

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
March 13, 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.
- * **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.
- * **Establishment of Mitigation Credits in the Deschutes Basin pursuant to OAR Chapter 690, Division 521 (ORS 537.746)**

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, April 12, 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, April 27, 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:

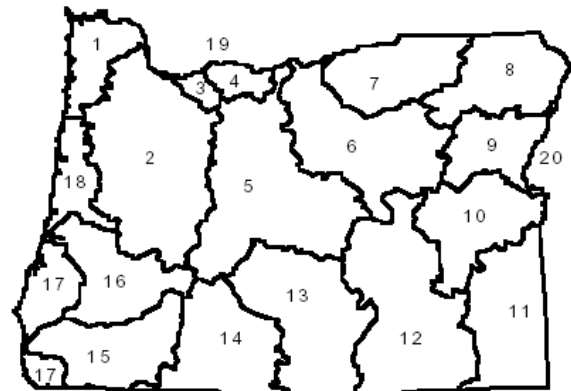
- * Type of use (see abbreviations below)

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: 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



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
G-17481	SHUFFIELD, DIXIE R. PO BOX 85 50969 SHUFFIELD RD SUMMER LAKE, OR 97640			SHUFFIELD, ERNEST D.			IR 3
13	A WELL > JOHNSON CREEK	29.00S 17.00E 24 NWSW	Lake	08/18/2011	1.0C		
Uses:	IR						
G-17529	INMAN, JOHN E. 2456 HWY 201 NYSSA, OR 97918			INMAN, SUZANNE K. 2456 HWY 201 NYSSA, OR 97918			IR 2
11	A WELL > OWYHEE RIVER	20.00S 46.00E 36 NWSW	Malheur	01/27/2012	0.067C		
Uses:	IR						
G-17531	NIENKE, DON 21765 SW 78TH AVE TUALATIN, OR 97062						IR 2
12	A WELL > DONNER UND BLITZEN RIVER	28.00S 30.00E 1 NWSW	Harney	02/09/2012	2.25C (est)		
12	A WELL > DONNER UND BLITZEN RIVER	27.00S 30.00E 35 NESE	Harney	02/09/2012	2.25C (est)		
12	A WELL > DONNER UND BLITZEN RIVER	27.00S 30.00E 35 SENW	Harney	02/09/2012	2.25C (est)		
12	A WELL > DONNER UND BLITZEN RIVER	27.00S 30.00E 35 NWSE	Harney	02/09/2012	2.25C (est)		
12	A WELL > DONNER UND BLITZEN RIVER	27.00S 30.00E 35 NWSW	Harney	02/09/2012	2.25C (est)		
12	A WELL > DONNER UND BLITZEN	28.00S 30.00E 2 NWSE	Harney	02/09/2012	2.25C (est)		
12	A WELL > DONNER UND BLITZEN	27.00S 30.00E 35 SWSE	Harney	02/09/2012	2.25C (est)		
12	A WELL > DONNER UND BLITZEN	28.00S 30.00E 1 SENW	Harney	02/09/2012	2.25C (est)		
Uses:	IR						
G-17510	MCGOURTY, MICHAEL 5490 HILL RD BROGAN, OR 97903						PFO 2
10	A WELL > PHIPPS CREEK	15.00S 43.00E 29 NWNW	Malheur	12/05/2011	1.123C (est)		
10	A WELL > PHIPPS CREEK	15.00S 43.00E 29 SWNW	Malheur	12/05/2011	1.123C (est)		
10	A WELL > PHIPPS CREEK	15.00S 43.00E 32 NWNW	Malheur	12/05/2011	1.123C (est)		
Uses:	IR IS						
G-17516	PARKS, BRETT R. 5585 JOHN DAY HWY BROGAN, OR 97903						PFO 2
10	A WELL > LITTLE WILLOW CREEK	16.00S 43.00E 35 NENW	Malheur	12/14/2011	1.52C		
Uses:	IS						

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
R-87376	2	CLAC	01/15/2009		DAVE OBRIST	03/08/2012
G-17434	7	UMAT	11/01/2010	KREGGER FARMING ENTERPRISES LLC		03/09/2012
S-87771	15	JACK	11/30/2011		MARK THORKELSON	03/09/2012

**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 April 12, 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-15750
Permit Number: G-15574
HEILMAN JR, ROBERT E.
HEILMAN, SHERI K.
2343 KINGS RD DR
LARGO, FL 33774
Yamhill County
A WELL > HAWN CREEK
0.089 CFS
AGRICULTURE USES AND IRRIGATION ON 58.2 ACRES
October 1, 2022

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 March 27, 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-1390

MADISON, KENT R.
29299 MADISON RD
ECHO, OR 97826

POD: 1 COLUMBIA R > PACIFIC O
NE 1/4 NW 1/4 Section 2 T4N R25E W.M.
Morrow County
0.18 CFS for GENERAL CONSTRUCTION OR MAINTENANCE

LL-1391

ARNOLD IRRIGATION DISTRICT
GERDES, SHAWN
19604 BUCK CANYON ROAD
BEND, OR 97702

POD: 1 A RES > DESCHUTES R
NE 1/4 NW 1/4 Section 15 T16S R13E W.M.
Deschutes County
800.0 AF 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 April 03, 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: Douglas

