

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**April 30, 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.
- \* **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.
- \* **Application for Instream Lease**  
Application by water right holder to lease existing water rights to instream use.
- \* **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.
- \* **Transfer Applications: Permit Amendments**  
Requests to amend permits.
- \* **District Temporary Transfers (ORS 540.570)**  
Applications requesting transfers in place of use within a district's boundaries.
- \* **Water Management and Conservation Plans**  
Water management and conservation plans submitted by municipalities and agricultural water suppliers under provisions of OAR Chapter 690, Division 86.

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@wrdd.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, May 30, 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, June 14, 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

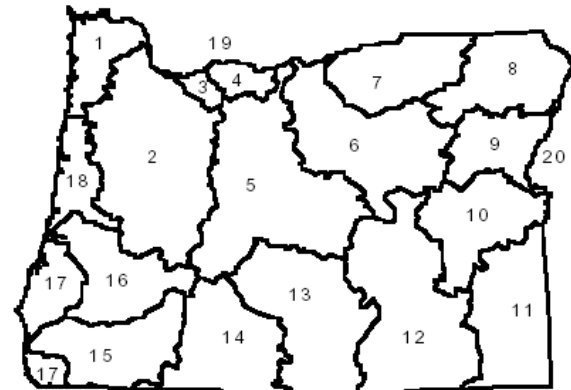
### THIRD LINE:

- \* 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="#">G-17611</a>	THORENFELDT, BO 885 HILLSBOROUGH BLVD HILLSBOROUGH, CA 94010						IR 3
12	A WELL > ROCK CREEK	22.00S 33.00E 29	NENE Harney	12/27/2012	0.769C	(est)	
12	A WELL > ROCK CREEK	22.00S 33.00E 20	SENE Harney	12/27/2012	0.769C	(est)	
12	A WELL > ROCK CREEK	22.00S 33.00E 20	NENE Harney	12/27/2012	0.769C	(est)	
12	A WELL > JONES CANYON	22.00S 33.00E 30	NESW Harney	12/27/2012	0.769C	(est)	
12	A WELL > JONES CANYON	22.00S 33.00E 30	SENE Harney	12/27/2012	0.769C	(est)	
12	A WELL > ROCK CREEK	22.00S 33.00E 29	SWNW Harney	12/27/2012	0.769C	(est)	
12	A WELL > MALHEUR SLOUGH	22.00S 33.00E 31	NESW Harney	12/27/2012	0.769C	(est)	
12	A WELL > ROCK CREEK	22.00S 33.00E 32	NWSW Harney	12/27/2012	0.769C	(est)	
12	A WELL > ROCK CREEK	22.00S 33.00E 32	NWSE Harney	12/27/2012	0.769C	(est)	
12	A WELL > MALHEUR SLOUGH	22.00S 33.00E 31	SENE Harney	12/27/2012	0.769C	(est)	
