

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**September 16, 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](http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21)*

This publication lists agency activities requiring public notice. It also describes public comment processes and deadlines. Types of water use requests in this week's Public Notice include:

- \* **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**  
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- \* **Alternate Reservoir Applications (ORS 537.409)**  
Applications for storage permits for small ponds filed under a simplified review process.
- \* **Expedited Secondary Applications to Use Stored Water**  
Applications to use stored water exclusively, filed under a simplified review process.
- \* **Applications for Extensions of Time to Perfect Water Right Permits**  
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- \* **Application for Instream Lease**  
Application by water right holder to lease existing water rights to instream use.
- \* **Transfer Applications: Regular**  
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- \* **Transfer Preliminary Determinations**  
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- \* **Transfer Applications: 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.
- \* **Water Management and Conservation Plans**  
Water management and conservation plans submitted by municipalities and agricultural water suppliers under provisions of OAR Chapter 690, Division 86.

- \* **Water Management and Conservation Plan Progress Reports**  
Water management and conservation plan progress reports submitted by municipalities under provisions of OAR Chapter 690, Division 86.
- \* **Certificate Issuance**  
Included in this section is a listing of recently issued water right certificates.
- \* **Application for Use of Existing Water Right for Hydroelectric Purposes**

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".

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 16, 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, October 31, 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.

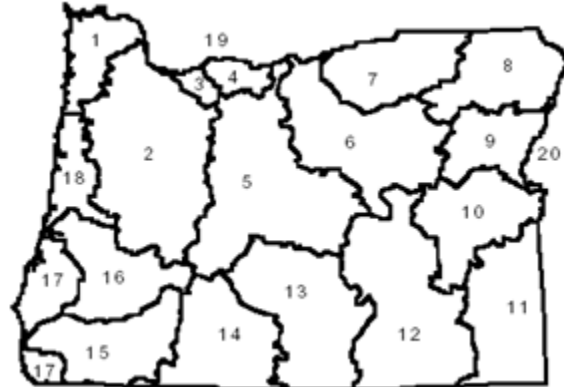
If a protest or comment deadline falls on a day that the office is closed then the next open business day automatically becomes the deadline date.

## How to Read the Listing

**App#:**

- G: Groundwater
- R: Reservoir
- S: Surface water
- I: Instream

**County/Basin (See Map)**



**Applicant Name**  
**Applicant Address**  
**Use/Quantity**

- Unit of measure:
- CFS: Cubic feet per second
  - GPM: Gallons per minute
  - AF: Acre-feet

**Sources/TRS**  
**Priority Date**  
**Stage/ Status**

- IR: Initial Review
- PFO: Proposed Final Order

BASINS:		
1. North Coast	8. Grande Ronde	16. Umpqua
2. Willamette	9. Powder	17. S. Coast
3. Sandy	11. Owyhee	18. Mid-Coast
4. Hood	12. Malheur L.	19. Columbia
5. Deschutes	13. Goose/Summer L	
6. John Day	14. Klamath	
7. Umatilla	15. Rogue	

**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# [G-17757](#)  
County/Basin Malheur / Malheur(10)  
Applicant Name CLARICH, KATHY AND KEVIN  
4050 FREESE LANE  
VALE, OR 97918  
Sources/TRSQQ A WELL > HENRY GULCH / 18.00S 46.00E 8 NWSW  
Use/Quantity SUPPLEMENTAL IRRIGATION / 0.980 CFS  
Priority Date 02/03/2014  
Stage/Status IR / PROPOSE TO ISSUE

App# [G-17858](#)  
County/Basin Baker / Powder(9)  
Applicant Name HILL, C TOM AND LYNNE  
17319 WINGVILLE LN  
BAKER CITY, OR 97814  
Sources/TRSQQ A WELL > LITTLE MUDDY CREEK / 7.00S 38.00E 13 NESW  
A WELL > LITTLE MUDDY CREEK / 7.00S 38.00E 13 NESE  
A WELL > LITTLE MUDDY CREEK / 7.00S 38.00E 13 NENE  
Use/Quantity SUPPLEMENTAL IRRIGATION / 2.585 CFS  
Priority Date 05/12/2014  
Stage/Status IR / PROPOSE TO DENY

