

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
September 13, 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](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.
- \* **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.
- \* **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.
- \* **Ground Water Registration Modifications**  
Applications requesting Department recognition of changes in point of appropriation, place of use and character of use under a ground water certificate of registration.
- \* **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.
- \* **Notice of Final Order and Certificate Issuance to Reauthorize Minor Hydroelectric Project**
- \* **Certificate Issuance**  
Included in this section is a listing of recently issued water right certificates.

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@wrđ.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, October 13, 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, October 28, 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)

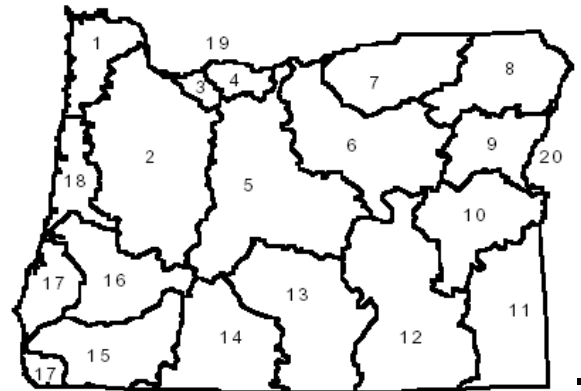
### BASINS:

- |                 |                     |
|-----------------|---------------------|
| 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
<a href="#">G-17434</a>	KREGGER FARMING ENTERPRISES LLC 17232 STATELINE RD TOUCHET, WA 99360						IR 3
7	A WELL > RAYMOND GULCH	6.00N 33.00E 14 SESE	Umatilla	11/01/2010	1.75C	(est)	
7	A WELL > RAYMOND GULCH	6.00N 33.00E 14 SWSE	Umatilla	11/01/2010	1.75C	(est)	
7	A WELL > RAYMOND GULCH	6.00N 33.00E 15 SESE	Umatilla	11/01/2010	1.75C	(est)	
Uses:	IR						
<a href="#">R-87742</a>	MARTIN, GARY 1801 MARCY LOOP GRANTS PASS, OR 97527						IR 3
15	MADAMS CREEK > ROGUE RIVER	36.00S 7.00W 23 NENW	Josephine	08/01/2011	15.3A		
Uses:	ST						
<a href="#">G-17385</a>	SMUCKER, LELAND 26984 DAY SPRING RD JOHN DAY, OR 97845 SMUCKER, SANDRA 26984 DAY SPRING RD						PFO 2
6	A WELL > CHIMNEY GULCH	13.00S 31.00E 33 SESE	Grant	05/20/2010	0.038C	(est)	
6	A WELL > CHIMNEY GULCH	13.00S 31.00E 33 SENW	Grant	05/20/2010	0.038C	(est)	
Uses:	IR						
<a href="#">G-17459</a>	BRAMLETT, JEFF 1255 2ND ST NW SALEM, OR 97304 HEISLER, CARRI 1255 2ND ST NW SALEM, OR 97304						PFO 2
2	A WELL > OAK CREEK	11.00S 2.00W 34 NENW	Linn	04/07/2011	0.17C		
Uses:	IR						
<a href="#">G-17453</a>	DICKINSON RUSSELL, JANET 90029 SPIRA LANE EUGENE, OR 97402						PFO 2
2	A WELL > MARSHAL SLOUGH	16.00S 4.00W 22 SWNE	Lane	03/10/2011	0.33C		
Uses:	IR						

## 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="#">G-17267</a>	2	MARI	10/05/2009	TA OPERATING LLC		09/12/2011
<a href="#">S-87390</a>	5	KLAM	02/05/2009		BARBARA COOLEY	09/12/2011
<a href="#">G-17341</a>	5	DESC	04/05/2010	CASCADE ACADEMY OF CENTRAL OREGON		09/13/2011
<a href="#">G-17422</a>	5	DESC	09/03/2010	LA PINE WATER DISTRICT	DONNA ZIGLER	09/13/2011
<a href="#">R-87647</a>	2	POLK	08/11/2010		JENNIE BUHLER	09/13/2011
<a href="#">S-87597</a>	17	COOS	04/28/2010		JOHN ROTH	09/13/2011
<a href="#">S-87688</a>	5	DESC	02/04/2011		ELSIE GRIMLER	09/13/2011

