

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
July 15, 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.
- * **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.
- * **Emergency Water Use Permit Applications**
Final Orders issued approving applications for temporary water use permits during a drought declared under ORS 536.740.
- * **Extension of Time Checkpoint Progress Reports filed pursuant to OAR 690-315**
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 690-315 pertains to permit extension applications filed on or after July 1, 2001.)
- * **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.
- * **Transfer Applications: Drought Temporary Transfers**
Requests to temporarily change character of use, place of use or point of diversion during a drought declared under ORS 536.740.

- * **Recommendation to Consent to Injury**
A recommendation from the agency that requested establishment of an instream water right for the Department to consent to injury of the instream water right resulting from a transfer.
- * **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 *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, August 14, 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, August 29, 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:

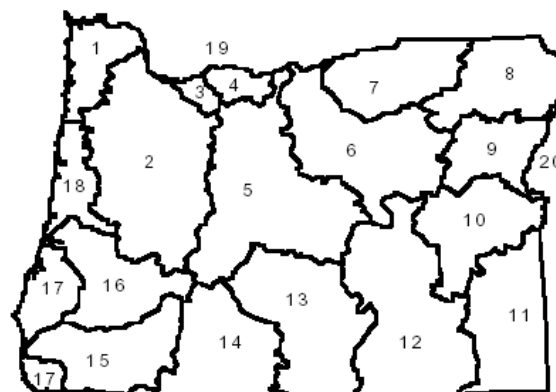
- * Type of use (see abbreviations below)

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
S-87990	MANION, AILENE 31439 COBURG BOTTOM LOOP	EUGENE, OR 97408	MANION, RICHARD 31439 COBURG BOTTO				IR 2
	2 BLUE RIVER RESERVOIR > BLUE RIVER	16.00S 4.00E 16 SESE	Lane	05/23/2014	18.5AF		
	2 COUGAR RESERVOIR > SOUTH FORK MCKENZIE R	16.00S 5.00E 31 SESE	Lane	05/23/2014	18.5AF		
	2 WALTERVILLE CANAL > MCKENZIE RIVER	17.00S 1.00W 23 NWNE	Lane	05/23/2014	0.735CFS		
	2 MCKENZIE RIVER > WILLAMETTE RIVER	17.00S 1.00W 23 NWNE	Lane	05/23/2014	0.0AF		
Uses:	IR						
G-17754	TREE TOP RANCHES LP PO BOX 8126	BOISE, ID 83707					IR 2
	11 A WELL > DICK CREEK	27.00S 38.00E 33 NESE	Malheur	01/27/2014	8.11CFS		
Uses:	IR IS						
G-17772	BENNET FAMILY LLC 8630 67TH AVE	BROOKS, OR 97305					IR 2
	2 A WELL > LITTLE PUDDING RIVER	6.00S 2.00W 28 NWSW	Marion	02/24/2014	0.035CFS		
Uses:	IR						
G-17783	RODRIGUEZ, GEORGE 213 BOAT LANDING RD	ONTARIO, OR 97914					IR 2
	10 A WELL > MALHEUR RIVER	18.00S 46.00E 13 SWSW	Malheur	03/05/2014	3.0CFS		
Uses:	IR IS						
G-17755	DKTK LLC 31595 DRIVER RD TANGENT,	OR 97389 WIRTH, TELLY 31595 DRIVER RD TANGENT,	OR 97389				IR 2
	2 A WELL > LAKE CREEK	12.00S 3.00W 9 SENE	Linn	01/28/2014	0.48CFS (est)		
	2 A WELL > LAKE CREEK	12.00S 3.00W 9 SENE	Linn	01/28/2014	0.48CFS (est)		
	2 A WELL > LAKE CREEK	12.00S 3.00W 9 SENW	Linn	01/28/2014	0.48CFS (est)		
	2 A WELL > LAKE CREEK	12.00S 3.00W 9 SENE	Linn	01/28/2014	0.48CFS (est)		
Uses:	IR						
G-17759	ACKERMAN, DOUGLAS 721 KENOLA COURT	LAKE OSWEGO, OR 97034					IR 2
	2 A WELL > AYERS CREEK	3.00S 3.00W 4 SWNE	Yamhill	02/12/2014	0.001CFS (est)		
	2 A WELL > CHEHALEM CREEK	3.00S 3.00W 4 SWNE	Yamhill	02/12/2014	0.001CFS (est)		
Uses:	IR						