12	A WELL > ROCK CREEK	22.00S 33.00E 32	SWNW Harney	12/27/2012	0.769C	(est)	
12	A WELL > ROCK CREEK	22.00S 33.00E 32	SENE Harney	12/27/2012	0.769C	(est)	
12	A WELL > ROCK CREEK	22.00S 33.00E 28	NWSE Harney	12/27/2012	0.769C	(est)	
Uses:	IS						
<a href="#">G-17607</a>	GUTIERREZ CATTLE CO. PO BOX 1076 WEST SACRAMENTO, CA 95691		MCISAAC, TIM PO BOX 1076 WEST SA				IR 2
5	A WELL > WATSON CREEK	16.00S 22.00E 25	SESE Crook	12/14/2012	1.39C		
5	A WELL > WATSON CREEK	16.00S 22.00E 35	NESE Crook	12/14/2012	0.74C		
5	A WELL > WATSON CREEK	16.00S 22.00E 23	SWNW Crook	12/14/2012	1.6C		
5	A WELL > WATSON CREEK	16.00S 22.00E 23	SESE Crook	12/14/2012	1.6C		
Uses:	IR						
<a href="#">G-17585</a>	MILGARD, JAMES 9801 ALLEN POINT GIG HARBOR, WA 98332						PFO 2
5	A WELL > LIZARD CREEK	22.00S 20.00E 2	NENW Deschutes	09/24/2012	2.55C		
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
<a href="#">G-16911</a>	14	KLAM	08/02/2007	RUNNING Y RESORT INC.	JON BARKEE	04/18/2013
<a href="#">G-17428</a>	14	KLAM	10/04/2010		BOUDEWYN DE HOOP	04/18/2013
<a href="#">G-17454</a>	2	MULT	03/16/2011	NRI INC.		04/18/2013
<a href="#">R-87813</a>	11	MALH	06/01/2012	BUREAU OF LAND MANAGEMENT; OWYHEE FIELD OFFICE		04/18/2013
<a href="#">R-87840</a>	15	JACK	09/26/2012		MICHAEL THORNTON	04/18/2013
<a href="#">S-87856</a>	16	DOUG	01/07/2013	POPEYE'S GIRLFRIEND LLC		04/18/2013
<a href="#">R-87870</a>	5	WASC	02/20/2013		JOHN LARSELL	04/22/2013
<a href="#">LL-1452</a>	7	UMAT	03/12/2013	MADISON RANCHES INC.		04/23/2013
<a href="#">LL-1456</a>	16	DOUG	03/29/2013	EGM LLC	GREG FRIES	04/24/2013
<a href="#">LL-1457</a>	15	JACK	04/01/2013		MARCIA FITCH	04/24/2013
<a href="#">G-17468</a>	6	GRAN	06/09/2011	CHOUINARD FAMILY TRUST	ROBERT CHOUINARD	04/25/2013
<a href="#">G-17564</a>	7	UMAT	06/18/2012		TYLER BOWMAN	04/25/2013
<a href="#">G-17567</a>	7	UMAT	06/20/2012	ONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVA		04/25/2013
<a href="#">S-87342</a>	2	POLK	11/19/2008	CFRI-HWKD MIDDLE ZENA LLC		04/25/2013