## **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 November 12, 2011.**

R-87753  
FLEISCHMAN, NANCY PO BOX 3274 APPELEGATE, OR 97530 PERILLO, LEONARD 1300 CLAY  
ST SUITE 600 OAKLAND, CA 94612  
POD: 1 APPELEGATE RIVER > ROGUE RIVER  
SW 1/4 SW 1/4 Section 8 T 38.00S R 4.00W WM  
Jackson County  
3.0 A for MULTIPLE PURPOSE

**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 October 13, 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-16587  
Permit Number: G-16121  
ELDER, SCOTT  
LA MONICA, STEPHANIE  
10239 NORTH CENTRAL ST  
PORTLAND OR 97203  
AND ...  
HAY, JACK  
4455 EMERSON LOOP RD  
THE DALLES OR 97058  
Wasco County  
A WELL > EIGHTMILE CREEK  
2.05 CFS  
IRRIGATION USE ON 292.64 ACRES  
October 1, 2023



Application Number: S-80803  
Permit Number: S-52692  
NEUSCHWANDER, JOEL  
6097 S WHISKEY HILL RD  
HUBBARD, OR 97032  
AND ...  
NORTHWEST FARM CREDIT SERVICES FLCA  
PO BOX 13309 650  
HAWTHORNE AVE SE SALEM, OR 97309-9831  
Clackamas County  
RESERVOIR > PUDDING RIVER  
165.75 AF  
AGRICULTURAL USE AND IRRIGATION OF 48.1 ACRES (NURSERY OPERATIONS)  
October 1, 2016

Application Number: R-80804  
Permit Number: R-11955  
NEUSCHWANDER, JOEL  
6097 S WHISKEY HILL RD  
HUBBARD, OR 97032  
AND ...  
NORTHWEST FARM CREDIT SERVICES FLCA  
PO BOX 13309 650  
HAWTHORNE AVE SE  
SALEM, OR 97309-9831  
Clackamas County  
RUNOFF > ROCK CREEK  
165.75 AF  
NURSERY OPERATIONS TO BE APPROPRIATED UNDER PERMIT S-52693  
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 October 28, 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:	Lake
Application File Number:	G-11640
Permit Number:	G-11024
Applicant:	MACDONALD, THOMAS A.
Address:	PO BOX 87 SUMMER LAKE, OR 97640
River Basin:	Goose & Summer Lake Basin
Water Source:	FOUR WELLS > GOOSE & SUMMER LAKES BASIN
Authorized Use of Water:	FISH CULTURE IRRIGATION ON 50.1 Acres SUPPLEMENTAL IRRIGATION ON 569.6 Acres
Maximum Diversion/ Appropriation Rate:	17.8 CFS, BEING 7.73 CFS FOR IRRIGATION AND 17.8 CFS FOR FISH CULTURE

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2010 to October 1, 2012; and grant an extension of time to apply water to full beneficial use from October 1, 2010 to October 1, 2012.

County of Use: Umatilla  
Application File Number: G-16126  
Permit Number: G-15938  
Applicant: LOPEZ, EFRAIN V.  
LOPEZ, EFREN  
Address: 210 HEATHER DR  
STANFIELD, OR 97875  
River Basin: Umatilla Basin  
Water Source: A WELL > UMATILLER RIVER BASIN  
Authorized Use of Water: IRRIGATION ON 10.0 Acres  
Maximum Diversion/  
Appropriation Rate: 0.125 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2009 to October 1, 2014.

County of Use: Marion  
Application File Number: S-86210  
Permit Number: S-54199  
Applicant: VANDERWEY, THEA  
Address: PO BOX 1407  
SILVERTON, OR 97381  
River Basin: Willamette Basin  
Water Source: HANK'S POND > BRUSH CREEK  
THEA'S POND > BRUSH CREEK  
BRUSH CREEK > SILVER CREEK  
Authorized Use of Water: IRRIGATION ON 23.4 Acres  
POND MAINTENANCE  
Maximum Diversion/  
Appropriation Rate: 46.0 AF

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2009 to October 1, 2013.

