

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
June 18, 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.
- * **Alternate Reservoir Applications (ORS 537.409)**
Applications for storage permits for small ponds filed under a simplified review process.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **Applications for Extensions of Time to Perfect Water Right Permits**
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- * **Applications for Limited Licenses**
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- * **Application for Instream Lease**
Application by water right holder to lease existing water rights to instream use.
- * **Transfer Applications: Regular**
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- * **Transfer Preliminary Determinations**
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- * **Transfer Applications: Temporary Transfers**
Requests to temporarily change place of use and, if necessary to convey the water to the new place of use, to temporarily change the point of diversion or appropriation.

- * **District Permanent Transfers (ORS 540.580)**
Petitions requesting transfers in place of use within a district's boundaries.
- * **Transfer Applications: Government Action**
Notice of change in point of diversion or appropriation necessitated by a government action changing the level of the water source.
- * **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@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, July 18, 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, August 02, 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:

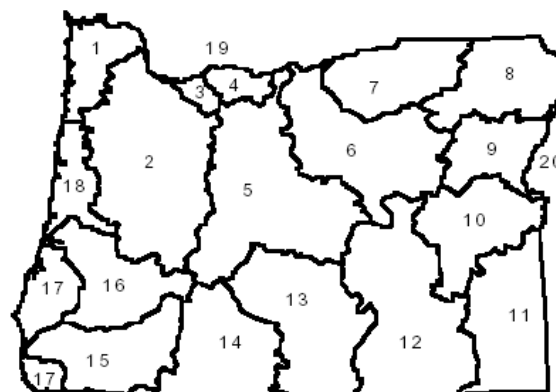
- * Type of use (see abbreviations below)

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
G-17578	DEN HOED HAY FARMS LLC 1831 N COUNTY LINE RD GRANDVIEW, WA 98930	DEN HOED, HELEN 1831 N COU					PFO 2
	12 A WELL > MALHEUR LAKE	26.00S 31.00E 9 NENE	Harney	08/30/2012	2.0C	(est)	
	12 A WELL > MALHEUR LAKE	26.00S 31.00E 4 SWSE	Harney	08/30/2012	2.0C	(est)	
Uses:	IR						
G-17577							PFO 2
	10 A WELL > WILLOW CREEK	14.00S 39.00E 22 NENW	Malheur	08/27/2012	0.666C	(est)	
	10 A WELL > WILLOW CREEK	14.00S 39.00E 21 NESE	Malheur	08/27/2012	0.666C	(est)	
	10 A WELL > WILLOW CREEK	14.00S 39.00E 22 NWSE	Malheur	08/27/2012	0.666C	(est)	
Uses:	IR IS						
G-17588	SCHMIDT, BONITA I. PO BOX 572 REDMOND, OR 97756	SCHMIDT, ERWIN E. PO BOX 572 REDMOND, OR 97					PFO 2
	5 A WELL > CROOKED RIVER	14.00S 13.00E 36 SWNW	Deschutes	09/27/2012	0.04C		
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
LL-1443	5	CROO	01/14/2013		CHRIS BEDSAUL	06/06/2013
LL-1461	6	GILL			R CLAUS	06/06/2013
LL-1469	7	UMAT		BUREAU OF RECLAMATION - UMATILLA FIELD OFFICE		06/13/2013
LL-1470	16	DOUG	05/22/2013		HARMON WALKER	06/13/2013
R-87797	15	JACK	04/12/2012		TIMOTHY ANDERSON	06/14/2013

Alternate Reservoir Applications (ORS 537.409)

For alternate reservoir applications filed under ORS 537.409, the public is invited to comment within 60 days of this notice. The law provides that within 60 days after the Department provides public notice of the application, any person may submit detailed, legally obtained information in writing, requesting the Department to deny the application for a permit on the basis that the reservoir:

- (A) Would result in injury to an existing water right; or
- (B) Would pose a significant detrimental impact to existing fishery resources as determined on the basis of information submitted by the State Department of Fish and Wildlife.