Application	Basin	County	Priority	Company	Name	FO Date
<a href="#">S-87774</a>	2	LANE	12/23/2011	BOYER FARMS II LLC		04/25/2013
<a href="#">S-87781</a>	15	JACK	01/23/2012	UNION CREEK CABIN OWNERS		04/25/2013
<a href="#">S-87803</a>	18	LANE	04/30/2012		BONNIE LUCAS	04/25/2013
<a href="#">S-87820</a>	15	JOSE	06/27/2012		RON BRUCE	04/25/2013
<a href="#">S-87835</a>	15	JACK	08/27/2012		MICHAEL HART	04/25/2013

## **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 **May 30, 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-87882](#)

FITCH, MARCIA  
239 HALMILTON RD  
JACKSONVILLE, OR 97530

POD: 1 APPELEGATE RESERVOIR > APPELEGATE RIVER  
SE 1/4 SE 1/4 Section 25T 40.00S R 4.00W WM  
Jackson County  
27.0 AFT for IRRIGATION (est.)

POD: 2 APPELEGATE RIVER > ROGUE RIVER  
NE 1/4 NE 1/4 Section 4 T 39.00S R 3.00W WM  
Jackson County  
0.0 AFT for IRRIGATION (est.)



## 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.

Licenseses must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after May 14, 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-1455

THE FRESHWATER TRUST 65 SW YAMHILL STREET, SUITE 200 PORTLAND, OR 97204

POD: 1 MIDDLE FK JOHN DAY R > JOHN DAY R  
SE 1/4 SE 1/4 Section 28T 9.00S R 32.00E WM

POD: 2 MIDDLE FK JOHN DAY R > JOHN DAY R  
SE 1/4 SE 1/4 Section 28T 9.00S R 32.00E WM  
Grant County  
192 GPM for IRRIGATION

LL-1460

MILGARD, JAMES 9801 ALLEN POINT GIG HARBOR, WA 98332

POD: 1 A WELL > LIZARD CR  
NW 1/4 NE 1/4 Section 2 T 22.00S R 20.00E WM  
Deschutes County  
2.55 CFS for IRRIGATION

LL-1461

CLAUS, R J. AND SUSAN L. 22211 SW PACIFIC HWY SHERWOOD, OR 97140

POD: 1 A WELL > SNIPTION CANYON  
NE 1/4 NW 1/4 Section 30T 4.00S R 21.00E WM

POD: 2 A WELL > SNIPTION CANYON  
NE 1/4 NE 1/4 Section 19T 4.00S R 21.00E WM

POD: 3 A WELL > SNIPTION CANYON  
NE 1/4 NW 1/4 Section 30T 4.00S R 21.00E WM

POD: 4 A WELL > SNIPTION CANYON  
NE 1/4 NW 1/4 Section 30T 4.00S R 21.00E WM

POD: 5 A WELL > SNIPTION CANYON  
SE 1/4 SW 1/4 Section 19T 4.00S R 21.00E WM  
Gilliam County  
6.0 CFS for FLOW AUGMENTATION

## **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 June 14, 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:	Klamath
Application File Number:	G-12972
Permit Number:	G-12458
Applicant:	BALIN RANCH
Address:	13600 HOMEDALE RD KLAMATH FALLS, OR 97603
River Basin:	Klamath Basin
Water Source:	A WELL > LOST RIVER
Authorized Use of Water:	IRRIGATION ON 77.8000 Acres SUPPLEMENTAL IRRIGATION ON 229.3000 Acres
Maximum Diversion/ Appropriation Rate:	0 CFS 3.5 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 15, 2006 to October 1, 2015.

County of Use:	Benton
Application File Number:	G-15311
Permit Number:	G-15312
Applicant:	PINOT GRIS WATER CO.
Address:	4635 NE ELLIOTT CIRCLE CORVALLIS, OR 97330
River Basin:	Willamette Basin
Water Source:	A WELL > FRAZIER CREEK
Authorized Use of Water:	GROUP DOMESTIC
Maximum Diversion/ Appropriation Rate:	0.04 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2006 to October 1, 2014.

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## 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 May 21, 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: Wasco  
Instream Lease Number: IL 2

\*\* Lessor \*\*  
WEBB, WAYNE L.  
PO BOX 692  
THE DALLES, OR 97058

\*\* Lessee \*\*  
THE FRESHWATER TRUST  
65 SW YAMHILL STREET, SUITE 200  
PORTLAND, OR 97204

Reach: FROM THE POD TO THE MOUTH OF BUCKHOLLOW CREEK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to
Cert:51048	OR * R 6150	3/10/1975	IR, IS		11.83	KERR CREEK	BUCK HOLLOW CREEK

Reach: FROM THE POD TO THE MOUTH OF BUCKHOLLOW CREEK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to
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Acres

Cert:51049 OR * S 38057 3/10/1975	IR, IS	0.16	25.39	BUCK HOLLOW CREEK	DESCHUTES RIVER
19.3	IR, IS	0.32	47.6	KERR CREEK	BUCK HOLLOW

Reach: FROM THE POD TO THE MOUTH OF BUCKHOLLOW CREEK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to
Cert:38374 OR * S 28518 12/10/1962			IR	0.93	147.57	BUCK HOLLOW CREEK	DESCHUTES RIVER
37.3							

County: Wasco  
Instream Lease Number: IL 313

\*\* Lessee \*\*  
OREGON WATER TRUST  
65 SW YAMHILL, SUITE 200  
PORTLAND, OR 97204

\*\* Lessor \*\*  
PETROFF SR., DAN C.  
1123 E 8TH STREET  
THE DALLES, OR 97058

Reach: FROM POD AT APPROXIMATELY RIVER MILE 11 TO THE MOUTH OF FIFTEENMILE CREEK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:5636 CF *		1875	IR	0.14	33.9	FIFTEENMILE CREEK	COLUMBIA RIVER	11.3

