

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**September 30, 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.
- \* **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.
- \* **Extension of Time Checkpoint Progress Reports filed pursuant to OAR 690-320**  
Documents the progress made toward development of the water use project since approval of the last permit extension and/or the last progress report checkpoint. (OAR 690-320 pertains to permit extension applications filed before July 1, 2001.)
- \* **Extension of Time Checkpoint Progress Reports filed pursuant to OAR 690-315**  
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.)
- \* **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 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.

- \* **Transfer Applications: Permit Amendments**  
Requests to amend permits.
- \* **Certificate Issuance**  
Included in this section is a listing of recently issued water right certificates.
- \* **Proposed Order on the Potential for Cumulative Impacts with other Existing, Approved or Proposed Hydroelectric Projects**

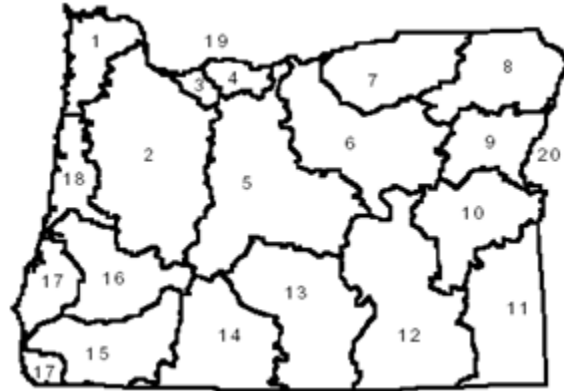
The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to "Codi.N.Holmes@ wrd.state.or.us".

## 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

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 30, 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, November 14, 2014.**

The protest filing fee is \$350 for the applicants and \$700 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO. Persons who support the PFO may file a "standing" fee of \$200 to retain the ability to participate in future proceedings relating to an application. Before participation is allowed, an additional \$500 will be required at the time of the proceeding.

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

App# [G-17783](#)  
County/Basin Malheur / Malheur(10)  
Applicant Name RODRIGUEZ, GEORGE  
213 BOAT LANDING RD  
ONTARIO, OR 97914  
Sources/TRSQ160Q40 A WELL > MALHEUR RIVER / 18.00S 46.00E 13 SWSW  
Use/Quantity SUPPLEMENTAL IRRIGATION / 1.880 CFS  
Priority Date 03/05/2014  
Stage/Status PFO / PROPOSE TO ISSUE

App# [G-17791](#)  
County/Basin Harney / Malheur Lake(12)  
Applicant Name ROTH, STEPHEN F.  
41600 HWY 20  
BROTHERS, OR 97712  
Sources/TRSQ160Q40 A WELL > MALHEUR LAKE / 23.00S 32.00E 10 NWSE  
A WELL > MALHEUR LAKE / 23.00S 32.00E 10 NWSE  
Use/Quantity IRRIGATION / 2.440 CFS  
Priority Date 03/10/2014  
Stage/Status PFO / PROPOSE TO ISSUE

App# [G-17796](#)  
County/Basin Gilliam / John Day(6)  
Applicant Name WILKINS 5 B RANCH  
WILKINS, CHET R.  
66979 FRENCH CHARLIE ROAD  
ARLINGTON, OR 97812  
Sources/TRSQ160Q40 A WELL > ROCK CREEK / 1.00N 21.00E 32 NESW  
Use/Quantity IRRIGATION / 1.840 CFS  
Priority Date 03/17/2014  
Stage/Status PFO / PROPOSE TO ISSUE

App# [G-17870](#)  
County/Basin Harney / Malheur Lake(12)  
Applicant Name ZANDER, DALLY M.  
ZANDER, MATHIEU J.  
PO BOX 812  
CRANE, OR 97732  
Sources/TRSQ160Q40 A WELL > MALHEUR LAKE / 25.00S 33.00E 14 NENW  
Use/Quantity IRRIGATION / 2.000 CFS  
Priority Date 05/30/2014  
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-17375](#)  
County/Basin Lake / Goose & Summer Lake(13)  
Applicant Name PEILA JR, JOHN  
PO BOX 697  
BURNS, OR 97720  
Priority Date 05/06/2010  
Issue Date 09/19/2014

App# [G-17639](#)  
County/Basin Malheur / Malheur(10)  
Applicant Name BLAIR, JOHN E.  
ONTARIO ASSET HOLDINGS LLC  
8701 WEST GAGE BLVD  
KENNEWICK, WA 99336-1034  
Priority Date 03/22/2013  
Issue Date 09/22/2014

