

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**March 26, 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](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.
- \* **Application for Instream Lease**  
Application by water right holder to lease existing water rights to instream use.
- \* **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.
- \* **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.
- \* **Water Right Cancellations**  
Abandonment of perfected and developed water rights and requests to cancel all or a portion of rights.
- \* **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.

\* **Hydroelectric Projects**  
Notice of open comment period and public hearing.

\* **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, April 25, 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, May 10, 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	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

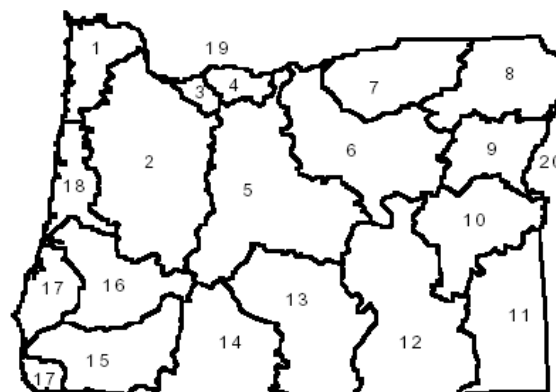
### THIRD LINE:

- \* 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

### Commonly used "Type of Use" abbreviations (for definitions, consult Oregon Administrative Rules 690-300):

AG: Agriculture	GR: Groundwater recharge	MU: Municipal
CF,CH,CL, CR: Cranberry uses	GT: Geothermal	NU: Nursery use
CM: Commercial	IC: Irrigation, primary & supplemental	PA: Pollution abatement
CS: Campground	ID: Irrigation with domestic	PW: Power
DI, DN: Domestic including non-commercial lawn & garden	IL: Irrigation with livestock	QM: Quasi-municipal
DO: Domestic	IM: Industrial or manufacturing	RC: Recreation
DS: Domestic & stock	IR: Irrigation	RW: Road construction
FI: Fish	IS: Irrigation, supplemental	ST: Storage
FP: Fire protection	LV: Livestock	SW: Swimming
FW: Fish & wildlife	LW: Livestock & wildlife	TC: Temperature control
GD: Group domestic	MI: Mining	WI: Wildlife



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
<a href="#">R-83356</a>	BANDON CRANBERRY WATER CONTROL DISTRICT	PO BOX 1832 BANDON, OR 97411					PFO 3
17	JOHNSON CREEK/JOHN CREEK RIVER >	PACIFIC OCEAN 29.00S 14.00W 9 NWNW	Coos	04/09/1997	1100.0A		
17	JOHNSON CREEK/JOHN CREEK RIVER >	PACIFIC OCEAN 29.00S 14.00W 9 NWNW	Coos	04/09/1997	1100.0A		

Uses: CR MU

## 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
<a href="#">G-16783</a>	2	MARI	01/18/2007		RONALD FENNIMORE	03/15/2013
<a href="#">G-16921</a>	2	COLU	08/27/2007	HEDGES CREEK MANAGEMENT		03/15/2013
<a href="#">G-17458</a>	2	MARI	04/06/2011		FILIP KUTSEV	03/15/2013
<a href="#">IS-70229</a>	17	COOS	03/08/1990	OREGON DEPARTMENT OF FISH & WILDLIFE		03/15/2013
<a href="#">IS-70993</a>	15	JACK	12/07/1990	OREGON DEPARTMENT OF FISH & WILDLIFE		03/15/2013
<a href="#">IS-71201</a>	15	JACK	01/16/1991	OREGON DEPARTMENT OF FISH & WILDLIFE		03/15/2013
<a href="#">IS-72173</a>	9	BAKE	01/29/1992	OREGON DEPARTMENT OF FISH & WILDLIFE		03/15/2013
<a href="#">R-87409</a>	6	WHEE	03/05/2009		ROB WILLIAMS	03/15/2013
<a href="#">R-87742</a>	15	JOSE	08/01/2011		GARY MARTIN	03/15/2013
<a href="#">S-87831</a>	16	DOUG	08/16/2012		NANCY KIDDER-WEST	03/15/2013
<a href="#">S-87837</a>	16	DOUG	09/05/2012		ROLAND THEISS	03/15/2013
<a href="#">R-87807</a>	2	MULT	05/18/2012	HOLLOW GOOSE FARM LLC		03/21/2013
<a href="#">R-87817</a>	18	LANE	06/12/2012		PHILIP ROGERS	03/21/2013
<a href="#">R-87819</a>	17	COOS	06/21/2012		FLOYD ROBINSON	03/21/2013

