

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
October 13, 2009

*This notice is also available on our web page at the following address:  
[http://www1.wrd.state.or.us/cgi-bin/notices.pl?water\\_rights](http://www1.wrd.state.or.us/cgi-bin/notices.pl?water_rights)*

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

- \* **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**  
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- \* **Alternate Reservoir Applications (ORS 537.409)**  
Applications for storage permits for small ponds filed under a simplified review process.
- \* **Applications for 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.
- \* **Transfer Preliminary Determinations**  
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- \* **Water Management and Conservation Plans**  
Water management and conservation plans submitted by municipalities and agricultural water suppliers under provisions of OAR Chapter 690, Division 86.
- \* **Establishment of Mitigation Credits in the Deschutes Basin pursuant to OAR Chapter 690, Division 521 (ORS 537.746)**

\* **Notice of Open Comment Period Public Hearing  
Klamath Irrigation District C-Drop Hydroelectric Project**

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 "Jonnine.L.SKAUG@ 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 applicant has asked the agency to proceed to the next stage of evaluation. 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, November 12, 2009.** 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 \$20. (Any person paying \$20 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, November 27, 2009.**

The protest filing fee is \$300 for the applicants and \$600 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 \$150 to retain the ability to participate in future proceedings relating to an application. Before participation is allowed, an additional \$300 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. In addition to the usual state or federal office closures, the Oregon Water Resources Department headquarters office will be closed on the following Fridays: October 16, 2009; November 27, 2009; March 19, 2010; April 16, 2010; June 18, 2010; August 20, 2010; September 17, 2010; November 26, 2010; March 18, 2011; and May 20, 2011.

## 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)

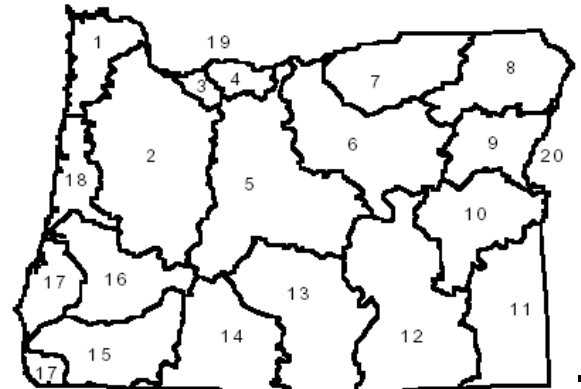
**BASINS:**

- |                 |                     |
|-----------------|---------------------|
| 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           |

**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

Commonly used “Type



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
<a href="#">S-86915</a>	CRUZ, PHIL U.S. FOREST SERVICE 1230 NE 3RD ST SUITE A-262 BEND OR 97701						PFO 2
5	ELK LAKE > LAVA LAKE	18.00S 8.00E 32 NWSW	Deschutes	07/18/2007	0.005C		
Uses: HC							
<a href="#">G-17117</a>	ARRIOLA, AARON 2445 12TH AVE E VALE OR 97918						PFO 2
10	A WELL > WILLOW CREEK	16.00S 43.00E 24 NESW	Malheur	10/03/2008	0.38C		
Uses: IR							
<a href="#">G-16479</a>	HOPKINS, JEFF ROCK CREEK COUNTRY CLUB 5100 NW NEAKAHNIE AVE PORTLAND OR 97229						PFO 3
2	A WELL > ROCK CREEK	1.00N 2.00W 23 NENE	Washington	06/03/2005	0.112C (est)		
2	A WELL > ROCK CREEK	1.00N 2.00W 23 NESE	Washington	06/03/2005	0.112C (est)		
2	A WELL > ROCK CREEK	1.00N 2.00W 24 NWSW	Washington	06/03/2005	0.112C (est)		
2	A WELL > ROCK CREEK	1.00N 2.00W 24 NWSE	Washington	06/03/2005	0.112C (est)		
2	A WELL > ROCK CREEK	1.00N 2.00W 24 SWNW	Washington	06/03/2005	0.112C (est)		
2	A WELL > ROCK CREEK	1.00N 2.00W 24 SWNE	Washington	06/03/2005	0.112C (est)		
2	A WELL > ROCK CREEK	1.00N 2.00W 24 SENW	Washington	06/03/2005	0.112C (est)		
2	A WELL > ROCK CREEK	1.00N 2.00W 24 SWSW	Washington	06/03/2005	0.112C (est)		
2	A WELL > ROCK CREEK	1.00N 2.00W 24 SWSE	Washington	06/03/2005	0.112C (est)		
2	A WELL > ROCK CREEK	1.00N 2.00W 24 SESW	Washington	06/03/2005	0.112C (est)		
2	A WELL > ROCK CREEK	1.00N 2.00W 25 NENW	Washington	06/03/2005	0.112C (est)		
2	A WELL > ROCK CREEK	1.00N 2.00W 23 NESE	Washington	06/03/2005	0.112C (est)		
2	A WELL > ROCK CREEK	1.00N 2.00W 24 NWSE	Washington	06/03/2005	0.112C (est)		
2	A WELL > ROCK CREEK	1.00N 2.00W 25 NENW	Washington	06/03/2005	0.112C (est)		
Uses: IR							
<a href="#">S-86956</a>	CRUZ, PHIL U.S. FOREST SERVICE 1230 NE 3RD ST SUITE A-262 BEND OR 97701						PFO 2
5	A SPRING > ELK LAKE	18.00S 8.00E 29 SWNE	Deschutes	08/03/2007	0.01C		
Uses: HC							
<a href="#">S-87354</a>	STAFFORD, TERRYLL 370 NORMAN AVE EUGENE OR 97404						PFO 2
5	UNNAMED STREAM > ODELL LAKE	23.00S 6.00E 14 SWSE	Klamath	11/25/2008	0.005C		
Uses: HC							