Such comments must be submitted on or before August 17, 2013.

R-87901

REGER, JOHN PO BOX 809 WILSONVILLE, OR 97070
POD: 1 RUNOFF > WILLAMETTE RIVER
SE 1/4 SE 1/4 Section 30T 3.00S R 1.00W WM
Clackamas County
8.5 AFT for MULTIPLE PURPOSE

R-87903

PETERS, GRAHAM 17800 SW MILL PLAIN BLVD SUITE 120 VANCOUVER, WA 98683 ZALAHA, JACK
ROUND LAKE LLC 46 VILLAGWAY PMB 182 PORT LUDLOW, WA 98365
POD: 1 RUNOFF > JACKSON CREEK
SW 1/4 NE 1/4 Section 18T 3.00N R 1.00W WM
Columbia County
6.75 AFT for RECREATION (est.)
6.75 AFT for WILDLIFE (est.)

R-87904

PETERS, GRAHAM 17800 SW MILL PLAIN BLVD SUITE 120 VANCOUVER, WA 98683 ZALAHA, JACK
ROUND LAKE LLC 46 VILLAGWAY PMB 182 PORT LUDLOW, WA 98365
POD: 1 RUNOFF > JACKSON CREEK
SE 1/4 NE 1/4 Section 18T 3.00N R 1.00W WM
Columbia County
1.5 AFT for RECREATION (est.)
1.5 AFT for WILDLIFE (est.)

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 **July 18, 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-87900

HAFNER, CHAD
PO BOX 53
LYONS, OR 97358

HAFNER, DAN
PO BOX 53
LYONS, OR 97358

POD: 1 A RESERVOIR > MILL CREEK
NW 1/4 SE 1/4 Section 36T 8.00S R 1.00W WM
Marion County
9.0 AFT for IRRIGATION

S-87902

RIVER BEND WEST WATER ASSOCIATION
PO BOX 1304
ROSEBURG, OR 97470

ROWLANDS, DAVE
RIVER BEND WEST WATER ASSOCIATION
PO BOX 1304
ROSEBURG, OR 97470

POD: 1 GALESVILLE RESERVOIR > COW CREEK
SW 1/4 NE 1/4 Section 28T 31.00S R 3.00W WM
Douglas County
118.2 AFT for IRRIGATION (est.)

POD: 2 UMPQUA RIVER > PACIFIC OCEAN
SW 1/4 SW 1/4 Section 7 T 26.00S R 6.00W WM
Douglas County
0.0 AFT for IRRIGATION (est.)

POD: 3 UMPQUA RIVER > PACIFIC OCEAN
SW 1/4 SW 1/4 Section 7 T 26.00S R 6.00W WM
Douglas County
0.0 AFT for IRRIGATION (est.)

**Applications for Extensions of Time
to Perfect Water Right Permits filed pursuant to OAR 690-315**

Consistent with OAR 690-315-0050, the Department will accept public comment on the following extension applications until July 18, 2013. Following the comment period, the Department will prepare and issue a proposed final order. Individuals who would like a copy of the proposed final order may request copies by sending a request and \$20 (the charge required by law). Please indicate the file number. Copies of the proposed final order may be viewed at the Department and/or self-copied. Individuals wishing to obtain a copy of the extension application should contact the Department by phone or in person.