App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
G-17791	ROTH, STEPHEN F. 41600 HWY 20 BROTHERS, OR 97712						IR 2
	12 A WELL > MALHEUR LAKE	23.00S 32.00E 10 NWSE	Harney	03/10/2014	1.2187CFS	(est)	
	12 A WELL > MALHEUR LAKE	23.00S 32.00E 10 NWSE	Harney	03/10/2014	1.2187CFS	(est)	
Uses:	IR						
G-17522	MOORHOUSE, KRISTI 13963 S VICK RD MOLALLA, OR 970389501						PFO 2
	2 A WELL > MOLALLA RIVER	5.00S 2.00E 4 NWSW	Clackamas	01/18/2012	0.27CFS	(est)	
	2 A WELL > MOLALLA RIVER	5.00S 2.00E 5 NENE	Clackamas	01/18/2012	0.27CFS	(est)	
Uses:	IR						
G-17523	DICKMAN FARMS INC 15829 MT ANGEL SCOTTS MILL HWY NE SILVERTON, OR 97381-9734 DICKMAN, MARK						PFO 2
	2 A WELL > BEAR CREEK	5.00S 2.00E 6 SENW	Clackamas	01/18/2012	0.17CFS		
Uses:	IR						
G-17705	OREGON DEPARTMENT OF STATE LANDS 1645 NE FORBES RD SUITE 112 BEND, OR 97701						PFO 2
	12 A WELL > MALHEUR LAKE	23.00S 32.00E 14 NWSW	Harney	07/19/2013	0.96CFS	(est)	
	12 A WELL > MALHEUR LAKE	23.00S 32.00E 14 NWNW	Harney	07/19/2013	0.96CFS	(est)	
	12 A WELL > MALHEUR LAKE	23.00S 32.00E 10 SESE	Harney	07/19/2013	0.96CFS	(est)	
	12 A WELL > MALHEUR LAKE	23.00S 32.00E 10 SENW	Harney	07/19/2013	0.96CFS	(est)	
	12 A WELL > MALHEUR LAKE	23.00S 32.00E 10 NESE	Harney	07/19/2013	0.96CFS	(est)	
	12 A WELL > MALHEUR LAKE	23.00S 32.00E 10 NESE	Harney	07/19/2013	0.96CFS	(est)	
Uses:	IR						
G-17706	OREGON DEPARTMENT OF STATE LANDS 1645 NE FORBES RD SUITE 112 BEND, OR 97701						PFO 2
	12 A WELL > MALHEUR LAKE	23.00S 33.00E 29 NWNE	Harney	07/19/2013	1.0425CFS	(est)	
	12 A WELL > MALHEUR LAKE	23.00S 33.00E 29 NWNW	Harney	07/19/2013	1.0425CFS	(est)	
	12 A WELL > MALHEUR LAKE	23.00S 33.00E 30 NWNW	Harney	07/19/2013	1.0425CFS	(est)	
	12 A WELL > MALHEUR LAKE	23.00S 33.00E 30 NWNW	Harney	07/19/2013	1.0425CFS	(est)	
Uses:	IR						
G-17707	OREGON DEPARTMENT OF STATE LANDS 1645 NE FORBES RD SUITE 112 BEND, OR 97701						PFO 2
	12 A WELL > MALHEUR LAKE	24.00S 32.00E 25 SESE	Harney	07/19/2013	1.045CFS	(est)	
	12 A WELL > MALHEUR LAKE	24.00S 32.00E 25 SENW	Harney	07/19/2013	1.045CFS	(est)	
Uses:	IR						

App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
G-17708	OREGON DEPARTMENT OF STATE LANDS 1645 NE FORBES RD SUITE 112 BEND, OR 97701						PFO 2
12	A WELL > MALHEUR LAKE	25.00S 31.00E 4 NESE	Harney	07/19/2013	1.045CFS	(est)	
12	A WELL > MALHEUR LAKE	25.00S 31.00E 4 SENE	Harney	07/19/2013	1.045CFS	(est)	
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
G-17425	14	KLAM	09/29/2010		EDWARD STUEDLI	07/09/2014
G-17455	2	MARI	03/29/2011		JANICE CORIA	07/03/2014
G-17483	18	LINC	08/23/2011	ROADS END WATER DISTRICT		07/11/2014
G-17608	10	HARN	12/20/2012	GOLDEN RULE FARMS INC.		07/03/2014
G-17649	12	HARN	04/12/2013		JOHN PEILA III	07/03/2014
G-17844	12	HARN	04/18/2014		TRAVIS SINGHOSE	07/10/2014
G-17880	12	HARN	06/20/2014		STEVEN DOVERSPIKE	07/03/2014
G-17882	10	MALH	06/30/2014		NICK DEVOS	07/07/2014
G-17886	10	MALH	07/03/2014		MARWYN PEASTER	07/10/2014
R-85167	12	HARN	05/06/2002		STACY DAVIES	07/09/2014
S-85168	12	HARN	05/06/2002		STACY DAVIES	07/09/2014
S-87880	16	DOUG	03/19/2013		CHARLES PRITCHARD	07/03/2014
S-87934	18	LANE	09/19/2013		BYRON DEVRIES	07/03/2014

