

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
July 5, 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:

- * **Alternate Reservoir Applications (ORS 537.409)**
Applications for storage permits for small ponds filed under a simplified review process.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **Extension of Time Checkpoint Progress Reports filed pursuant to OAR 690-315**
Documents the progress made toward development of the water use project since approval of the last permit extension and/or the last progress report checkpoint. (OAR 690-315 pertains to permit extension applications filed on or after July 1, 2001.)
- * **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.

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".

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 September 03, 2011.

R-87709

PAGEL, MARTHA O. SCHWABE, WILLIAMSON, AND WYATT P C 530 CENTER ST NE SUITE 400 SALEM, OR 97301 PATTERSON, JOHN 45039 HWY 207 HEPPNER, OR 97836 PATTERSON, KAREN 45039 HWY 207 HEPPNER, OR 97836

POD: 1 A SPRING > INDIAN CREEK
NE 1/4 NE 1/4 Section 19T 6.00S R 26.00E WM
Morrow County
3.0 A for MULTIPLE PURPOSE (est.)

POD: 2 A SPRING > INDIAN CREEK
NE 1/4 NE 1/4 Section 19T 6.00S R 26.00E WM
Morrow County
3.0 A for MULTIPLE PURPOSE (est.)

POD: 3 A SPRING > INDIAN CREEK
NW 1/4 NE 1/4 Section 19T 6.00S R 26.00E WM
Morrow County
3.0 A for MULTIPLE PURPOSE (est.)

POD: 4 RUNOFF > INDIAN CREEK
SW 1/4 SE 1/4 Section 18T 6.00S R 26.00E WM
Morrow County
3.0 A for MULTIPLE PURPOSE (est.)

POD: 5 UNNAMED STREAM > INDIAN CREEK
SW 1/4 SE 1/4 Section 18T 6.00S R 26.00E WM
Morrow County
3.0 A for MULTIPLE PURPOSE (est.)

R-87648

SNOOK II, LOUIS F. 30680 TY VALLEY RD LEBANON, OR 97355 SNOOK, KIMBERLY A. 30680 TY VALLEY RD LEBANON, OR 97355

POD: 1 RUNOFF > OAK CREEK
NE 1/4 SE 1/4 Section 34T 12.00S R 2.00W WM
Linn County
1.79 A for STORAGE

R-87649
SNOOK II, LOUIS F. 30680 TY VALLEY RD LEBANON, OR 97355 SNOOK, KIMBERLY A.
30680 TY VALLEY RD LEBANON, OR 97355
POD: 1 RUNOFF > OAK CREEK
NE 1/4 SE 1/4 Section 34T 12.00S R 2.00W WM
Linn County
0.11 A for STORAGE

R-87650
SNOOK II, LOUIS F. 30680 TY VALLEY RD LEBANON, OR 97355 SNOOK, KIMBERLY A.
30680 TY VALLEY RD LEBANON, OR 97355
POD: 1 RUNOFF > OAK CREEK
NE 1/4 SE 1/4 Section 34T 12.00S R 2.00W WM
Linn County
0.22 A for STORAGE

R-87653
INGHAM, ANN 26248 METOLIUS MEADOWS DR CAMP SHERMAN, OR 97759
POD: 1 SOUTH FORK LAKE CREEK > METOLIUS RIVER
NW 1/4 SE 1/4 Section 16T 13.00S R 9.00E WM
Jefferson County
0.28 A for MULTIPLE PURPOSE

R-87676
WESTERN RIVERS CONSERVANCY 71 SW OAK ST SUITE 100 PORTLAND, OR 97204
POD: 1 A SPRING > ESAU CANYON
SE 1/4 NE 1/4 Section 26T 1.00S R 19.00E WM
Gilliam County
5.0 A for MULTIPLE PURPOSE

R-87677
WESTERN RIVERS CONSERVANCY 71 SW OAK ST SUITE 100 PORTLAND, OR 97204
POD: 1 RUNOFF > ESAU CANYON
SE 1/4 SW 1/4 Section 35T 1.00S R 19.00E WM
Gilliam County
5.0 A for MULTIPLE PURPOSE

R-87678
WESTERN RIVERS CONSERVANCY 71 SW OAK ST SUITE 100 PORTLAND, OR 97204
POD: 1 RUNOFF > ESAU CANYON
SE 1/4 NW 1/4 Section 35T 1.00S R 19.00E WM
Gilliam County
5.0 A for MULTIPLE PURPOSE

R-87679
WESTERN RIVERS CONSERVANCY 71 SW OAK ST SUITE 100 PORTLAND, OR 97204
POD: 1 A SPRING > ESAU CANYON
SW 1/4 NE 1/4 Section 25T 1.00S R 19.00E WM
Gilliam County
5.0 A for MULTIPLE PURPOSE

