

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
November 6, 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.
- * **Alternate Reservoir Applications (ORS 537.409)**
Applications for storage permits for small ponds filed under a simplified review process.
- * **Applications for Extensions of Time to Perfect Water Right Permits**
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- * **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.
- * **District Permanent Transfers (ORS 540.580)**
Petitions requesting transfers in place of use within a district's boundaries.
- * **Water Management and Conservation Plans Progress Reports**
Water management and conservation plan progress reports submitted by municipalities under provisions of OAR Chapter 690, Division 86.

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, December 06, 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, December 21, 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)

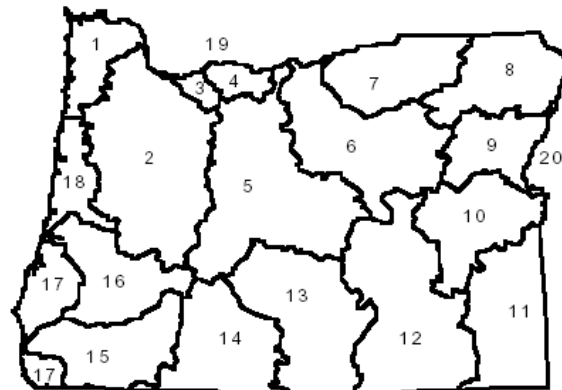
BASINS:	
1. North Coast	11. Owyhee
2. Willamette	12. Malheur L.
3. Sandy	13. Goose/Summer L.
4. Hood	14. Klamath
5. Deschutes	15. Rogue
6. John Day	16. Umpqua
7. Umatilla	17. S. Coast
8. Grande Ronde	18. Mid-Coast
9. Powder	19. Columbia
10. Malheur	20. Snake

- 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-17537	GINET, JOSEPH J. 16955 WATER GAP RD WILLIAMS, OR 97544						PFO 2
15	A WELL > BUTCHER CREEK	38.00S 5.00W 22 SENW	Josephine	02/21/2012	0.13C		
Uses:	IR						
G-17532	WILDISH LAND CO. PO BOX 40310 EUGENE, OR 97408						PFO 2
2	A WELL > MCKENZIE RIVER	17.00S 3.00W 8 NENE	Lane	02/09/2012	0.14C		
Uses:	IM						
S-87755	LADD, BRANDON J. 1212 SW SIMPSON AVE BEND, OR 97702 U.S. FOREST SERVICE 1230 NE 3RD ST SUIT						PFO 2
5	A SPRING > ELK LAKE	18.00S 8.00E 29 SWSW	Deschutes	09/14/2011	0.005C		
Uses:	HC						
G-17461	WILLAMETTE EGG FARM 31348 S HWY 170 CANBY, OR 97013						PFO 2
2	A WELL > BEAR CREEK	5.00S 1.00E 10 NWSW	Clackamas	04/19/2011	0.186C (est)		
2	A WELL > BEAR CREEK	5.00S 1.00E 10 NWSW	Clackamas	04/19/2011	0.186C (est)		
2	A WELL > BEAR CREEK	5.00S 1.00E 10 NWSW	Clackamas	04/19/2011	0.186C (est)		
Uses:	IM						
G-17542	ROOT, ANDY 524 HWY 20 N HINES, OR 97738						PFO 2
12	A WELL > POISON CREEK SLOUGH	23.00S 32.00E 28 NWSW	Harney	03/28/2012	0.256C (est)		
12	A WELL > POISON CREEK SLOUGH	23.00S 32.00E 29 NESE	Harney	03/28/2012	0.256C (est)		
12	A WELL > POISON CREEK SLOUGH	23.00S 32.00E 29 NWNW	Harney	03/28/2012	0.256C (est)		
12	A WELL > POISON CREEK SLOUGH	23.00S 32.00E 33 NWNW	Harney	03/28/2012	0.256C (est)		
12	A WELL > POISON CREEK SLOUGH	23.00S 32.00E 32 NENE	Harney	03/28/2012	0.256C (est)		
Uses:	IS						
G-17498	FREASE, ARTHUR L. 14025 SW MCCABE CHAPEL RD MCMINNVILLE, OR 97128 FREASE, LILLIAN E. 14025						PFO 2
2	A WELL > SOUTH YAMHILL RIVER	5.00S 5.00W 10 NENE	Yamhill	01/11/2012	0.25C		
Uses:	IR						

