

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
February 5, 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:

- * **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.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **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.
- * **Aquifer Storage and Recovery (ASR) Limited Licenses**
Requests for use of water in an ASR testing program for 5 years or less. Licenses are subordinate to other rights if they are not based on use under an existing water right.
- * **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, March 07, 2013. 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, March 22, 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)

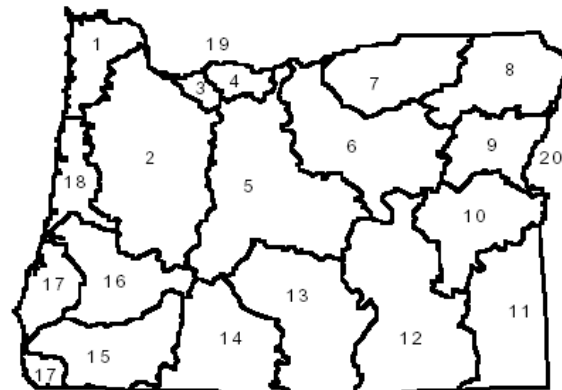
BASINS:	
1. North Coast	11. Owyhee
2. Willamette	12. Malheur L.
3. Sandy	13. Goose/Summer L.
4. Hood	14. Klamath
5. Deschutes	15. Rogue
6. John Day	16. Umpqua
7. Umatilla	17. S. Coast
8. Grande Ronde	18. Mid-Coast
9. Powder	19. Columbia
10. Malheur	20. Snake

- 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-17563	GRAEPEL, PETER W. PO BOX 592 JUNCTION CITY, OR 97448						PFO 2
2	A WELL > PERKIN SLOUGH	15.00S 4.00W 20 SESW	Lane	06/13/2012	0.315C	(est)	
2	A WELL > PERKIN SLOUGH	15.00S 4.00W 20 SESW	Lane	06/13/2012	0.315C	(est)	
Uses:	IR						
G-17564	BOWMAN, TYLER 37951 RIETH RD ECHO, OR 97826						PFO 2
7	A WELL > UMATILLA RIVER	2.00N 30.00E 1 SWSW	Umatilla	06/18/2012	0.31C		
Uses:	IR						

Final Orders - Permit & License Applications

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-17401	10	MALH	06/21/2010		JOE MCKAY	01/24/2013
G-17528	10	MALH	01/25/2012		MICHAEL RIGGS	01/24/2013
G-17543	2	MARI	04/03/2012	VATICAN FAMILY LTD		01/24/2013
S-87826	16	DOUG	08/02/2012	SUTHERLIN WATER CONTROL DISTRICT		01/24/2013
G-16985	5	DESC	12/21/2007		JAMES YOUNG	01/28/2013
G-17533	2	WASH	02/10/2012		VIRGINIA RATTNER	01/31/2013
G-17548	13	LAKE	04/09/2012	SCHOFIELD FAMILY LIMITED PARTNERSHIP	DUANE SCHOFIELD	01/31/2013
G-17558	8	UNIO	05/21/2012		BRETT RUDD	01/31/2013
S-87755	5	DESC	09/14/2011		BRANDON LADD	01/31/2013

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 **March 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-87856

POPEYE'S GIRLFRIEND LLC
3720 SW BOND AVE UNIT 408
PORTLAND, OR 97239

POD: 1 A RESERVOIR > CALAPOOYA CREEK
SW 1/4 SE 1/4 Section 14T 25.00S R 6.00W WM
Douglas County
50.0 AFT for IRRIGATION

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 February 19, 2013, 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-1446

