

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
January 3, 2012

*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.
- \* **Expedited Secondary Applications to Use Stored Water**  
Applications to use stored water exclusively, 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.
- \* **Application for Instream Lease**  
Application by water right holder to lease existing water rights to instream use.
- \* **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.
- \* **District Permanent Transfers (ORS 540.580)**  
Petitions requesting transfers in place of use within a district's boundaries.
- \* **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 "Kim.R.French-Gorski@ 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, February 02, 2012.** 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, February 17, 2012.**

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)

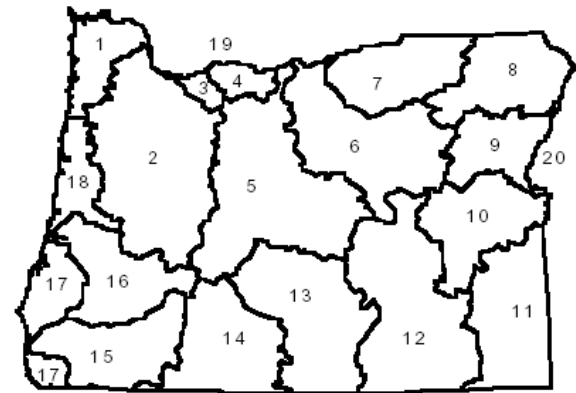
### BASINS:

- |                 |                     |
|-----------------|---------------------|
| 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           |

### (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 of Use" abbreviations



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
<a href="#">S-87739</a>	GROST, RICHARD PO BOX 128 23457 N UMPQUA HWY IDLEYLD PARK, OR 97447						PFO 2
Uses: DN	16 NORTH UMPQUA RIVER > UMPQUA RIVER	26.00S 3.00W 11 SWNE	Douglas	07/26/2011	0.01C		
<a href="#">S-87731</a>	BOTHWELL, DEBORA 567 CHEROKEE AVE ROSEBURG, OR 97471 BOTHWELL, ROGER 567 CHEROKEE AVE ROSEB						PFO 2
Uses: DN	16 NORTH UMPQUA RIVER > UMPQUA RIVER	26.00S 6.00W 27 SWSE	Douglas	06/23/2011	0.01C		
<a href="#">S-87732</a>	CARLONI, KEN 300 IMPALA DR ROSEBURG, OR 97470-8883						PFO 2
Uses: DN	16 NORTH UMPQUA RIVER > UMPQUA RIVER	26.00S 5.00W 16 SWSE	Douglas	06/24/2011	0.01C		
<a href="#">S-87733</a>	CARLONI, KEN 300 IMPALA DR ROSEBURG, OR 97470-8883						PFO 2
Uses: DN	16 NORTH UMPQUA RIVER > UMPQUA RIVER	26.00S 5.00W 16 SWSE	Douglas	06/24/2011	0.01C		

## **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 **February 02, 2012**. 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-87771  
THORKELSON, MARK  
1080 CANTRALL RD  
JACKSONVILLE, OR 97530  
POD: 1 A RESERVOIR > APPLGATE RIVER  
SW 1/4 NE 1/4 Section 32T 38.00S R 3.00W WM  
Jackson County  
4.0 AF for AGRICULTURE USES, IRRIGATION AND LIVESTOCK

**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 February 02, 2012.** 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-16503  
Permit Number: G-16227  
DOMAINE DROUHIN VINEYARDS  
PO BOX 700  
DUNDEE, OR 97115  
Yamhill County  
A WELL > WILLAMETTE RIVER  
0.037 CFS  
IRRIGATION ON 11.4 ACRES  
October 1, 2021

### 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 January 24, 2012.** 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: Wasco  
Instream Lease Number: IL 789

\*\* Lessor \*\*

JUSTESEN, JONNIE L.  
59720 TWIN LAKES RD  
GRASS VALLEY, OR 97029

\*\* Lessor \*\*

JUSTESEN, FRED A.  
59720 TWIN LAKES RD  
GRASS VALLEY, OR 97029  
Contact: KODY THURGOOD at 503-986-0892

Reach: AT THE POD

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:82832 RR * S 8039		7/1/1927	IR	0.04	8.65	THREEMILE CREEK	WHITE RIVER	2.97