Application	Basin	County	Priority	Company	Name	FO Date
<a href="#">R-87828</a>	7	UMAT	08/06/2012		STEVEN JONES	03/21/2013
<a href="#">R-87830</a>	15	JACK	08/13/2012		JOHN FOSTER	03/21/2013
<a href="#">S-87508</a>	12	HARN	08/03/2009		STEPHEN OLSON	03/21/2013
<a href="#">R-87410</a>	2	LINN	03/06/2009	U.S. FISH AND WILDLIFE SERVICE	DAR CRAMMOND	03/22/2013
<a href="#">R-87411</a>	2	LINN	03/03/2009	U.S. FISH AND WILDLIFE SERVICE	DAR CRAMMOND	03/22/2013
<a href="#">R-87412</a>	2	LINN	03/06/2009	U.S. FISH AND WILDLIFE SERVICE	DAR CRAMMOND	03/22/2013
<a href="#">R-87413</a>	2	LINN	03/06/2009	U.S. FISH AND WILDLIFE SERVICE	DAR CRAMMOND	03/22/2013
<a href="#">R-87414</a>	2	LINN	03/06/2009	U.S. FISH AND WILDLIFE SERVICE	DAR CRAMMOND	03/22/2013
<a href="#">R-87415</a>	2	LINN	03/06/2009	U.S. FISH AND WILDLIFE SERVICE	DAR CRAMMOND	03/22/2013
<a href="#">R-87416</a>	2	LINN	03/06/2009	U.S. FISH AND WILDLIFE SERVICE	DAR CRAMMOND	03/22/2013
<a href="#">R-87417</a>	2	LINN	03/06/2009	U.S. FISH AND WILDLIFE SERVICE	DAR CRAMMOND	03/22/2013
<a href="#">R-87829</a>	15	JOSE	08/06/2012	QUANTUM ENGINEERING	JAMES DE SMET	03/22/2013
<a href="#">R-87836</a>	2	LANE	08/28/2012		TODD TUCKER	03/22/2013
<a href="#">R-87838</a>	2	MARI	09/07/2012		CHAD HAFNER	03/22/2013
<a href="#">R-87841</a>	15	JOSE	09/26/2012		BENJAMIN CAYTON	03/22/2013
<a href="#">R-87842</a>	13	LAKE	09/25/2012		WAYNE BYERS	03/22/2013
<a href="#">R-87846</a>	7	UMAT	10/12/2012		ALETHA GRUZENSKY	03/22/2013

## 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 April 16, 2013.** 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. If you have questions or comments please contact Joan Smith 503-986-0898 or [Joan.M.SMITH@wrd.state.or.us](mailto:Joan.M.SMITH@wrd.state.or.us)

County: Douglas  
Instream Lease Number: IL 353

\*\* Lessor \*\*  
FIEBER, PAUL  
8674 SOUTH MYRTLE ROAD  
MYRTLE CREEK, OR 97457

Reach: FROM THE POD TO MOUTH OF LOUIS CREEK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
39246	CF * S 6647	12/29/1924	IR	0.41	81.32	LOUIS CREEK	SOUTH MYRTLE CREEK	32.5