## 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.

App# [G-17650](#)  
County/Basin Malheur / Malheur(10)  
Applicant Name DUCK RANCH LLC  
ATTN: MCCREARY, KIM W.  
1272 HWY 20-26  
VALE, OR 97918  
Priority Date 04/12/2013  
Issue Date 09/12/2014

App# [G-17679](#)  
County/Basin Harney / Malheur Lake(12)  
Applicant Name OREGON DEPARTMENT OF STATE LANDS  
1645 NE FORBES RD SUITE 112  
BEND, OR 97701  
Priority Date 05/20/2013  
Issue Date 09/12/2014

App# [G-17792](#)  
County/Basin Baker / Powder(9)  
Applicant Name SIDDOWAY, BERT  
PO BOX 115  
DURKEE, OR 97905  
Priority Date 03/10/2014  
Issue Date 09/12/2014

App# [G-17811](#)  
County/Basin Malheur / Malheur(10)  
Applicant Name BAKER, GERALD L.  
2175 BENCH RD  
VALE, OR 97918  
Priority Date 03/26/2014  
Issue Date 09/11/2014

App# [G-17832](#)  
County/Basin Malheur / Owyhee(11)  
Applicant Name BERRETT RANCHES INC.  
ATTN: BERRETT, DALE  
3540 HWY 95  
JORDAN VALLEY, OR 97910  
Priority Date 03/31/2014  
Issue Date 09/11/2014

App# [LL-1547](#)  
County/Basin Clatsop / North Coast(1)  
Applicant Name WESTERN STATES SOIL CONSERVATION INC  
PO BOX 428  
HUBBARD, OR 97032  
Priority Date  
Issue Date 09/04/2014

App# [R-86503](#)  
County/Basin Gilliam / John Day(6)  
Applicant Name RASK, THOMAS  
9733 NW ASH ST  
PORTLAND, OR 97229  
Priority Date 01/31/2006  
Issue Date 09/11/2014

App# [R-86504](#)  
County/Basin Gilliam / John Day(6)  
Applicant Name RASK, THOMAS  
9733 NW ASH ST  
PORTLAND, OR 97229  
Priority Date 01/31/2006  
Issue Date 09/11/2014

App# [R-87660](#)  
County/Basin Grant / John Day(6)  
Applicant Name MOSS, DENNIS  
42226 CUPPER CREEK RD  
KIMBERLY, OR 97848  
Priority Date 10/29/2010  
Issue Date 09/05/2014

App# [R-87726](#)  
County/Basin Wasco / Hood(4)  
Applicant Name RABO AGRIFINANCE INC. AS COLLATERAL AGENT  
12443 OLIVE BLVD SUITE 50  
SAINT LOUIS, MO 63141  
Priority Date 05/26/2011  
Issue Date 09/12/2014

App# [R-87970](#)  
County/Basin Linn / Willamette(2)  
Applicant Name BAUMANN, VICTOR  
43967 THOMAS CREEK  
SCIO, OR 97374  
Priority Date 04/02/2014  
Issue Date 09/11/2014

App# [R-87973](#)  
County/Basin Grant / John Day(6)  
Applicant Name CONFEDERATED TRIBES OF WARM SPRINGSC/O ROBERT BRUNOE  
320 W MAIN ST  
JOHN DAY, OR 97845  
Priority Date 03/19/2014  
Issue Date 09/11/2014

App# [R-87977](#)  
County/Basin Clackamas / Willamette(2)  
Applicant Name MARTINMAAS, CRAIG AND VICTORIA  
18425 S UPPER HIGHLAND RD  
BEAVERCREEK, OR 97004  
Priority Date 05/07/2014  
Issue Date 09/11/2014

App# [R-87981](#)  
County/Basin Benton / Willamette(2)  
Applicant Name LAKEVIEW ESTATES HOMEOWNERS ASSOCIATION  
PO BOX 461  
ALBANY, OR 97321  
Priority Date 06/03/2014  
Issue Date 09/11/2014

App# [R-87982](#)  
County/Basin Clatsop / North Coast(1)  
Applicant Name KNUTINEN, APRIL AND RALPH  
38289 HWY 30  
ASTORIA, OR 97103  
Priority Date 06/05/2014  
Issue Date 09/11/2014

App# [R-88007](#)  
County/Basin Clackamas / Willamette(2)  
Applicant Name TOWNSEND, MICHAEL  
23400 NE TOWNSEND WAY  
FAIRVIEW, OR 97024  
Priority Date 08/29/2014  
Issue Date 09/12/2014