Emergency Water Use Permit Applications

Under OAR 690-19-040, after the Governor declares that a severe, continuing drought exists, the Director may accept applications for emergency use permits.

The Director shall approve an application for emergency water use upon findings that the proposed use will not cause injury to existing water rights and will not impair or be detrimental to the public interest. In evaluating whether the proposed use will impair or be detrimental to the public interest, the Director shall consider the factors described in OAR 690-310-0120 and 690-310-0130; and

a

- a) The need for water because of the drought emergency; and
- b) The short-term nature of the proposed emergency use.

An emergency use permit may be issued upon approval by the Director. No hearing under ORS 537.170 is required. The Director will consider all comments received concerning the use, or proposed use, under the emergency use permit throughout the life of the permit. Use of water under a emergency use permit may be regulated at any time in accordance with the terms and conditions of the permit. If use of water under a emergency use permit causes injury to an existing water right, the permit shall be revoked unless the injury is mitigated to the satisfaction of the injured water right holder. Any use of water under an emergency use permit shall not exceed the term of the Governor's declared drought or one year.

Application	Basin	County	Date Filed	Name	Final Order Date
G-17886	10	Malheur	07/03/2014	PEASTER, MARWYN 4787 PIONEER RD ONTARIO, OR 97914	7/10/2014

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 August 14, 2014. 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 \$25 (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: S-83910](#)

Permit Number: S-53559
CHADWICK, SHANE 61982 DIAL LANE SUMMERVILLE, OR 97876
Union County
TWO UNNAMED SPRINGS > WILLOW CREEK
0.01 CFS
DOMESTIC EXPANDED
October 1, 2015

[Application Number: G-17056](#)

Permit Number: G-16535
REARDON, CHRISTOPHER 9580 SE 282ND AVE BORING, OR 97003
Clackamas County
WELL 2 > JOHNSON CREEK
0.17 CFS
NURSERY USE ON 6.94 ACRES
October 30, 2016

[Application Number: G-17230](#)

Permit Number: G-16661
BRUCK, VERNON PO BOX 2837 WILSONVILLE, OR 97070
Clackamas County
WELL 1 > WILLAMETTE RIVER
WELL 2 AND WELL 3 > NEWLAND CREEK
0.87 CFS
NURSERY USE ON 69.7 ACRES
October 1, 2024

Application Number: G-17062

Permit Number: G-16483

VETTER ENTERPRISES LLC PO BOX 755 HINES, OR 97738

Harney County

WELL 1, 2, 3, AND 4 > MALHEUR SLOUGH

9.0 CFS

IRRIGATION USE ON 720.0 ACRES

October 30, 2019

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 August 29, 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:	Crook
Application File Number:	G-14594
Permit Number:	G-13426
Applicant:	DEMAN, LARRY; SCHELL, PETE AND SCHWARTZ, NANCY; SMITH, JOSHUA
Address:	2325 NW 35TH ST PRINEVILLE, OR 97753; 7401 SE PATRIOT LANE PRINEVILLE, OR 97754; 7376 SE PATRIOT LANE PRINEVILLE, OR 97754
River Basin:	Deschutes Basin
Water Source:	TWO WELLS > DRY CREEK
Authorized Use of Water:	IRRIGATION ON 19.00 Acres
Maximum Diversion/ Appropriation Rate:	0.238 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial use from October 1, 2002 to October 1, 2018.

County of Use: Wasco
Application File Number: R-86338
Permit Number: R-14467
Applicant: MCALLISTER RANCH
Address: 80445 ROSS RD TYGH VALLEY, OR 97063
River Basin: Deschutes Basin
Water Source: PINE HOLLOW > THREEMILE CREEK
Authorized Use of Water: MULTIPLE PURPOSE
Maximum Diversion/
Appropriation Rate: 180 AF

Recommendation: The department proposes to grant an extension of time to complete construction and apply water to full beneficial use from October 1, 2013 to October 1, 2018.

