

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
November 27, 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.
- * **Extension of Time Checkpoint Progress Reports filed pursuant to OAR 690-315**
Documents the progress made toward development of the water use project since approval of the last permit extension and/or the last progress report checkpoint. (OAR 690-315 pertains to permit extension applications filed on or after July 1, 2001.)
- * **Applications for Limited Licenses**
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- * **Application for Instream Lease**
Application by water right holder to lease existing water rights to instream use.
- * **Transfer Applications: Regular**
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- * **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.

* **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 27, 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, January 11, 2013.

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:

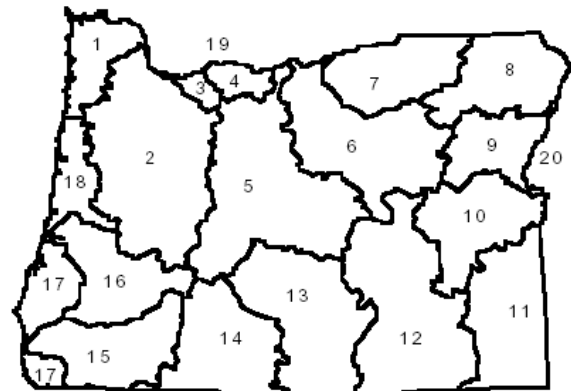
- | | |
|-----------------|---------------------|
| 1. North Coast | 11. Owyhee |
| 2. Willamette | 12. Malheur L. |
| 3. Sandy | 13. Goose/Summer L. |
| 4. Hood | 14. Klamath |
| 5. Deschutes | 15. Rogue |
| 6. John Day | 16. Umpqua |
| 7. Umatilla | 17. S. Coast |
| 8. Grande Ronde | 18. Mid-Coast |
| 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-17549	OREGON HEALTH AUTHORITY 2575 BITTERN ST NE SALEM, OR 97301						PFO
2	A WELL > FLAT CREEK	16.00S 4.00W 20 SENW	Lane	04/11/2012	0.6675C	(est)	
2	A WELL > FLAT CREEK	16.00S 4.00W 20 SENE	Lane	04/11/2012	0.0C	(est)	
2	A WELL > FLAT CREEK	16.00S 4.00W 20 NESW	Lane	04/11/2012	0.6675C	(est)	
2	A WELL > FLAT CREEK	16.00S 4.00W 20 NESE	Lane	04/11/2012	0.0C	(est)	
2	A WELL > FLAT CREEK	16.00S 4.00W 20 NESW	Lane	04/11/2012	0.6675C	(est)	
2	A WELL > FLAT CREEK	16.00S 4.00W 20 NESE	Lane	04/11/2012	0.0C	(est)	
2	A WELL > FLAT CREEK	16.00S 4.00W 20 NESW	Lane	04/11/2012	0.6675C	(est)	
2	A WELL > FLAT CREEK	16.00S 4.00W 20 NESE	Lane	04/11/2012	0.0C	(est)	

Uses: CM

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-17544	8	MALH	04/04/2012	MIRACLE LAND AND LIVESTOCK LLC		11/27/2012
R-87768	16	DOUG	11/22/2011	KIRPAL LIGHT SATSANG INC.		11/27/2012
S-87760	16	DOUG	10/11/2011		NANCY DUNCAN	11/27/2012
S-87772	15	JACK	12/05/2011		DOUGLAS HECOX	11/27/2012
S-87783	15	JACK	02/23/2012		JOHN EDWARDS	11/27/2012

**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 27, 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-86713
Permit Number: S-54408
SMITH, TINA M.
485 W ELIZABETH ST
ROSEBURG, OR 97470
Coos County
NORTH TENMILE LAKE > NORTH TENMILE LAKE CREEK
0.005 CFS
HUMAN CONSUMPTION
October 1, 2016

Application Number: S-24058
Permit Number: S-18955
COOS BAY NORTH BEND WATER BOARD
PO BOX 539; 2305 OCEAN BLVD
COOS BAY, OR 97420
Coos County
WINCHESTER CREEK > SOUTH SLOUGH
8.0 CFS
MUNICIPAL USES
October 1, 2035

Application Number: R-33088
Permit Number: R-2252
COOS BAY NORTH BEND WATER BOARD
PO BOX 539 2305 OCEAN BLVD
COOS BAY, OR 97420
Coos County
JOE NEY SLOUGH > SOUTH SLOUGH
2500.0 AF
MUNICIPAL USES
October 1, 2045

Application Number: S-68795
Permit Number: S-50155
COOS BAY NORTH BEND WATER BOARD
PO BOX 539 2305 OCEAN BLVD
COOS BAY, OR 97420
Coos County
PONY CREEK/LOWR PONY RESERVOIR > COOS RIVER
18.0 CFS
MUNICIPAL USES
October 1, 2020

Application Number: S-70256
Permit Number: S-54344
COOS BAY NORTH BEND WATER BOARD
PO BOX 539 2305 OCEAN BLVD
COOS BAY, OR 97420
Coos County
TENMILE CREEK > PACIFIC OCEAN
23.2 CFS
MUNICIPAL USES
October 1, 2035