County of Use: Washington  
Application File Number: G-14877  
Permit Number: G-13732  
Applicant: SCHROEDER, DARRELL H  
SCHROEDER, PATRICIA  
Address: 26975 NW MEEK RD  
HILLSBORO, OR 97124  
River Basin: Willamette Basin  
Water Source: WELL 2 > STOREY CREEK  
Authorized Use of Water: IRRIGATION ON 6.7 Acres  
Maximum Diversion/  
Appropriation Rate: 0.084 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2003 to October 1, 2016.

County of Use: Polk  
Application File Number: G-12838  
Permit Number: G-11977  
Applicant: RICKREALL COMMUNITY WATER ASSOCIATION  
Address: PO BOX 44  
RICKREALL, OR 97371  
River Basin: Willamette Basin  
Water Source: A WELL > WILLAMETTE RIVER  
Authorized Use of Water: COMMERCIAL USES  
DOMESTIC  
Maximum Diversion/  
Appropriation Rate: 0.56 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1999 to October 1, 2047; and grant an extension of time to apply water to full beneficial use from October 1, 1999 to October 1, 2047.

County of Use: Polk  
Application File Number: S-47642  
Permit Number: S-35222  
Applicant: CITY OF FALLS CITY  
Address: 229 MILL STREET  
FALLS CITY, OR 97344  
River Basin: Willamette Basin  
Water Source: BERRY CREEK > LITTLE LUCKIAMUTE RIVER  
Authorized Use of Water: MUNICIPAL USES  
Maximum Diversion/  
Appropriation Rate: 1 CFS

Recommendation: The department proposes to DENY an extension of time for complete construction for the water system from October 1, 2001 to October 1, 2051; and DENY an extension of time to apply water to full beneficial use from October 1, 2001 to October 1, 2051.

**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 October 13, 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)

STEVE GLASER FARM INC  
Application Number: G-14143 Permit Number: G-12686  
LINN COUNTY  
WELL #1, WELL #2 AND WELL #3 LOCATED IN THE CALAPOOIA RIVER BASIN,  
WITHIN THE WILLAMETTE BASIN  
IRRIGATION OF 271.0 ACRES AND AGRICULTURAL USE (NURSERY OPERATIONS) ON  
20.0 ACRES

GREGROY M CRAMER  
Application Number: S-83916 Permit Number: S-53649  
DOUGLAS COUNTY  
A RESERVOIR, ORIGINALLY CONSTRUCTED UNDER APPLICATION R-75474,  
TRIBUTARY OF THE CALAPOOYA CREEK  
IRRIGATION OF 106.8 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.

Licensees must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after September 27, 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-1375

ROTH, DAVID

BAKER, DAVID

PO BOX 191

CHRISTMAS VALLEY, OR 97641

POD: 1 A WELL > CROOKED RIVER

NW 1/4 NE 1/4 Section 4 T 22.00S R 20.00E WM

Deschutes County

1.56 C (est) for IRRIGATION

POD: 2 A WELL > CROOKED RIVER

NE 1/4 NE 1/4 Section 33 T 21.00S R 20.00E WM

Deschutes County

1.56 C (est) 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 October 04, 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: Coos

Instream Lease Number: IL 793

\*\* Lessor \*\*

BARKLOW, ALBERT  
54082 FISHTRAP ROAD  
MYRTLE POINT, OR 97458

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE MOUTH OF FISHTRAP CR

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
28182 OR	* S 23388	1/28/1955	IR	0.25	71.9	FISHTRAP CREEK	COQUILLE RIVER	28.9

Reach: FROM THE POD TO THE MOUTH OF FISHTRAP CR

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
82831	OR * S 51722	4/23/1990	IR	0.194	70.42	FISHTRAP CREEK	COQUILLE RIVER	38.5

County: Wheeler

Instream Lease Number: IL 849

\*\* Lessee \*\*

OREGON WATER TRUST  
65 SW YAMHILL, SUITE 200  
PORTLAND, OR 97204

\*\* Lessor \*\*

STANLEY, RICK  
PO BOX 466  
FOSSIL, OR 97830

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO RM 20.9

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
47034	OR * S 30859	9/7/1965	IR	0.44	87.5	JOHN DAY RIVER	COLUMBIA RIVER	17.5