Extension file information is included in the following format:

- (a) Application Number;
- (b) Permit number;
- (c) Applicant name and address;
- (d) County of application;
- (e) Common name of water source(s) listed in the permit;
- (f) Amount of water use permitted in gallons per minute (gpm), cubic feet per second (cfs) or acre feet (af) of storage;
- (g) Use allowed in the permit;
- (h) Proposed extended date of completion as requested by the extension applicant;

Application Number: R-79634

Permit Number: R-12496
BUSSMAN, GEORGE P PO BOX 302 SIXES, OR 97476-0302
Curry County
SUMMERS CREEK/RESERVOIR 1 > SIXES RIVER
9.0 AF

SUMMERS CREEK/RESERVOIR 2 > SIXES RIVER
9.0 AF
CRANBERRY USE
October 1, 2018

Application Number: S-71131

Permit Number: S-53422
BUSSMAN, DIANE AND GEORGE P PO BOX 302 SIXES, OR 97476-0302 Curry County
SUMMERS CREEK > PRICE CREEK
0.5CFS

RES 1 > SUMMERS CREEK
9.0 AF

RES 2 > SUMMERS CREEK
9.0 AF
CRANBERRY USE ON 20.0 ACRES
October 1, 2018

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 August 02, 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-12273
Permit Number:	G-11691
Applicant:	SCHANNO JR, D PAUL
Address:	4010 EMERSON LOOP RD THE DALLES, OR 97058
River Basin:	Hood Basin
Water Source:	A WELL > FIFTEENMILE CREEK
Authorized Use of Water:	IRRIGATION ON 59.41 Acres
Maximum Diversion/ Appropriation Rate:	0.74 CFS

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

County of Use:	Yamhill
Application File Number:	S-86888
Permit Number:	S-54456
Applicant:	ELK COVE VINEYARDS INC.
Address:	27751 NW OLSON RD GASTON, OR 97119
River Basin:	Willamette Basin
Water Source:	A RESERVOIR > WILLIAMS CANAL UNNAMED STREAM > WILLIAMS CANAL
Authorized Use of Water:	IRRIGATION ON 66.10 Acres POND MAINTENANCE
Maximum Diversion/ Appropriation Rate:	0.83 CFS 0.09 CFS 9.19 AF

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: Marion
Application File Number: G-16466
Permit Number: G-16132
Applicant: POHLSCHNEIDER FARMS INC.
Address: 17904 FRENCH PRAIRIE RD SAINT PAUL, OR 97137
River Basin: Willamette Basin
Water Source: WELL 1 AND WELL 2 > CHAMPOEG CREEK
Authorized Use of Water: NURSERY USES ON 490.00 Acres
Maximum Diversion/
Appropriation Rate: 5.0 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2011 to October 1, 2026.

County of Use: Baker
Application File Number: G-16941
Permit Number: G-16347
Applicant: TEW, KENNETH
Address: 39172 OLD HWY 30 BAKER CITY, OR 97814
River Basin: Powder Basin
Water Source: A WELL > BALDOCK SLOUGH
Authorized Use of Water: SUPPLEMENTAL IRRIGATION ON 40.00 Acres
Maximum Diversion/
Appropriation Rate: 0.5 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, 2013.

County of Use: Yamhill
Application File Number: G-16139
Permit Number: G-15736
Applicant: HALSEY RESOURCES LLC
Address: 51 GARIBALDI LAKE OSWEGO, OR 97035
River Basin: Willamette Basin
Water Source: WELL 1, WELL 2, WELL 3 > SPRING BROOK
Authorized Use of Water: IRRIGATION ON 10.00 Acres
Maximum Diversion/
Appropriation Rate: 0.125 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2008 to October 1, 2017.

County of Use: Malheur
Application File Number: G-16654
Permit Number: G-16344
Applicant: TOMMY E AND BARARA MOORE
Address: PO BOX 237 JORDAN VALLEY OR 97910
River Basin: Owyhee Basin
Water Source: A WELL > HOOKER CREEK
Authorized Use of Water: IRRIGATION ON 125.00 Acres
Maximum Diversion/
Appropriation Rate: 1.56 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: Jackson
Application File Number: S-80161
Permit Number: S-53270
Applicant: KOLODNY, ROBERT J.
Address: 14914 RANCHO REAL DEL MAR, CA 92014
River Basin: Rogue Basin
Water Source: LOST CREEK RESERVOIR > TRAIL CREEK
Authorized Use of Water: IRRIGATION ON 2.40 Acres
Maximum Diversion/
Appropriation Rate: 7.2 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, 2013.

