## OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A Salem OR 97301

## PUBLIC NOTICE OF WATER USE REQUESTS January 28, 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.
- \* Extension of Time Checkpoint Progress Reports filed pursuant to OAR 690-320 Documents the progress made toward development of the water use project since approval of the last permit extension and/or the last progress report checkpoint. (OAR 690-320 pertains to permit extension applications filed before July 1, 2001.)
- \* Extension of Time Checkpoint Progress Reports filed pursuant to OAR 690-320 Documents the progress made toward development of the water use project since approval of the last permit extension and/or the last progress report checkpoint. (OAR 690-320 pertains to permit extension applications filed on or after July 1, 2001.)
- \* 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 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.
- \* Ground Water Registration Modifications
  Applications requesting Department recognition of changes in point of appropriation, place of use and character of use under a ground water certificate of registration.
- \* Certificate Issuance
  Included in this section is a listing of recently issued water right certificates.

The Public Notice is published each week on the Department's web site at http://www.wrd.state.or.us/ If you would like to receive a <i>free</i> weekly notification when it is published, please send your request t "Codi.N.Holmes@wrd.state.or.us".	'. o

## 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.

## <u>Initial Review Stage (IR in the "Stage" column of the permit listing)</u>

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 27, 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 14, 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	•	JOHN PO BOX 123 EUGENE OR 97123 A WELL > SPRING CR IR	16.00S 03.00W 19 NESW	Lane	01/29/2002	0.3700 C	IR 3

## 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:

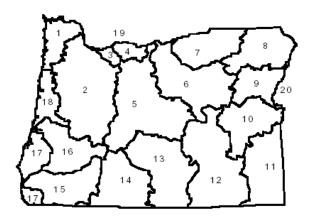
#### BASINS:

- 1. North Coast
- 2. Willamette
- 3. Sandy
- 4. Hood
- 5. Deschutes
- 6. John Day
- 7. Umatilla
- 8. Grande Ronde
- 9. Powder
- 10. Malheur

- 11. Owyhee
- 12. Malheur L.
- 13. Goose/Summer L.
- 14. Klamath
- 15. Rogue
- 16. Umpqua
- 17. S. Coast
- 18. Mid-Coast
- 19. Columbia
- 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 &	PA:	Pollution abatement
CS:	Campground		supplemental	PW:	Power
DI, DN	I:Domestic including	ID:	Irrigation with domestic	QM:	Quasi-municipal
	non-commercial lawn & garden	IL:	Irrigation with livestock	RC:	Recreation
DO:	Domestic	IM:	Industrial or manufacturing	RW:	Road construction
DS:	Domestic & stock	IR:	Irrigation	ST:	Storage
FI:	Fish	IS:	Irrigation, supplemental	SW:	Swimming
FP:	Fire protection	LV:	Livestock	TC:	Temperature control
FW:	Fish & wildlife	LW:	Livestock & wildlife	WI:	Wildlife
GD:	Group domestic	MI:	Mining		



<sup>\*</sup> Type of use (see abbreviations below)

App#	Basin	Source	Township/Range	County	Priority	Quantity Sta	age Status
G-1773	<u>31</u>	MORRIS III, WILLIAM L. 3244 GOODENOUGH	RD FILLMORE, CA 93015	MORRIS, SH	ELLY A. 3244	GOODENO	IR
Uses:	1 AQ IR	A WELL > WESTPORT SLOUGH	7.00N 5.00W 4 NENE	Columbia	10/21/2013	2.00	
G-1772	29	WENDT FAMILY LLC 15647 MAXWELL LANE HA	INES, OR 97833				IR
Uses:	9 IS	A WELL > LITTLE MUDDY CREEK	7.00s 39.00E 8 SWSW	Baker	10/23/2013	4.2C	

## **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	
G-17440	2 CLA	C 11/27/2010	DEMARTINI FAMILY FARMS INC.	DICK DEMARTINI	01/16/2014	
G-17576	2 WAS	Н 08/24/2012		STEPHEN CHINICK	01/24/2014	
G-17589	2 MAR	I 10/02/2012	MCLAIN VILLAGE WATER DEPARTMENT		01/24/2014	
G-17596	2 BEN	г 11/14/2012	JACKSON CREEK WATER ASSOCIATION		01/24/2014	

# 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 14, 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: Union
Application File Number: G-16902
Permit Number: G-16421

Applicant: HEFFERNAN FAMILY TRUST

Address: 63600 VIEWPOINT LANE NORTH POWDER, OR 97867

River Basin: Powder Basin

Water Source: WELLS 1, 2, 3, 4, & 5 > CLOVER CREEK

Authorized Use of Water: IRRIGATION ON 1191.00 Acres

Maximum Diversion/

Appropriation Rate: 14.9 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2013 to October 1, 2023.