Reach: FROM THE POD TO THE MOUTH OF BUTTE CREEK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
24961	OR *	12/31/1887	IR	0.59	187.6	BUTTE CREEK	JOHN DAY RIVER	46.9



Reach: FROM THE POD TO RM 20.9

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
4949	OR * S 4363	12/29/1919	IR	0.61	240.5	JOHN DAY RIVER	COLUMBIA RIVER	48.1

Reach: FROM THE POD TO THE MOUTH OF BUTTE CREEK

Cert#	Permit	Priority	Use	Rate (cfs)	Source	Tributary to	Acres
66497	OR * S 47965	8/1/1983	IR	0.81	JOHN DAY RIVER	COLUMBIA RIVER	56.4

## 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 October 13, 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: LAKE  
Transfer: 11290  
Water Right: CERT 85839  
Priority Date: JANUARY 21, 1907, JULY 31, 1908  
Name: LAKEVIEW WATER USER  
Address: 91164 WATER USER LANE, LAKEVIEW OR 97630  
Change: POU  
Source: DREWS CREEK, DREWS RESERVOIR, COTTONWOOD  
  
CREEK, COTTONWOOD RESERVOIR

County: JOSEPHINE  
Transfer: 11291  
Water Right: CERT 37814  
Priority Date: AUGUST 15, 1963  
Name: KIMBERLY JEAN ROJAS  
Address: 17535 WILLIAMS HWY, WILLIAMS OR 97544  
Change: POD  
Source: WILLIAMS CREEK

County: JEFFERSON  
Transfer: 11292  
Water Right: CERT 72479  
Priority Date: JANUARY 13, 1976  
Name: MICHEAL AND LAURA FEIGNER  
Address: 4019 NE FERN LANE, MADRAS OR 97741  
Change: APOD  
Source: TROUT CREEK

## **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 October 13, 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-11188 filed by Miller Forest, Inc., PO Box 12395, Salem, OR 97309, proposes a change from a surface water diversion point to a ground water point of appropriation under Certificate 83602. The right allows the use of 0.86 cubic foot per second (priority date May 22, 1951) from Thomas Creek, tributary to the South Santiam River in Sec. 20, T 10 S, R 2 W, W.M. for irrigation in Secs. 17 and 20. The applicant proposes to change from a surface water diversion to a ground water point of appropriation approximately 150 feet northwest within Sec. 20. 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-8420 filed by Flat Iron Ranch, LLC, P.O. Box 428, Myrtle Point, Oregon 97458, Scott and Margie Runels, P.O. Box 39, Fort Rock, Oregon 97735, and Jerry and Linda Newman, P.O. Box 761, Christmas Valley, Oregon 97641, proposes a change in points of appropriation and a change in places of use under Certificates 75826, 83291, 83581, and 83582. On August 8, 2011, the Department erroneously issued a Preliminary Determination proposing to approve T-8420. The Preliminary Determination issued August 8, 2011, is withdrawn.

## **Transfer Applications: Ground Water Registration Modification**

The holder of a ground water certificate of registration may request that the Department recognize a change in point of appropriation, place of use or character of use under the ground water registration. Modifications of ground water registrations are authorized under ORS 537.610(4) and OAR Chapter 382.

The Department seeks public comment on the recently-filed applications for recognition of modifications in ground water registrations listed below. Any person may comment on an application for a ground water registration modification. Comments must be received by the Department on or before October 13, 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 recognized 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: JOSEPHINE  
Transfer: 11293  
Water Right: GR 3519  
Priority Date: AUGUST 31, 1951  
Name: RENDATA INDUSTRIAL PARK, LLC  
Address: 700 MERLIN RD, GRANTS PASS OR 97526  
Change: POU, APOA  
Source: A WELL

County: JOSEPHINE  
Transfer: 11294  
Water Right: GR 3520  
Priority Date: DECEMBER 31, 1951  
Name: RENDATA INDUSTRIAL PARK, LLC  
Address: 700 MERLIN RD, GRANTS PASS OR 97526  
Change: POU, APOA  
Source: A WELL

County: JOSEPHINE  
Transfer: 11295  
Water Right: GR 3521  
Priority Date: DECEMBER 31, 1952  
Name: RENDATA INDUSTRIAL PARK, LLC  
Address: 700 MERLIN RD, GRANTS PASS OR 97526  
Change: POU, APOA  
Source: A WELL

## **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 October 13, 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:

Eugene Water & Electric Board (Municipal)

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](mailto:lisa.j.jaramillo@wrd.state.or.us).