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

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 **August 04, 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-87730

LANSING, ANN 3791 OLALLA RD WINSTON, OR 97496 LANSING, BRIAN 3791 OLALLA RD WINSTON, OR 97496

POD: 1 A RESERVOIR > BERRY CREEK

SE 1/4 NW 1/4 Section 20T 29.00S R 7.00W WM

Douglas County

2.0 AFT for DOMESTIC EXPANDED (est.)

POD: 2 OLALLA CREEK > LOOKINGGLASS CREEK

NE 1/4 NW 1/4 Section 9 T 29.00S R 7.00W WM

Douglas County

0.0 AFT for DOMESTIC EXPANDED (est.)

Extensions of Time Progress
Checkpoint Progress Reports filed pursuant to OAR 690-315

Consistent with OAR 690-315-0050(6), the Department will accept public comment on the following Extension of time Checkpoint Progress Reports until August 04, 2011. Comments must be in writing and must indicate the application file and permit numbers. Following the comment period, the Department shall review evidence to determine whether or not the permit holder has been diligent in developing and perfecting the water use permit and has complied with all terms and conditions of the permit and/or extension of time. Additionally, the Department will provide notice of its determination to anyone who has submitted comments.

Extension file information is included in the following format:

- (a) Permit holder's name and address;
- (b) Application file number / permit number
- (c) County of use
- (d) Quantity of permitted water use in gallons per minute (gpm), cubic feet per second (cfs) or acre feet (af);
- (e) Common name of water source(s) listed in the permit;
- (f) Use of water allowed under the permit;
- (g) Current authorized extension date ("C" date)

PINE SPRINGS RANCH
20335 ARROWHEAD DRIVE
BEND, OR 97701
APPLICATION #: R-83465 PERMIT #: R-12541
LAKE COUNTY
AN UNNAMED STREAM, TRIBUTARY OF CROOKED CREEK
MAINTAINED UNDER PERMIT 53490 FOR WILDLIFE USE

PINE SPRINGS RANCH
20335 ARROWHEAD DRIVE
BEND, OR 97701
APPLICATION #: S-83466 PERMIT #: S-53490
LAKE COUNTY
AN UNNAMED STREAM, TRIBUTARY OF CROOKED CREEK
MAINTENANCE OF BOGGY LAKE RESERVOIR, CONSTRUCTED
UNDER PERMIT R-12541 FOR WILDLIFE USE

VIESKO QUALITY CONCRETE
ATTN: SCOTT ERICKSON
PO BOX 20610
KEIZER, OR 97307
APPLICATION #: G-14780 PERMIT #: G-15456
MARION COUNTY
THREE WELLS IN THE WILLAMETTE RIVER BASIN
INDUSTRIAL USE AND MINING OPERATIONS

J & K FARMS ATTN: JOHN ROTH
PO BOX 362
BANDON, OR 97411
APPLICATION #: G-14538 PERMIT #: G-13595
COOS COUNTY
A SUMP WELL IN JOHNSON CREEK BASIN
CRANBERRY USE ON 68.0 ACRES

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.

Licenseses must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after July 19, 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-1369
CITY OF GLADSTONE
525 PORTLAND AVE
GLADSTONE, OR 97027
POD: 1 A WELL > WILLAMETTE R
NW 1/4 NE 1/4 Section 30 T 2.00S R 2.00E WM
Clackamas County
0.3 C for MUNICIPAL USES

LL-1370
BUREAU OF LAND MANAGEMENT
JOHNSTON, LARRY
TYRRELL SEED ORCHARD
PO BOX 121
LORANE, OR 97451
POD: 1 A WELL > PACIFIC OCEAN
NE 1/4 NE 1/4 Section 21 T 20.00S R 5.00W WM
Lane County
42,000-43,000 GALLONS OVER A 5 YEAR PERIOD for IRRIGATION

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 26, 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: 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

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
74135	CF *	12/31/1895	IR	2.855	471.96	SQUAW CREEK	DESCHUTES RIVER	142.73
		12/31/1899	IR	0.136	21.04			6.8
		12/31/1901	IR	0.05	7.74			2.5
		12/31/1904	IR	0.10	1.55			0.5

County: Deschutes

Instream Lease Number: IL 1186

** Lessor **

ALLER, LYNDA
64040 OB RILEY RD
BEND, OR 97701

** Lessor **

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

** Lessee **

DESCHUTES RIVER CONSERVANCY
P.O. BOX 1560
BEND, OR 97709

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM POD #3 SWALLEY MAIN CANAL 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	0.034	10.89	DESCHUTES R	COLUMBIA R	2.0