Reach: FROM POD AT APPROXIMATELY RIVER MILE 11 TO THE MOUTH OF FIFTEENMILE CREEK

Cert# Acres	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to
Cert:32364 22.0	OR * S 27210	2/20/1961	IR	0.28	65.5	FIFTEENMILE CREEK	COLUMBIA RIVER

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# Acres	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to
Cert:74145 61.7	CF RR *	9/1/1899	IR	0.0471	408.08	DESCHUTES R	COLUMBIA R
0.5			PM	0.010	3.31		

County: Grant  
Instream Lease Number: IL 1304

\*\* Lessee \*\*  
THE FRESHWATER TRUST; C/O DAVID PILZ  
65 SW YAMHILL STREET, SUITE 200  
PORTLAND, OR 97204

\*\* Lessor \*\*

RPB LLC  
6600 NORTH BALTIMORE AVE  
PORTLAND, OR 97203

Reach: FROM THE POD TO THE MOUTH OF HAWKINS CREEK

Cert# Acres	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to
Cert:25382 30.6	CF *	1900	IR	0.765	122.4	HAWKINS CREEK	MIDDLE FORK JOHN DAY RIVER

County: Klamath  
Instream Lease Number: IL 1258

\*\* Lessee \*\*

LAMBERT, CHRYSTEN  
KLAMATH BASIN RANGELAND TRUST  
700 MAIN ST, SUITE 201A  
KLAMATH FALLS, OR 97601

\*\* Lessor \*\*

VON SCHLEGELL, JOHN  
SEVENMILE CREEK RANCH  
920 SW 6TH AVE., SUITE 1400  
PORTLAND, OR 97204

Reach: FROM THE POD THROUGH SEVENMILE CREEK AND INTO AGENCY LAKE

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:28201	OR * S	23668	2/1/1954	IR	0.047	7.8	BLUE SPRINGS & SEVENMILE CR	SEVENMILE CREEK 2.6

Reach: FROM THE POD ON CRANE CREEK INTO SEVENMILE CREEK AND INTO AGENCY LAKE

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:10928	OR *	1888	IR	0.572	143.0	SPRINGS	CRANE CREEK	28.6

Reach: FROM THE POD THROUGH SHORT CREEK INTO SEVENMILE CREEK AND ON TO AGENCY LAKE

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:10919	OR *	1891	IR,LV	0.62	155.0	SPRINGS	SHORT CREEK	31.0

Reach: FROM THE POD ON SEVENMILE CREEK INTO AGENCY LAKE

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:10921	OR *	1898	IR,LV	0.75	188.5	SEVENMILE CREEK	UPPER KLAMATH LAKE	33.3

Reach: FROM THE POD IN BLUE SPRINGS THROUGH SEVENMILE CREEK AND INTO AGENCY LAKE

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:10920	OR *	1891	IR,LV	2.24	560.0	BLUE SPRINGS	SHORT CREEK	112.0

Reach: FROM THE POD ON SHORT CREEK THROUGH SEVENMILE CREEK AND ON TO AGENCY LAKE

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:10918	OR *	1891	IR,LV	4.366	1091.5	SHORT CREEK	SEVENMILE CREEK	218.3

Reach: FROM THE POD AT MARES EGG SPRING THROUGH CRANE CREEK AND SEVENMILE CREEK TO AGENCY LAKE

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
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Cert:10929 OR \*                    1889                    DO, IR, LV    8.78                    2195.0                    MARES EGG SPRING                    CRANE CREEK                    439.0

