

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
January 8, 2013

*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:

- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, 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.
- * **Transfer Applications: Permit Amendments**
Requests to amend permits.
- * **District Permanent Transfers (ORS 540.580)**
Petitions requesting transfers in place of use within a district's boundaries.
- * **Application for Allocation of Conserved Water**
- * **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".

Expedited Secondary Applications Under HB 2178 (2005)

For expedited secondary applications to use exclusively stored water filed under HB 2178, the public is invited to comment within 30 days of this notice, by **February 07, 2013**. The expedited secondary applications listed below have been filed recently. Any person may raise public interest issues regarding these applications. If public interest issues are raised, the Department may move the application to the standard process and review the application pursuant to ORS 537.153, and issue a Proposed Final Order. If no public issues are raised, the Department may issue a final order and permit without further prior notice.

Comments must identify the specific public interest under ORS 537.170(8) that would be impaired or detrimentally affected by the proposed use, and specifically how the identified public interest would be affected.

POD 1 is the location of the stored water. POD 2 and any additional points are the rediversion point(s).

S-87852
DOMAINE SERENE VINEYARDS AND WINERY INC.
FOXGLOVE PROPERTIES LLC
RAMAKERS, RICHARD
6555 NE HILLTOP LANE DAYTON, OR 97114
POD: 1 A RESERVOIR > HESS CREEK
NE 1/4 NW 1/4 Section 33T 3.00S R 3.00W WM
Yamhill County
5.5 AFT for IRRIGATION (est.)
5.5 AFT for SUPPLEMENTAL IRRIGATION (est.)

**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 February 07, 2013. 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-47642
Permit Number: S-35222
CITY OF FALLS CITY
PO BOX 10
FALLS CITY, OR 97344
Polk County
BERRY CREEK > LITTLE LUCKIAMUTE RIVER
1.0 CFS
MUNICIPAL USES
October 1, 2043

Application Number: S-69117
Permit Number: S-51370
MIDDLE FORK IRRIGATION DISTRICT PO BOX 291 PARKDALE, OR 97041
Hood River County
COE BRANCH AND CLEAR BRANCH> MIDDLE FORK HOOD RIVER
35.84 CFS
FROST PROTECTION
October 1, 2023

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 February 22, 2013. 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:	Umatilla
Application File Number:	G-8459
Permit Number:	G-7623
Applicant:	CITY OF STANFIELD
Address:	PO BOX 368 STANFIELD, OR 97875
River Basin:	Umatilla Basin
Water Source:	A WELL > UMATILLA RIVER A WELL > UMATILLA RIVER
Authorized Use of Water:	MUNICIPAL USES
Maximum Diversion/ Appropriation Rate:	2.2 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 1999 to October 1, 2049.

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 February 07, 2013. 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: KLAMATH
Transfer: 11508
Water Right: CERT 86855
Priority Date: SEPTEMBER 1, 1898
Name: DIAMOND MEADOWS #1384 HOMEOWNERS ASSOCIATION INC
PO BOX 1098
CRESCENT LAKE, OR 97733
Change: PLACE OF USE; USE (INSTREAM)
Source: BIG MARSH CREEK

County: MORROW
Transfer: 11512
Water Right: CERT 194
Priority Date: DECEMBER 31, 1872, DECEMBER 31, 1905
Name: TRAVIS HARRISON
PO BOX 393
LEXINGTON, OR 97839
Change: POINT OF DIVERSION; PLACE OF USE
Source: WILLOW CREEK

County: MORROW
Transfer: 11514
Water Right: CERT 44539; 53373; 60552; 81895; 84119;
87299; 87298; 87300
Priority Date: JUNE 19, 1958; JUNE 19, 1958;
NOVEMBER 16, 1971 AND DECEMBER 3, 1971;
MAY 2, 1955; FEBRUARY 15, 1978;
MARCH 26, 1956; NOVEMBER 1, 1950;
FEBRUARY 4, 1965
Name: JEDEDIAH W. AYLETT
75816 FRONTAGE RD
HERMISTON, OR 97838
Change: POINT OF APPROPRIATION; PLACE OF USE
Source: NE WELL

County: MULTNOMAH
Transfer: 11517
Water Right: CERT 83230
Priority Date: MAY 1, 1985
Name: METRO
600 NE GRAND AVE
PORTLAND, OR 97232
Change: ADDITIONAL POINT OF APPROPRIATION
Source: A WELL

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 February 07, 2013, 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-11395 filed by the Port of Portland, PO Box 3529, Portland, OR 97208, proposes changes in place of use and use under Registration Application GR-462 (Certificate of Registration GR-445). The registration allows the use of 31.73 cubic feet per second from the Wells 1-15 in Sec. 23, T 1 N, R 3 E, W.M., for industrial and manufacturing uses in Sec. 23. The applicant proposes to change the character of use to municipal, and to change the place of use to the Troutdale Reynolds Industrial Park in Sec. 14, 22, 23 and 24. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

T-11396 filed by the Port of Portland, PO Box 3529, Portland, OR 97208, proposes changes in place of use and use under Registration Application GR-1441 (Certificate of Registration GR-1587). The registration allows the use of 1.56 cubic foot per second from Well 4 in Sec. 23, T 1 N, R 3 E, W.M., for irrigation, domestic and manufacturing in Sec. 22 and 23. The applicant proposes to change the character of use to municipal, and to change the place of use to the Troutdale Reynolds Industrial Park in Sec. 14, 22, 23 and 24. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

Transfer Applications: Permit Amendments

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU) pursuant to ORS 537.211 (4).