App# [R-88008](#)  
County/Basin Clackamas / Willamette(2)  
Applicant Name TOWNSEND, MICHAEL  
23400 NE TOWNSEND WAY  
FAIRVIEW, OR 97024  
Priority Date 08/29/2014  
Issue Date 09/12/2014

App# [R-88009](#)  
County/Basin Clackamas / Willamette(2)  
Applicant Name TOWNSEND, MICHAEL  
23400 NE TOWNSEND WAY  
FAIRVIEW, OR 97024  
Priority Date 08/29/2014  
Issue Date 09/12/2014

App# [S-87727](#)  
County/Basin Wasco / Hood(4)  
Applicant Name RABO AGRIFINANCE INC. AS COLLATERAL AGENT  
12443 OLIVE BLVD SUITE 50  
SAINT LOUIS, MO 63141  
Priority Date 05/26/2011  
Issue Date 09/12/2014

App# [S-87922](#)  
County/Basin Linn / Willamette(2)  
Applicant Name ELLIOTT, SAM  
23789 GAP RD  
HARRISBURG, OR 97446  
Priority Date 08/05/2013  
Issue Date 09/09/2014



App# [S-87952](#)  
County/Basin Yamhill / Willamette(2)  
Applicant Name DANDREW WINE LLC  
1910 FAIRVIEW AVE E SUITE 400  
SEATTLE, WA 98102  
Priority Date 01/24/2014  
Issue Date 09/12/2014

App# [S-87962](#)  
County/Basin Polk / Willamette(2)  
Applicant Name JENKS OLSEN LAND CO.  
ATTN: OLSEN, ROGER  
8930 SUVER RD  
MONMOUTH, OR 97361  
Priority Date 02/20/2014  
Issue Date 09/12/2014

App# [S-87978](#)  
County/Basin Jackson / Rogue(15)  
Applicant Name GRIGSBY, DANIEL  
PO BOX 3303  
APPLEGATE, OR 97530  
Priority Date 05/07/2014  
Issue Date 09/12/2014

## 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 15, 2014.**

App#	<a href="#">R-88011</a>
County/Basin	Union / Grande Ronde(8)
Applicant Name	FRISCH, DIAN AND JOHN 62816 LOWER COVE RD COVE, OR 97824
Sources/TRSQQ	RUNOFF > GRANDE RONDE RIVER / 2.00S 40.00E 29 SESW
Use/Quantity	STORAGE / 9.180 Acre Feet
Priority Date	09/04/2014

## Expedited Secondary Applications Under HB 2178 (2005)

For expedited secondary applications to use exclusively stored water filed under HB 2178, the public is invited to comment within 30 days of this notice, by **October 16, 2014**. The expedited secondary applications listed below have been filed recently. Any person may raise public interest issues regarding these applications. If public interest issues are raised, the Department may move the application to the standard process and review the application pursuant to ORS 537.153, and issue a Proposed Final Order. If no public issues are raised, the Department may issue a final order and permit without further prior notice.

Comments must identify the specific public interest under ORS 537.170(8) that would be impaired or detrimentally affected by the proposed use, and specifically how the identified public interest would be affected.

POD 1 is the location of the stored water. POD 2 and any additional points are the redirection point(s).

App#	<a href="#">S-88012</a>
County/Basin	Jackson / Rogue(15)
Applicant Name	HASH, RONALD E. THE JANUARY TRUST 360 HAMILTON AVE SUITE 100 WHITE PLAINS, NY 10601
Sources/TRSQQ	ROGUE RIVER > PACIFIC OCEAN / 36.00S 1.00W 6 NWNE LOST CREEK RESERVOIR > ROGUE RIVER / 33.00S 1.00E 26 NWSE
Use/Quantity	IRRIGATION / 0.000 Acre Feet IRRIGATION / 22.950 Acre Feet
Priority Date	09/08/2014

**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 October 16, 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) County of application;
- (d) Applicant name and address;
- (e) Common name of water source(s) listed in the permit;
- (f) Use allowed in the permit; Amount of water use permitted in gallons per minute (gpm), cubic feet per second (cfs) or acre feet (af) of storage;
- (g) Proposed extended date of completion as requested by the extension applicant;