App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
G-17528	RIGGS, MICHAEL PO BOX 550 MERIDIAN, ID 83680	ROCKIN R CATTLE CO. LLC PO BOX 550 MERIDIAN, I					PFO 2
10	A WELL > WILLOW CREEK	15.00S 43.00E 32 SWSW	Malheur	01/25/2012	1.39C		
Uses:	IR IS						
G-17485	FARMER, CHARLES WARREN PO BOX 1585 NYSSA, OR 97913	FARMER, JAMES G. PO BOX 1585 NYSSA, OR 9					PFO 2
10	A WELL > SNAKE RIVER	19.00S 47.00E 17 SESE	Malheur	08/24/2011	1.28C		
Uses:	IS						
G-17524	OTLEY BROTHERS INC. 40926 S DIAMOND LANE DIAMOND, OR 97722						PFO 2
12	A WELL > DONNER UND BLITZEN RIVER	27.00S 31.00E 25 NWNE	Harney	01/19/2012	1.803C (est)		
12	A WELL > DONNER UND BLITZEN RIVER	27.00S 31.00E 25 NWSW	Harney	01/19/2012	1.803C (est)		
12	A WELL > DONNER UND BLITZEN RIVER	27.00S 31.00E 25 SWSE	Harney	01/19/2012	1.803C (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
R-87811	15	JACK	05/29/2012		JOHN HILL	11/02/2012

Alternate Reservoir Applications (ORS 537.409)

For alternate reservoir applications filed under ORS 537.409, the public is invited to comment within 60 days of this notice. The law provides that within 60 days after the Department provides public notice of the application, any person may submit detailed, legally obtained information in writing, requesting the Department to deny the application for a permit on the basis that the reservoir:

- (A) Would result in injury to an existing water right; or
- (B) Would pose a significant detrimental impact to existing fishery resources as determined on the basis of information submitted by the State Department of Fish and Wildlife.

Such comments must be submitted on or before January 05, 2013.

R-87845
BERRETT, RONALD
20100 JOHNSON RD
WEST LINN, OR 97068
POD: 1 RUNOFF > WILSON CREEK
SW 1/4 SE 1/4 Section 21T 2.00S R 1.00E WM
Clackamas County
1.756 AF for MULTIPLE PURPOSE

R-87847
HILTON, MICHAEL
8087 BLACKWELL RD
CENTRAL POINT, OR 97502
POD: 1 SPRINGS > UPTON SLOUGH
NE 1/4 SW 1/4 Section 27T 36.00S R 2.00W WM
Jackson County
30.0 AF for MULTIPLE PURPOSE

R-87848
HILTON, MICHAEL
8087 BLACKWELL RD
CENTRAL POINT, OR 97502
POD: 1 SPRINGS > UPTON SLOUGH
SE 1/4 NW 1/4 Section 27T 36.00S R 2.00W WM
Jackson County
10.0 AF for MULTIPLE PURPOSE

**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 December 06, 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-16481
Permit Number: G-16045
BINGAMAN, AUSTIN AND JEANA
1700 S ASSEMBLY ST
SPOKANE, WA 99220
Union County
A WELL > PIERCE SLOUGH
2.45CFS
IRRIGATION USE ON 196.6 ACRES
October 1, 2015

Application Number: G-16351
Permit Number: G-15922
MOUNT HARRIS FARMS
PO BOX 509
IMBLER, OR 97841-0509
Union County
A WELL > PIERCE SLOUGH
1.93CFS
IRRIGATION USE ON 154.4 ACRES
October 1, 2015

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 December 21, 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:	Malheur
Application File Number:	G-11847
Permit Number:	G-10994
Applicant:	SEABRIDGE GOLD CORP.
Address:	172 KING ST E TORONTO, ONTARIO, CANADA M5A 1J3
River Basin:	Malheur Basin
Water Source:	WELL 1 > MALHEUR RIVER WELL 2 > MALHEUR RIVER OPEN PIT MINE > MALHEUR RIVER
Authorized Use of Water:	MINING
Maximum Diversion/ Appropriation Rate:	2 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2008 to October 1, 2018; and grant an extension of time to apply water to full beneficial use from October 1, 2008 to October 1, 2018