County of Use: Washington
Application File Number: G-15629
Permit Number: G-15330
Applicant: KRAXBERGER GORRETTA LLC
Address: PO BOX 2073 BEAVERTON, OR 97075
River Basin: Willamette Basin
Water Source: A WELL > TUALATIN RIVER
Authorized Use of Water: NURSERY USES ON 50.90 Acres
Maximum Diversion/
Appropriation Rate: 0.189 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2007 to October 1, 2017.

County of Use: Lane
Application File Number: G-13645
Permit Number: G-12896
Applicant: KING ESTATE WINERY INC.
Address: 80854 TERRITORIAL HWY EUGENE, OR 97405
River Basin: Middle Coast Basin
Water Source: FIVE WELLS > NORTH FORK SUISLAW RIVER
A SUMP > NORTH FORK SIUSLAW RIVER
Authorized Use of Water: AGRICULTURE USES
INDUSTRIAL/MANUFACTURING USES
IRRIGATION ON 412.00 Acres
Maximum Diversion/
Appropriation Rate: 1.27 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2010 to October 1, 2020.

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 July 02, 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-1474

VEHRS, ROGER K. 2300 TULARE ST #120 FRESNO, CA 93721
POD: 1 GALESVILLE RES > COW CR
SE 1/4 NE 1/4 Section 6 T 27.00S R 6.00W WM
Douglas County
2.0 AFT for AGRICULTURE USES

LL-1473

WALDEN, PAM 10505 NE RED HILLS RD DUNDEE, OR 97115
POD: 1 A WELL > HARVEY CR
NE 1/4 SW 1/4 Section 23T 3.00S R 3.00W WM
Yamhill County
0.216 CFS for IRRIGATION

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 July 09, 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.

County: Grant
Instream Lease Number: IL 906

** Lessor **
JEWELL, WILLIAM T.
45977 HIGHWAY 402
KIMBERLY, OR 97848-6238

Reach: FROM THE POD TO THE MOUTH OF THE NORTH FORK OF THE JOHN DAY RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:48235 RR * S	24534	11/16/1956	IR	0.19	37.69	N FORK JOHN DAY RIVER	JOHN DAY RIVER	7.6

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 July 18, 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: WASHINGTON
Transfer: 11612
Water Right: CERT 36440; 36441; 86081
Priority Date: MAY 2, 1957; FEBRUARY 23, 1962;
JANUARY 21 1959
Name: TUALATIN VALLEY WATER DISTRICT
1850 SW 170TH AVE
BEAVERTON, OR 97075
Change: ADDITIONAL POINT OF APPROPRIATION
Source: ALOHA HUBER WELL #1

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 July 18, 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-11219 filed by David and Deborah Hansen, 84599 Highway 339, Milton-Freewater, OR 97862, proposes a point of diversion (POD) change under Certificate 12806. The right allows the use of 2.25 miner's inches from the Little Walla Walla River in Sec. 1, T5N, R35E, W.M. for irrigation in Sec. 1. The applicants propose to move the POD within Sec. 1. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11399 filed by Carlton Nursery Co. LLC, PO Box 398, Dayton, OR 97114, proposes a place of use change under Certificates 79467 and 79468. The rights allow the use of 4.245 cubic feet per second from Lambert Slough in Sec. 3 and 10, T 5 S, R 3 W, W.M. and 408.25 acre-feet from Willamette Basin Project reservoirs, for primary and supplemental irrigation, nursery and agricultural uses in Sec. 3, 4, 9 and 10. The applicant proposes to change the place of use to Sec. 3, 4, 9, 10 and 16. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11400 filed by Allan Elliott, for Carlton Nursery Co. LLC, PO Box 398, Dayton, OR, proposes changes in point of appropriation (POA) and place of use (POU) under Registration Application GR-2034 (Certificate of Registration GR-1960). The registration allows the use of 322 gallons per minute from a well in Sec. 3, T5S, R3W, W.M. for irrigation in Sec. 3, 4, 9 and 10. The applicant proposes to change the POA to 5 wells in Sec. 9, 16, 28 and 33, and to change the POU to Sec. 4, 16, 27, 28, 33 and 34. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

