

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
June 5, 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.
- * **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 Applications: Temporary Transfers**
Requests to temporarily change place of use and, if necessary to convey the water to the new place of use, to temporarily change the point of diversion or appropriation.
- * **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.
- * **Application for Allocation of Conserved Water**

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 "Codi.N.Holmes@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 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, July 05, 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, July 20, 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 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:

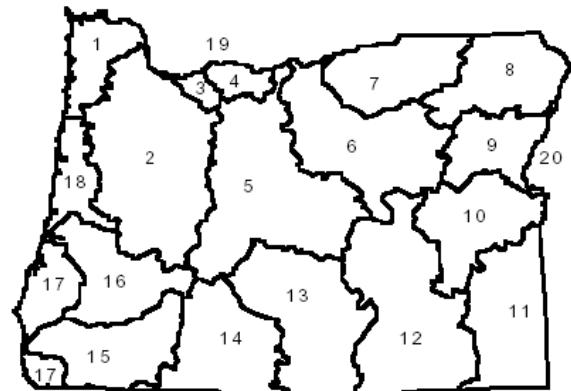
- | | |
|-----------------|---------------------|
| 1. North Coast | 11. Owyhee |
| 2. Willamette | 12. Malheur L. |
| 3. Sandy | 13. Goose/Summer L. |
| 4. Hood | 14. Klamath |
| 5. Deschutes | 15. Rogue |
| 6. John Day | 16. Umpqua |
| 7. Umatilla | 17. S. Coast |
| 8. Grande Ronde | 18. Mid-Coast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

- AG: Agriculture
- CF,CH,CL, CR: Cranberry uses
- CM: Commercial
- CS: Campground
- DI, DN: Domestic including non-commercial lawn & garden
- DO: Domestic
- DS: Domestic & stock
- FI: Fish
- FP: Fire protection
- FW: Fish & wildlife
- GD: Group domestic

- GR: Groundwater recharge
- GT: Geothermal
- IC: Irrigation, primary & supplemental
- ID: Irrigation with domestic
- IL: Irrigation with livestock
- IM: Industrial or manufacturing
- IR: Irrigation
- IS: Irrigation, supplemental
- LV: Livestock
- LW: Livestock & wildlife
- MI: Mining

- MU: Municipal
- NU: Nursery use
- PA: Pollution abatement
- PW: Power
- QM: Quasi-municipal
- RC: Recreation
- RW: Road construction
- ST: Storage
- SW: Swimming
- TC: Temperature control
- WI: Wildlife

Commonly used "Type of Use" abbreviations (for definitions, consult Oregon Administrative Rules 690-300):



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
G-17554	OREGON DEPARTMENT OF CORRECTIONS	777 STANTON BLVD	ONTARIO, OR	97914	SNAKE RIVER CORRECTIONA		IR 2
10	A WELL > CANYON NUMBER 1	17.00S 46.00E 22	NESE	Malheur	04/17/2012	0.031C (est)	
10	A WELL > CANYON NUMBER 1	17.00S 46.00E 22	NESE	Malheur	04/17/2012	0.031C (est)	
10	A WELL > CANYON NUMBER 1	17.00S 46.00E 22	NESW	Malheur	04/17/2012	0.031C (est)	
10	A WELL > CANYON NUMBER 1	17.00S 46.00E 22	NESW	Malheur	04/17/2012	0.031C (est)	
10	A WELL > CANYON NUMBER 1	17.00S 46.00E 22	NESW	Malheur	04/17/2012	0.031C (est)	
10	A WELL > CANYON NUMBER 1	17.00S 46.00E 22	NENW	Malheur	04/17/2012	0.031C (est)	
10	A WELL > CANYON NUMBER 1	17.00S 46.00E 22	NENW	Malheur	04/17/2012	0.031C (est)	
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
G-17109	2	WASH	09/04/2008	IWASAKI BROTHERS INC.		05/31/2012
S-87341	2	WASH	11/18/2008		DR TODD KUETHER	05/31/2012

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 July 20, 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: Clackamas
Application File Number: G-16289
Permit Number: G-15950
Applicant: KOCH, STEVE
Address: 27815 S ELISHA CANBY, OR 97013
River Basin: Willamette Basin
Water Source: A WELL > DOVE CREEK
A WELL > DOVE CREEK
A WELL > DOVE CREEK
A WELL > DOVE CREEK
Authorized Use of Water: NURSERY USES ON 93.7000 Acres
Maximum Diversion/
Appropriation Rate: 1.6692 CFS
1.2996 CFS
1.6692 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, 2018.

