

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
November 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](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.
- \* **Hydroelectric Project: Minor**
- \* **Transfer Applications: Regular**  
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- \* **Transfer Preliminary Determinations**  
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- \* **Certificate Issuance**  
Included in this section is a listing of recently issued water right certificates.

The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to "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 13, 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 28, 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:

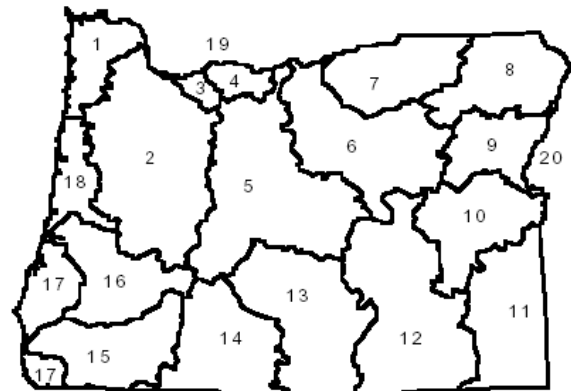
- |                 |                     |
|-----------------|---------------------|
| 1. North Coast  | 11. Owyhee          |
| 2. Willamette   | 12. Malheur L.      |
| 3. Sandy        | 13. Goose/Summer L. |
| 4. Hood         | 14. Klamath         |
| 5. Deschutes    | 15. Rogue           |
| 6. 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
<a href="#">G-17575</a>	GILMOUR, JAMES 30427 SW STELLMACHER DR	ALBANY, OR 97321	GILMOUR, SUE 30427 SW STELLMACHER D				IR 2
12	A WELL > MALHEUR LAKE	27.00S 33.00E 1 NWNW	Harney	08/22/2012	0.314C	(est)	
12	A WELL > MALHEUR LAKE	27.00S 33.00E 1 NWNW	Harney	08/22/2012	0.314C	(est)	
12	A WELL > MALHEUR LAKE	27.00S 33.00E 1 NWNW	Harney	08/22/2012	0.314C	(est)	
12	A WELL > MALHEUR LAKE	27.00S 33.00E 1 NWNE	Harney	08/22/2012	0.314C	(est)	
12	A WELL > SOUTH FORK MALHEUR RIVER	27.00S 34.00E 5 NWNE	Harney	08/22/2012	0.314C	(est)	
Uses: IR							
<a href="#">G-17580</a>	HAVILAH RESOURCES LLC 1867 WILLIAMS HWY SUITE 110	GRANTS PASS, OR 97527					IR 3
15	A SUMP > GRAVE CREEK	34.00S 5.00W 8 SWSW	Josephine	08/31/2012	0.704C	(est)	
15	A WELL > GRAVE CREEK	34.00S 5.00W 8 SWNE	Josephine	08/31/2012	0.704C	(est)	
15	A WELL > GRAVE CREEK	34.00S 5.00W 8 SWNE	Josephine	08/31/2012	0.704C	(est)	
15	A WELL > GRAVE CREEK	34.00S 5.00W 8 SWNW	Josephine	08/31/2012	0.704C	(est)	
15	A WELL > GRAVE CREEK	34.00S 5.00W 8 SWSW	Josephine	08/31/2012	0.704C	(est)	
15	A WELL > GRAVE CREEK	34.00S 5.00W 7 SESE	Josephine	08/31/2012	0.704C	(est)	
15	A WELL > GRAVE CREEK	34.00S 5.00W 7 SENE	Josephine	08/31/2012	0.704C	(est)	
15	A WELL > GRAVE CREEK	34.00S 5.00W 7 SESE	Josephine	08/31/2012	0.704C	(est)	
15	A WELL > GRAVE CREEK	34.00S 5.00W 8 SWSW	Josephine	08/31/2012	0.704C	(est)	
15	A WELL > GRAVE CREEK	34.00S 5.00W 8 SWSW	Josephine	08/31/2012	0.704C	(est)	
15	A WELL > GRAVE CREEK	34.00S 5.00W 8 SWSE	Josephine	08/31/2012	0.704C	(est)	
15	A WELL > GRAVE CREEK	34.00S 5.00W 8 SWNE	Josephine	08/31/2012	0.704C	(est)	
Uses: MI							
<a href="#">G-17564</a>	BOWMAN, TYLER 37951 RIETH RD ECHO, OR 97826						IR 2
7	A WELL > UMATILLA RIVER	2.00N 30.00E 1 SWSW	Umatilla	06/18/2012	0.31C		
Uses: IR							
<a href="#">G-17545</a>	MCDANIEL, SAM 27972 LITTLE INDIAN CREEK RD	JOHN DAY, OR 97845					PFO 2
10	A WELL > BLAYLOCK CANYON	23.00S 37.00E 21 NESE	Malheur	04/02/2012	0.38C		
Uses: IR							