County of Use: Curry
Application File Number: R-73021
Permit Number: R-12497
Applicant: BUSSMAN CRANBERRIES LLC
Address: PO BOX 312 SIXES, OR 97476
River Basin: South Coast Basin
Water Source: UNNAMED STREAM > SIXES RIVER
Authorized Use of Water: CRANBERRY (to be appropriated under Permit S-53423)
Maximum Diversion/
Appropriation Rate: 43 AF

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial use from October 1, 2002 to October 1, 2018.

Extensions of Time Progress
Checkpoint Progress Reports filed pursuant to OAR 690-315

Consistent with OAR 690-315-0050(6), the Department will accept public comment on the following Extension of time Checkpoint Progress Reports until August 14, 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-85307
POTICHA, OTTO 1820 KONA ST EUGENE, OR 97403-2142
POD: 1 UNNAMED STREAM > PACIFIC OCEAN
SW 1/4 NW 1/4 Section 10T 17.00S R 12.00W WM
Lane County
0.005 CFS for DOMESTIC

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 29, 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-1537

SILTRONIC CORP. 7200 FRONT AVE M/S 30 PORTLAND, OR 97201

POD: 1 A WELL > DOANE CREEK
NE 1/4 NW 1/4 Section 13T 1.00N R 1.00W WM
Multnomah County
250 GPM for INDUSTRIAL/MANUFACTURING USES

LL-1538

ROSEBURG FOREST PRODUCTS PO BOX 1088 ROSEBURG, OR 97470

POD: 1 GALESVILLE RES > COW CR
SE 1/4 SW 1/4 Section 33T 28.00S R 6.00W WM
Douglas County

POD: 2 COW CR > UMPQUA R
SE 1/4 NW 1/4 Section 26T 30.00S R 6.00W WM
Douglas County
1.25 CFS for INDUSTRIAL/MANUFACTURING USES

LL-1539

BISH, DANIEL 8677 WAGNER CREEK RD TALENT, OR 97540

POD: 1 APPELEGATE RES > APPELEGATE R
SW 1/4 NW 1/4 Section 21T 38.00S R 4.00W WM
Jackson County
10000 GPW for RIPARIAN HABITAT RESTORATION PROJECT

LL-1540

JELD-WEN INC. 407 HARBOR ISLES BLVD KLAMATH FALLS, OR 97601

POD: 1 A WELL > KLA
NW 1/4 NE 1/4 Section 19T 38.00S R 9.00E MD
Klamath County
0.5 CFS for INDUSTRIAL/MANUFACTURING 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 August 14, 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: YAMHILL
Transfer: 11857
Water Right: CERT 28281
Priority Date: FEBRUARY 27, 1956
Name: KIT JOHNSTON
11320 SE LAFAYETTE HWY DAYTON, OR 97114
Change: ADDITIONAL POINT OF APPROPRIATION
Source: WELL 1

County: UMATILLA
Transfer: 11859
Water Right: CERT 1711
Priority Date: DECEMBER 31, 1892
Name: SAMUEL E. TUCKER
105 N MAIN MILTON FREEWATER, OR 97862
Change: POINT OF DIVERSION
Source: JOHNSON 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 August 14, 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-11681 filed by Donald Moisan, 9165 Wheatland Rd, Salem, OR 97303, proposes a place of use change under Groundwater Registration Application GR-3037 (Certificate of Registration GR 2843). The registration allows the use of 304 gpm from a well in Sec. 15, T6S, R3W, WM for irrigation in Sections 10 and 15. The applicant proposes to modify the place of use within Sections 10 and 15, T6S, R3W, WM. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

T-11765 filed by Ivan and Martin Meads, 32855 W Walls Rd, Hermiston, OR 97838, proposes a change in point of appropriation under Certificate 53250. The right allows the use of 0.42 cfs from a well in Sec 29, T 5N, R29 E WM for irrigation in Sec 29. The applicant proposes to move the point of appropriation approximately 80 feet east within Sec 29. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Transfer Applications: Drought Temporary Transfer

During the effective time period of a drought declaration under ORS 536.740, the Commission or the Director may: (1) Allow a temporary transfer of a water right without complying with the notice and waiting requirements of ORS 540.520; (2) Allow a temporary exchange of water without giving notice as required under ORS 540.535; and (3) Use an expedited notice and waiting requirement for the substitution of a supplemental ground water right for a primary water right.

Notice is given that the following applications for Drought Temporary Transfers have been received by the Department. Consistent with the drought emergency, an order approving or denying the drought transfer will be issued as soon as the Department is able to process the application.