Instream Lease Number: IL 22

** Lessor **
WORSLEY, FRED
150 AKIN LANE
ROSEBURG, OR 97470

** Lessor **
WORSLEY, IAMBIE
150 AKIN LANE
ROSEBURG, OR 97470
Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE MOUTH OF THE NORTH UMPQUA RIVER

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:80887 RR *	S 20108	2/13/1951	IR	0.0166	3.29	NORTH UMPQUA RIVER	UMPQUA RIVER	1.33

County: Crook

Instream Lease Number: IL 1197

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM THE POD TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:82248	CF RR * S 49824	9/2/1986	IM	0.779	259.41	OCHOCO CREEK OCHOCO RESERVOIR	CROOKED RIVER	86.5

County: Crook

Instream Lease Number: IL 1198

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM THE POD TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:82246	CF RR * S 5426	8/10/1917	IM, IR	0.18	59.98	OCHOCO CREEK OCHOCO RESERVOIR	CROOKED RIVER	20.0

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 April 12, 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: JACKSON
Transfer: 11364
Water Right: CERT 46398, 86353
Priority Date: 1864, 1950
Name: ASHLAND FLOWER SHOP & GREENHOUSES INC
Address: 744 HELMAN ST, ASHLAND OR 97520
Change: POINT OF DIVERSION; PLACE OF USE; USE
Source: ASHLAND CREEK

County: DESCHUTES, KLAMATH
Transfer: 11365
Water Right: CERT 86022
Priority Date: 1897, 1900, 1902
Name: WATER RIGHT SERVICES LLC, JOHN A SHORT
Address: PO BOX 1830, BEND OR 97709
Change: PLACE OF USE; USE
Source: LITTLE DESCHUTES RIVER

County: CLACKAMAS
Transfer: 11366
Water Right: CERT 42788, 44577
Priority Date: 1968, 1971
Name: WILLAMETTE EGG FARM, GORDON SATRUM
Address: 31348 S HWY 170, CANBY OR 97013
Change: ADDITIONAL POINT OF APPROPRIATION; PLACE OF USE
Source: A WELL

County: HARNEY
Transfer: 11367
Water Right: DECREE VOL: 9 PAGE: 79
Priority Date: 1877
Name: RONALD WHITING
Address: PO BOX 716, BURNS OR 97720
Change: POINT OF DIVERSION
Source: SILVIES RIVER

County: DOUGLAS
Transfer: 11368
Water Right: CERT 86184
Priority Date: 1956
Name: JON GAMBILL
Address: 789 CHEROKEE AVE, ROSEBURG OR 97471
Change: POINT OF DIVERSION; PLACE OF USE
Source: NORTH UMPQUA RIVER

Establishment of Mitigation Credits in the Deschutes Basin

ORS 537.746 authorizes the Department to award mitigation credits in the Deschutes Basin to approved mitigation projects. Mitigation credits may be used in the Deschutes Basin, specifically the Deschutes Ground Water Study Area, to mitigate for the impacts of ground water use on surface water flows. Pursuant to OAR Chapter 690, Division 521, upon receipt of notification of a mitigation project, the Department shall give public notice of the intent to establish mitigation credits.

The public is invited to comment on establishment of mitigation credits for the project(s) described below. Comments must be received within 21 days of the date of this public notice. Comments should address the award of mitigation credits to the proposed project and its use for mitigation purposes. Included in this public notice is a preliminary determination as to the amount of mitigation credits that may be available from the proposed project.

Crook County

Mitigation Project #: MP-163

Project Applicant: Deschutes River Conservancy Mitigation Bank, Ochoco Lumber Company, and Ochoco Irrigation District

Mitigation Project
And Process: Instream Lease Application IL-1197 for Certificate 82248 (Also see Instream Lease Section of the March 6, 2011 public notice for application details)

Subbasin/Source: Crooked River Subbasin – Ochoco Creek and Ochoco Reservoir, tributary to the Crooked River

Amount of Water: Proposed Instream: up to 0.78 CFS with a
Maximum Seasonal Volume – 259.5 AF

Current Use: 86.5 equivalent acres of Industrial Use

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: up to 259.5 Mitigation Credits
May be available for use in the Crooked River and General
Zones of Impact

Contact: Laura Wilke, Phone: (503) 986-0884

Mitigation Project #: MP-164

Project Applicant: Deschutes River Conservancy Mitigation Bank and Ochoco Irrigation District

Mitigation Project
And Process: Instream Lease Application IL-1198 for Certificate 82246 (Also see Instream Lease Section of the March 6, 2011 public notice for application details)

Subbasin/Source: Crooked River Subbasin – Ochoco Creek and Ochoco Reservoir, tributary to the Crooked River

Amount of Water: Proposed Instream: up to 0.18 CFS with a
Maximum Seasonal Volume – 60.0 AF
Current Use: 20.0 equivalent acres of Floating Industrial Use
Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: up to 60.0 Mitigation Credits
May be available for use in the Crooked River and General
Zones of Impact

Contact: Laura Wilke, Phone: (503) 986-0884

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 April 12, 2012. 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:

City of Veneta (Municipal)
Young Life; Washington Family Ranch (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.

**OREGON
WATER
RESOURCES
DEPARTMENT**



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
March 13, 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.)