

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
September 3, 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.
- * **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.
- * **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.
- * **Water Management and Conservation Plans Progress Reports**
Water management and conservation plan progress reports submitted by municipalities 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, October 03, 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 \$25. (Any person paying \$25 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, October 18, 2013.

The protest filing fee is \$350 for the applicants and \$700 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 \$200 to retain the ability to participate in future proceedings relating to an application. Before participation is allowed, an additional \$500 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.

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:

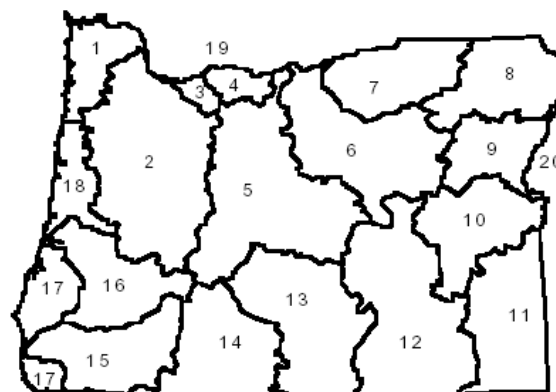
- * Type of use (see abbreviations below)

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



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 \$25.00 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
S-87539	2	LANE	10/15/2009	WHITEWATER RANCH LLC		08/22/2013
S-87538	2	LANE	10/15/2009	WHITEWATER RANCH LLC		08/23/2013
S-87894	2	POLK	03/11/1993	GSI WATER SOLUTIONS INC.	KIM GRIGSBY	08/28/2013
LL-1492	1	CLAT	08/14/2013	WESTERLUND LOG HANDLERS LLC		09/03/2013

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 November 02, 2013.

[R-87925](#)

MARTIN, DEREK 27629 SIUSLAW RIVER ROAD LORANE, OR 97451 MARTIN, JANET 27629
SIUSLAW RIVER ROAD LORANE, OR 97451

POD: 1 A SPRING > FARMAN CREEK

SE 1/4 NE 1/4 Section 14T 20.00S R 5.00W WM

Lane County

1.0 AFT for MULTIPLE PURPOSE

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 September 17, 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-1494

BP WEST COAST PRODUCTS LLC ATTN TERRI MALONE PO BOX 83409 PORTLAND, OR 98783
POD: 1 WILLAMETTE R > COLUMBIA R
SW 1/4 NE 1/4 Section 2 T 1.00N R 1.00W WM
Multnomah County
2.23 CFS for INDUSTRIAL/MANUFACTURING USES

LL-1495

CP CONSTRUCTION LLC TJ THAYER 225 DRIVER VALLEY RD STE 100 OAKLAND, OR 97462
POD: 1 CALAPOOIA R > WILLAMETTE R
NE 1/4 SW 1/4 Section 24T 14.00S R 1.00W MD
Linn County
15 GPM for ROAD CONSTRUCTION

LL-1496

PATE, JANIS c/o STUNTZNER ENGINEERING BILL FLATS 2137 19TH AVE FOREST GROVE, OR 97116
POD: 1 A WELL > CHEHALEM CR
SW 1/4 NW 1/4 Section 3 T 3.00S R 3.00W WM
Yamhill County

POD: 2 A WELL > CHEHALEM CR
SE 1/4 SE 1/4 Section 4 T 3.00S R 3.00W WM
Yamhill County
0.17 CFS for IRRIGATION

LL-1497

CLACKAMAS COUNTY WATER ENVIRONMENT SERVICES RANDY ROSANE 150 BEAVERCREEK RD OREGON CITY, OR 97045
POD: 1 SANDY R > COLUMBIA R
NE 1/4 SE 1/4 Section 32T 2.00S R 7.00E WM
Clackamas County
40 GPM for INDUSTRIAL/MANUFACTURING USES (TRACER STUDY)

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 October 03, 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: LAKE
Transfer: 11655
Water Right: CERT 87225
Priority Date: APRIL 27, 1983
Name: AARON BORROR PO BOX 38 FORT ROCK, OR 97735
Change: place of use
Source: A WELL

County: JOSEPHINE
Transfer: 11656
Water Right: CERT 7471
Priority Date: MARCH 10, 1927
Name: DAVID LOMMEL 4338 FISH HATCHERY RD GRANTS PASS, OR 97527
Change: additional point of diversion
Source: SLATE CREEK

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 \$700 protest fee for non-applicant and \$350.00 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 October 03, 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-10898 filed by Steve and Carolyn Mullin of Blue Mtn. Angus, LLC, 64444 Indian Creek Rd., Prairie City, OR 97869, proposes to change the point of diversion and place of use under a portion of Certificate 25844. The right allows the use of 0.01 cfs per each thousand head of cattle from a diversion on Indian Creek within Sec. 3, T14S, R33 E, W.M., for Stockwater in Section 28. The applicant proposes to change the place of use to Section 4, and change the point of diversion upstream in Sec. 10. The Water Resources Department has concluded that the proposed transfer does not appear to be consistent with the requirements of ORS Chapter 540, OAR 690-380-2110 and 690-380-5000.

T-11046 filed by Paul Zehr, 52747 County Road., Milton-Freewater, OR 97862, proposes to modify the point of appropriation (POA) and place of use (POU) under a portion of Groundwater Registration Application GR-1137, (Certificate of Registration GR-1097). The registration claims the use of 25 gallons per minute from two wells within the Little Walla Walla River Basin in Sec. 34, T6N, R35E, W.M., for irrigation in Sec. 34. The applicant proposes to modify the POU for one acre and modify the POA to two new wells, 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-11539 filed by Jason and Charleen Derstine, 83902 Winesap Rd., Milton-Freewater, OR 97862, proposes to change the place of use for three existing water rights. Certificate 86961 allows the use of 1/80th of a cfs (priority date 1912), Certificate 86964 allows the use of 3/80th of a cfs (priority date 1/16/1959), and Certificate 87556 (priority date 9/28/1978) all from a diversion on the Little Walla Walla River, for primary and supplemental irrigation in Section 34, T 6 N, R 35 E., W.M. The applicant proposes to change the place of use to within a different ~~¼~~ in Section 34. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540, OAR 690-380-2200, and 690-380-5000.

Water Management and Conservation Plans Progress Reports

Pursuant to OAR 690-086-0120(4) and (5), the Department is required to give notice of progress reports on Water Management and Conservation Plans.

Any person may review and comment on these progress reports. The Department requests that comments be submitted no later than 30 days after the date of this notice. Progress reports have been submitted by the following municipal supplier(s):

McMinnville Water and Light (Municipal)

If you are interested in reviewing the document, it is available online for the next 30 days at:
<http://filepickup.wrd.state.or.us/files/Publications/WMCP/Plans%20on%20Public%20Notice/>

For information please contact Lisa Jaramillo at 503 986-0880

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 \$700. (ORS 536.050(1)(j)(A)).

File Number	Basin Number	County	Priority Date	Issue Date	Name
Xfer: T 9590 Cert#-88805	6	GRAN	03/12/1920	08/30/2013	DOWDY, RON; RONALD DOWDY TRUSTEE AND JOYCE DOWDY TRUSTEE DOWDY, JOYCE; RONALD DOWDY TRUSTEE AND JOYCE DOWDY TRUSTEE
Xfer: T 8365 Cert#-88803	15	JOSE	12/08/1910	08/29/2013	PERDUE, GREG
Xfer: T 8365 Cert#-88804	15	JOSE	07/31/1919	08/29/2013	PERDUE, GREG

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
September 3, 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 \$25 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 \$25 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.)