Reach:    FROM THE POD AT THE SPRINGS THROUGH SEVENMILE CREEK AND TO AGENCY LAKE

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:8261 OR * S	9179	9/25/1928	DO, IR, LV	0.503	188.5	BLUE SPRINGS	SEVENMILE CREEK	33.3



## **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 May 30, 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-11456 filed by Thatcher Loen, Kurtis T. Loen (Thatcher) and Brenda L. Loen, 6803 Kinns Lane NE, Woodburn, OR 97071, proposes an additional point of appropriation under Registration Application GR-337 (Certificate of Registration GR-322). The registration allows the use of 180 gallons per minute from Well 1 in Sec. 34, T4S, R2W, W.M. for irrigation in Sec. 27 and 34. The applicant proposes an additional point of appropriation in Sec. 34. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

T-11487 filed by Phillip L., Sr. and Dorothy Sue Hunt, 17892 Tye Road, Umpqua, OR 97486, proposes a change in point of diversion under Certificate 36479. The right allows the use of 0.014 cubic foot per second from the Umpqua River for irrigation in Sec. 20. The applicant proposes to move the point of diversion to within Sec. 20, T 24 S, R 7 W, W.M. 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: UMATILLA  
Transfer: 11573  
Water Right: CERT 871111, 79482  
Priority Date: OCTOBER 3, 1973, DECEMBER 11, 1973; JUNE 29, 1973  
Name: HALE FARMS LLC  
73120 HWY 207  
ECHO, OR 97826  
Change: POINT OF DIVERSION; PLACE OF USE  
Source: COLUMBIA RIVER

County: MORROW  
Transfer: 11578  
Water Right: CERT 31096; 46499; 74795  
Priority Date: MAY 7, 1952; OCTOBER 31, 1968;  
1884, 1895, 1904  
Name: TIM RUST  
77252 MADER RUST LANE  
ECHO, OR 97826  
Change: PLACE OF USE  
Source: A WELL

Transfer: 11579  
Water Right: CERT 62259; 62262  
Priority Date: APRIL 22, 1976; JUNE 9, 1976  
Name: CORNERSTONE FARMS JV  
TIM MELVILLE  
84887 JOSEPH HWY  
ENTERPRISE, OR 97828  
Change: PLACE OF USE  
Source: PRAIRIE CREEK

County: YAMHILL  
 Transfer: 11580  
 Water Right: CERT 86088  
 Priority Date: FEBRUARY 20, 1979  
 Name: CARLTON NURSERY CO LLC  
 ALLAN ELLIOT  
 PO BOX 398  
 DAYTON, OR 97114  
 Change: PLACE OF USE  
 Source: A WELL

County: LAKE  
 Transfer: 11581  
 Water Right: CERT 86890; 86891  
 Priority Date: FEBRUARY 15, 1984; JUNE 9, 1981  
 Name: BECKY MILES  
 36856 GLASER RD  
 SCIO, OR 97374  
 Change: POINT OF APPROPRIATION; PLACE OF USE  
 Source: A WELL

County: CROOK, JEFFERSON  
 Transfer: 11582  
 Water Right: CERT 72197; 76714  
 Priority Date: OCTOBER 31, 1900; FEBRUARY 28, 1913  
 Name: A J DAIRY LLC  
 15873 MARQUAM RD  
 MOUNT ANGEL, OR 97362  
 Change: PLACE OF USE  
 Source: DESCHUTES RIVER

County: DOUGLAS  
 Transfer: 11583  
 Water Right: CERT 39246  
 Priority Date: DECEMBER 29, 1924  
 Name: MICHAEL BROWNSON; GARY BROWNSON;  
 HOWARD BROWNSON  
 7081 SOUTH MYRTLE ROAD  
 MYRTLE CR, OR 97457  
 Change: POINT OF DIVERSION; PLACE OF USE  
 Source: LOUIS CREEK