County: Crook

Instream Lease Number: IL 1187

** Lessor **

OCHOCO IRRIGATION DISTRICT
1001 NW DEER ST
PRINEVILLE, OR 97754

** Lessee **

DESCHUTES RIVER CONSERVANCY

PO BOX 1560
BEND, OR 97709

** Lessor **
RHODEN, RONNY
RHODEN'S INVESTMENTS, INC & EDLAND FARMS LLC
PO BOX 460
PRINVILLE, OR 97754

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM POD#1 (OCHOCO FEED CANAL) TO MOUTH OF OCHOCO CR AND INTO THE COOKED RIVER TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
82246	CF RR * S 5426	8/10/1917	IR	0.399	127.6	OCHOCO CREEK	CROOKED RIVER	31.9

County: Jefferson

Instream Lease Number: IL 1188

** Lessor **
BARNES, ED
18460 PINEHURST ROAD
BEND, OR 97701

** Lessor **
RUSSELL, ALLAN
CROOK COUNTY IMPROVEMENT DISTRICT #1
P.O. BOX 564
TERREBONE, OR 97760

** 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 THE DESCHUTES R

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
72197	CF CR *	10/31/1900	IR	0.275	99.96	DESCHUTES RIVER	COLUMBIA RIVER	23.8

County: Curry

Instream Lease Number: IL 1189

** Lessor **

WAGNER, GLEN L
 93363 ELK RIVER RD
 PORT ORFORD, OR 97465

Contact: KODY THURGOOD at 503-986-0892

Reach: AT POD

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
74290	CF * S 21744	9/2/1952	IR	0.17	34.5	ELK RIVER	PACIFIC OCEAN	13.8

Reach: AT POD

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
49655	RR * S 21744	9/2/1952	IR	0.68	135.5	ELK RIVER	PACIFIC OCEAN	54.2

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 August 04, 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:	KLAMATH
Transfer:	11266
Water Right:	CERT 44733
Priority Date:	DECEMBER 2, 1971
Name:	KNOLL RANCH LLC, BARRON & GRANT KNOLL
Address:	5429 REEDER RD, KLAMATH FALLS OR 97601
Change:	APOD
Source:	A SPRING, UNNAMED STREAMS

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 August 04, 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-11241 filed by Glenn and Doris Butler, 18478 Dixonville Road, Roseburg, OR 97470, proposes a change in point of diversion and a change in place of use under Certificate 79011. The right allows the use of 0.005 cubic foot per second (priority date September 2, 1983) from Deer Creek, tributary to the South Umpqua River in Sec. 24, T 27 S, R 5 W, W.M. for irrigation within Sec. 24. The applicant proposes to move the point of diversion approximately 700 feet downstream within Sec. 24 and to change the place of use within Sec. 24, T 27 S, R 5 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-11162 filed by Kenneth and Leslie Hufford Revocable Living Trust dba Hufford Estate LLC, proposes a change in point of appropriation and a change in place of use under Certificate 52626. The right allows the use of 1.59 cubic feet per second (priority date April 28, 1981) from Well 4 in Sec. 19, T 25 S, R 15 E, W.M. (Fort Rock Basin) for irrigation in Sec. 19. The applicant proposes to move the point of appropriation approximately 1.5 miles west to within Sec. 23, T 25 S, R 14 E, 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.

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:	POLK
Transfer:	11264
Water Right:	CERT 85812
Priority Date:	AUGUST 22, 1980
Name:	BETHEL HEIGHTS VINEYARD, INC
Address:	6060 BETHEL HEIGHTS RD NW, SALEM OR 97304
Change:	POU
Source:	A RESERVOIR/ UNNAMED STREAM

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: 11265
Water Right: PERMIT G 16071
Priority Date: SEPTEMBER 8, 2005
Name: AUDRIC ENTERPRISES, INC
C/O JAMES THOMPSON
COMSTOCK THOMPSON KONTZ & BRENNER
Address: 340 SOQUEL AVE, SUITE 205 SANTA CRUZ CA 95065
Change: APOA
Source: A WELL

County: HARNEY
Transfer: 11267
Water Right: PERMIT G 15527
Priority Date: MARCH 3, 2003
Name: JAMES & LONNY GREENE
Address: 570 E CIMMARON STRIP, WILLIAMS AZ 86046
Change: APOA
Source: A WELL

County: CROOK
Transfer: 11268
Water Right: PERMIT G 13439
Priority Date: APRIL 17, 1995
Name: HIGH DESERT ESTATES HOMEOWNERS ASSOC.
Address: 4488 SE JERRY DR, PRINEVILLE OR 97754
Change: POA, APOA
Source: WELLS

OREGON WATER RESOURCES DEPARTMENT



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

PUBLIC NOTICE OF WATER USE REQUESTS
July 5, 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.)