App# [G-17745](#)  
County/Basin Deschutes / Deschutes(5)  
Applicant Name LA VASANI, MICHAEL  
64455 RESEARCH RD  
BEND, OR 97701  
Priority Date 12/17/2013  
Issue Date 09/23/2014

App# [LL-1533](#)  
County/Basin Curry / South Coast(17)  
Applicant Name MAGLIANA, JR, JOHN  
3600 LAKEVIEW BLVD STE 200  
LAKE OSWEGO, OR 97035  
Priority Date  
Issue Date 09/30/2014

## **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 30, 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-88013</a>
County/Basin	Douglas / Umpqua(16)
Applicant Name	BATES, MERYL PO BOX 465 ROSEBURG, OR 97470
Sources/TRSQ160Q40	GALESVILLE RESERVOIR > COW CREEK / 31.00S 4.00W 28 NESW CHAMPAGNE CREEK > SOUTH UMPQUA RIVER / 26.00S 6.00W 31 SENE
Use/Quantity	IRRIGATION / 6.250 Acre Feet IRRIGATION / 0.000 Acre Feet
Priority Date	09/17/2014

**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 30, 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-13189](#)  
Permit Number G-11750  
County/Basin Harney / Malheur(10)  
Applicant Name HENDRY, JOE  
ST RT 2 102 OIL WELL RD  
BURNS, OR 97720  
Sources/TRSQ160Q40 A WELL > SILVIES RIVER / 24.00S 32.00E 8 NENW  
Use/Quantity IRRIGATION / 0.400 CFS  
Proposed Completion Date 10/01/2019

App# [G-16679](#)  
Permit Number G-16242  
County/Basin Umatilla / Umatilla(7)  
Applicant Name BLUE MOUNTAIN CHRISTIAN FELLOWSHIP  
52747 COUNTY RD  
MILTON FREEWATER, OR 97562  
Sources/TRSQ160Q40 A WELL > MIDDLE BRANCH MUD CREEK / 6.00N 35.00E 21 NESW  
Use/Quantity IRRIGATION / 0.120 CFS  
Proposed Completion Date 10/01/2014



## **Proposed Final Orders Regarding Applications for Extensions of Time for Water Right Permits**

ORS 537.230, 537.248, 537.630 and 539.010 authorize the Water Resources Department to extend time limits contained in water right permits for completing construction of water development projects and applying water to full beneficial use. Procedures for permit holders to apply for extensions and for the Department to evaluate and determine whether or not to approve extensions of time are contained in OAR 690-320-0010 for extensions filed before July 1, 2001, and in OAR 690-315-0010 for extensions filed on or after July 1, 2001.

Proposed Final Orders (PFO's) are the Department's preliminary decision on extension requests. They document the agency's decision through specific findings. Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of \$25. (Any person paying to receive a PFO by mail will also receive a copy of the Final Order when it is issued). PFO's may be viewed for free at the Department's Salem Office or at the appropriate district watermaster office.

### **Extension of Time Public Notice and Comment Procedures**

**Written comments on or written protests against a PFO must be submitted on or before November 14, 2014.** There is no fee for submission of comments. The protest filing fee is \$350 for the applicant and \$700 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

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

App#	G-15109
Permit#	<a href="#">G-15351</a>
County/Basin	Clackamas / Willamette(2)
Applicant Name	INTERFOR U.S. INC. 15555 S HWY 211 MOLALLA, OR 97038
Sources/TRSQ160Q40	A WELL > MOLALLA RIVER / 5.00S 2.00E 3 SWNE
Use/Quantity	INDUSTRIAL/MANUFACTURING USES / 0.111 CFS
Status	PROPOSE TO APPROVE
App#	G-14603
Permit#	<a href="#">G-13462</a>
County/Basin	Umatilla / Umatilla(7)
Applicant Name	BRISCOE, CLAYTON M. 35773 CUNNINGHAM RD ECHO, OR 97826
Sources/TRSQ160Q40	A WELL > UMATILLA RIVER / 2.00N 30.00E 6 NESW
Use/Quantity	IRRIGATION / 0.125 CFS
Status	PROPOSE TO APPROVE