App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
<a href="#">G-17208</a>	PRINCE SEEDS INC. PRINCE SEEDS INC.	6381 DECONINCK RD NE	WOODBURN OR	97071			PFO 2
2	A WELL > SENECALE CREEK	5.00S 2.00W 10 SENW	Marion	05/05/2009	0.27C		
Uses: IR							
<a href="#">G-17223</a>	THUL, DUANE CITY OF WESTON PO BOX 579	WESTON OR	97886				IR 2
7	A WELL > PINE CREEK	4.00N 35.00E 16 NENW	Umatilla	05/20/2009	0.6C		
Uses: MU							

## Permit Application Final Orders

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 \$20.00 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
<a href="#">G-17122</a>	7	UMAT	10/14/2008	J G SIMPSON INC.		10/01/2009
<a href="#">R-87471</a>	2	MARI	06/15/2009		JOHN CAMP	10/02/2009
<a href="#">R-87462</a>	15	JOSE	05/29/2009		RONALD NUNN	10/05/2009
<a href="#">G-17135</a>	12	HARN	10/30/2008	9 L FARMS LLC		10/08/2009
<a href="#">S-84757</a>	7	UMAT	05/21/2001		KENT MADISON	10/08/2009
<a href="#">G-16693</a>	2	POLK	06/29/2006	SUNSET VIEW RANCH LLC		10/09/2009
<a href="#">G-16857</a>	5	CROO	05/21/2007	INDIAN ROCK HOMEOWNERS ASSOCIATION		10/09/2009
<a href="#">G-16935</a>	2	MARI	10/01/2007		MELVIN KAUFMAN	10/09/2009
<a href="#">G-17086</a>	12	HARN	07/21/2008		PHILLIP SINGHOSE	10/09/2009
<a href="#">G-17148</a>	2	WASH	12/03/2008	ROTH DEVELOPMENT	DAN ROACH	10/09/2009
<a href="#">G-17154</a>	10	HARN	12/18/2008		GALE NELSON	10/09/2009
<a href="#">G-17187</a>	2	CLAC	03/09/2009	CITY OF HAPPY VALLEY	CHRIS RANDALL	10/09/2009
<a href="#">G-17192</a>	2	CLAC	03/18/2009		RICK JONAS	10/09/2009
<a href="#">G-17201</a>	2	COLU	04/02/2009	GRACE BAPTIST CHURCH		10/09/2009