UMATILLA BASIN WATER COMMISSION

COOK, J R

PO BOX 944

HERMISTION, OR 97838

POD: 1 A WELL > COLUMBIA R

SW 1/4 SW 1/4 Section 8 T 4.00N R 26.00E WM
Morrow County

POD: 2 A WELL > COLUMBIA R

SW 1/4 SE 1/4 Section 7 T 4.00N R 26.00E WM
Morrow County

POD: 3 A WELL > COLUMBIA R

SW 1/4 NW 1/4 Section 17T 4.00N R 26.00E WM
Morrow County

POD: 4 A WELL > COLUMBIA R

NW 1/4 NW 1/4 Section 16T 4.00N R 26.00E WM
Morrow County

POD: 5 A WELL > COLUMBIA R

SE 1/4 SW 1/4 Section 17T 4.00N R 26.00E WM
Morrow County

POD: 6 A WELL > COLUMBIA R

NW 1/4 SW 1/4 Section 15T 4.00N R 26.00E WM
Morrow County

POD: 7 A WELL > COLUMBIA R

SW 1/4 NE 1/4 Section 21T 4.00N R 26.00E WM
Morrow County

POD: 8 COLUMBIA R > PACIFIC OCEAN

NW 1/4 NE 1/4 Section 2 T 4.00N R 25.00E WM
Morrow County

20,000 GPM for ARTIFICIAL GROUNDWATER RECHARGE TESTING

LL-1447

UMATILLA BASIN WATER COMMISSION

COOK, J R

PO BOX 944

HERMISTION, OR 97838

POD: 1 UMATILLA R > COLUMBIA R

NW 1/4 SE 1/4 Section 21T 3.00N R 29.00E WM

Umatilla County

UP TO 70 CFS for ARTIFICIAL GROUNDWATER RECHARGE TESTING FROM UMATILLA R

LL-1448

BARRON, WILLIAM B.

PO BOX 1414

ANCHOR POINT, AK 99556

POD: 1 RAMSEY CR > BULL RUN CR

NW 1/4 NW 1/4 Section 31T 32.00S R 4.00W WM

Douglas County

POD: 2 RAMSEY CR > BULL RUN CR

NW 1/4 NW 1/4 Section 31T 32.00S R 4.00W WM

Douglas County

250 GPM for PALCER MINING OPERATION

Aquifer Storage and Recovery (ASR) Limited Licenses

ASR means the storage of water from a separate source that meets drinking water standards in a suitable aquifer for later recovery and not having as one of its primary purposes the restoration of the aquifer (ORS 537.531). The use of water for ASR testing purposes requires a limited license pursuant to ORS 537.534. The requirements and procedures of an ASR limited license are different than those for limited licenses pursuant to ORS 537.143. Only after completion of an ASR testing program under a limited license may an applicant apply for a permanent ASR permit. The appearance of the request in the public notice commences a 30-day public comment period for the application. Following the public comment period, the Department may request additional information from the applicant, issue the limited license with proper conditions, or deny the application.

UMATILLA

ASR LL-020 Kent Madison/Jake Madison
Madison Farms
29299 Madison Road
Echo, OR 97826

A 5-year testing program

Diversion of 13.36 cfs from an alluvial well near Butter Creek, a tributary of Umatilla River, using authorization of Certificates 75107, 83692, and 83693; LL 1424, T11414.

Storage of 1.70 billion gallons in a basalt aquifer
Maximum injection of 13.36 cfs through two wells
Maximum withdrawal of 13.36 cfs through the same two wells
For irrigation

Well POA: T3N, R28E, Section 31
ASR Well: T3N, R27E, Section 25, 31

UMATILLA

ASR LL-021 Mike McCarty
McCarty Ranch
26943 McCarty Ranch Lane
Echo, OR 97826

A 5-year testing program

Diversion of 6.14 cfs from an alluvial well near Butter Creek, a tributary of Umatilla River, using authorization of Certificate 67878.

Storage of 2.6 billion gallons in a basalt aquifer
Maximum injection of 6.14 cfs through one well
Maximum withdrawal of 6.41 cfs through the same well
For irrigation

Well POA: T2N, R27E, Section 15
ASR Well: T2N, R27E, Section 14

Renewal of Aquifer Storage and Recovery (ASR) Limited Licenses (OAR 690-350-020(5)(c))

ASR means the storage of water from a separate source that meets drinking water standards in a suitable aquifer for later recovery and not having as one of its primary purposes the restoration of the aquifer (ORS 537.531). The use of water for ASR testing purposes requires a limited license pursuant to ORS 537.534. The requirements and procedures of an ASR limited license are different than those for limited licenses pursuant to ORS 537.143. Only after completion of an ASR testing program under a limited license may an applicant apply for a permanent ASR permit. The appearance of a renewal request in the public notice commences a 30-day public comment period. Following the public comment period, the Department may request additional information regarding the renewal request, renew the limited license, renew the limited license with additional conditions, or deny the request.