County: Crook  
Instream Lease Number: IL 898

\*\* Lessee \*\*  
DESCHUTES RIVER CONSERVANCY  
PO BOX 1560  
BEND, OR 97709

\*\* Lessor \*\*  
R AND R RANCHES  
2660 NE HWY 20, #610-303  
BEND, OR 97701

Reach: FROM THE SOUTHERN PROPERTY LINE (TL200) TO THE CONFLUENCE WITH BEAR CREEK TO THE MOUTH OF BEAR CREEK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
633 OR *		1890	IR	0.203	64.0	LITTLE BEAR CREEK	BEAR CREEK	16.0

Reach: FROM THE POD ON LITTLE BEAR CREEK TO CONFLUENCE WITH BEAR CREEK AND MOUTH OF BEAR CREEK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
1443 OR * S	471	11/28/1910	IR	0.42	132.0	LITTLE BEAR CREEK	BEAR CREEK	33.0

County: Crook  
Instream Lease Number: IL 899

\*\* Lessee \*\*  
DESCHUTES RIVER CONSERVANCY  
PO BOX 1560  
BEND, OR 97709

\*\* Lessor \*\*  
OCHOCO VALLEY RANCH  
2660 NE HWY 20, #610-303  
BEND, OR 97701

Reach: FROM THE POD ON NORTH FORK BEAR CREEK TO CONFLUENCE WITH BEAR CREEK AND ON TO THE MOUTH OF BEAR CREEK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
1129 OR *	S 1776	10/10/1913	IR	0.1	32.0	LITTLE BEAR CREEK	BEAR CREEK	8.0

Reach: POD ON LITTLE BEAR CREEK TO MOUTH

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
633 OR *		1890	IR	0.203	64.0	LITTLE BEAR CREEK	BEAR CREEK	10.0

Reach: FROM THE POD ON NORTH FORK BEAR CREEK TO CONFLUENCE WITH BEAR CREEK AND THEN TO THE MOUTH OF BEAR CREEK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
580 OR *		1898	I*	0.18	56.0	NORTH BEAR CREEK	CROOKED RIVER	14.0

Reach: FROM POD TO A CONFLUENCE WITH BEAR CREEK AND ONTO THE MOUTH OF BEAR CREEK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
632 OR *		1880	IR	0.45	144.0	LITTLE SHEEP CREEK	LITTLE BEAR CREEK	36.0

County: Crook  
 Instream Lease Number: IL 948

\*\* Lessor \*\*  
 RUBBERT, WENDY  
 GREENBRIAR, LLC.  
 2660 NORTHEAST HIGHWAY 20  
 #610-303  
 BEND, OR 97701

\*\* Lessee \*\*  
 DESCHUTES RIVER CONSERVANCY  
 PO BOX 1560  
 BEND, OR 97709

\*\* Trustee \*\*  
 OREGON WATER RESOURCES DEPARTMENT  
 725 SUMMER ST NE SUITE A  
 SALEM, OR 97301-1271

Reach: FROM POD ON NO NAME CREEK TO LITTLE BEAR CREEK TO THE MOUTH OF BEAR CREEK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
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1381 OR \* S 2180 8/25/1914 IR 0.1 32.0 UNNAMED STREAM LITTLE BEAR CREEK 8.0  
 County: Deschutes  
 Instream Lease Number: IL 1041

\*\* Lessor \*\*  
 SOOK LEE, JEONG  
 3086 NW FAIRWAY HEIGHTS  
 BEND, OR 97701

\*\* Lessor \*\*  
 CENTRAL OREGON IRRIGATION DISTRICT  
 1055 SW LAKE COURT  
 REDMOND, OR 97756

\*\* Lessor \*\*  
 KYU, YOUNG  
 3086 NW FAIRWAY HEIGHTS  
 BEND, OR 97701

\*\* Lessee \*\*  
 DESCHUTES RIVER CONSERVANCY  
 PO BOX 1560  
 BEND, OR 97709

Reach: FROM POD #11 TO THE MOUTH OF THE DESCHUTES @ RM 0

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1900	IR	0.253	81.21	DESCHUTES RIVER	COLUMBIA RIVER	14.9

