

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
January 21, 2014

*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.
- * **Water Right Cancellations**
Abandonment of perfected and developed water rights and requests to cancel all or a portion of rights.
- * **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 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.

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, February 20, 2014. 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, March 07, 2014.

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:

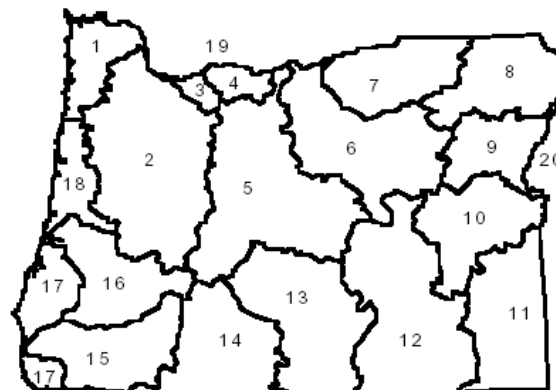
- * Type of use (see abbreviations below)

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



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
G-17704	FLY, RICHARD L. 36981 DUSTY LANE BURNS, OR 97720						PFO 2
	12 A WELL > MALHEUR LAKE	23.00S 32.50E 17 NWSW	Harney	07/24/2013	2.67C		
	12 A WELL > MALHEUR LAKE	23.00S 32.50E 17 NENW	Harney	07/24/2013	2.67C		
	12 A WELL > MALHEUR LAKE	23.00S 32.50E 17 SWNW	Harney	07/24/2013	2.67C		
	12 A WELL > MALHEUR LAKE	23.00S 32.50E 17 SENW	Harney	07/24/2013	1.67C		
Uses:	IR						
G-17689	K DIAMOND INC 44962 SCHOOLHOUSE RD HAINES, OR 97833						PFO 2
	9 A WELL > BALDOCK SLOUGH	8.00S 40.00E 2 SWSW	Baker	06/27/2013	2.45C		
	9 A WELL > BALDOCK SLOUGH	8.00S 40.00E 3 NWSE	Baker	06/27/2013	0.99C		
Uses:	IR						
G-17663	SINGHOSE, LORISSA PO BOX 55 RILEY, OR 97758 SINGHOSE, PHILLIP PO BOX 55 RILEY, OR 97758						PFO 2
	12 WELL > SILVER CREEK	24.00S 27.00E 12 SWSW	Harney	05/01/2013	2.5C		
Uses:	IR						
G-17647	HAY INC. 65579 WOLF CREEK LN NORTH POWDER, OR 97867-9123 WILLIAMS, JASON 65579 WOLF CREEK L						PFO 2
	9 A WELL > WARM SPRINGS	7.00S 39.00E 4 SENE	Baker	04/15/2013	1.3925C (est)		
	9 A WELL > WARM SPRINGS	7.00S 39.00E 4 SENE	Baker	04/15/2013	1.3925C (est)		
	9 A WELL > WARM SPRINGS	6.00S 39.00E 34 SESE	Baker	04/15/2013	1.3925C (est)		
	9 A WELL > WARM SPRINGS	6.00S 39.00E 34 SESE	Baker	04/15/2013	1.3925C (est)		
Uses:	IS						
G-17609	GREATER ALBANY PUBLIC SCHOOL DISTRICT 3610 GRAND PRAIRIE RD ALBANY, OR 97322						PFO 2
	2 A WELL > TRUAX CREEK	11.00S 3.00W 3 NWNE	Linn	12/26/2012	0.26C		
	2 A WELL > THORTON LAKE	10.00S 3.00W 31 SWSW	Linn	12/26/2012	0.183C (est)		
	2 A WELL > THORTON LAKE	10.00S 4.00W 36 SESE	Linn	12/26/2012	0.183C (est)		
	2 A WELL > PERIWINKLE CREEK	11.00S 3.00W 17 SESW	Linn	12/26/2012	0.318C		
	2 A WELL > CALAPOOIA RIVER	11.00S 4.00W 13 NENW	Linn	12/26/2012	0.142C (est)		
	2 A WELL > CALAPOOIA RIVER	11.00S 4.00W 12 SESW	Linn	12/26/2012	0.142C (est)		
	2 A WELL > CALAPOOIA RIVER	11.00S 4.00W 13 NENW	Linn	12/26/2012	0.142C (est)		
	2 A WELL > CALAPOOIA RIVER	11.00S 4.00W 13 NENW	Linn	12/26/2012	0.142C (est)		
	2 A WELL > CALAPOOIA RIVER	11.00S 3.00W 7 NWSW	Linn	12/26/2012	0.084C		
	2 A WELL > PERIWINKLE CREEK	11.00S 3.00W 18 SENE	Linn	12/26/2012	0.093C		
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 \$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-87907	7	UMAT	06/14/2013	BUREAU OF RECLAMATION; UMATILLA FIELD OFFICE	C/O BORIS BELCHOF	01/09/2014
G-16808	5	DESC	03/14/2007	OUNTY OF DESCHUTES; PROPERTY AND FACILITIES DEPAR	SUSAN ROSS	01/10/2014
G-17440	2	CLAC	11/27/2010	DEMARTINI FAMILY FARMS INC.	DICK DEMARTINI	01/16/2014