App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
<a href="#">G-17560</a>	W K AND K LAND LTD 3122 SE STAHLBUSH ISLAND RD CORVALLIS, OR 97333						PFO 2
2	A WELL > WILLAMETTE RIVER	12.00S 5.00W 12 SWSE	Linn	06/06/2012	0.78C		
Uses: IM							
<a href="#">G-17543</a>	VATICAN FAMILY LTD 1965 MARGARETT ST NW SALEM, OR 97304						PFO 2
2	A WELL > FRUITLAND CREEK	8.00S 2.00W 3 NENE	Marion	04/03/2012	0.17C (est)		
2	A WELL > LITTLE PUDDING RIVER	7.00S 2.00W 34 SENE	Marion	04/03/2012	0.17C (est)		
2	A WELL > LITTLE PUDDING RIVER	7.00S 2.00W 34 SESE	Marion	04/03/2012	0.17C (est)		
2	A WELL > FRUITLAND CREEK	8.00S 2.00W 3 NENE	Marion	04/03/2012	0.17C (est)		
Uses: IR							
<a href="#">G-17313</a>	WIRTH, AMORITA 31595 DRIVER RD TANGENT, OR 97389 WIRTH, TELLY 31595 DRIVER RD TANGENT, OR 9						PFO 2
2	A WELL > CALAPOOIA RIVER	13.00S 3.00W 6 NESE	Linn	02/22/2010	0.095C (est)		
2	A WELL > CALAPOOIA RIVER	13.00S 3.00W 6 NESW	Linn	02/22/2010	0.095C (est)		
Uses: IR							
<a href="#">S-87704</a>	BARONE, GARY 95601 GUERIN RD MYRTLE POINT, OR 97458 RYAN, DONALD 95586 GUERIN RD MYRTLE POI						PFO 2
17	MIDDLE FORK COQUILLE RIVER > SOUTH FORK COQUILLE RIVER 29.00S 12.00W 27 NWNE		Coos	03/09/2011	0.01C		
Uses: HC							
<a href="#">G-17584</a>	MEDELEZ, BENITO 1186 E PUNKIN CENTER RD HERMISTON, OR 97838						IR 2
7	A WELL > HERMISTON DITCH	4.00N 28.00E 1 NWNW	Umatilla	09/17/2012	0.203C		
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
<a href="#">R-87811</a>	15	JACK	05/29/2012		JOHN HILL	11/02/2012
<a href="#">G-17487</a>	6	GRAN	09/08/2011		DIANE HOLTHOUSE	11/08/2012
<a href="#">G-17519</a>	5	DESC	12/19/2011		DAVID ROTH	11/08/2012
<a href="#">G-17531</a>	12	HARN	02/09/2012		DON NIENKE	11/08/2012
<a href="#">R-87763</a>	5	WASC	11/03/2011		IRL DAVIS	11/08/2012
<a href="#">R-87802</a>	8	UNIO	04/23/2012		ARIC JOHNSON	11/08/2012
<a href="#">S-87023</a>	17	CURR	10/31/2007	COVENTRY FARMS LLC		11/08/2012
<a href="#">R-87513</a>	2	CLAC	08/17/2009		JOHN CHILDS	11/08/2012

**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 December 13, 2012.** Following the comment period, the Department will prepare and issue a proposed final order. Individuals who would like a copy of the proposed final order may request copies by sending a request and \$20 (the charge required by law). Please indicate the file number. Copies of the proposed final order may be viewed at the Department and/or self-copied. Individuals wishing to obtain a copy of the extension application should contact the Department by phone or in person.

Extension file information is included in the following format:

- (a) Application Number;
- (b) Permit number;
- (c) Applicant name and address;
- (d) County of application;
- (e) Common name of water source(s) listed in the permit;
- (f) Amount of water use permitted in gallons per minute (gpm), cubic feet per second (cfs) or acre feet (af) of storage;
- (g) Use allowed in the permit;
- (h) Proposed extended date of completion as requested by the extension applicant;

Application Number: S-80203  
Permit Number: S-53252  
GILLEN, RON B.  
204055 SAGE WAY  
PRINEVILLE, OR 97754  
Crook County  
A RESERVOIR > WICKIUP CREEK  
90.0AF STORAGE  
FIRE PROTECTION (est.)  
36.2AF  
SUPPLEMENTAL IRRIGATION  
26.9AF  
LIVESTOCK (est.)  
26.9AF  
WILDLIFE (est.)  
October 1, 2018