County: Deschutes  
Instream Lease Number: IL 1270

\*\* Lessor \*\*  
ROBINSON, MARGARET  
24350 DODDS RD  
BEND, OR 97701

\*\* Lessor \*\*  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 SW LAKE COURT  
REDMOND, OR 97756  
\*\* Lessee \*\*  
DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST  
BEND, OR 97701

Reach: FROM POD #1 TO THE MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1900	IR	0.273	122.7	DESCHUTES RIVER	COLUMBIA RIVER	12.45

County: Deschutes  
Instream Lease Number: IL 1271

\*\* Lessee \*\*  
DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST  
BEND, OR 97701

\*\* Lessor \*\*  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 SW LAKE COURT

REDMOND, OR 97756

Reach: FROM POD #11 TO THE MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1900	IR	0.113	50.11	DESCHUTES RIVER	COLUMBIA RIVER	5.31

County: Deschutes  
Instream Lease Number: IL 1272

\*\* Lessor \*\*  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 SW LAKE COURT  
REDMOND, OR 97756

\*\* Lessor \*\*  
ROBERTS, RONALD  
25325 DODDS RD  
BEND, OR 97701

\*\* Lessor \*\*  
ROBERTS, MARYANN  
25325 DODDS RD  
BEND, OR 97701

\*\* Lessee \*\*  
DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST  
BEND, OR 97701

Reach: FROM POD #1 TO THE MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
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83571 CF RR CR \* 10/31/1900 IR 0.293 132.06 DESCHUTES RIVER COLUMBIA RIVER 13.4

County: Deschutes  
Instream Lease Number: IL 1273

\*\* Lessee \*\*  
DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST  
BEND, OR 97701

\*\* Lessor \*\*  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 SW LAKE COURT  
REDMOND, OR 97756

Reach: FROM POD # 11 TO THE MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1900	IR	0.183	81.51	DESCHUTES RIVER	COLUMBIA RIVER	8.6

County: Deschutes  
Instream Lease Number: IL 1274

\*\* Lessor \*\*  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 SW LAKE COURT  
REDMOND, OR 97756

\*\* Lessee \*\*  
DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST  
BEND, OR 97701

Reach: FROM POD #1 TO THE MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1900	IR	0.138	62.09	DESCHUTES RIVER	COLUMBIA RIVER	6.3

County: Deschutes  
 Instream Lease Number: IL 1267

\*\* Lessor \*\*

SWALLEY IRRIGATION DISTRICT  
 64672 COOK AVE SUITE 1  
 BEND, OR 97701

\*\* Lessee \*\*

DESCHUTES RIVER CONSERVANCY MITIGATION BANK  
 700 NW HILL ST  
 BEND, OR 97701

Reach: FROM THE POD (SWALLEY MAIN CANAL) TO THE MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
74145	CF RR *	9/1/1899	IR	1.051	408.08	DESCHUTES R	COLUMBIA R	61.7



## **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 May 10, 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:	Wasco
Application File Number:	G-16956
Permit Number:	G-16379
Applicant:	DAVIS, CAROLYN; MIKE DAVIS
Address:	PO BOX 188 TYGH VALLEY, OR 97063
River Basin:	Deschutes Basin
Water Source:	TWO WELLS > WHITE RIVER
Authorized Use of Water:	IRRIGATION ON 119.00 Acres
Maximum Diversion/ Appropriation Rate:	1.49 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2012 to October 1, 2017.

County of Use: Lane  
Application File Number: R-80938  
Permit Number: R-12189  
Applicant: MURRY, ROSS; CORRINE MURRY  
Address: PO BOX 2577  
EUGENE, OR 97402  
River Basin: Willamette Basin  
Water Source: RUNOFF/POND 3 > JOB SWALE CREEK  
Authorized Use of Water: LIVESTOCK  
RECREATION  
Maximum Diversion/  
Appropriation Rate: 35.7 AF

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2001 to October 1, 2012.

