

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
February 7, 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*

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.
- * **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.
- * **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, March 08, 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, March 23, 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 days: March 23, 2012, May 25, 2012, August 17, 2012, October 19, 2012, November 23, 2012, January 18, 2013, April 19, 2013 and May 24, 2013.

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:

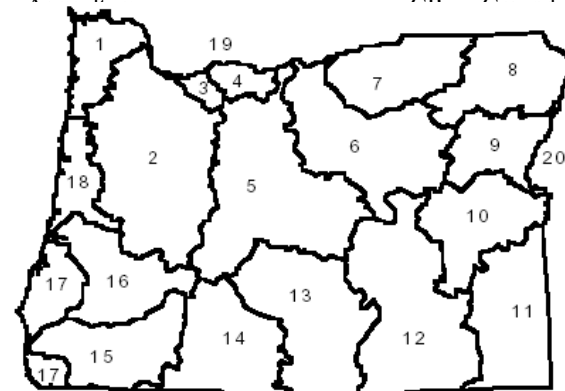
- | | |
|-----------------|---------------------|
| 1. North Coast | 11. Owyhee |
| 2. Willamette | 12. Malheur L. |
| 3. Sandy | 13. Goose/Summer L. |
| 4. Hood | 14. Klamath |
| 5. Deschutes | 15. Rogue |
| 6. John Day | 16. Umpqua |
| 7. Umatilla | 17. S. Coast |
| 8. Grande Ronde | 18. Mid-Coast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

Commonly used "Type of Use" abbreviations

(for definitions, consult Oregon Administrative Rules 690-300):

AG: Agricultural water recharge

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



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
G-17467	MCBRIDE, MICHAEL 401 N DIXON ST PORTLAND, OR 97227						IR 2
2	A WELL > FAIRVIEW CREEK	1.00S 3.00E 5 NWNW	Multnomah	06/03/2011	0.222C		
2	A WELL > FAIRVIEW CREEK	1.00S 3.00E 5 NWNW	Multnomah	06/03/2011	0.222C		
2	A WELL > FAIRVIEW CREEK	1.00S 3.00E 5 NWNW	Multnomah	06/03/2011	0.0C (est)		
Uses:	CM GT						

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-17202	10	HARN	04/06/2009	COLEMAN CREEK RANCH LLC		02/02/2012

**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 March 08, 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: S-86139
Permit Number: S-54231
H STAR RANCHES INC.
ROGUE PROP I LLC
ROGUE PROP II LLC
TRAILMARK CORP.
PO BOX 1235
SHADY COVE, OR 97539
Jackson County
LOST CREEK RESERVOIR, CONSTRUCTED UNDER PERMIT R-8142 > ROGUE CREEK
363.6 AF
IRRIGATION ON 80.8
October 1, 2014

**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 March 23, 2012. 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: Benton
Application File Number: G-16651
Permit Number: G-16208
Applicant: DINNIS, JOHN AND
Address: 30129 CAMP ADAIR RD
MONMOUTH, OR 97361
River Basin: Willamette Basin
Water Source: SIX WELLS > SOAP CREEK
A WELL > LUCKIAMUTE RIVER
Authorized Use of Water: NURSERY USES ON 30.77 Acres
Maximum Diversion/
Appropriation Rate: 0.024 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2011 to October 1, 2021.

County of Use: Linn
Application File Number: G-16297
Permit Number: G-16029
Applicant: CARTER, JON L.
Address: PO BOX 649
SCIO, OR 97374
River Basin: Willamette Basin
Water Source: A WELL > SOUTH SANTIAM RIVER
Authorized Use of Water: IRRIGATION ON 20.00 Acres
Maximum Diversion/
Appropriation Rate: 0.209 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from February 1, 2010 to October 1, 2016.

County of Use: Wasco
Application File Number: G-16334
Permit Number: G-15884
Applicant: WASSON, MONTE B. AND JAN D.
Address: 6088 EIGHTMILE RD
THE DALLES, OR 97058
River Basin: Hood Basin
Water Source: A WELL > EIGHTMILE CREEK
Authorized Use of Water: IRRIGATION ON 10.7 Acres
Maximum Diversion/
Appropriation Rate: 0.13 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, 2013.

County of Use: Marion
Application File Number: G-15556
Permit Number: G-15137
Applicant: VILLARREAL, EULALIO O
Address: 9230 RIVER RD NE
SALEM, OR 97303
River Basin: Willamette Basin
Water Source: A WELL > WILLAMETTE RIVER
Authorized Use of Water: NURSERY USES ON 4.0 Acres
Maximum Diversion/
Appropriation Rate: 0.11 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2011 to October 1, 2017.

County of Use: Yamhill
Application File Number: R-32825
Permit Number: R-2653
Applicant: CITY OF MCMINNVILLE
Address: PO BOX 638
MCMINNVILLE, OR 97128
River Basin: North Coast Basin
Water Source: WALKER CREEK/MCMINN 4B RESERVOIR> NESTUCCA RIVER
Authorized Use of Water: MUNICIPAL USES
Maximum Diversion/
Appropriation Rate: 4500 AF

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 1997 to October 1, 2007.