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 December 06, 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: 11485
Water Right: CERT 43978
Priority Date: APRIL 15, 1913
Name: GABRIELL QUENNEVILLE
12845 NW SKYLINE BLVD
PORTLAND, OR 97231
Change: PLACE OF USE; USE
Source: BIG BUTTE CREEK

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 December 06, 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-11416 filed by Reenie Weiss, 1510 SE Alexander Ave., Corvallis, OR 97333, proposes a change in point of appropriation under Registration Application GR-1887 (Certificate of Registration GR-2747). The registration allows the use of 62.83 gallons per minute from Well 1 in Sec. 12, T 12 S, R 5 W, W.M. for irrigation in Sec. 11. The applicant proposes to move the point of appropriation within Sec. 11, T 12 S, R 5 W, W.M. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

T-11438 filed by Martin & Sandra Hertler, 5980 Deer Creek Rd, Selma, OR 97538, proposes a point of diversion change under Certificate 49056. The right allows the use of 0.26 cubic foot per second from an Unnamed Stream and Reservoir Constructed under Permit R-5713, tributary to Deer Creek in Sec. 10, T 38 S, R 10 W, W.M. for domestic use for one family and supplemental irrigation of 12.5 acres within Sec. 10. The applicant proposes to change the point of diversion within Sec. 10. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

District Permanent Transfers (ORS 540.580)

A district may request to permanently change the place of use within district boundaries. A district may provide notice to the Department of a change before it is made, and shall submit a district permanent application prior to the end of the calendar year in which the change occurs. The Department shall approve the transfer application provided it does not cause injury to existing water rights or expand the water use. The final order approving the permanent transfer is subject to protest.

This public notice also includes district notices of proposed changes. The Department will accept comments on injury and enlargement of changes in place of use associated with the notice and use those comments in the review of the proposed change.

The Department seeks public comment on recently filed district transfer applications listed below. The deadline for comments or protests to the transfer application must be received by the Department on or before December 06, 2012. The Department will hold a contested case hearing if: 1) a protest and \$600 protest fee for non-applicant and \$300.00 protest fee for applicant are received within the time allowed; or 2) the Department finds a hearing is needed to determine whether the proposed changes would result in injury to existing rights. (If a water user believes that a proposed change could injure a water delivery within a district's boundaries, the matter will be resolved directly between the district and the water user.)

County:	HOOD RIVER
Transfer:	11486
Water Right:	CERT 80929; 84803
Priority Date:	MARCH 13, 1964; AUGUST 8, 1977
Name:	EAST FORK IRRIGATION DISTRICT PO BOX 162 ODELL, OR 97031
Change:	PLACE OF USE
Source:	EAST FORK HOOD RIVER

Water Management and Conservation Plans Progress Reports

Pursuant to OAR 690-086-0120(4) and (5), the Department is required to give notice of progress reports on Water Management and Conservation Plans.

Any person may review and comment on these progress reports. The Department requests that comments be submitted no later than 30 days after the date of this notice. Progress reports have been submitted by the following municipal supplier(s):

Port of Umatilla

If you are interested in reviewing the document, it is available online for the next 30 days at:
<http://filepickup.wrd.state.or.us/files/Publications/WMCP/Plans%20on%20Public%20Notice/>

For information please contact Bill Fujii at 503 986-0887

OREGON WATER RESOURCES DEPARTMENT



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

PUBLIC NOTICE OF WATER USE REQUESTS

October 9, 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 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.

Alternatively, you may use our new Public Comment tool available on our website. Go to our website: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>, and enter identifying information about the application. On the Water Rights Information Query Results page, use the "Submit a Public Comment" link, or under 'View all Scanned Documents' use the "Submit a Public Comment" link.

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 proposed and final orders on a pending permit or permit extension applications 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 and final orders are also available for viewing – at no charge – at our Salem office or at the local watermaster office or online.)