Application	Basin	County	Priority	Company	Name	FO Date
<a href="#">R-87257</a>	15	JACK	08/14/2008		JOHN MAINWARING	10/09/2009
<a href="#">S-86882</a>	5	DESC	05/29/2007		MARILYN MCIVER	10/09/2009
<a href="#">S-87389</a>	17	COOS	02/05/2009		TODD TRIPP	10/09/2009

## **ADDENDUM TO THE OCTOBER 6, 2009, PUBLIC NOTICE OF WATER USE REQUESTS**

### **Application G-17168, Five Guys Goose Club**

The Oregon Water Resources Department's October 6, 2009 Public Notice of Water Use Requests erroneously noted that a Final Order (FO) was issued for Application G-17168 in the name of Five Guys Goose Club on September 25, 2009. At this time the Department has not issued a Final Order for this application.

Application	Basin	County	Priority	Company	Name	FO Date
<a href="#">G-17168</a>	12	HARN	01/23/2009	FIVE GUYS GOOSE CLUB		09/25/2009



## **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 December 12, 2009.**

R-87534  
ST GEORGE, EDWARD  
6563 TRIGO RD  
GOLETA CA 93117  
POD: 1 RUNOFF > JACKSON CREEK  
SE 1/4 SE 1/4 Section 31T 19.00S R 4.00W WM  
Lane County  
3.53 A for MULTIPLE PURPOSE

R-87535  
ST GEORGE, EDWARD  
6563 TRIGO RD  
GOLETA CA 93117  
POD: 1 RUNOFF > COYOTE CREEK  
SE 1/4 SE 1/4 Section 31T 19.00S R 4.00W WM  
Lane County  
3.527 A for MULTIPLE PURPOSE

**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 November 12, 2009.** 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 \$20 (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: G-12941  
Permit Number: G-11701  
KNUDSEN VINEYARDS  
PO BOX 280  
DUNDEE OR 97115  
Yamhill County  
TWO WELLS > HESS CREEK  
NOT MORE THAN 75.0 GPM, BEING 50.0 GPM FROM WELL 5 AND 25.0 GPM  
FROM WELL 6  
SUPPLEMENTAL IRRIGATION OF 136.6 ACRES  
October 1, 2010

Application Number: G-13473  
Permit Number: G-12293  
MONROVIA NURSERY CO.  
13455 SE LAFAYETTE HWY  
DAYTON OR 97114  
Yamhill County  
FOUR WELLS > YAMHILL RIVER  
4.01 CFS TOTAL, BEING 0.44 CFS FROM WELL #15, 0.89 CFS  
FROM WELL #16, 1.34 CFS FROM WELL #17 AND 1.34 CFS FROM  
WELL#18  
NURSERY OPERATIONS ON 805.4 ACRES  
October 1, 2019

Application Number: G-15034  
Permit Number: G-13866  
ROTH VALLEY FARMS LTD  
ROTH, GARY D.  
33803 SEVEN MILE LANE SE  
ALBANY OR 97322  
Linn County  
A WELL > OAK CREEK  
1.0 CFS  
IRRIGATION OF 80 ACRES  
October 1, 2012

Application Number: G-15132  
Permit Number: G-15017  
LA GRANDE POLO CLUB;  
JOSEPH, STEVE  
PO BOX 3230  
LA GRANDE OR 97850  
Union County  
A WELL > GEKELER SLOUGH  
0.294 CFS  
IRRIGATION OF 23.5 ACRES  
October 1, 2010

Application Number: G-15245  
Permit Number: G-15132  
HARMON, PAUL; RITA HARMON  
31440 S DRYLAND RD  
CANBY OR 97013  
Clackamas County  
A WELL > PUDDING RIVER  
0.809 CFS  
NURSERY OPERATIONS ON 5.39 ACRES  
October 1, 2012

Application Number: G-16151  
Permit Number: G-15731  
READY, MICHAEL D.; JACKIE L READY  
2070 5TH AVE W  
VALE OR 97918  
Malheur County  
A WELL > WILLOW CREEK  
0.125 CFS  
IRRIGATION USE ON 10.0 ACRES  
October 1, 2019

Application Number: G-16191  
Permit Number: G-15808  
DELINT FARMS  
65324 ALICEL LANE  
COVE OR 97824  
Union County  
FOUR WELLS > GRANDE RONDE RIVER  
5.35 CFS  
IRRIGATION USE ON 507.0 ACRES  
October 1, 2019