Reach: AT THE POD

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:8504 OR * S 7195		2/23/1926	IR	0.06	12.97	THREEMILE CREEK	WHITE RIVER	4.37

## **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 February 02, 2012, 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-11306 filed by SHERILYN RAYBURN, 59099 PIERCE RD, LA GRANDE, OR 97850, proposes a change in place of use under Certificate 60736. The right allows the use of 1.40 CUBIC FEET PER SECOND (priority date MARCH 10, 1980) from a well in Sec. 19, T 3 S, R 39 E, W.M. (Grande Ronde Basin) for IRRIGATION in Sec. 19 and 20. The applicant proposes change the place of use to Sec. 19, T 3 S, R 39 E, W.M.; and. 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.



## **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 February 02, 2012. The Department will hold a contested case hearing if: 1) a protest and \$600 protest fee for non-applicant and \$300.00 protest fee for applicant are received within the time allowed; or 2) the Department finds a hearing is needed to determine whether the proposed changes would result in injury to existing rights. (If a water user believes that a proposed change could injure a water delivery within a district's boundaries, the matter will be resolved directly between the district and the water user.)

County: DESCHUTES  
Transfer: 11336  
Water Right: CERT 83571, 76714  
Priority Date: 1913  
Name: CENTRAL OREGON IRRIGATION DISTRICT  
Address: 1055 SW LAKE COURT, REDMOND OR 97756  
Change: POU  
Source: CRANE PRAIRIE RESERVOIR, DESCHUTES RIVER

County: DESCHUTES  
Transfer: 11337  
Water Right: CERT 83571, 76714  
Priority Date: 1913  
Name: CENTRAL OREGON IRRIGATION DISTRICT  
Address: 1055 SW LAKE COURT, REDMOND OR 97756  
Change: POU  
Source: CRANE PRAIRIE RESERVOIR, DESCHUTES RIVER

County: JEFFERSON  
Transfer: 11338  
Water Right: CERT 72279, 72281, 72283  
Priority Date: 1913, 1955, 1968  
Name: NORTH UNIT IRRIGATION DISTRICT  
Address: 2024 NW BEECH ST, MADRAS OR 97741  
Change: POU  
Source: DESCHUTES RIVER, WICKIUP RESERVOIR, HAYSTACK RESERVOIR, CROOKED RIVER

## 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	Basin Number	County	Priority Date	Issue Date	Name
<a href="#">App: G 13013</a> <a href="#">Cert#-87270</a>	14	KLAM	06/29/1992	12/30/2011	RLF KLAMATH PROPERTIES LLC
<a href="#">App: G 15482</a> <a href="#">Cert#-87317</a>	2	WASH	04/26/2001	12/23/2011	HICKMAN, TERRY; BIG TREES TODAY OF OREGON INC.
<a href="#">App: G 15518</a> <a href="#">Cert#-87278</a>	4	WASC	06/04/2001	12/23/2011	CITY OF THE DALLES
<a href="#">App: R 75522</a> <a href="#">Cert#-87274</a>	2	YAMH	12/20/1994	12/30/2011	GORGAS III, HENRY L.
<a href="#">App: S 70321</a> <a href="#">Cert#-87357</a>	2	MARI	04/26/1990	12/23/2011	KRAEMER FARMS
<a href="#">App: S 80641</a> <a href="#">Cert#-87360</a>	15	JACK	10/10/1995	12/30/2011	CITY OF JACKSONVILLE
<a href="#">Xfer: T 10852</a> <a href="#">Cert#-87329</a>	16	DOUG	03/12/1951	12/23/2011	NEWFIELD, VICKY S.
<a href="#">Xfer: T 7429</a> <a href="#">Cert#-87275</a>	2	YAMH	07/26/1935	12/30/2011	GORGAS III, HENRY L.

**OREGON  
WATER  
RESOURCES  
DEPARTMENT**



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
January 3, 2012

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"):

Mail me the order  
(payment enclosed)\*

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