Application Number: R-80202  
Permit Number: R-12236  
GILLEN, RON B.  
204055 SAGE WAY  
PRINEVILLE, OR 97754  
Crook County  
UNNAMED STREAM > WICKIUP CREEK  
90.0AF  
STORAGE (est.)  
October 1, 2018

Application Number: G-16492  
Permit Number: G-16127  
A AND K RANCHES  
3633 WASHINGTON ST  
SAN FRANCISCO, CA 94118  
Wasco County  
A WELL > DEAD DOG CANYON  
0.11CFS (est)  
IRRIGATION  
0.11CFS  
POND MAINTENANCE  
October 1, 2021



## **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 28, 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: Morrow  
Application File Number: G-14827  
Permit Number: G-13880  
Applicant: THREEMILE CANYON FARMS LLC  
Address: 75906 THREEMILE RD  
BOARDMAN, OR 97818  
River Basin: Umatilla Basin  
Water Source: A WELL > COLUMBIA RIVER  
A WELL > SIXMILE CANYON  
A WELL > COLUMBIA RIVER  
A WELL > SIXMILE CANYON  
A WELL > SIXMILE CANYON  
A WELL > SIXMILE CANYON  
A WELL > SIXMILE CANYON  
A WELL > SIXMILE CANYON  
A WELL > SIXMILE CANYON  
A WELL > SIXMILE CANYON  
Authorized Use of Water: IRRIGATION ON 2129.5000 Acres  
SUPPLEMENTAL IRRIGATION ON 670.5000 Acres  
Maximum Diversion/  
Appropriation Rate: 17.496 CFS  
17.496 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2008 to October 1, 2020.

**Technical Report and Draft Certificate  
for A Minor Hydroelectric Project**

The Department seeks public comments and/or objections on the technical report and draft water right certificate for water use at a minor hydroelectric project. Comments and/or objections must be submitted within 60 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 technical report and draft certificate 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:	0.67 cubic feet per second
Source of water:	Norris Creek, a tributary of Nestucca River
Location of the Point of Diversion:	Tax lot 200, SW ¼ NW ¼ 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 January 12, 2013**

## **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 13, 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: DOUGLAS  
Transfer: 11487  
Water Right: CERT 36479  
Priority Date: MAY 10, 1962  
Name: PHILIP L. HUNT SR AND DOROTHY SUE HUNT  
17892 TYEE RD  
UMPQUA, OR 97486  
Change: POINT OF DIVERSION  
Source: UMPQUA RIVER

## **Transfer Preliminary Determinations**

A Preliminary Determination provides the Department's conclusion as to whether a proposed change in place of use, point of diversion or appropriation, or character of use of an existing water right should be approved. Changes of water rights may be proposed in an application for transfer (including instream, historic POD, exchange, substitution or ground water registration modification).

The Department has issued preliminary determinations on the transfer applications listed below. In addition to this notice, the Department is complying with ORS 540.520(2) that requires publication of notice in a local newspaper for all transfers except those proposing a change in place of use only or a change in point of diversion of less than ¼ mile where there are no intervening diversion points.

Any person may protest the application and preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-0900, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by a \$600 protest fee for non-applicant and \$300.00 protest fee for applicant. A Water Right Transfer Protest Form is available at <http://www.oregon.gov/OWRD/PUBS/forms.shtml> or by calling 503-986-0888. Protests must be received by the Department on or before December 13, 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-11443 filed by The Cherry Ranch LLC, 2900 Van Horn Road, Hood River, OR 97031, proposes an additional point of appropriation under Certificate 55358. The right allows the use of 0.11 cubic foot per second from a well (Mosier Creek Basin) in Sec.18, T2N, R12E, W.M. for irrigation in Sec. 18. The applicant proposes an additional point of appropriation within Sec. 18. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

## Certificate Issuance

Following is a list of certificates that have been recently issued. If you are viewing this electronically then you should be able to view the certificate by clicking on the underlined blue text. Appeal rights are provided on each certificate document.

If under the file number the "App:" abbreviation for application is provided then any person owning an application, permit or water right certificate subsequent in priority to a certificate listed here may file a protest within three months of issuance of the certificate. See Oregon Revised Statutes 537.260. Rules governing protests are in Oregon Administrative Rules Chapter 690 division 002. Any protest must be accompanied by a protest fee of \$600. (ORS 536.050(1)(j)(A)).

File Number	Basin Number	County	Priority Date	Issue Date	Name
<a href="#">Xfer: T 9908 Cert#-87837</a>	5	CROO	12/31/1889	11/07/2012	CANNON, CAL; SHOTGUN RANCH LLC

**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:**

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\* 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.)