Application Number: G-16231  
Permit Number: G-15802  
JOHN DAY RIVER CLUB LLC  
9 SW MOUNT JEFFERSON TERRACE  
LAKE OSWEGO OR 97035  
Gilliam County  
A WELL > ROCK CREEK  
0.56 CFS  
FILL AND MAINTENANCE OF A RESERVOIR  
FOR FISH AND WILDLIFE USE  
October 1, 2012

Application Number: G-16272  
Permit Number: G-15823  
POITRAS, JUDY; BARBARA BROWN  
16436 STATELINE RD  
TOUCHET WA 99360  
Umatilla County  
A WELL > RAYMOND GULCH  
0.89 CFS  
IRRIGATION USE ON 200.4 ACRES  
October 1, 2015

Application Number: R-72107  
Permit Number: R-14139  
OREGON PARKS AND RECREATION DEPARTMENT  
725 SUMMER ST NE SUITE C  
SALEM OR 97301-1001  
Grant County  
BRIDGE CREEK > MIDDLE FORK JOHN DAY RIVER  
32.0 AF EACH YEAR  
STORED WATER, TO BE USED FOR FISH, WILDLIFE AND LIVESTOCK,  
TO BE APPROPRIATED UNDER PERMIT # S-54166  
October 1, 2011

Application Number: S-72120  
Permit Number: S-54166  
OREGON PARKS AND RECREATION DEPARTMENT  
725 SUMMER ST NE SUITE C  
SALEM OR 97301-1001  
Grant County  
BRIDGE CREEK > MIDDLE FORK JOHN DAY RIVER  
0.15 CFS  
RESERVOIR MAINTENANCE FOR FISH WILDLIFE AND LIVESTOCK  
October 1, 2011

Application Number: S-73135  
Permit Number: S-52167  
RIDLE, SCOTT  
PO BOX 176  
BANDON OR 97411  
Coos County  
THREE RESERVOIRS > PACIFIC OCEAN  
27.3 AF OF STORED WATER ONLY; BEING 9.1 AF FROM EACH  
RESERVOIR  
CRANBERRY OPERATIONS ON 25.0 ACRES  
October 1, 2015

Application Number: S-84222  
Permit Number: S-54164  
U.S. FISH AND WILDLIFE SERVICE; DIVISION OF ENGINEERING  
911 NE 11TH AVE  
PORTLAND OR 97232-4181  
Harney County  
DONNER UND BLITZEN RIVER > MALHEUR LAKE  
NOT MORE THAN 820.4 CFS  
WILDLIFE REFUGE MANAGEMENT WHICH MAY INCLUDE WILDLIFE USE, AQUATIC LIFE,  
WETLAND ENHANCEMENT, RIPARIAN AREA ENHANCEMENT, FIRE PROTECTION, IRRIGATION  
USE, STOCK WATERING, RECREATION USE, CONSTRUCTION, FLOOD CONTROL, RESERVOIR  
MAINTENANCE AND DUST CONTROL  
October 1, 2025

Application Number: R-86269  
Permit Number: R-14205  
TEMPLE, STEPHEN W.  
186 KINNEY RD  
AMSTON CT 06231  
Crook County  
PERRY CREEK > WILLIAMSON CREEK  
2.0 AF PER YR  
MULTIPLE PURPOSE  
October 1, 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 \$20. (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 November 27, 2009.** There is no fee for submission of comments. The protest filing fee is \$300 for the applicant and \$600 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

**1.) OAR-690-315**

County of Use:	Jefferson
Application File Number:	G-12579
Permit Number:	G-11376 (MODIFIED BY PERMIT AMENDMENTS T-7828 & T-9663)
Applicant:	CROOKED RIVER RANCH WATER COOPERATIVE
Address:	JAMES ROOKS PO BOX 2319 TERREBONNE OR 97760
River Basin:	Deschutes Basin
Water Source:	THREE WELLS > CROOKED RIVER
Authorized Use of Water:	QUASI-MUNICIPAL USES
Maximum Diversion/ Appropriation Rate:	5.0 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2008 to October 1, 2028; and grant an extension of time to apply water to full beneficial use from October 1, 2008 to October 1, 2028.