App#	G-17014
Permit#	<a href="#">G-16504</a>
County/Basin	Harney / Malheur(10)
Applicant Name	OPIE, SUSAN PO BOX 3004 PRINCETON, OR 97721
Sources/TRSQ160Q40	A WELL > ANDERSON VALLEY / 27.00S 34.00E 16 SWNW
Use/Quantity	IRRIGATION / 2.000 CFS
Status	PROPOSE TO APPROVE
App#	G-16540
Permit#	<a href="#">G-16112</a>
County/Basin	Clackamas / Willamette(2)
Applicant Name	PARK, COLIN PARK, SHARYN PARK, WILLIAM 24144 S SKYLANE DR CANBY, OR 97013
Sources/TRSQ160Q40	A WELL > MOLALLA RIVER / 4.00S 1.00E 2 NENW
Use/Quantity	NURSERY USES / 0.256 CFS
Status	PROPOSE TO APPROVE
App#	R-87130
Permit#	<a href="#">R-14616</a>
County/Basin	Klamath / Klamath(14)
Applicant Name	SPITSBERGEN, MARK 73900 HIGHWAY 140 EAST BLY, OR 97622
Sources/TRSQ160Q40	ISH TISH CREEK > SOUTH FORK SPRAGUE RIVER / 37.00S 15.00E 14 SWSE
Use/Quantity	MULTIPLE PURPOSE / 24.800 Acre Feet
Status	PROPOSE TO APPROVE
App#	R-87174
Permit#	<a href="#">R-14672</a>
County/Basin	Yamhill / Willamette(2)
Applicant Name	GREGORY, KENTON 3737 SW COUNCIL CREST DR PORTLAND, OR 97239
Sources/TRSQ160Q40	UNNAMED STREAM > WILLIAMS CANYON / 2.00S 4.00W 8 SENW
Use/Quantity	RUNOFF > WILLIAMS CANYON / 2.00S 4.00W 8 SENW
Status	MULTIPLE PURPOSE / 4.000 Acre Feet MULTIPLE PURPOSE / 4.000 Acre Feet PROPOSE TO APPROVE
App#	R-87173
Permit#	<a href="#">R-14671</a>
County/Basin	Yamhill / Willamette(2)
Applicant Name	GREGORY, KENTON 3737 SW COUNCIL CREST DR PORTLAND, OR 97239
Sources/TRSQ160Q40	RUNOFF > WILLIAMS CANYON / 2.00S 4.00W 8 SESW
Use/Quantity	MULTIPLE PURPOSE / 9.190 Acre Feet
Status	PROPOSE TO APPROVE

App#	G-16269
Permit#	<a href="#">G-15831</a>
County/Basin	Harney / Malheur Lake(12)
Applicant Name	OREGON DEPARTMENT OF STATE LANDS 1645 NE FORBES RD SUITE 112 BEND, OR 97701
Sources/TRSQ160Q40	A WELL > SAGE HEN CREEK / 25.00S 31.00E 21 SESW A WELL > SAGE HEN CREEK / 25.00S 31.00E 21 NWSW A WELL > SAGE HEN CREEK / 25.00S 31.00E 21 NWSE
Use/Quantity	IRRIGATION / 1.580 CFS
Status	PROPOSE TO APPROVE
App#	R-83296
Permit#	<a href="#">R-12457</a>
County/Basin	Lane / Willamette(2)
Applicant Name	LAMPKE, JOHN PO BOX 460 NOTI, OR 97461
Sources/TRSQ160Q40	INMAN CREEK > LONG TOM RIVER / 17.00S 6.00W 1 NWSE
Use/Quantity	FIRE PROTECTION / 5.000 Acre Feet
Status	PROPOSE TO APPROVE
App#	G-14822
Permit#	<a href="#">G-13671</a>
County/Basin	Yamhill / Willamette(2)
Applicant Name	RED HILLS HOMEOWNERS ASSOCIATION PO BOX 534 DUNDEE, OR 97115
Sources/TRSQ160Q40	A WELL > HARVEY CREEK / 3.00S 3.00W 26 NENW A WELL > HARVEY CREEK / 3.00S 3.00W 26 NENW
Use/Quantity	IRRIGATION / 0.102 CFS (est) IRRIGATION / 0.064 CFS (est)
Status	PROPOSE TO APPROVE

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

**Consistent with OAR 690-320-0010(10), the Department will accept public comment on the following Extension of time Checkpoint Progress Reports until October 30, 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.

App# [G-15271](#)  
Permit Number G-15205  
County/Basin Washington / Willamette(2)  
Applicant Name TOWNSEND HB LLC  
23400 NE TOWNSEND WAY  
FAIRVIEW, OR 97024  
Use IRRIGATION

App# [S-73348](#)  
Permit Number S-51552  
County/Basin Lincoln / Middle Coast(18)  
Applicant Name SEA CREST HOMEOWNERS ASSOCIATION INC.  
PO BOX 101  
OTTER ROCK, OR 97369  
Use GROUP DOMESTIC

**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 October 30, 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.

