OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS July 17, 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.
- * Application for a Minor Hydroelectric Project
- * 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.
- * 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 Temporary Transfers (ORS 540.570)
 Applications requesting transfers in place of use within a district's boundaries.
- * Transfer Applications: Government Action

 Notice of change in point of diversion or appropriation necessitated by a government action changing the level of the water source.
- * 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 "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.

<u>Initial Review Stage (IR in the "Stage" column of the permit listing)</u>

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, August 16, 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, August 31, 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	•	JOHN PO BOX 123 EUGEN A WELL > SPRING CR	E 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)

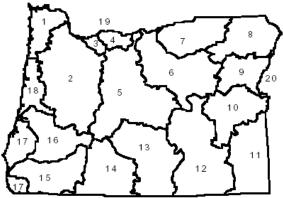
BASINS:

- 1. North Coast
- 2. Willamette
- 3. Sandy
- 4. Hood
- 5. Deschutes
- 6. John Day
- 7. Umatilla
- 8. Grande Ronde
- 9. Powder
- 10. Malheur

- 11. Owyhee
- 12. Malheur L.
- 13. Goose/Summer L.
- 14. Klamath
- 15. Rogue
- 16. Umpqua
- 17. S. Coast
- 18. Mid-Coast 19. Columbia
- 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 &	PA:	Pollution abatement
CS:	Campground		supplemental	PW:	Power
DI, DN	V:Domestic including	ID:	Irrigation with domestic	QM:	Quasi-municipal
	non-commercial lawn & garden	IL:	Irrigation with livestock	RC:	Recreation
DO:	Domestic	IM:	Industrial or manufacturing	RW:	Road construction
DS:	Domestic & stock	IR:	Irrigation	ST:	Storage
FI:	Fish	IS:	Irrigation, supplemental	SW:	Swimming
FP:	Fire protection	LV:	Livestock	TC:	Temperature control
FW:	Fish & wildlife	LW:	Livestock & wildlife	WI:	Wildlife
GD:	Group domestic	MI:	Mining		



App# Ba	sin Source		Township/Range	County	Priority	Quantity Stage	e Statu	ເຮ
R-87756	WALLSTROM, G	ARY 10942 GARMA COURT SE	TURNER, OR 97392				PFO	2
Uses: AS	2 SOUTH FORK NOR'	CON CREEK > NORTON CREEK CON CREEK > NORTON CREEK		Marion Marion	09/19/2011 09/19/2011	0.6A 0.6A		

ADDENDUM TO THE July 10, 2012, PUBLIC NOTICE OF WATER USE REQUESTS

Application G-17551, VIRTUE FINANCIAL SOLUTIONS LLC

The Oregon Water Resources Department is noticing a Proposed Final Order (PFO) that was erroneously omitted on the July 10, 2012 Public Notice of Water Use Requests for Application G-17551 (Virtue Financial Solutions LLC). We are noticing Application G-17551 to reflect that a PFO was issued. The comment deadline for this PFO will now be 5 pm, August 31, 2012.

<u>G-17</u>	7551	VIRTUE	FINANCIAL SOLUTIONS LLC PO BO	X 477 BAKER CITY, OR 978	14			PFO
			SECOND CREEK SECOND CREEK	9.00S 42.00E 29 SWSE 9.00S 42.00E 32 NENW	Baker Baker	04/13/2012 04/13/2012	0.335C (est) 0.335C (est)	2
Uses:		A WELL >	SECOND CREEK	9.005 42.00E 32 NENW	Baker	04/13/2012	0.335C (est)	

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
<u>G-17155</u>	12 HARN	12/23/2008		T VONNE LEACH	07/05/2012
G-17480	7 UMAT	08/11/2011		WILLIAM RUPP	07/05/2012
<u>G-17486</u>	2 LINN	08/29/2011		PAUL HARCOMBE	07/05/2012
G-17494	2 POLK	10/17/2011	X NOVO LLC	CRAIG WILLIAMS	07/05/2012
G-17495	2 POLK	10/17/2011	BOATWRIGHT ENGINEERING INC.	JEANNE BOATWRIGHT	07/05/2012
R-87430	14 KLAM	03/27/2009		DAVID COWAN	07/05/2012
G-17341	5 DESC	04/05/2010	CASCADE ACADEMY OF CENTRAL OREGON		07/12/2012
G-17478	2 CLAC	07/01/2011		LOWELL PATTON	07/12/2012
R-87754	5 JEFF	09/07/2011		RICHARD HUTSON	07/12/2012

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 August 16, 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;

Application Number: G-15687

(h) Proposed extended date of completion as requested by the extension applicant;