App# [G-11899](#)  
Permit Number G-11328  
County/Basin Deschutes / Deschutes(5)  
Applicant Name SUN MOUNTAIN WATER SYSTEM INC.  
PO BOX 9295  
BEND, OR 977089295  
Sources/TRSQQ WELL 1 > SQUAW CREEK / 16.00S 10.00E 1 SWNW  
WELL 2 > SQUAW CREEK / 15.00S 11.00E 33 SWNW  
WELL 3 > SQUAW CREEK / 16.00S 10.00E 13 NWNW  
Use/Quantity DOMESTIC EXPANDED / 0.846 CFS (est)  
DOMESTIC EXPANDED / 0.223 CFS (est)  
DOMESTIC EXPANDED / 0.623 CFS (est)  
Proposed Completion Date 10/01/2034

App# [G-15260](#)  
Permit Number G-15031  
County/Basin Yamhill / Willamette(2)  
Applicant Name BERG, CHARLES AND DIANE  
19320 NE WOODLAND LOOP RD  
YAMHILL, OR 97148  
Sources/TRSQQ A WELL > STAG HOLLOW CREEK / 2.00S 4.00W 36 NESW  
Use/Quantity IRRIGATION / 0.201 CFS  
Proposed Completion Date 10/01/2026

App# [G-15942](#)  
Permit Number G-15678  
County/Basin Marion / Willamette(2)  
Applicant Name ROSHAK, GARY  
21897 CASE RD NE  
AURORA, OR 97002  
Sources/TRSQQ A WELL > CASE CREEK / 4.00S 2.00W 12 SENW  
Use/Quantity IRRIGATION / 0.223 CFS  
Proposed Completion Date 10/30/2015

App# [G-17049](#)  
Permit Number G-16581  
County/Basin Union / Grande Ronde(8)  
Applicant Name BECKER, MICHAEL A.  
10406 N MCALISTER RD  
LA GRANDE, OR 97850  
Sources/TRSQQ A WELL > PHYS SLOUGH / 3.00S 39.00E 36 SENE  
A WELL > PHYS SLOUGH / 3.00S 40.00E 31 NWNW  
Use/Quantity SUPPLEMENTAL IRRIGATION / 2.130 CFS (est)  
Proposed Completion Date 10/30/2024

## **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 October 31, 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**

App#	S-83460
Permit#	<a href="#">S-53408</a>
County/Basin	Yamhill / Willamette(2)
Applicant Name	SIMON, TED 11705 SW LANCEFIELD RD MCMINNVILLE, OR 97128
Sources/TRSQQ	UNNAMED STREAM > SOUTH YAMHILL RIVER / 5.00S 4.00W 19 SWNE A RESERVOIR > SOUTH YAMHILL RIVER / 5.00S 4.00W 19 SWNE
Use/Quantity	IRRIGATION / 0.825 CFS IRRIGATION / 32.000 AF
Status	PROPOSE TO ISSUE
App#	G-16081
Permit#	<a href="#">G-15628</a>
County/Basin	Clackamas / Willamette(2)
Applicant Name	FRANCIS, VIRGINIA 15625 NE EILERS RD AURORA, OR 97002
Sources/TRSQQ	A WELL > WILLAMETTE RIVER / 3.00S 1.00E 19 NWSE A WELL > WILLAMETTE RIVER / 3.00S 1.00E 19 NWSE A WELL > WILLAMETTE RIVER / 3.00S 1.00E 19 NWSE
Use/Quantity	NURSERY USES / 0.163 CFS (est)
Status	PROPOSE TO ISSUE

App# G-12831  
Permit# [G-13100](#)  
County/Basin Clackamas, Marion / Willamette(2)  
Applicant Name EFIMOFF, ILARION  
34885 S BARLOW RD  
WOODBURN, OR 97071  
Sources/TRSQQ A WELL > BUTTE CREEK / 5.00S 1.00E 30 SWSW  
Use/Quantity PRIMARY AND SUPPLEMENTAL IRRIGATION / 0.760 CFS  
Status PROPOSE TO ISSUE

App# G-14824  
Permit# [G-13627](#)  
County/Basin Gilliam / Umatilla(7)  
Applicant Name MILLER, GAYLEEN AND R.C.  
PO BOX 490  
ARLINGTON, OR 97812