App#	<a href="#">S-71575</a>
Permit Number	S-52968
County/Basin	Umatilla / Umatilla(7)
Applicant Name	HAT ROCK WATER CO. INC. FRANELL, (C/O) JOE 82608 C ST HERMISTON, OR 97838
Use	GROUP DOMESTIC

## 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 21, 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# [IL 1](#)  
County/Basin Wasco / Hood(4)  
Name Lessee: OREGON WATER TRUST  
65 SW YAMHILL, SUITE 200  
PORTLAND, OR 97204  
Lessor: DALKE, PETER  
DALKE, KATHLEEN CASEY  
2700 SW ENGLISH LANE  
PORTLAND, OR 97201  
Cert#/Priority Date 8161 / 12/31/1892  
Source/Tributary To MOSIER CREEK / COLUMBIA RIVER  
8161 / 12/31/1898  
SPRING / MOSIER CREEK

Lease# [IL 93](#)  
County/Basin Polk / Willamette(2)  
Name Lessor: DALTON, PAMELA E.  
SHADY PLACE, LLC  
P.O. BOX 27  
DALLAS, OR 97338  
Cert#/Priority Date 37245 / 04/09/1962  
Source/Tributary To PEDEE CREEK / LUCKIAMUTE RIVER

Lease# [IL 1434](#)  
County/Basin Linn / Willamette(2)  
Name Lessor: PIESCHL, VAUGHN  
INTERNATIONAL PAPER  
3251 OLD SALEM RD NE  
ALBANY, OR 97321  
Cert#/Priority Date 54268 / 12/23/1954  
Source/Tributary To WILLAMETTE RIVER / COLUMBIA RIVER  
85736 / 10/29/1982  
WILLAMETTE RIVER / COLUMBIA RIVER

Lease# [IL 1435](#)  
County/Basin Linn / Willamette(2)  
Name Lessor: PIESCHL, VAUGHN  
INTERNATIONAL PAPER  
3251 OLD SALEM RD NE  
ALBANY, OR 97321  
Cert#/Priority Date 54268 / 12/23/1954  
Source/Tributary To WILLAMETTE RIVER / COLUMBIA RIVER

## 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 30, 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 11891</a>
Water Right	Cert:82275 CF *
County/Basin	Jefferson / Deschutes(5)
Applicant Name	JONES, GORDON C. LAKE CREEK LODGE 13375 SW FOREST SERVICE RD CAMP SHERMAN, OR 9773
Sources/TRSQ160Q40	LAKE CREEK > NORTH FORK LAKE CREEK / 13.00S 9.00E 15 NWSW
Use/Quantity	IRRIGATION / 0.330 CFS
Priority Date	1888

Transfer	<a href="#">T 11892</a>
Water Right	Cert:48423 OR *
County/Basin	Baker / Powder(9)
Applicant Name	RARE EARTH RESOURCES LLC PO BOX 1946 SILVERTON, OR 9738
Sources/TRSQ160Q40	PINE CREEK > SNAKE RIVER / 7.00S 45.00E 15 NENW
Use/Quantity	MINING / 2.230 CFS
Priority Date	05/06/1953

Transfer	<a href="#">T 11893</a>
Water Right	Cert:20285 OR *
County/Basin	Jackson / Rogue(15)
Applicant Name	STONE, TRUSTEE, SHIRLEY STONE FAMILY TRUST 5500 LOST CREEK RD EAGLE POINT, OR 9752
Sources/TRSQ160Q40	LOST CREEK > SOUTH FORK LITTLE BUTTE CREEK / 37.00S 2.00E 21 SENE
Use/Quantity	IRRIGATION / 2.900 CFS
Priority Date	07/25/1950

## **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-11895</a>
Water Right	Cert:51777 OR *
County/Basin	Malheur / Malheur(10)
Applicant Name	HEID, MONTE MONTE HEID FARMS 5261 S RD L JAMIESON, OR 9790
Sources/TRSQ160Q40	SHAFFER WELL 5 > GUM CREEK / 16.00S 43.00E 5 SWSW
Use/Quantity	IRRIGATION / 2.230 CFS
Priority Date	10/01/1971



## **Transfer Applications: Permit Amendments**

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU) pursuant to ORS 537.211 (4).

Notice is given that the following applications for Permit Amendments have been received by the Department. If the proposed change in point of diversion or appropriation is for a distance greater than 1/4 mile or includes intervening diversion points, notice also will be published in a local newspaper.