Permit Number: G-15817 GUEVARA, VICTORIA V. PO BOX 610 HUBBARD, OR 97032 Clackamas County TWO WELLS > ROCK CREEK BASIN 0.38 CFS (est) NURSERY USES ON 19.55 ACRES October 1, 2022 Application Number: G-15965 Permit Number: G-15516 TREASURE VALLEY COMMUNITY COLLEGE 650 COLLEGE BLVD ONTARIO, OR 97914 Malheur County WELL 1, 2, 3, 4, 6, 7, 8> SNAKE RIVER BASIN 0.42 CFS (est) IRRIGATION ON 33.3 ACRES October 1, 2017

Application Number: G-16369
Permit Number: G-15946
SALEM FELLOWSHIP; MACLEAY CHRISTIAN RETREAT
PO BOX 20113
SALEM, OR 97307
Marion County
WELL 1 & 2> LITTLE PUDDING RIVER
0.22 CFS (est)
COMMERCIAL USES AND IRRIGATION ON 5.0 ACRES
October 1, 2022

Application Number: G-16685
Permit Number: G-16235
HAY, JACK AND SALLY
4455 EMERSON LOOP RD
THE DALLES, OR 97058
Wasco County
WELL 1 & 2 > FIFTEENMILE CREEK BASIN
3.0 CFS (est)
IRRIGATION ON 310.9 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.

Licensees must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after July 31, 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.

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LL-1427
NOONAN, MIKE
12080 HOMEDALE
KLAMATH FALLS, OR 97603
   POD: 1 A WELL > LOST R
         SE 1/4 SE 1/4 Section 27T 40.00S R 9.00E WM
        Klamath County
        11.14 C for GEO-THERMAL (HEATING & COOLING)
    POD: 2 A WELL > LOST R
        NE 1/4 NE 1/4 Section 34T 40.00S R 9.00E WM
        Klamath County
         11.14 C for GEO-THERMAL (HEATING & COOLING)
LL-1428
OLSEN, ROGER
8930 SUVER RD
MONMOUTH, OR 97361
   POD: 1 WILLAMETTE FEDERAL STORAGE PROJECT > WILLAMETTE R
         SW 1/4 NW 1/4 Section 26T 9.00S R 4.00W WM
        Marion County
    POD: 2 LUCKIAMUTE R > WILLAMETTE R
         NE 1/4 NW 1/4 Section 3 T 10.00S R 4.00W WM
         Marion County
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Application For A Minor Hydroelectric Project

The Department seeks public comment on the following application for a new minor hydroelectric project. Comments must be submitted within 30 days of publication of the notice. The application and supporting documents 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 application please contact Mary Grainey (503) 986-0833. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Application: HE 598

Applicant: Beverly Johnson, Powder Creek, LLC

Address: 34595 Upper Nestucca, Beaver, OR 97108

Amount of water: 0.67cubic feet per second

Source of water: Norris Creek, a tributary of Nestucca River

Location of the

Point of Diversion: Tax lot 200, SW 1/4 NW 1/4 of Section 3, Township 4 South, Range 8 West, W.M.,

Tillamook County

Place of Use: Tax lot 200, SW ¼ NW ¼ of Section 3, Township 4 South, Range 8 West, W.M.,

Tillamook County

Purpose: Electricity production for home use Power developed: Up to 12 Theoretical horsepower

Comments are Due August 16, 2012

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 ½ 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 August 16, 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-11147 filed by Tim Jannsen, for Sunrise Water Authority, 10602 SE 129th Ave., Happy Valley, OR 97086, proposes a point of appropriation change under Certificate 43436. The right allows the use of 0.26 cfs from Well 1 in Sec. 5, T 2 S, R 3 E, W.M. for municipal use in Sec. 32, 33, 34 & 35, T 1 S, R 3 E and Sec. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17 & 18, T 2 S, R 3 E, W.M. The applicant proposes to replace Well 1 with two wells in Sec. 9, T 2 S, R 3 E. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

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: BENTON Transfer: 11442

Transfer: 11442 Water Right: CERT 32612

Priority Date: JANUARY 24, 1962

JOE BOYER Name:

PO BOX 373

MONROE, OR 97456

Change: PLACE OF USE, POINT OF DIVERSION Source: MUDDY CREEK

District Temporary Transfers (ORS 540.570)

A district with a manager may request to temporarily make the following changes in water rights within district boundaries for one irrigation season: (1) The place of use of a water use subject to transfer; (2) The point of diversion/appropriation to facilitate a change in place of use; (3) The type of use from a primary right to a supplemental right; and (4) From a surface water point of diversion to a ground water appropriation.

