRUCTION
(CONCRETE BATCH PLANT & CRUSHER)

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 July 19, 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 1183

** Lessor **

SWALLEY IRRIGATION DISTRICT-POOLED LEASE
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: FROM POD#3 (SWALLEY MAIN CANAL) TO LAKE BILLY CHINOOK AND ON TO THE MOUTH OF THE DESCHUTES R

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
74145	CF RR *	9/1/1899	IR	0.193	66.14	DESCHUTES R	COLUMBIA R	10.0

County: Wallowa

Instream Lease Number: IL 1184

** Lessee **

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

** Lessor **

WOLFE, WOODY
81544 HWY 82
WALLOWA, OR 97885

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM POD TO THE MOUTH OF THE LOSTINE R

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
3922 OR *	S 5571	8/11/1922	IR	0.88	31.4	LOSTINE RIVER	WALLOWA RIVER	31.4

County: Jefferson

Instream Lease Number: IL 1185

** Lessor **

THREE SISTERS IRRIGATION DISTRICT; POOLED LEASE
PO BOX 2230
SISTERS, OR 97759

** Lessee **

DESCHUTES RIVER CONSERVANCY
700 NW HILL ST
BEND, OR 97701

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM POD TO THE MOUTH OF WYCHUS CREEK AND INTO THE DESCHUTES R

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
74135 CF *		12/31/1894	IM,IR,ST	3.051	152.53	SQUAW CREEK	DESCHUTES RIVER	152.53

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:	KLAMATH
Transfer:	11263
Water Right:	PERMIT G 15744
Priority Date:	SEPTEMBER 5, 2002
Name:	ROGER NICHOLSON, AGRI-WATER LLC
Address:	PO BOX 458, FORT KLAMATH OR 97626
Change:	APOA
Source:	WELLS

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 July 28, 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:	HOOD RIVER
NOTICE OF DISTRICT	
PERMANENT TRANSFER:	NOTICE # 2011-03
CERTIFICATE:	81340
PRIORITY DATE:	11/25/1895
NAME:	EAST FORK IRRIGATIN DIST
ADDRESS:	PO BOX 162 ODELL OR 97044
CHANGE:	POU
SOURCE:	EAST FORK HOOD RIVER
ACRES:	1.50
AUTHORIZED POU:	T1N R10E 15
PROPOSED POU:	T1N R10E 15
COUNTY:	JACKSON
NOTICE OF DISTRICT	
PERMANENT TRANSFER:	NOTICE # 11-02
CERTIFICATE:	83381,83383,80578,80728, PERMIT S-4951
PRIORITY DATE:	1909,1910,1915,1953,1920
NAME:	MEDFORD IRRIGATION DISTRICT
ADDRESS:	PO BOX 70 JACKSONVILLE OR 97530
CHANGE:	POU
SOURCE:	N & S FORK LITTLE BUTTE CREEK
ACRES:	1.20
AUTHORIZED POU:	T37S R2W 26
PROPOSED POU:	T38S R1W 15

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 July 28, 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:

Middle Fork Irrigation District (Agriculture)

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

June 28, 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.)