PEPPERLING, ITHA AND ROBERT  
PO BOX 27  
ARLINGTON, OR 97812  
Sources/TRSQQ WELL 1 > WILLOW CREEK / 1.00N 22.00E 4 SENW  
WELL 2 > WILLOW CREEK / 1.00N 22.00E 4 NWNE  
WELL 3 > WILLOW CREEK / 1.00N 22.00E 5 SENW  
Use/Quantity IRRIGATION / 8.910 CFS  
Status PROPOSE TO ISSUE

App# G-16818  
Permit# [G-16479](#)  
County/Basin Baker / Powder(9)  
Applicant Name BINGHAM, DALE AND LESLIE  
14553 TALLEY DOBBINS  
HAINES, OR 97833  
Sources/TRSQQ A WELL > HUTCHISON SLOUGH / 7.00S 38.00E 3 SWNE  
Use/Quantity IRRIGATION / 1.670 CFS  
Status PROPOSE TO ISSUE

App# G-16817  
Permit# [G-16478](#)  
County/Basin Baker / Powder(9)  
Applicant Name BINGHAM, DALE AND LESLIE  
14553 TALLEY DOBBINS  
HAINES, OR 97833  
Sources/TRSQQ A WELL > HUTCHINSON SLOUGH / 7.00S 38.00E 3 SWNE  
Use/Quantity IRRIGATION / 1.670 CFS  
Status PROPOSE TO ISSUE

App# G-12901  
Permit# [G-13743](#)  
County/Basin Klamath / Klamath(14)  
Applicant Name TYRHOLM, MICHAEL AND DIANE  
3703 COLLIER LANE  
KLAMATH FALLS OR 97603  
Sources/TRSQQ A WELL > MILLER CREEK / 40.00S 14.00E 16 NWSW  
Use/Quantity SUPPLEMENTAL IRRIGATION / 2.000 CFS  
Status PROPOSE TO ISSUE

App#	S-41810
Permit#	<a href="#">S-31214</a>
County/Basin	Benton / Middle Coast(18)
Applicant Name	ALSEA COUNTY SERVICE DISTRICT 360 SW AVERY CORVALLIS, OR 97333
Sources/TRSQQ	NORTH FORK ALSEA RIVER > ALSEA RIVER / 14.00S 7.00W 6 SWNW
Use/Quantity	MUNICIPAL USES / 0.500 CFS
Status	PROPOSE TO ISSUE



## Applications for Instream Lease

ORS 537.348 authorizes a water right holder to lease their existing water right(s) to instream use for a limited time. For the term of the lease, the water right holder agrees to suspend use of water under the original right. The state is the trustee for water rights leased for instream use. OAR 690-077-0077 requires that the Department public notice the lease applications.

**The deadline for submitting claims of injury to existing water rights or enlargement of the original right against a lease application is October 07, 2014.** Parties to the lease, including the Department, will review any such claims before the lease is finalized. The lease files are available for viewing at the Salem office of the Water Resources Department. If you have questions or comments please contact the Lease Specialist at 503-986-0898.

Lease#	<a href="#">IL 959</a>
County/Basin	Douglas / Umpqua(16)
Name	Lessor: WILLIAMS, BILLY R. AND KATHERINE 1948 MIGHTY OAK DRIVE STOCKTON, CA 95205
Cert#/Priority Date	64566/ 08/25/1983
Source/Tributary To	UNNAMED STREAM/RESERVOIR / LOOKINGGLASS CREEK

## 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 16, 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.

Transfer	<a href="#">T 11887</a>
Water Right	Cert:31458 OR *
County/Basin	Lane / Willamette(2)
Applicant Name	JMAX LLC 91663 RIVER RD JUNCTION CITY, OR 9744
Sources/TRSQQ	WELL 1 > WILLAMETTE RIVER / 16.00S 4.00W 27 NESE
Use/Quantity	IRRIGATION / 0.760 CFS
Priority Date	02/26/1959