Application Number: S-80302
Permit Number: S-53683
COOS BAY NORTH BEND WATER BOARD PO BOX 539 2305 OCEAN BLVD COOS BAY, OR 97420
Coos County
UPPER PONY CREEK RESERVOIR > PONY CREEK
4100.0 AF
MUNICIPAL USES

MERRIT LAKE > PONY CREEK
4100.0 AF
MUNICIPAL USES
October 1, 2013

Extensions of Time Progress
Checkpoint Progress Reports filed pursuant to OAR 690-315

Consistent with OAR 690-315-0050(6), the Department will accept public comment on the following Extension of time Checkpoint Progress Reports until December 27, 2012. Comments must be in writing and must indicate the application file and permit numbers. Following the comment period, the Department shall review evidence to determine whether or not the permit holder has been diligent in developing and perfecting the water use permit and has complied with all terms and conditions of the permit and/or extension of time. Additionally, the Department will provide notice of its determination to anyone who has submitted comments.

Extension file information is included in the following format:

- (a) Permit holder's name and address;
- (b) Application file number / permit number
- (c) County of use
- (d) Common name of water source(s) listed in the permit;
- (e) Use of water allowed under the permit;

MANKE LUMBER (DBA PARRETT MOUNTAIN LLC)
APPLICATION NUMBER: G-13353 PERMIT NUMBER: G-12114
WASHINGTON COUNTY
FOUR WELLS IN CEDAR CREEK BASIN
GROUP DOMESTIC

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 December 11, 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-1440

OREGON STATE BRIDGE CONSTRUCTION, INC
PO BOX 310
STAYTON, OR 97383

POD: 1 W FK DAIRY CRK > DAIRY CRK
SW 1/4 NE 1/4 Section 9 T 2.00N R 4.00W WM
Washington County
0.04 GPM for ROAD CONSTRUCTION

LL-1441

DAVENPORT NEWBERRY HOLDINGS
STERN, PAUL
225 NW FRANKLIN AVE, SUITE 1
BEND, OR 97701

POD: 1 A WELL > PAULINA CR
NE 1/4 SW 1/4 Section 16T 21.00S R 12.00E WM
Deschutes County

POD: 2 A WELL > PAULINA CR
SW 1/4 NE 1/4 Section 29T 21.00S R 12.00E WM
Deschutes County

POD: 3 A WELL > PAULINA CR
NE 1/4 SW 1/4 Section 21T 21.00S R 12.00E WM
Deschutes County
187 GPM FOR GEO-THERMAL PROJECT

Applications for Instream Lease

ORS 537.348 authorizes a water right holder to lease their existing water right(s) to instream use for a limited time. For the term of the lease, the water right holder agrees to suspend use of water under the original right. The state is the trustee for water rights leased for instream use. OAR 690-077-0077 requires that the Department public notice the lease applications.

The deadline for submitting claims of injury to existing water rights or enlargement of the original right against a lease application is December 18, 2012. Parties to the lease, including the Department, will review any such claims before the lease is finalized. The lease files are available for viewing at the Salem office of the Water Resources Department.

County: Josephine
Instream Lease Number: IL 458

** Lessor **
RUSSELL, PHYLLIS
1751 LEONARD ROAD
GRANTS PASS, OR 97527

Contact: KODY THURGOOD at 503-986-0892

Reach: POD TO MOUTH OF GRAVE CREEK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:29011 CR * S	23337	12/13/1954	IR	0.12	41.7	GRAVE CREEK	ROGUE RIVER	9.27

Reach: POD TO MOUTH OF GRAVE CREEK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:26066 OR * S	23335	12/13/1954	IR	0.21	77.31	GRAVE CREEK	ROGUE RIVER	17.18

Reach: POD TO MOUTH OF GRAVE CREEK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:37666	CF RR *	1891	IR	0.11		GRAVE CREEK	ROGUE RIVER	24.88

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 27, 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:	LINCOLN
Transfer:	11491
Water Right:	CERT 58388
Priority Date:	NOVEMBER 20, 1985, DECEMBER 12, 1985
Name:	HILAND WATER CORP. 23875 NE DILLON RD NEWBERG, OR 97132
Change:	USE
Source:	UNNAMED STREAM

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 27, 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-11387 filed by Hiland Water Corporation, 23875 NE Dillon Road, Newberg, OR 97132, proposes a character of use change under Certificate 40997. The right allows the use of 0.03 cubic foot per second from an unnamed stream in Sec. 29, T 6 S, R 10 W, W.M. for domestic use of one family and domestic hook up for 66 trailer sites, including the irrigation of lawn and garden not to exceed ½ acre in area per family in Sects. 29 and 32, T 6 S, R 10 W, W.M. The applicant proposes to change the character of use to quasi-municipal. 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:	MARION
Transfer:	11490
Water Right:	CERT 40090
Priority Date:	MAY 29, 1967
Name:	NUNHEMS USA, INC 1200 ANDERSON CORNER RD PARMA, ID 83660
Change:	PLACE OF USE; ADDITIONAL POINT OF DIVERSION
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)).

File Number	Basin Number	County	Priority Date	Issue Date	Name
Xfer: T 10607 Cert#-87840	5	CROO	06/01/1910	11/26/2012	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:

* 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.)