County of Use: Curry  
Application File Number: S-63773  
Permit Number: S-47085  
Applicant: POWERS, RONALD A  
Address: 39273 HWY 101  
PORT ORFORD OR 97465  
River Basin: South Coast Basin  
Water Source: TWENTY TWO CREEK > BRUSH CREEK  
Authorized Use of Water: DOMESTIC USE FOR TWO FAMILIES INCLUDING  
IRRIGATION NOT TO EXCEED ONE-HALF ACRE LAWN  
AND NON-COMMERCIAL GARDEN EACH  
Maximum Diversion/  
Appropriation Rate: 0.02 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1984 to October 1, 2012; and grant an extension of time to apply water to full beneficial use from October 1, 1985 to October 1, 2012.



## **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 \$600 protest fee for non-applicant and \$300.00 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 November 12, 2009, 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-10556 filed by JESSE WARKENTIN; SHANNON WARKENTIN, PO BOX 842, CHRISTMAS VALLEY OR 97641 proposes a change in point of appropriation and a change in place of use under Certificates 52877 and 83516. Certificate 83516 allows the use of 0.122 CUBIC FOOT PER SECOND (priority date NOVEMBER 16, 1983, MARCH 1, 1984, JULY 16, 1984) from a well in 300 FEET SOUTH AND 550 FEET WEST FROM C1/4 CORNER OF SECTION 16, T 27 S, R 18 E, W.M. (Goose & Summer Lake Basin) for IRRIGATION in Sec. 16. The applicant proposes to move the point of appropriation approximately 9 miles (1320 FEET SOUTH AND 1320 FEET WEST FROM THE NE OF SECTION 17, T 25 S, R 18 E, W.M.) and to change the place of use to Sec. 17, T 25 S, R 18 E, W.M.. Certificate 52877 allows the use of 1.39 CUBIC FEET PER SECOND (priority date October 1, 1980) from a well in SE1/4 SW1/4 - 50 FEET NORTH AND 1100 FEET EAST FROM SW CORNER OF SECTION 19, T 26 S, R 19 E, W.M. (Fort Rock Basin) for IRRIGATION in Sec. 19. The applicant proposes to move the point of appropriation approximately 9 miles (1320 FEET SOUTH AND 1320 FEET WEST FROM THE NE OF SECTION 17, T 25 S, R 18 E, W.M.) and to change the place of use to Sec. 17, T 25 S, R 18 E, W.M. 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-10457 filed by Remington Ranch LLC, 1814 SW Remington Ranch Drive, Powell Butte, Oregon 97753, proposes a change in place of use and a change in character of use under Certificate 82659. The right allows the use of 0.37 cubic foot per second (priority date August 9, 1996) from Well 2E in Sec. 34, T 14 S, R 14 E, W.M. (Crooked River Basin) for irrigation in Sec. 33. The applicant proposes to change the place of use to Sects. 3, 4, 5, 9, and 10, T 15 S, R 14 E, W.M.; and to change the character of use to quasi-municipal. 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-10452 filed by, Mike Becker, proposes a change in place of use under Certificates 42444 and 79512 (priority dates 7/13/1971 and 1872) from the GRANDE RONDE RIVER in 2S, 38E, WM, SEC 31, SWSW, 800 FEET NORTH AND 160 FEET EAST FROM THE SW CORNER, SECTION 31(Certificate 42444) and 2S, 38E, WM, SEC 31, SWSW, 1858.33 FEET SOUTH & 80.84 FEET EAST FROM THE W1/4 CORNER, SECTION 31(Certificate 79512) for IRRIGATION in 2S, 38E, WM, SECTION 31, SWNE, SENW, (Certificate 42444) and SECTION 23, NESE, NWSE (Certificate 79512). The applicant proposes to change the place of use to 2S, 38E, WM, SECTION 31, NENE, NWNE, NWNE, NENW, SWNE, SENW, Tax Lot 500. 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.

## **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 November 12, 2009.** 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:

City of Florence, (Municipal)

To review any of the above plans or to provide comments on the plans, contact Bill Fujii at 503-986-0887 or [william.h.fujii@wrdd.state.or.us](mailto:william.h.fujii@wrdd.state.or.us).