The Department shall approve the request provided it does not cause injury to existing right or expand the water use. A district temporary transfer may be conditioned or revoked at any time to avoid injury to other water rights. The use of water reverts to the authorized place of use, type of use, point of diversion/appropriation upon expiration of the temporary change.

The Department seeks public comments on the recently filed district temporary transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before August 16, 2012. The Department shall consider the comments in determining whether to condition, reject, or revoke a temporary district transfer.

County: UMATILLA 11446 Transfer:

Transfer: 11446
Certificate: 76715, 79439, 76799
Priority Date: MARCH 14, 1903, JULY 1, 1924, APRIL 12, 1961

WESTLAND IRRIGATION DISTRICT Name: Address: PO BOX 944 HERMISTON OR 97838

Change: POU

UMATILLA RIVER, MCKAY RESERVOIR Source:

Acres: 99.8

Authorized POU: T3N R28E 14, T3N R28E 15 Proposed POU: T3N R28E 15, T3N R29E 18 T3N R28E 15, T3N R29E 18, T3N R29E 19

Transfer Applications: Government Action

The owner of a water right may give the Department notice of a change in point of diversion or an additional point of diversion because government action has resulted in or has created a reasonable expectation of a change in the surface level of a surface water source that impairs or threatens to impair access to a point of diversion authorized by a water right permit, certificate or decree. Pursuant to ORS 540.610(6), the Department shall issue a decision on a government action transfer notice within 60 days after the Department receives notice from the owner.

The Department seeks public comment on the recently filed government action transfer notice(s) listed below. Comments must be received by the Department on or before August 16, 2012.

County: JACKSON Transfer: 11445

Water Right: CERT 87642, 87643

Priority Date: JULY 28, 1955, OCTOBER 28, 1948

Name: GORDON C. ROSE

8908 JOHN DAY DR GOLD HILL, OR 97525

Change: POINT OF DIVERSION

Source: ROGUE 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
App: G 13252	Cert#-87578	. 9	BAKE	01/19/1993	07/13/2012	INGRAM, JAMES P.; L M AND M S INGRAM TRUST
App: S 66105	Cert#-87477	6	GRAN	09/16/1983	07/13/2012	KEERINS, W IRENE
App: S 68850	Cert#-87481	4	WASC	09/08/1986	07/13/2012	HOFFMAN, W JAY
App: S 71823	Cert#-87475	2	LANE	09/05/1991	07/13/2012	BRAZELTON, DAVID BRAZELTON, BARBARA
App: R 69070	Cert#-87482	4	WASC	08/03/1989	07/13/2012	HOFFMAN, W JAY
Xfer: T 5992	Cert#-87484	4	WASC	12/31/1861	07/13/2012	HOFFMAN, W JAY
Xfer: T 5993	Cert#-87483	4	WASC	07/23/1923	07/13/2012	HOFFMAN, W JAY
Xfer: T 6598	Cert#-87532	2	MARI	07/16/1942	07/13/2012	EDER BROTHERS INC.
Xfer: T 6598	Cert#-87533	2	MARI	02/14/1963	07/13/2012	EDER BROTHERS INC.

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Xfer: T 6605	Cert#-87534 2	MARI	05/14/1952	07/13/2012 EDER BROTHERS INC.
Xfer: T 6674	Cert#-87527 13	LAKE	07/20/1983	07/13/2012 FLOWERREE, JOHN; FLOWERREE FARMS INC.
Xfer: T 6832	Cert#-87529 2	MARI	11/26/1975	07/13/2012 HAMMELMAN, RICHARD
Xfer: T 6832	Cert#-87530 2	MARI	02/22/1977	07/13/2012 HAMMELMAN, RICHARD
Xfer: T 6934	Cert#-87531 9	BAKE	12/31/1864	07/13/2012 LOWRY, ROBERT LOWRY, VIRGINIA
Xfer: T 7280	Cert#-87525 12	HARN	12/17/1975	07/13/2012 ROARING SPRINGS RANCH INC.
Xfer: T 7280	Cert#-87524 12	HARN	12/17/1975	07/13/2012 ROARING SPRINGS RANCH INC.
Xfer: T 7324	Cert#-87528 13	LAKE	07/20/1983	07/13/2012 FLOWERREE FARMS INC.
Xfer: T 7333	Cert#-87523 13	LAKE	04/26/1977	07/13/2012 HORTON, LEEROY HORTON, NANCY
Xfer: T 7350	Cert#-87576	HARN	04/04/1974	07/13/2012 STAFFORD RANCHES; TROUT CREEK

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS July 17, 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 propose final order and final order are also available for viewing—at no charge—at our Salem office or at the local watermaster office.)