County of Use: Benton  
Application File Number: S-72155  
Permit Number: S-51824  
Applicant: STARR, STANLEY  
Address: 5869 NW SPRINGHILL DR  
ALBANY, OR 97321  
River Basin: Willamette Basin  
Water Source: WILL BASIN PROJ RS > WILLAMETTE RIVER  
Authorized Use of Water: IRRIGATION ON 122.5 Acres  
Maximum Diversion/  
Appropriation Rate: 306.5 AF

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1997 to October 1, 2013; and grant an extension of time to apply water to full beneficial use from October 1, 1998 to October 1, 2013.

## 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 April 09, 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-1453

CAPRI WALLA WALLA

ATTN: JIM O'CONNELL

6867 N ORACLE SUITE 101

TUCSON AZ 85704

POD: 1 A WELL > WALLA WALLA R

NE 1/4 NW 1/4 Section 23 T 5.00N R 36.00E WM

Umatilla County

140 GALLONS PER MINUTE for VINEYARD

## Water Right Cancellations

ORS 540.621 authorizes the Director to issue an order canceling a perfected and developed water right whenever the owner certifies under oath that the right has been abandoned and requests a cancellation of the right.

The Department has received affidavits from owners of land to which a water right is appurtenant stating the owner has abandoned the water right, and requesting that the Department cancel portions of the right appurtenant to the land.

The Department proposes to issue orders canceling all or a portion of the following water right(s):

COUNTY:	LANE
WATER RIGHT CERTIFICATE:	37989, IN THE NAME OF CHESTER AYRES
PRIORITY DATE:	JANUARY 9, 1959
SOURCE:	LANCASTER SL > WILLAMETTE R
LANDOWNER:	PETER GRAEPEL
ADDRESS:	95102 AYRES LN, JUNCTION CITY, OR, 97448
USE:	IRRIGATION
QUANTITY:	0.13 CFS
ACRES:	16.7
LOCATION:	T15S, R4W, 20, NWSE TAX LOT 1901

## **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 April 25, 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:  
Transfer: 11550  
Water Right: CERT 87723  
Priority Date: MAY 14, 1909  
Name: US FISH AND WILDLIFE SERVICE  
911 NE 11TH AVENUE  
PORTLAND, OR 97232-4181  
SIDNEY IRRIGATION COOPERATIVE  
PO BOX 736  
JEFFERSON OR 97352  
Change: PLACE OF USE  
Source: NORTH SANTIAM 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 April 25, 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-11369 filed by Ellen J. Lovett Trust, 7911 Deer Creek Rd, Selma, OR 97538, proposes to change the place of use and point of diversion (POD) under Certificates 13890 and 66470. Certificate 13890 allows the use of 1/50th cfs per acre from a diversion on Deer Creek in Sec. 18, T38S, R6W, W.M., for irrigation in Sec. 13 and 14, T38S, R7W, W.M. Certificate 66470 allows the use of 0.23 cfs from a sump in Sec. 14, for irrigation in Sec. 13. The applicant proposes to change the POD for Certificate 13890 downstream to three shallow, hydraulically connected wells in Sec. 14, and to change places of use within Sec. 13 and 14. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11403 filed by Arthur and Mary B. Spada and Feller-Nyquist Farm LLC., c/o Angelo Spada, Manager, A & R Spada Farms, P.O. Box 157, Saint Paul, OR 97137, proposes a change in point of appropriation and a change in character of use under Certificate 60958. The right allows the use of 0.549 cubic foot per second (cfs), being 0.364 cfs for primary irrigation and 0.185 cfs for supplemental irrigation from a well in Sec. 19, T 4 S, R 1 W, W.M. for primary irrigation of 29.1 acres and supplemental irrigation of 14.8 acres in Sects. 18 and 19. The applicant proposes to move the point of appropriation to within Sec. 19, T 4 S, R 1 W, W.M. and to change the character of use of 14.8 acres to primary irrigation. The Water

Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11425 filed by Narendra Varma, of Community by Design, 25460 SW Baker Rd, Sherwood, OR 97140, proposes to change the place of use and point of appropriation under Certificates 80784 and 82930. Certificate 80784 allows the use of 14.3 gpm from a well within Section 4, T3S, R1W, W.M., for irrigation in Section 4. Certificate 82930 allows the use of 70.7 gpm from two wells within Section 4, for irrigation in Section 4. The applicant proposes to change the place of use and to add points of appropriation for each right in Sec. 4. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11463 filed by John M. Lipkowitz, 2024 Summer Blossom #102 Las Vegas, NV 89134, proposes changes in point of appropriation, place of use, and use under Certificate 33418. The right allows the use of 0.16 cubic foot per second from a well in Sec. 28, T 23 S, R 10 E, and W.M. The applicant proposes to move the point of appropriation in Sec.28 and to change the place of use to Sec. 30, T 22 S, R 10 E; and to change the character of use to pond storage and maintenance for fish, wildlife, irrigation and recreation. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

**Notice of Open Comment Period  
Public Hearing**

Madison Ranches Land 3 LLC  
Aquifer Storage Hydroelectric Project

**Wednesday April 10, 2013 7:00 p.m.**  
**Stafford Hansell Government Center**  
915 SE Columbia Dr., Hermiston, OR

Comments on this application for a new hydroelectric project are requested from interested citizens, organizations, governmental entities, and other parties. Comments are requested on whether the impacts of this project are such that they might be cumulative with other proposed or existing projects in the Butter Creek basin. Requests for additional studies related to project impacts may also be submitted.

The application and supporting documents may be viewed at the Water Resources Department, 725 Summer Street NE, Salem, Oregon 97301.

Comments may be submitted at the public hearing, or in writing to the Oregon Water Resources Department by **May 13, 2013**.

Application for a major hydroelectric project in Umatilla County.

Application #: HE 599

Applicant: Madison Farms

Address: 29299 Madison Road Echo, OR 97826

Amount of water: 10 cubic feet per second

Source of water: An alluvial well, a tributary of Umatilla River

Location: SE ¼ NW ¼ Section 31, Township 3 North, Range 28 East, W.M.

Purpose: Hydroelectric power production at applicant's 2 aquifer storage wells -- one existing and one to be developed.

Plant Capacity: 700 theoretical horsepower

For Further Information Contact: Mary Grainey 503-986-0833

Note: The services, programs and activities of the Water Resources Department are covered by the Americans with Disabilities Act (ADA). The ADA prohibits discrimination against persons with disabilities. The Department intends to comply with the ADA. If you are interested and need special accommodations to participate in the public hearing, please contact Mary Grainey at (503) 986-0833, at least 48 hours prior to the hearing.



## 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="#">App: G 14663</a> <a href="#">Cert#-87998</a>	2	YAMH	01/12/1998	03/22/2013	K C K FARMS
<a href="#">App: G 15511</a> <a href="#">Cert#-87971</a>	14	KLAM	05/24/2001	03/22/2013	RLF RUNNING Y RANCH LLC CALEDONIA PROPERTIES LLC
<a href="#">App: G 16175</a> <a href="#">Cert#-87970</a>	14	KLAM	01/23/2004	03/22/2013	RLF RUNNING Y RANCH LLC CALEDONIA PROPERTIES LLC
<a href="#">App: S 79649</a> <a href="#">Cert#-87981</a>	2	WASH	12/30/1994	03/22/2013	TIBBS, THOMAS
<a href="#">Xfer: T 3999</a> <a href="#">Cert#-87958</a>	2	MARI	12/31/1856	03/20/2013	CITY OF SALEM

File Number	Basin Number	County	Priority Date	Issue Date	Name
<a href="#">App: S 83523 Cert#-87980</a>	17	CURR	07/25/1997	03/22/2013	BURGUNDY HARVEST FARM INC.
<a href="#">App: R 83524 Cert#-87979</a>	17	CURR	08/07/1997	03/22/2013	BURGUNDY HARVEST FARM INC.

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

## PUBLIC NOTICE OF WATER USE REQUESTS

March 26, 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

(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.)