T-11565 and T-11566 filed by Melvin Kaufman 11155 Kaufman Rd. NE, Silverton, OR 97381, propose place of use changes under Registration Application GR-638 (Certificate of Registration GR-603). The registration allows the use of 115 gallons per minute from a well in Sec. 7, T6S, R1W, W.M. for irrigation in Sec. 7. The applicant proposes under T-11565 to change the place of use to other lands within Sec. 7 for the 2013, 2014 and 2015 irrigation seasons. T-11566 proposes to change the place of use back to the original lands at the end of the 2015 irrigation season. The Water Resources Department proposes to the modifications, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

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: LANE
Transfer: 11610
Water Right: CERT 84375
Priority Date: JANUARY 2, 1990
Name: TOM JOHNS
73416 ABEENE LANE
COTTAGE GROVE, OR 97424
Change: PLACE OF USE
Source: COAST FORK WILLAMETTE RIVER

District Permanent Transfers (ORS 540.580)

A district may request to permanently change the place of use within district boundaries. A district may provide notice to the Department of a change before it is made, and shall submit a district permanent application prior to the end of the calendar year in which the change occurs. The Department shall approve the transfer application provided it does not cause injury to existing water rights or expand the water use. The final order approving the permanent transfer is subject to protest.

This public notice also includes district notices of proposed changes. The Department will accept comments on injury and enlargement of changes in place of use associated with the notice and use those comments in the review of the proposed change.

The Department seeks public comment on recently filed district transfer applications listed below. The deadline for comments or protests to the transfer application must be received by the Department on or before July 18, 2013. The Department will hold a contested case hearing if: 1) a protest and \$600 protest fee for non-applicant and \$300.00 protest fee for applicant are received within the time allowed; or 2) the Department finds a hearing is needed to determine whether the proposed changes would result in injury to existing rights. (If a water user believes that a proposed change could injure a water delivery within a district's boundaries, the matter will be resolved directly between the district and the water user.)

Notice of District

County: DESCHUTES
Permanent Transfer: NOTICE #T-2013-009
Certificate: 83571, 76714
Priority Date: 1900, 1907, 1913
Name: CENTRAL OREGON IRRIGATION DISTRICT
Address: 1055 SW LAKE COURT, REDMOND, OR 97756
Change: POU
Source: DESCHUTES RIVER
Acres: 1.15
Authorized POU: T17S R14E 27, T18S R13E 03
Proposed POU: T17S R14E 27

Transfer Applications: Government Action

The owner of a water right may give the Department notice of a change in point of diversion or an additional point of diversion because government action has resulted in or has created a reasonable expectation of a change in the surface level of a surface water source that impairs or threatens to impair access to a point of diversion authorized by a water right permit, certificate or decree. Pursuant to ORS 540.610(6), the Department shall issue a decision on a government action transfer notice within 60 days after the Department receives notice from the owner.

The Department seeks public comment on the recently filed government action transfer notice(s) listed below. Comments must be received by the Department on or before July 18, 2013.

County: UMATILLA
Transfer: 11611
Water Right: CERT 12696; 12704; 12769; 12789; 13099;
13104; 13122; 13157; 13219; 13220; 13233;
13234; 13281; 76328
Priority Date: 1873; 1876; 1877; 1908
Name: ZELL DITCH WATER USERS ASSOCIATION
54220 WALLA WALLA RIVER RD
MILTON FREEWATER, OR 97862
Change: POINT OF DIVERSION
Source: WALLA WALLA RIVER

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 July 18, 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 Westfir (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.

Knappa Water Association (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.