An ASR Limited License may be renewed if the applicant demonstrates to the Director's satisfaction that further testing is necessary and that the applicant complied with the terms of the limited license. The standards, findings and process used in the license renewal process shall be as provided in OAR 690-350-0020. The Director may renew an ASR Limited License for a term of not more than 5 years.

UMATILLA

ASR LL #006
Renewal with modifications

City of Pendleton
Bob Patterson
500 SW Dorian Ave
Pendleton, OR 97801

The license holder requests to renew the existing ASR limited license for 5 years.

CURRENTLY AUTHORIZED

Diversion of 10,400 gpm from the Umatilla River, a tributary of the Columbia River and/or 3,750 gpm from existing "spring" collection structures located along the Umatilla River, using authorizations of Certificates 2604, 2582, 3927, 7993, 8051, 8052, Permit 458, and ORS 538.450. (Since LL-6 was issued, the certificate authorizations have changed by transfer to Spec. Or. Vol. 60, Pages 1- 9; the permit authorization has changed by permit amendment to Spec. Or. Vol. 62, Pages 216-218; and ORS 538.450 is unchanged. The Umatilla River POD is fully authorized for the rights while the spring POD's are in the process of being dropped.)

Storage of 3.227 billion gallons in a basalt aquifer
Maximum injection of 12,450 gpm through six wells
Maximum withdrawal of 15,165 gpm through the same six wells
For municipal use
Umatilla River POD: T2N, R32E, Section 12

ASR Wells: T2N, R32E, Sections 2, 7, 9, 10
Expires April 11, 2013

AUTHORIZATION CHANGES REQUESTED

Modify Maximum Injection Rates to the following:

T2N/R32E, Section 2, SE1/4 SE1/4	Well 1 (Byers)	1800 gpm
T2N/R32E, Section 2, SW1/4 SW1/4	Well 5 (Stillman)	2500 gpm
T2N/R32E, Section 9, SE1/4 NW1/4	Well 8 (Prison)	1700 gpm
T2N/R32E, Section 10, SE1/4 NW1/4	Well 2 (Round-up)	2400 gpm
T2N/R32E, Section 7, NW1/4 NE1/4	Well 14	1000 gpm
T2N/R32E, Section 9, NW1/4 NE1/4	Well 4 (Hospital)	2000 gpm

Requested maximum combined injection rate is therefore 11,400 gpm through six wells.

Modify Maximum Withdrawal Rates to the following:

Well 1 (Byers)	1800 gpm
Well 5 (Stillman)	3000 gpm
Well 8 (Prison)	3500 gpm
Well 2 (Round-up)	2500 gpm
Well 14	1000 gpm
Well 4 (Hospital)	2000 gpm

Requested maximum combined withdrawal rate is therefore 13,800 gpm through six wells.

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 March 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: GRANT
Transfer: 11527
Water Right: CERT 82456
Priority Date: MARCH 20, 1967
Name: LARRY N. BLAKESLEE
PO BOX 366
MONUMENT, OR 97864
Change: POINT OF DIVERSION
Source: NORTH FORK JOHN DAY 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 March 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-10247 filed by Grand Ronde Community Water Association (PO Box 253, Grand Ronde, OR 97347), proposes a change in place of use and character of use under Certificate 15685. The right allows the use of 0.34 Cubic Foot per Second (CFS) from Cow Creek in Sec. 13, T6S, R8W, W.M. for Irrigation in Sec. 13. The applicant proposes to create an instream use in Cow Creek (from the point of diversion to the mouth). The applicant has also submitted an affidavit to cancel a portion of Certificate 15685. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540, OAR 690-380-5000 and OAR 690-077-0075.

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
<u>App: G 14900 Cert#-87897</u>	14	KLAM	01/07/1999	02/04/2013	RLF KLAMATH PROPERTIES LLC
<u>Xfer: T 7634 Cert#-87896</u>	8	WALL	06/05/1967	09/09/9999	ASSOCIATED DITCH CO.

**OREGON
WATER
RESOURCES
DEPARTMENT**



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

PUBLIC NOTICE OF WATER USE REQUESTS
February 5, 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 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
(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 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.)