County: MALHEUR  
Transfer: 11585  
Water Right: CERT 1582; 22866; 44016; 44017; 44770; 46075;  
76983  
Priority Date: DECEMBER 31, 1880, DECEMBER 31, 1885;  
AUGUST 18, 1950; 1874, 1877, 1879;  
1874, 1877, 1879, 1885; JANUARY 2, 1969;  
SEPTEMBER 24, 1973; JUNE 24, 1991  
Name: WILKS RANCH OREGON LIMITED  
4945 WILLOW CREEK RD  
IRONSIDE, OR 97908  
Change: ADDITIONAL POINT OF APPROPRIATION; PLACE OF USE

## **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: UMATILLA  
Transfer: 11584  
Water Right: PERMIT G 7623  
Priority Date: SEPTEMBER 22, 1977  
Name: CITY OF STANFIELD  
PO BOX 368  
STANFIELD, OR 97875  
Change: ADDITIONAL POINT OF APPROPRIATION  
Source: A WELL

## **District Temporary Transfers (ORS 540.570)**

A district with a manager may request to temporarily make the following changes in water rights within district boundaries for one irrigation season: (1) The place of use of a water use subject to transfer; (2) The point of diversion/appropriation to facilitate a change in place of use; (3) The type of use from a primary right to a supplemental right; and (4) From a surface water point of diversion to a ground water appropriation.

The Department shall approve the request provided it does not cause injury to existing right or expand the water use. A district temporary transfer may be conditioned or revoked at any time to avoid injury to other water rights. The use of water reverts to the authorized place of use, type of use, point of diversion/appropriation upon expiration of the temporary change.

The Department seeks public comments on the recently filed district temporary transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before May 30, 2013. The Department shall consider the comments in determining whether to condition, reject, or revoke a temporary district transfer.

County: UMATILLA  
Transfer: 11571  
Water Right: CERT 74762; 74896; 85124; 87042; 87111;  
87666; 87667; 80850  
PERMIT S54773  
Priority Date: MARCH 25, 1955; APRIL 8, 1963; JUNE 8, 1971;  
FEBRUARY 16, 1973; OCTOBER 3, 1973 AND  
DECEMBER 11, 1973; FEBRUARY 16, 1973  
JANUARY 30, 2007  
Name: ECHO IRRIGATION DISTRICT  
73120 HWY 207  
ECHO, OR 97826  
Change: ADDITIONAL POINT OF APPROPRIATION;  
PLACE OF USE  
Source: WELL 1

County: UMATILLA  
Transfer: 11574  
Water Right: CERT 44654; 63802; 81408; 81409; 80705;  
PERMIT G-434  
Priority Date: SEPTEMBER 3, 1968; MAY 7 1909;  
JANUARY 21, 1957; JANUARY 21 1959;  
DECEMBER 31, 1966;  
OCTOBER 16, 1978  
Name: BUTTER CREEK IRRIGATION DISTRICT  
73120 HIGHWAY 207  
ECHO, OR 97826  
Change: ADDITIONAL POINT OF DIVERSION; PLACE OF USE  
Source: A WELL

## **Water Management and Conservation Plans**

The Department is required to give notice and to invite public review and comment on Water Management and Conservation Plans submitted pursuant to OAR Chapter 690, Division 086. The Department will consider all public comments in its review of the draft plan and will report the results of the review to the water supplier 90 days from the time the plan was submitted.

**Any person may review and comment on a draft plan on or before May 30, 2013.** The plans are available for viewing at the Salem office of the Water Resources Department. Comments should focus on elements in the draft that do not meet the requirements of OAR Chapter 690, Division 086 and should include suggestions on how to bring the draft into compliance with the rules.

Plans have been submitted by the following agricultural and municipal water suppliers:

City of Dayton (Municipal)

To review any of the above plans or to provide comments on the plans, contact Lisa Jaramillo at 503-986-0880 or [lisa.j.jaramillo@wrd.state.or.us](mailto:lisa.j.jaramillo@wrd.state.or.us).

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
April 30, 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)\*

[ ]  
[ ]  
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**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.)