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 February 21, 2012, 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-1383

MCBRIDE, MICHAEL

401 N DIXON ST

PORTLAND, OR 97227

POD: 1 A WELL > FAIRVIEW CR
NW 1/4 NW 1/4 Section 5 T 1.00S R 3.00E WM
Multnomah County
0.446 CFS for AIR CONDITIONING OR HEATING

POD: 2 A WELL > FAIRVIEW CR
NW 1/4 NW 1/4 Section 5 T 1.00S R 3.00E WM
Multnomah County
0.446 CFS for AIR CONDITIONING OR HEATING

POD: 3 A WELL > FAIRVIEW CR
NW 1/4 NW 1/4 Section 5 T 1.00S R 3.00E WM
Multnomah County
0.446 CFS for AIR CONDITIONING OR HEATING

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 March 08, 2012. 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: UMATILLA
Transfer: 11346
Water Right: CERT 434, 2553
Priority Date: JUNE 7, 1909, UMATILLA DECREE
Name: WILLIAM AND ROSA RUPP
Address: 420 ROAD 49, PASCO WA 99301
Change: ADDITIONAL POINT OF DIVERSION
Source: EAST BIRCH CREEK

County: CROOK
Transfer: 11347
Water Right: CERT 87331
Priority Date: JULY 23, 1946
Name: BUTLER RANCH INC.
Address: 5294 NW LONE PINE RD, TERREBONNE OR 97760
Change: PLACE OF USE; USE
Source: CROOKED RIVER

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 March 08, 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-8420 filed by Flat Iron Ranch, LLC, 52734 Reedsford Road, Myrtle Creek, 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. Certificate 75826 allows the use of 0.06 cubic foot per second (cfs) (priority date January 13, 1981) from Well 1 in Sec. 3, T 26 S, R 16 E, W.M. (Fort Rock Basin) for irrigation in Sec. 3. The applicant proposes to change the place of use within Sec. 3, T 26 S, R 16 E, W.M. Certificate 83291 allows the use of 1.26 cfs (priority date April 27, 1983) from a well in Sec. 6, T 26 S, R 16 E, W.M. (Christmas Valley Basin) for irrigation in Sec. 6. The applicant proposes to move the point of appropriation approximately 9.0 miles southeast to within Sec. 12, T 27 S, R 16 E, W.M. and to change the place of use to within Sec. 12, T 27 S, R 16 E, W.M. Certificate 83581 allows the use of 0.03 cfs (priority date January 13, 1981) from Well 8 in Sec. 3, T 26 S, R 16 E, W.M. (Fort Rock Basin) for irrigation in Sec. 3. The applicant proposes to change the place of use within Sec. 3, T 26 S, R 16 E, W.M. Certificate 83582 allows the use of 0.11 cubic foot per second (cfs) (priority date January 13, 1981) from Well 8 in Sec. 3, T 26 S, R 16 E, W.M. (Fort Rock Basin) for irrigation in Sec. 3. The applicant proposes to move the point of appropriation approximately 7.5 miles southeast to within Sec. 12, T 27 S, R 16 E, W.M. and to change the place of use to within Sec. 12, T 27 S, R 16 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.

T-8450 filed by Flat Iron Ranch, LLC, P.O. Box 206, Myrtle Creek OR 97458, proposes an additional point of appropriation under Certificate 83291. The right allows the use of 1.62 cubic feet per second (priority date April 27,

1983) from a well in Sec. 6, T 26 S, R 16 E, W.M. (Christmas Valley Basin) for irrigation in Sec. 6. The applicant proposes an additional point of appropriation approximately 0.5 mile northwest within Sec. 6, T 26 S, R 16 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.

T-11076 filed by Ann Ingham, 26248 Metolius Meadows Dr., Camp Sherman, OR 97730, proposes a change in point of diversion and a change in character of use under Certificate 81669. The right allows the use of 3.0 acre-feet per acre (priority date 1888) from LAKE CREEK, tributary of the Metolius River in Sec. 16, T 13 S, R 9 E, for irrigation of 2.11 acres and domestic use in Sec. 16. The applicant proposes to move the point of diversion approximately 1170 feet upstream within Sec. 16, and to change the character of use from domestic use to pond maintenance. 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-11304 filed by Melvin A. and Carol M. James, 6385 Roberts Creek Rd, Roseburg, OR 97470, proposes an additional point of diversion under Certificate 82504. The right allows the use of 0.193 cfs from Cooper Spring and Roberts Creek in Sec. 22, T 28 S, R 5 W, W.M. for domestic, irrigation and livestock use within Sec. 22. The applicant proposes an additional point of diversion in Sec. 23, T 28 S, R 5 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.

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
App: G 14691 Cert#-87412	2	MARI	03/04/1998	02/03/2012	SPADA, ANGELO; A AND R SPADA FARMS LLC
App: G 15930 Cert#-87411	2	MARI	02/21/2003	02/03/2012	SPADA, ANGELO; A AND R SPADA FARMS LLC
App: S 69996 Cert#-87364	2	WASH	07/13/1989	02/03/2012	KOEHNKE, JOHN N.
App: S 71493 Cert#-87366	2	POLK	04/09/1991	02/03/2012	GARDNER, JAMES W.
App: S 80344 Cert#-87365	2	WASH	05/18/1995	02/03/2012	KOEHNKE, BILL

OREGON WATER RESOURCES DEPARTMENT



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

PUBLIC NOTICE OF WATER USE REQUESTS

February 7, 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:

* 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.)