## 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 16, 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-11585 filed by Wilks Ranch Oregon Limited, 4945 Willow Creek Rd, Ironside, OR 97908, proposes additional points of appropriation (APOA), changes in points of diversion (POD) and appropriation (POA), and changes in places of use (POU) under Certificates (C-) 1150, 1582, 22866, 44016, 44017, 44770, 46075, and 76983. C-1150 allows the use of 3.22 cubic feet per second (cfs) to May 1 and 1.61 cfs from May 1 through Sept. 1 from Boulder Creek and South Fork Boulder Creek in Sec. 9, T14S, R39E, WM for irrigation, domestic, and stock use within Sects. 9, 15, and 16, T14S, R39E, WM. C-1582 allows the use of 4.29 cfs to May 1 and 2.15 cfs from May 1 through Sept. 1 from Willow Creek in Sec. 13, T14S, R39E, WM for irrigation, livestock, and domestic use within Sec. 13, T14S, R39E, WM. The applicant proposes to move the POD to within Sec. 15, T14S, R39E, WM. C-22866 allows the use of 2.0 cfs from a well in Sec. 14, T14S, R39E, WM for supplemental irrigation in Sects. 13 and 14, T14S, R39E, WM. The applicant proposes APOA within Sects. 13 and 14, T14S, R39E, WM. C-44016 allows the use of 7.7 cfs to May 1 and 3.86 cfs from May 1 through Sept. 1 from Willow Creek in Sec. 15, T14S, R39E, WM for irrigation, livestock, and domestic use within Sec. 14, T14S, R39E, WM. C-44017 allows the use of 1.73 cfs to May 1 and 0.87 cfs from May 1 through Sept. 1 from Willow Creek in Sec. 15, T14S, R39E, WM for irrigation, livestock, and domestic use within Sec. 13, T14S, R39E, WM. C-44770 allows the use of 2.1 cfs from a well in Sec. 13, T14S, R39E, WM for irrigation and supplemental irrigation in Sec. 13, T14S, R39E, WM. The applicant proposes APOA within Sec. 14, T14S, R39E, WM. C-46075 allows the use of 0.51 cfs from McCoy Well in Sec. 9, T14S, R39E, WM for irrigation and supplemental irrigation in Sects. 9, 15, and 16, T14S, R39E, WM. The applicant proposes APOA within Sec. 14, T14S, R39E, WM. C-76983 allows the use of 1.5 cfs from a well in Sec. 14, T14S, R39E, WM for supplemental irrigation in Sects. 13 and 14, T14S, R39E, WM. The applicant proposes APOA within Sects. 13 and 14, T14S, R39E, WM. The applicant also proposes to change the place of use of all the above described rights to within Sects. 9, 13, 14, 15, and 16, T14S, R39E, WM. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11514 filed by Jedediah W. Aylett, 75816 Frontage Rd, Hermiston, OR 97838, proposes a change in place of use under Certificates 87298, 87299, 87300, and proposes changes in place of use and points of appropriation under Certificates 60552, 81895, 53373, 44539 and 84119. Certificates 87298, 87299, and 87300 each allow the use of 0.037 cfs from Well #B in Sec. 19, T4N, R27E, WM for irrigation in Sec. 19. The applicant proposes to change the place of use within Sec. 19, T4N, R27E, WM. Certificate 60552 allows the use of 0.037 cfs from Wells 1 and 2 in Sec. 28, T4N, R27E, WM for irrigation in Sec. 28; Certificate 81895 allows the use of 0.037 cfs from Well 2 in Sec. 28, T4N, R27E, WM for irrigation in Sec. 28; Certificate 53373 allows the use of 0.05 cfs from the SE Well in Sec. 30, T4N, R27E, WM for irrigation in Sec. 30; Certificate 44539 allows the use of 0.10 cfs from the NE Well and the NW Well in Sec. 30, T4N, R27E, WM for irrigation in Sects. 19 and 30; Certificate 84119 allows the use of 0.21 cfs from the NE Well, NW Well, SE Well in Sec. 30 and Wells 1 and 2 in Sec. 28, T4N, R27E, WM for irrigation in Sects. 19, 28 and 30. The applicant proposes to move the points of appropriation to Sec. 19, T4N, R27E, WM and the applicant proposes to change the places of use to within Sects. 19 and 30, T4N, R27E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11643 filed by East Fork Irrigation District, PO Box 162, Odell, OR 97044, proposes a change in place of use and character of use under Certificates 80928, 81340 and 84803. Certificate 80928 allows the use of 0.05 cfs; Certificate 81340 allows the use of 0.05 cfs; and Certificate 84803 allows the use of 0.11 cfs, all from the East Fork Hood River in Sec. 4, T1S, R10E, WM for irrigation in Sects. 12, 13, 25, 26 and 36, T2N, R10E, WM, and Sects. 10, 11 and 29, T1N, R10E, WM. The applicant proposes to change the place of use to within Sects. 10 and 11, T1N, R10E, WM and character of use to Industrial use. 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.