County of Use: Clackamas
Application File Number: G-16397
Permit Number: G-16024
Applicant: WEICHEL, ERWIN
Address: 2959 SW SCHAEFFER RD WEST LINN, OR 97068
River Basin: Willamette Basin
Water Source: A WELL > DOANE CREEK
Authorized Use of Water: NURSERY USES ON 9.7900 Acres
Maximum Diversion/
Appropriation Rate: 0.3339 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from to October 1, 2015.

County of Use: Umatilla
Application File Number: G-14668
Permit Number: G-13614
Applicant: SPACE AGE FUEL INC.
Address: PO BOX 607 GRESHAM, OR 97030
River Basin: Umatilla Basin
Water Source: WELL 1 > UMATILLA RIVER
WELL 2 > UMATILLA RIVER
Authorized Use of Water: COMMERCIAL USES
IRRIGATION ON 5.0000 Acres
Maximum Diversion/
Appropriation Rate: 0.06 CFS
0.06 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, 2016.

County of Use: Jackson
Application File Number: S-85722
Permit Number: S-54079
Applicant: ISOLA, JOHNNIE R.
Address: 1027 S RAINBOW BLVD 274 LAS VEGAS, NV 89145
River Basin: Rogue Basin
Water Source: LOST CREEK RESERVOIR > ROGUE RIVER

ROGUE RIVER > PACIFIC OCEAN
ROGUE RIVER > PACIFIC OCEAN
Authorized Use of Water: IRRIGATION ON 38.5000 Acres
SUPPLEMENTAL IRRIGATION ON 11.0000 Acres
Maximum Diversion/
Appropriation Rate: 0 CFS
0 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2010 to October 1, 2012.

County of Use: Coos
Application File Number: G-14830
Permit Number: G-13650
Applicant: NELSON, ROBERT
Address: 48521 HWY 101 BANDON, OR 97411
River Basin: South Coast Basin
Water Source: SUMP WELL > TWO MILE CREEK
Authorized Use of Water: CRANBERRY ON 7.0000 Acres
CRANBERRY ON 9.0000 Acres

Maximum Diversion/
Appropriation Rate: 0.122 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: Benton
Application File Number: S-48146
Permit Number: S-35819
Applicant: CITY OF ADAIR VILLAGE
Address: 6030 WILLIAM R CARR AVE ADAIR VILLAGE, OR 97330
River Basin: Willamette Basin
Water Source: WILLAMETTE RIVER > COLUMBIA RIVER
Authorized Use of Water: MUNICIPAL USES
Maximum Diversion/
Appropriation Rate: 82 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 1995 to October 1, 2050

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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 June 19, 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-1420

CITY OF REDMOND 243 EAST ANTLER AVE REDMOND, OR 97756

POD: 1 A WELL > DESCHUTES R
NE 1/4 NW 1/4 Section 9 T 15.00S R 13.00E WM
Deschutes County

POD: 2 A WELL > DESCHUTES R
NW 1/4 SW 1/4 Section 16T 15.00S R 13.00E WM
Deschutes County

POD: 3 A WELL > DESCHUTES R
SW 1/4 SW 1/4 Section 20T 15.00S R 13.00E WM
Deschutes County

POD: 4 A WELL > DESCHUTES R
NE 1/4 NE 1/4 Section 20T 15.00S R 13.00E WM
Deschutes County

POD: 5 A WELL > DESCHUTES R
NW 1/4 SE 1/4 Section 21T 15.00S R 13.00E WM
Deschutes County

POD: 6 A WELL > DESCHUTES R
NW 1/4 SE 1/4 Section 10T 15.00S R 13.00E WM
Deschutes County

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 July 05, 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: CLACKAMAS
Transfer: 11425
Water Right: CERT 80784, 82930
Priority Date: JUNE 6, 1980
Name: COMMUNITY BY DESIGN, LLC
25460 SW BAKER RD
SHERWOOD, OR 97140
Change: ADDITIONAL POINT OF APPROPRIATION; PLACE OF USE
Source: A WELL

County: YAMHILL
Transfer: 11426
Water Right: CERT 40415, 45126
Priority Date: APRIL 3, 1953 JUNE 13, 1972
Name: JOHN G BERNARDS
14295 SW MASONVILLE RD
MCMINNVILLE, OR 971289725
Change: PLACE OF USE
Source: SOUTH YAMHILL RIVER

County: JEFFERSON
Transfer: 11428
Water Right: CERT 13645
Priority Date: DECEMBER 31, 1892
Name: SCABBY HOLLOW RANCH LLC
PO BOX 845
MADRAS, OR 97741
Change: PLACE OF USE
Source: WILLOW CREEK

Transfer Applications: Temporary Transfer

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation. The Department shall approve the request provided it does not cause injury to existing water rights or expand the water use. If after the change is approved, it is found to cause injury, the approved change may be revoked. The use of water reverts to the authorized place of use upon expiration of the temporary change.