County: KLAMATH
Transfer: 11856
Water Right: CLAIM KA 144
Priority Date: 1889
Name: TALLY HO FARMS PARTNERSHIP
PO BOX 830 MERRILL, OR 97633
Change: PLACE OF USE
Source: UPPER KLAMATH LAKE

County: KLAMATH
Transfer: 11858
Water Right: CERT 86143
Priority Date: JUNE 24, 2002
Name: DRISCOLL STRAWBERRY ASSOCIATES INC.
434 REDCLIFF RD SUITE D REDDING, CA 96002
Change: PLACE OF USE
Source: A WELL

Recommendation to Consent to Injury

Pursuant to ORS 540.530(1)(c) and OAR 690-380-5050, the state agency that requested establishment of an instream water right has recommended that the Water Resources Department consent to the injury of the instream water right resulting from a proposed change in point of diversion. Copies of the transfer documents and the state agency's recommendation are available for viewing at the Salem office of the Water Resources Department.

Any person may review the recommendation and submit written comments or may submit a written request for a public meeting to review the recommendation. The comments or request for a meeting must be received on or before August 14, 2014. To review the recommendation, contact the Water Resources Department Transfers Section. Written comments and requests for a public meeting should be mailed to Transfers Section, Water Resources Department, 725 Summer St NE, Suite A, Salem, OR 97301-1271 or faxed to 503-986-0903.

Notice of Receipt of Recommendation to Consent to Injury for Water Right Transfer T-11527

T-11527 filed by Larry N. Blakeslee, P.O. Box 366, Monument, OR 97864, proposes a change in point of diversion under Certificate 82456. The right allows the use of 0.28 cfs from North Fork John Day River in Sec. 4, T9S, R27E, WM for irrigation in Sects. 3 and 4, T9S, R27E, WM. The applicant proposes to move the point of diversion approximately 1300 feet upstream to within Sec. 3, T9S, R27E, WM. The Department determined that the transfer would injure instream water right Certificates 66611 and 72643. The Oregon Department of Fish and Wildlife (ODFW) concluded that the transfer would result in net benefits to the resource due to the replacement and removal of a push-up dam, thereby eliminating a barrier to fish passage and elimination of streambed disturbance caused by annual dam construction. ODFW recommended the following conditions: The push-up dam must be removed during the recommended in-water work period; and prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the Oregon Water Resources Department (WRD) a written statement from ODFW that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary. The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that WRD regulate the use of water until WRD receives notification from ODFW that the fish screen is functioning properly.

Copies of WRD's Preliminary Determination proposing denial of the transfer and ODFW's recommendation are available for viewing at the Salem office of the Water Resources Department. Any person may review the recommendation and submit written comments or may submit a written request for a public meeting to review the recommendation(s). The comments or request for a meeting must be received by WRD on or before August 14, 2014.

WRD will provide copies of any comments submitted in response to this notice to ODFW. If a meeting is requested, WRD will schedule a joint public meeting with ODFW to review the recommendation(s).

To review the recommendation, contact Kelly Starnes at 503-986-0886 or e-mail Patrick.K.Starnes@wrd.state.or.us. Written comments and requests for a public meeting should be mailed to Attn: Kelly Starnes, Water Resources Department, 725 Summer St NE, Suite A, Salem, OR 97301-1266 or faxed to 503-986-0901.

Water Management and Conservation Plan 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):

MEDFORD WATER COMMISSION (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@wrд.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 \$700. (ORS 536.050(1)(j)(A)).

File Number	Basin Number	County	Priority Date	Issue Date	Name
App: S 84687 Cert#-89369	16	DOUG	03/21/2001	09/09/9999	CO-GEN II LLC
App: S 37285 Cert#-89317	4	HOOD	01/02/1962	06/05/2014	MIDDLE FORK IRRIGATION DISTRICT
App: S 46793 Cert#-89320	4	HOOD	03/09/1970	06/05/2014	MIDDLE FORK IRRIGATION DISTRICT
App: S 49108 Cert#-89319	4	HOOD	03/30/1972	06/05/2014	MIDDLE FORK IRRIGATION DISTRICT
App: S 49109 Cert#-89318	4	HOOD	03/30/1972	06/05/2014	MIDDLE FORK IRRIGATION DISTRICT
App: S 68490 Cert#-89321	4	HOOD	08/19/1985	06/05/2014	MIDDLE FORK IRRIGATION DISTRICT

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
July 15, 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)*

[]
[]
[]

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.)