County of Use: Union
Application File Number: G-17035
Permit Number: G-16386

Applicant: HEFFERNAN FAMILY TRUST

Address: 63600 VIEWPOINT LANE NORTH POWDER, OR 97867

River Basin: Powder Basin

Water Source: WELLS 1, 2, & 3 > PEACH CREEK Authorized Use of Water: IRRIGATION ON 400.00 Acres

Maximum Diversion/

Appropriation Rate: 2.229 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, 2022.

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# Extensions of Time Progress Checkpoint Progress Reports filed pursuant to OAR 690-320

Consistent with OAR 690-320-0010(10), the Department will accept public comment on the following Extension of time Checkpoint Progress Reports until February 27, 2014. Comments must be in writing and must indicate the application file and permit numbers. Following the comment period, the Department shall review evidence to determine whether or not the permit holder has been diligent in developing and perfecting the water use permit and has complied with all terms and conditions of the permit and/or extension of time. Additionally, the Department will provide notice of its determination to anyone who has submitted comments.

Extension file information is included in the following format:

- (a) Permit holder's name and address;
- (b) Application file number / permit number
- (c) County of use
- (d) Common name of water source(s) listed in the permit;
- (e) Use of water allowed under the permit;

S-51780
CITY OF WILSONVILLE
30000 SW TOWN CENTER LOOP E
WILSONVILLE, OR 97070
POD: 1 WILLAMETTE RIVER > COLUMBIA RIVER

POD: 2 WILLAMETTE RIVER > COLUMBIA RIVER

NW 1/4 SW 1/4 Section 23T 3.00S R 1.00W WM
Clackamas and Washington County
15.0 CFS (est) for MUNICIPAL USES

## **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 February 27, 2014. 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: MARION Transfer:

Transfer: 11717
Water Right: CERT GR 1069
Priority Date: AUGUST 1, 1953

IVAN AND EVDOKIA BARSUKOFF Name:

4634 S TIMBER TRAIL DR

WOODBURN, OR 97071

Change: point of appropriation Source: A WELL

County: MALHEUR
Transfer: 11719
Water Right: CERT 21028 Priority Date: JUNE 26, 1916

Name: COW CREEK RANCHES INC

2155 PONY ROCK RD

2155 PONY ROCK RD
JORDAN VALLEY, OR 97910
Change: additional point of diversion
Source: UNNAMED STREAM

County: JEFFERSON
Transfer: 11721
Water Right: CERT 87472

Priority Date: DECEMBER 31, 1888

VAUGHN G. AND JAQUETTA V. WILLOUGHBY Name:

> PO BOX 608 CAMP SHERMAN, OR 97730

Change: place of use; use Source: SOUTH FORK LAKE CREEK County: CLACKAMAS
Transfer: 11722
Water Right: CERT 88893
Priority Date: JUNE 23, 1989

RICHARD AND SHIRLEY V. GINGERICH Name:

PO BOX 910

CANBY, OR 97013

point of appropriation Change:

A WELL Source:

## **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: 11720
Water Right: CERT 33842

Water Right: CERT 33842 Priority Date: MAY 14, 1962

Name: WILLIAM B. BOOTH

93851 HORTON RD BLACHLY, OR 97412

Change: place of use Source: LAKE CREEK

## **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: CROOK Transfer: 11723

Transfer: 11723 Water Right: PERMIT G 15068; G 15657

Priority Date: SEPTEMBER 25, 2000; NOVEMBER 19, 2001

Name: GI RANCH CORP c/o MATT SMITH

15 SW COLORADO AVE SUITE 1

BEND, OR 97702

Change: point of appropriation; place of use

Source: A WELL

## **Transfer Applications: Ground Water Registration Modification**

The holder of a ground water certificate of registration may request that the Department recognize a change in point of appropriation, place of use or character of use under the ground water registration. Modifications of ground water registrations are authorized under ORS 537.610(4) and OAR Chapter 382.

The Department seeks public comment on the recently-filed applications for recognition of modifications in ground water registrations listed below. Any person may comment on an application for a ground water registration modification. Comments must be received by the Department on or before February 27, 2014. 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 recognized 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: WASCO Transfer: 11718

Transfer: 11718
Water Right: CERT 80560, 81470, 81335
Priority Date: JANUARY 27, 1958, 1911, 1901

Name: DOG RIVER ORCHARDS LLC

PO BOX 445

PARKDALE, OR 97041

PARKDALE, OR place of use Change: Source: FOREST CREEK

County: MARION, POLK Transfer: 11724 Water Right: CERT GR 3065 Priority Date: DECEMBER 31, 1943 CITY OF KEIZER Name:

PO BOX 21000

KEIZER, OR 97307-1000 point of appropriation

Change: Source: WELL 1

County: HARNEY
Transfer: 11725
Water Right: PERMIT G 16700
Priority Date: JUNE 10, 2009 Name: DEAN NIKKEL