Water Right Cancellations

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

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

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

COUNTY: UMATILLA
CERTIFICATE: 13022, IN THE NAME OF ELWOOD E. PIPER
PRIORITY DATE: 1885
SOURCE: WALLA WALLA RIVER > COLUMBIA RIVER
LANDOWNERS: CITY OF MILTON-FREEWATER
ADDRESS: PO BOX 6, MILTON-FREEWATER, OR 97862
USE: IRRIGATION
QUANTITY: 1.5 MINERS INCH
ACRES: 0.31
LOCATION: T5N R35E SEC 2

COUNTY: TILLAMOOK
CERTIFICATE: 21778, IN THE NAME OF FRANK PORTMANN
PRIORITY DATE: APRIL 3, 1951
SOURCE: BEWLEY CREK > TILLAMOOK RIVER
LANDOWNERS: KENNETH FALLON
ADDRESS: PO BOX 37, LINCOLN CITY, OR 97367
USE: IRRIGATION
QUANTITY: 0.19 cfs
ACRES: 15.2
LOCATION: T2S R9W SEC 18 TAX LOT 600

COUNTY: UMATILLA
CERTIFICATE: 13022, IN THE NAME OF ELWOOD E. PIPER
PRIORITY DATE: 1885
SOURCE: WALLA WALLA RIVER > COLUMBIA RIVER
LANDOWNERS: CITY OF MILTON-FREEWATER
ADDRESS: PO BOX 6, MILTON-FREEWATER, OR 97862
USE: IRRIGATION
QUANTITY: 1.5 MINERS INCH
ACRES: 0.31
LOCATION: T5N R35E SEC 2

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 \$25. (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 March 07, 2014.

There is no fee for submission of comments. The protest filing fee is \$350 for the applicant and \$700 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

1.) OAR-690-315

County of Use: Jackson
Application File Number: S-86245
Permit Number: S-54489
Applicant: PADRE PROPERTIES LLC
Address: PO BOX 1032 HUGHSON, CA 95326
River Basin: Rogue Basin
Water Source: APPELEGATE RESERVOIR > APPELEGATE RIVER
APPELEGATE RIVER > ROGUE RIVER
Authorized Use of Water: IRRIGATION ON 37.00 Acres
Maximum Diversion/
Appropriation Rate: 111.0 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, 2015.

County of Use: Clackamas
Application File Number: G-15003
Permit Number: G-13811
Applicant: LORI KLINGE SCHMITZ AND JOHN SCHMITZ
Address: 28262 S MERIDIAN RD AURORA, OR 97002
River Basin: Willamette Basin
Water Source: FIVE WELLS > PUDDING RIVER BASIN
Authorized Use of Water: IRRIGATION ON 35.26 Acres
Maximum Diversion/
Appropriation Rate: 0.441 CFS, BEING UP TO 0.401 CFS FROM ANY ONE WELL

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2013 to October 1, 2015.

Applications for Limited Licenses

A limited license allows the right to use or store water for no more than 5 consecutive years. Use of water under a limited license is subordinate to all other authorized uses and may be shut-off at any time to satisfy those other uses. In addition, the Department may revoke a limited license if its use causes injury to any other water right or minimum perennial streamflow.