## **Notice of Final Order and Certificate Issuance to Reauthorize Minor Hydroelectric Project**

The Department is providing notice of the following Final Order and Certificate to reauthorize a minor hydroelectric project as it satisfies the standards set forth in ORS 543A.025

The Final Order and Certificate can be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the documents please contact Mary Grainey at (503)986-0833. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Name: Michael E. Clawson

Address: 20836 Mustola Road  
Clatskanie, OR 97016

County: Columbia

Basin: North Coast

Stream: 0.35 cfs, Unnamed Stream, tributary to Beaver Creek

Application Number: HE 408

State Expiration Date: December 31, 2011

Project Description: Water from the stream creates a small pool, from which water is diverted into a corrugated metal pipe. This pipe delivers the water into a concrete silt trap/intake box. A white PVC pipe is attached to the downstream end of the box, and is buried and serves as the project penstock. It extends approximately 1,180 feet to where it enters the powerhouse and connects to turbine. This provides the project approximately 168 feet of head. After passing through the turbine, the water is returned to the unnamed stream above its confluence with Beaver Creek.

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## Certificate Issuance

Following is a list of certificates that have been recently issued. If you are viewing this electronically then you should be able to view the certificate by clicking on the underlined blue text. Appeal rights are provided on each certificate document.

If under the file number the “App:” abbreviation for application is provided then any person owning an application, permit or water right certificate subsequent in priority to a certificate listed here may file a protest within three months of issuance of the certificate. See Oregon Revised Statutes 537.260. Rules governing protests are in Oregon Administrative Rules Chapter 690 division 002. Any protest must be accompanied by a protest fee of \$600. (ORS 536.050(1)(j)(A)).

File Number	Certificate Number	Basin Number	County	Priority Date	Issue Date	Name
<a href="#">App: R 71868</a>	<a href="#">87189</a>	17	DOUG	09/18/1991	09/02/2011	U.S. BUREAU OF LAND MANAGEMENT
<a href="#">App: R 85083</a>	<a href="#">87199</a>	2	POLK	03/19/2002	09/09/2011	DIXON, GENE
<a href="#">App: R 86115</a>	<a href="#">87198</a>	2	YAMH	10/06/2004	09/09/2011	RED HILLS FARM LLC
<a href="#">App: R 86788</a>	<a href="#">87194</a>	17	COOS	02/02/2007	09/09/9999	EVEREST, DICK; QUIET VALLEY FARMS
<a href="#">App: R 86789</a>	<a href="#">87195</a>	17	COOS	02/02/2007	09/09/2011	EVEREST, DICK; QUIET VALLEY FARMS
<a href="#">App: R 87305</a>	<a href="#">87197</a>	15	JACK	10/10/2008	09/09/2011	THORPE, DAN
<a href="#">App: S 57812</a>	<a href="#">87193</a>	15	JOSE	08/17/1978	09/09/2011	HOLMAN, TED
<a href="#">App: S 58629</a>	<a href="#">87192</a>	15	JOSE	05/08/1979	09/09/2011	HOLMAN, TED
<a href="#">App: S 70384</a>	<a href="#">87200</a>	17	DOUG	05/30/1990	09/09/2011	LANEY, GEORGE E. LANEY, JANICE E.
<a href="#">App: S 71871</a>	<a href="#">87188</a>	17	DOUG	09/18/1991	09/02/2011	U.S. BUREAU OF LAND MANAGEMENT
<a href="#">App: S 80905</a>	<a href="#">87196</a>	17	DOUG	01/29/1996	09/09/2011	THOMAS, SARAH K.
<a href="#">Xfer: T 7736</a>	<a href="#">87201</a>	2	LINC	04/19/1977	09/09/2011	DAVIS, GEORGE L. DAVIS, LARRY L. HOLMES, GENEVA N.

**OREGON  
WATER  
RESOURCES  
DEPARTMENT**



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

**PUBLIC NOTICE OF WATER USE REQUESTS**  
September 13, 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.)