Transfer	<a href="#">T-11886</a>
Water Right	Cert:7036 OR *, Cert:51934 OR *
County/Basin	Malheur / Malheur(10)
Applicant Name	ROMANS, JEFF 3750 OLD STAGE RD HARPER, OR 9790
Sources/TRSQQ	COTTONWOOD CREEK > BULLY CREEK / 19.00S 40.00E 3 SWSE COTTONWOOD CREEK > OTIS CREEK / 19.00S 40.00E 9 SWNE
Use/Quantity	IRRIGATION / 0.590 CFS IRRIGATION / 4.550 CFS
Priority Date	12/31/1897, 10/03/1978

## **Water Management and Conservation Plans**

The Department is required to give notice and to invite public review and comment on Water Management and Conservation Plans submitted pursuant to OAR Chapter 690, Division 086. The Department will consider all public comments in its review of the draft plan and will report the results of the review to the water supplier 90 days from the time the plan was submitted.

**Any person may review and comment on a draft plan on or before October 16, 2014.** The plans are available for viewing at the Salem office of the Water Resources Department. Comments should focus on elements in the draft that do not meet the requirements of OAR Chapter 690, Division 086 and should include suggestions on how to bring the draft into compliance with the rules.

Plans have been submitted by the following agricultural and municipal water suppliers:

### **Miller Tree Farm LLC (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](mailto:lisa.j.jaramillo@wrд.state.or.us).

## **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):

### **City of Harrisburg (Municipal)**

To review any of the above plans or to provide comments on the plans, contact Lisa Jaramillo at 503-986-0880 or [lisa.j.jaramillo@ wrd.state.or.us](mailto:lisa.j.jaramillo@ wrd.state.or.us).

## Certificate Issuance

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

If under the file number the “App:” abbreviation for application is provided then any person owning an application, permit or water right certificate subsequent in priority to a certificate listed here may file a protest within three months of issuance of the certificate. See Oregon Revised Statutes 537.260. Rules governing protests are in Oregon Administrative Rules Chapter 690 division 002. Any protest must be accompanied by a protest fee of \$700. (ORS 536.050(1)(j)(A)).

Cert#	<a href="#">89431</a>
Xfer:	T 7030
County/Basin	Marion / Willamette(2)
Applicant Name	FESSLER, BOB
Priority Date	12/20/1961
Issue Date	09/12/2014

Cert#	<a href="#">89432</a>
Xfer:	T 7030
County/Basin	Marion / Willamette(2)
Applicant Name	FESSLER, BOB
Priority Date	05/18/1967
Issue Date	09/12/2014

Cert#	<a href="#">89433</a>
Xfer:	T 7030
County/Basin	Marion / Willamette(2)
Applicant Name	FESSLER, BOB
Priority Date	08/30/1973
Issue Date	09/12/2014



## **Application For Use of Existing Water Right for Hydroelectric Purposes**

The Department seeks public comment on the following application for the use of an existing water right for hydroelectric purposes. Comments must be submitted within 30 days of publication of the notice. The application and supporting documents can be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the application please contact Craig Kohanek (503) 986-0823. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Application:	PC 902
Applicant:	Karuna Property LLC
Address:	3013 NE 9 <sup>th</sup> Ave., Portland, OR 97212
Amount of water:	0.11 cubic feet per second
Source of water:	Oak Flat Creek, a tributary of Illinois River, in the Rogue Basin
Location of the Point of Diversion:	Tax lot 200, NW ¼ NE ¼ of Section 8, Township 37 South, Range 9 East, W.M., Josephine County
Place of Use:	Tax lot 201, SE ¼ NW ¼ of Section 8, Township 37 South, Range 9 East, W.M., Josephine County
Purpose:	Electricity production for on-site use
Power developed:	Up to 2.1 Theoretical horsepower
Existing Certificate:	61579

**Comments are Due October 16, 2014**

**OREGON  
WATER  
RESOURCES  
DEPARTMENT**



**725 Summer Street NE Suite A  
Salem OR 97301**

**PUBLIC NOTICE OF WATER USE REQUESTS**  
April 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** Mail me the order  
(e.g. "Permit Application G-12345" or "Transfer T-1234"): (payment enclosed)\*

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**Your Name, Address, and Phone Number:**

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\* 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.)