Certificate Issuance

Following is a list of certificates that have been recently issued. If you are viewing this electronically then you should be able to view the certificate by clicking on the underlined blue text. Appeal rights are provided on each certificate document.

If under the file number the "App:" abbreviation for application is provided then any person owning an application, permit or water right certificate subsequent in priority to a certificate listed here may file a protest within three months of issuance of the certificate. See Oregon Revised Statutes 537.260. Rules governing protests are in Oregon Administrative Rules Chapter 690 division 002. Any protest must be accompanied by a protest fee of \$600. (ORS 536.050(1)(j)(A)).

File Number	Basin Number	County	Priority Date	Issue Date	Name
Xfer: T 8276 Cert#-88019	16	DOUG	03/12/1951	06/12/2013	ARTH, JOSEPH G. ARTH, ANDREA
Xfer: T 8160 Cert#-88018	15	JOSE	05/05/1920	06/12/2013	BUTLER, RICHARD E. BUTLER, LINDA L.
App: G 16387 Cert#-88454	2	MULT	02/11/2005	06/12/2013	CITY OF PORTLAND; PARKS AND RECREATION
Xfer: T 8835 Cert#-88452	18	LINC	05/16/1929	06/12/2013	CITY OF WALDPOR
Xfer: T 8835 Cert#-88453	18	LINC	08/31/1931	06/12/2013	CITY OF WALDPOR
Xfer: T 9958 Cert#-87992	2	WASH	03/26/1958	06/07/2013	ESHKAGHI, DAVID N. ESHKAGHI, LINDA A.
Xfer: T 8606 Cert#-88006	16	DOUG	06/11/1990	06/12/2013	GATES, JOHN H. GATES, SUZANNE R.

File Number	Basin Number	County	Priority Date	Issue Date	Name
Xfer: T 7940 Cert#-88023	15	JACK	12/31/1892	06/12/2013	NIKODYM, THOMAS L. NIKODYM, DEBRA A.
Xfer: T 10928 Cert#-88093	16	DOUG	02/27/1930	06/07/2013	OTIS, M C.
Xfer: T 7781 Cert#-88016	4	WASC	03/09/1976	06/12/2013	PEICKERT, STAN
Xfer: T 8638 Cert#-87966	4	WASC	12/31/1908	06/07/2013	POWELL, R DOUGLAS
Xfer: T 6668 Cert#-87983	17	COOS	05/31/1966	06/07/2013	ROBISON, DELMER ROBISON, SUSAN
Xfer: T 6669 Cert#-87984	17	COOS	05/31/1966	06/07/2013	ROBISON, DELMER ROBISON, SUSAN
Xfer: T 10379 Cert#-88081	15	JOSE	04/30/1997	06/07/2013	ROGUE COMMUNITY COLLEGE
App: R 74440 Cert#-88463	17	CURR	08/23/1994	06/14/2013	SEA WIND FARMS INC.
Xfer: T 7215 Cert#-88017	17	CURR	02/25/1982	06/14/2013	SEAWIND FARMS INC.
Xfer: T 6982 Cert#-88002	16	DOUG	04/05/1950	06/12/2013	THE NICHOLS FAMILY LIMITED PARTNERSHIP
Xfer: T 8165 Cert#-87989	16	DOUG	08/19/1968	06/07/2013	WENTZ, GLENN G. WENTZ, MARILYN L.

File Number	Basin Number	County	Priority Date	Issue Date	Name
Xfer: T 7076 Cert#-88059	4	WASC	05/03/1909	06/07/2013	WOLF RUN WATER USERS ASSOCIATION
Xfer: T 9166 Cert#-88004	16	DOUG	05/01/1979	06/12/2013	ZUVER, DENNIS ZUVER, LUELLA
Xfer: T 9167 Cert#-88005	16	DOUG	08/21/1967	06/12/2013	ZUVER, DENNIS ZUVER, LUELLA

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
June 18, 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:

* 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.)