Notice is given that the following applications for Permit Amendments have been received by the Department. If the proposed change in point of diversion or appropriation is for a distance greater than 1/4 mile or includes intervening diversion points, notice also will be published in a local newspaper.

County: LAKE
Transfer: 11513
Water Right: PERMIT G 16806
Priority Date: FEBRUARY 4, 2009
Name: CITY OF LAKEVIEW
525 1ST ST NORTH
LAKEVIEW, OR 97630-1585
Change: POINT OF APPROPRIATION
Source: A WELL

County: YAMHILL
Transfer: 11515
Water Right: PERMIT G 15650
Priority Date: APRIL 18, 2000
Name: BOB TERRY
9650 SW HARDEBECK RD
GASTON, OR 97119
Change: ADDITIONAL POINT OF APPROPRIATION
Source: A WELL

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 February 07, 2013. 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: CROOK, DESCHUTES, JEFFERSON
Transfer: 11509
Water Right: CERT 76714; 83571
Priority Date: FEBRUARY 28, 1913; OCTOBER 31, 1900 AND
DECEMBER 2, 1907
Name: CENTRAL OREGON IRRIGATION DISTRICT
1055 SW LAKE COURT
REDMOND, OR 97756
Change: PLACE OF USE
Source: CRANE PRAIRIE RESERVOIR

County: CROOK, DESCHUTES, JEFFERSON
Transfer: 11510
Water Right: CERT 76714; 83571
Priority Date: FEBRUARY 28, 1913; OCTOBER 31, 1900 AND
DECEMBER 2, 1907
Name: CENTRAL OREGON IRRIGATION DISTRICT
1055 SW LAKE COURT
REDMOND, OR 97756
Change: PLACE OF USE
Source: CRANE PRAIRIE RESERVOIR

County: DESCHUTES
Transfer: 11511
Water Right: CERT 74145
Priority Date: SEPTEMBER 1, 1899
Name: SWALLEY IRRIGATION DISTRICT
64672 COOK AVE SUITE 1
BEND, OR 97701
Change: PLACE OF USE
Source: DESCHUTES R

County: JACKSON
Transfer: 11516
Water Right: CERT 80578; 83728; 83381; 83383;
PERMIT S 4951
Priority Date: MARCH 1, 1915; JUNE 8, 1953; JULY 23, 1909;
MARCH 31, 1910; JUNE 18, 1920,
MARCH 31, 1910, AND JULY 23, 1909
Name: MEDFORD IRRIGATION DISTRICT
PO BOX 70
JACKSONVILLE, OR 97530
Change: PLACE OF USE
Source: BEAR CREEK

Application for Allocation of Conserved Water

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

Notice of Application for Allocation of Conserved Water CW-71

The Water Resources Department (WRD) has received an application for an Allocation of Conserved Water (ACW) pursuant to ORS 537.455-500 and OAR 690-018. WRD will review the application to determine whether the uses allowed under the original water rights will be reduced by the conservation project, whether the project is in compliance with local comprehensive land use plans and if other rights will be affected.

On 1/12/2012, Landowners of the Uncle John Ditch, filed an ACW Application. WRD designated the application as CW-71. The Applicants propose to conserve water by piping 3.8 miles of Uncle John Ditch.

The project is expected to yield approximately 2.5 cfs of conserved water from the Uncle John Ditch on Whychus Creek under Water Right Certificates 86824, 83856, 83355, 85389, 85391, 86828, 86826, 85386, 85393, 85387, 85388 as well as T-10910, T-10900 and T-8900 with priority dates of 1880, 1886, 1895, 1900, 1908, and 1912. It is proposed that 100% of the conserved water will be protected in Whychus Creek.

Any party may provide written comments directly related to CW-71 by 1/28/2013 or within 20 days of the last date of newspaper publication. Comments should be sent to Kody Thurgood, WRD, 725 Summer Street NE, Salem, OR 97301 or faxed to 503-986-0903. WRD will review all comments received when determining whether to approve the proposed ACW Application. A copy of the application and other information on the allocation and use of conserved water may be obtained from WRD by contacting Mr. Thurgood at 503-986-0892 or thurgokj@state.or.us.

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 13314 Cert#-87848	2	MARI	03/05/1993	01/04/2013	SEIFER BROTHERS
App: G 14007 Cert#-87867	7	UMAT	03/17/1995	01/04/2013	QUESENBERRY, WILLIAM QUESENBERRY, TERESA
App: S 80578 Cert#-87870	18	LINC	08/16/1995	01/03/2013	PETERSON, DAVID
App: S 84132 Cert#-87871	17	CURR	05/04/1999	01/03/2013	BAYLESS, REGAN L.

OREGON WATER RESOURCES DEPARTMENT



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

PUBLIC NOTICE OF WATER USE REQUESTS

January 8, 2013

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 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 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.)