Notice is given that the following applications for Temporary Transfers have been received by the Department:

County: LAKE
Transfer: 11334
Water Right: CERT 82685, 81258
Priority Date: 1984, 1950
Name: GOLDEN RULE FARMS
PO BOX 255
CHRISTMAS VALLEY, OR 97641
Change: ADDITIONAL POINT OF APPROPRIATION; PLACE OF USE
Source: A WELL

County: CROOK, JEFFERSON
Transfer: 11424
Water Right: CERT 72197
Priority Date: OCTOBER 31, 1900
Name: CHARLES HEGELE
7950 N. LONE PINE ROAD
TERREBONNE, OR 97760
Change: PLACE OF USE
Source: DESCHUTES RIVER

County: JEFFERSON
Transfer: 11427
Water Right: CERT 81168
Priority Date: JANUARY 24, 1963
Name: CROOKED RIVER RANCH CLUB AND MAINTENANCE
ASSOCIATION
5195 CLUB HOUSE RD
TERREBONNE, OR 97760-7682
Change: PLACE OF USE
Source: A WELL

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)).

<u>File Number</u>	<u>Basin Number</u>	<u>County</u>	<u>Priority Date</u>	<u>Issue Date</u>	<u>Name</u>
<u>App: G 16749 Cert#-87589</u>	5	DESC	11/06/2006	05/31/2012	CITY OF REDMOND
<u>Xfer: T 10063 Cert#-87590</u>	6	GILL	03/25/1988	06/01/2012	WASTE MANAGEMENT DISPOSAL SERVICES OF OREGON INC.
<u>Xfer: T 10065 Cert#-87592</u>	6	GILL	01/08/1979	06/01/2012	WASTE MANAGEMENT DISPOSAL SERVICES OF OREGON INC.
<u>Xfer: T 10066 Cert#-87593</u>	6	GILL	01/26/1993	06/01/2012	WASTE MANAGEMENT DISPOSAL SERVICES OF OREGON INC.

Application for Allocation of Conserved Water

The Department has received an application for an Allocation of Conserved Water pursuant to ORS 537.455 to 537.500 and OAR Chapter 690, Division 18. The Department's review will consider whether the diversion for the uses allowed under the original water right will be reduced by the conservation project; whether existing water rights will be protected from injury and whether the project is in compliance with local comprehensive land use plans.

Notice of Application for Allocation of Conserved Water CW-74

On April 05, 2012, Walla Walla River Irrigation District filed an Application for Allocation of Conserved Water under ORS 537.470.

The Department designated the application as CW-74. The Applicants propose to conserve water by piping two miles and eliminating use of an additional 1.5 miles of the Milton Ditch. Additional piping of the Powell Pleasantview Ditch and the installation of a totalizing flow meter and an automated headgate.

The project is expected to yield approximately over 3.0 cfs of conserved water from the Walla Walla River under Water Right Certificate(s) 13079, 13080, 13096, 13097, 13154, 13159, 13312, 13168, 13204, 13166, 12992, 12737, 12891, 12698, 12636, 12604, 12514, 12543, 12592, 12593, 12882, 12823, 12891, 13195, 13285, 13168, T-7641, T-7642, and T-8626 with a priority dates of 1875 through 1905. It is proposed that 100% of the conserved water will be protected instream from the POD on the Walla Walla River from Cemetery Bridge to the Oregon-Washington State line. Any interested person may comment in writing on CW-74.

Comments must be received by May 28, 2012 or within 20 days of the last date of publication in the newspaper, whichever is later. Comments should be sent to Kody Thurgood, Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301-1266. Comments may be faxed to 503-986-0903. The Department will review all comments received when determining whether to approve the proposed allocation of conserved water.

A copy of the application and other information on the allocation and use of conserved water may be obtained from the Department by contacting Kody Thurgood at 503-986-0892 or thurgokj@wr.d.state.or.us.

**OREGON
WATER
RESOURCES
DEPARTMENT**



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
June 5, 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

Mail me the order

(e.g. "Permit Application G-12345" or "Transfer T-1234"): (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 proposed final order and final order are also available for viewing—at no charge—at our Salem office or at the local watermaster office.)