Licensees must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after February 04, 2014, 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-1505

CITY OF LAKE OSWEGO, C/O TERRY BUCHHOLZ 13370 SW 31ST ST BEAVERTON, OR 97008

POD: 1 WILLAMETTE R > COLUMBIA R

SW 1/4 SW 1/4 Section 19T 2.00S R 2.00E MD

CLACKAMAS COUNTY

8000 GPM for GENERAL CONSTRUCTION OR MAINTENANCE

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 February 20, 2014, 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-11454 filed by Rick A. Hufstader and Cynthia E. Strickland, P.O. BOX NK 116, Naukati, Alaska 99950, proposes to change the place of use and point of diversion for an existing water right. Certificate 86539 allows the use of 1/40th of a cfs (priority date 6/28/1949) from a diversion on the John Day River, for primary irrigation in Sections 18 and 19, T 13 S, R 29 E, W.M. The applicant proposes to change the point of diversion to within Section 18. 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.

T-11686 filed by Pine Meadow Ranch, PO Box 696, Sisters, OR 97759, proposes a point of diversion change under Certificate 75141. The right allows the use of 0.44 cubic foot per second from Whychus Creek in Sec. 17, T15S, R10E, W.M. for irrigation in Sec. 8. The applicant proposes to move the point of diversion downstream approx. 1.25 miles to Sec. 9, T15S, R10E, W.M. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

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 9800 Cert#-88594	7	UMAT	06/04/1980	01/17/2014	BLAKELY, KEVIN BLAKELY, COLETTE
Xfer: T 8863 Cert#-88541	15	JACK	07/10/1957	01/17/2014	BRUCE, CHUCK BRUCE, BILL
Xfer: T 8863 Cert#-88542	15	JACK	11/21/1961	01/17/2014	BRUCE, CHUCK BRUCE, BILL
Xfer: T 10214 Cert#-88592	16	DOUG	06/27/1977	01/17/2014	HENDRICK, ALVIN L. LEVASSEUR JR, ARTHUR H.
Xfer: T 9580 Cert#-88599	16	DOUG	09/24/1928	01/17/2014	HOOPER, STEVEN HOOPER, ANITA B.
Xfer: T 9574 Cert#-88602	15	JACK	10/02/1940	01/17/2014	ISOLA, LINDA J.
Xfer: T 7107 Cert#-88601	7	UMAT	05/03/1911	01/17/2014	JONES, BERT L. JONES, DOROTHY M.

File Number	Basin Number	County	Priority Date	Issue Date	Name
Xfer: T 7174 Cert#-88597	16	DOUG	12/22/1921	01/17/2014	JONES, RICHARD D.
Xfer: T 7174 Cert#-88598	16	DOUG	09/08/1954	01/17/2014	JONES, RICHARD D.
Xfer: T 8176 Cert#-88606	15	JOSE	05/31/1887	01/17/2014	KEIFER, J A.
Xfer: T 8019 Cert#-88600	15	JACK	03/24/1982	01/17/2014	MADDOX, DANIEL RUPERT
Xfer: T 7144 Cert#-88595	16	DOUG	09/02/1983	01/17/2014	MALONE, DOROTHY MALONE, C L.
Xfer: T 6611 Cert#-88609	16	DOUG	05/13/1963	01/17/2013	MCCUE, DANIEL MCCUE, PENELOPE
Xfer: T 8653 Cert#-88912	8	UNIO	12/31/1872	01/17/2014	ORODELL DITCH ASSOCIATION
Xfer: T 6663 Cert#-88607	2	LANE	12/06/1978	01/17/2014	RIVER RIDGE LTD
Xfer: T 8211 Cert#-88815	15	JACK	02/16/1918	01/17/2013	STONE, SHIRLEY M.
Xfer: T 10804 Cert#-88758	6	WHEE	12/31/1895	01/17/2014	VANDEHEY, ROBERTA
Xfer: T 10804 Cert#-88759	6	WHEE	05/02/1979	01/17/2014	VANDEHEY, ROBERTA
Xfer: T 10283 Cert#-88596	15	JOSE	07/15/1965	01/17/2014	WARREN, LYNDA ROGUE COMMUNITY COLLEGE

File Number	Basin Number	County	Priority Date	Issue Date	Name
Xfer: T 7098 Cert#-88608	2	MARI	04/30/1975	01/17/2014	ZITZELBERGER, JIM

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
January 21, 2014

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:

* 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.)