## **Establishment of Mitigation Credits in the Deschutes Basin**

ORS 537.746 authorizes the Department to award mitigation credits in the Deschutes Basin to approved mitigation projects. Mitigation credits may be used in the Deschutes Basin, specifically the Deschutes Ground Water Study Area, to mitigate for the impacts of ground water use on surface water flows. Pursuant to OAR Chapter 690, Division 521, upon receipt of notification of a mitigation project, the Department shall give public notice of the intent to establish mitigation credits.

The public is invited to comment on establishment of mitigation credits for the project(s) described below. Comments must be received within 21 days of the date of this public notice. Comments should address the award of mitigation credits to the proposed project and its use for mitigation purposes. Included in this public notice is a preliminary determination as to the amount of mitigation credits that may be available from the proposed project.

### Klamath County

**Mitigation Project #: MP-123 (corrected)**

Project Applicant: Cascade Timberlands, LLC

Mitigation Project

And Process: Instream Transfer Application T-10672 for Certificate 13628

Subbasin/Source: Little Deschutes Subbasin – Big Marsh Creek, tributary to Crescent Creek

Amount of Water: Proposed Instream: up to 3.5 CFS  
Maximum Seasonal Volume – 560.0 AF

Current Use: Irrigation of 140.0 acres

Credits Assigned to: Cascade Timberlands, LLC

### Preliminary Mitigation

Credit Determination: 252.0 Mitigation Credits

May be available within Little Deschutes, Middle Deschutes, Upper Deschutes and General Zones of Impact

Contact: Laura Wilke, Phone: (503) 986-0884

**Notice of Open Comment Period  
Public Hearing  
Klamath Irrigation District  
C-Drop Hydroelectric Project**

**October 21, 2009, 6:30 p.m.  
Klamath County Government Center  
305 Main Street; Klamath Falls, OR**

**Comments on this application for preliminary permit for a new hydroelectric project are requested from interested citizens, organizations, governmental entities, and other parties. Comments are requested on whether the impacts of this project are such that they might be cumulative with other proposed or existing projects in the Klamath basin. Requests for additional studies related to project impacts may also be submitted.**

**The application and supporting documents may be viewed at the Water Resources Department, 725 Summer Street NE, Salem, Oregon 97301. The project is also filed with the Federal Energy Regulatory Commission (FERC) as docket p-13434**

**Comments may be submitted at the public hearing, or in writing to the Oregon Water Resources Department by October 30, 2009.**

**Application for a Preliminary Permit for a Major Hydroelectric Project in Klamath County.**

Application #:	PC 889
Applicant:	Klamath Irrigation District
Address:	6640 K.I.D. Lane, Klamath Falls, OR 97603
Amount of water:	550 cubic feet per second
Source of water:	“A” Canal diverted from Upper Klamath Lake
Location:	SW ¼ NE ¼ Section 19, Township 39 South, Range 10 East, W.M.
Purpose:	Hydroelectric power production at existing canal owned by the U.S. Bureau of Reclamation for irrigation purposes.
Plant Capacity:	1406 THP

For Further Information Contact: Mary Grainey 503-986-0833.

Note: The services, programs and activities of the Water Resources Department are covered by the Americans with Disabilities Act (ADA). The ADA prohibits discrimination against persons with disabilities. The Department intends to comply with the ADA. If you are interested and need special accommodations to participate in the public hearing, please contact Mary Grainey at (503) 986-0833, at least 48 hours prior to the hearing.

# **OREGON WATER RESOURCES DEPARTMENT**



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

## **PUBLIC NOTICE OF WATER USE REQUESTS**

October 13, 2009

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 final 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.

**Water Use Request Type & File Number**  
(e.g. "Permit Application G-12345" or "Transfer T-1234"):  
enclosed)\*

Mail me the order  
(payment

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

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\* We are required by law to charge a fee of \$20 to mail a copy of a proposed and final order on a pending water right application or permit extension to any interested person. Please include a check made out to the Oregon Water Resources Department in the amount of \$20 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 final order and final order are also available for viewing—at no charge—at our Salem office or at the local watermaster office.)