> 36997 SANDHILL LANE BURNS, OR 97720

Change: additional point of appropriation

Source: A WELL

## **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 7205 Cert#-89013	2	YAMH	03/01/1961	01/24/2014	BERNARDS, MARVIN
App: R 86635 Cert#-88928	2	LANE	07/07/2006	01/24/2014	CARPENTER TRUST
App: R 80568 Cert#-88922	14	KLAM	08/10/1995	01/24/2014	CRYSTAL WOOD LODGE
App: R 87137 Cert#-88939	15	JACK	04/03/2008	01/24/2014	HARRIS, ABRAHAM
App: R 87571 Cert#-88934	2	LANE	01/26/2010	01/24/2014	HESS, DAVID HESS, EVELYN
Xfer: T 8356 Cert#-88976	8	UNIO	12/31/1870	01/24/2014	JELLUM, ROBERT D.
App: R 84760 Cert#-88927	2	LANE	05/24/2001	01/24/2014	JOHNSON, ARTHUR
App: R 87728 Cert#-88918	2	WASH	05/27/2011	01/24/2014	KLEIN, RICHARD

File Number	Basin Number	County	Priority Date	Issue Date	Name
App: R 81272 Cert#-88937	2	MARI	07/08/1996	01/24/2014	KUNTAR, KLARA SHIEL, DONALD L.
App: R 86988 Cert#-88914	16	DOUG	09/24/2007	01/24/2014	LEBEL, YVAN
App: R 86990 Cert#-88916	16	DOUG	09/24/2007	01/24/2014	LEBEL, YVAN
App: R 87552 Cert#-88917	2	CLAC	08/31/2009	01/24/2014	LIND, KEN LIND, LINDA
App: R 87018 Cert#-88913	16	DOUG	10/29/2007	01/24/2014	MANNING, WELDON
App: R 85520 Cert#-88933	15	JACK	03/31/2003	01/24/2014	MENTEER, JUSTON
App: R 83817 Cert#-88938	5	CROO	04/29/1998	01/24/2014	OCHOCO WEST WATER AND SANITARY AUTHORITY
App: R 81474 Cert#-88926	2	WASH	08/29/1996	01/24/2014	OHLSEN, DAVID
Xfer: T 7181 Cert#-88972	2	YAMH	06/25/1970	01/24/2014	PEKKOLA FARMS INC.
Xfer: T 7181 Cert#-88973	2	YAMH	06/25/1970	01/24/2014	PEKKOLA FARMS INC.
App: R 83348 Cert#-88930	2	WASH	04/02/1997	01/24/2014	PILKINGTON, LEIGH PILKINGTON, STEVE
Xfer: T 9449 Cert#-88977	4	HOOD	11/30/1925	01/24/2014	ROBINSON, GARY L.

File Number		Basin Number	County	Priority Date	Issue Date	JOHNSON, KAREN D. Name
App: R 73182	Cert#-88935	3	CLAC	01/22/1993	01/24/2014	STAPERFENNE, JOSEPH HICKS, SARA
Xfer: T 6590	Cert#-88975	7	UMAT	11/13/1967	01/24/2014	TAYLOR, WARREN TAYLOR, VIVIAN
Xfer: T 8359	Cert#-88968	2	WASH	07/13/1950	01/24/2014	TUALATIN VINEYARDS INC.
Xfer: T 8359	Cert#-88969	2	WASH	07/20/1951	01/24/2014	TUALATIN VINEYARDS INC.
App: R 81370	Cert#-88936	16	DOUG	08/01/1996	01/24/2014	VOGEL, WILLIAM L.
App: R 81868	Cert#-88932	15	JOSE	01/03/1997	01/24/2014	WALLER, GARY WALLER, PAT
Xfer: T 8899	Cert#-88978	2	CLAC	04/17/1951	01/24/2014	WEST LINN WILSONVILLE SCHOOL DISTRICT
Xfer: T 9786	Cert#-88970	2	WASH	07/13/1950	01/24/2014	WILLAMETTE VALLEY VINEYARDS INC.
Xfer: T 9969	Cert#-88979	7	UMAT	02/05/1981	01/24/2014	YORK, W WAYNE YORK, MARGARET VAN DECOEVERING, PATRICIA
App: R 86987	Cert#-88915	16	DOUG	09/24/2007	01/24/2014	LEBEL, YVAN

File Number		Basin Number	County	Priority Date	Issue Date	Name
App: R 87574	Cert#-88929	1	CLAT	01/26/2010	01/24/2014	MCCALL, JOHN
App: R 83376	Cert#-88931	16	DOUG	04/22/1997	01/24/2014	BAYLY, DON
Xfer: T 9786	Cert#-88971	2	WASH	07/20/1951	01/24/2014	WILLAMETTE VALLEY VINEYARDS INC.
Xfer: T 6590	Cert#-88974	7	UMAT	07/01/1924	01/24/2014	U.S. BUREAU OF RECLAMATION; PACIFIC NW REGION

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A Salem OR 97301

## PUBLIC NOTICE OF WATER USE REQUESTS

January 28, 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: <a href="http://apps.wrd.state.or.us/apps/wr/wrinfo/">http://apps.wrd.state.or.us/apps/wr/wrinfo/</a>, 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	Maii me the order				
(e.g. "Permit Application G-12345" or "Transfer T-1234"):	(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.)