Transfer	<a href="#">T 11890</a>
Water Right	Permit: G 16143 *
County/Basin	Clackamas / Willamette(2)
Applicant Name	BOONSTRA, ROBERT M. 30574 S STUWE RD CANBY, OR 9701
Sources/TRSQ160Q40	A WELL > BEAR CREEK / 5.00S 1.00E 5 SENW
Use/Quantity	IRRIGATION / 0.313 CFS
Priority Date	01/03/2006

## **District Permanent Transfers (ORS 540.580)**

A district may request to permanently change the place of use within district boundaries. A district may provide notice to the Department of a change before it is made, and shall submit a district permanent application prior to the end of the calendar year in which the change occurs. The Department shall approve the transfer application provided it does not cause injury to existing water rights or expand the water use. The final order approving the permanent transfer is subject to protest.

This public notice also includes district notices of proposed changes. The Department will accept comments on injury and enlargement of changes in place of use associated with the notice and use those comments in the review of the proposed change.

The Department seeks public comment on recently filed district transfer applications listed below. The deadline for comments or protests to the transfer application must be received by the Department on or before October 30, 2014. The Department will hold a contested case hearing if: 1) a protest and \$700 protest fee for non-applicant and \$350.00 protest fee for applicant are received within the time allowed; or 2) the Department finds a hearing is needed to determine whether the proposed changes would result in injury to existing rights. (If a water user believes that a proposed change could injure a water delivery within a district's boundaries, the matter will be resolved directly between the district and the water user.)

### Notice of District

County: Deschutes  
Permanent Transfer: N14S.001  
Certificate: CERT 76684  
Priority Date: 12/8/1961  
Name: TUMALO IRRIGATION DISTRICT  
Address: 64697 COOK AVE BEND OR 97701  
Change: POU  
Source: TUMALO CREEK/UPPER TUMALO RIVER > DESCHUTES RIVER  
Acres: 108  
Authorized POU: T16S R11E 32; T16S R11E 33; T17S R11E 4; T17S R11E 5  
Proposed POU: T17S R11E 13

## 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="#">89542</a>
App:	R 84545
County/Basin	Baker / Powder(9)
Applicant Name	BALDOCK SLOUGH LLC
Priority Date	09/18/2000
Issue Date	09/26/2014
Cert#	<a href="#">89492</a>
App:	G 12851
County/Basin	Lane / Willamette(2)
Applicant Name	DETERING, WALLACE GLEN DETERING, ROBERTA LOUISE
Priority Date	04/02/1992
Issue Date	09/26/2014
Cert#	<a href="#">89494</a>
App:	G 13403
County/Basin	Marion / Willamette(2)
Applicant Name	ETZEL, FRANCIS
Priority Date	05/07/1993
Issue Date	09/26/2014
Cert#	<a href="#">89490</a>
App:	G 13860
County/Basin	Clackamas / Willamette(2)
Applicant Name	HECKEL, IDA HECKEL, WILHELM
Priority Date	10/27/1994
Issue Date	09/26/2014
Cert#	<a href="#">89512</a>
App:	G 12501
County/Basin	Marion / Willamette(2)
Applicant Name	KRAUTMAN, MARK
Priority Date	04/25/1991
Issue Date	09/26/2014
Cert#	<a href="#">89486</a>
App:	G 12995
County/Basin	Morrow / Umatilla(7)
Applicant Name	KREBS LIVESTOCK LLC
Priority Date	06/22/1992
Issue Date	09/26/2014

Cert# [89506](#)  
App: G 14212  
County/Basin Marion / Willamette(2)  
Applicant Name MALLORIES DAIRY INC.  
Priority Date 12/01/1995  
Issue Date 09/26/2014

Cert# [89499](#)  
App: G 13883  
County/Basin Malheur / Malheur(10)  
Applicant Name PFEILER, DOUG  
Priority Date 11/21/1994  
Issue Date 09/26/2014

Cert# [89527](#)  
Xfer: T 11588  
County/Basin Malheur / Malheur(10)  
Applicant Name WAGNER, MIKE  
WAGNER, ANNE  
Priority Date 11/05/1951  
Issue Date 09/26/2014

**Warm Springs Dam Hydroelectric Project – PC 900**  
Harney and Malheur Counties

This matter comes before the Director on the application of Warm Springs Irrigation District (Applicant) for a hydroelectric project utilizing the existing Warm Springs Dam and reservoir. The issue before the Director is whether the proposed project may contribute to cumulative impacts with other existing, approved or proposed hydroelectric projects in the same river basin. ORS 543.255. It is presumed that if there are other existing, approved or proposed projects, in the same river basin, there is a potential for cumulative impacts. OAR 690-051-0290(1). This presumption may be rebutted by showing the impacts of the proposed project are so small in extent, short-termed or localized that there is no reasonable likelihood of cumulative impacts. *Id.*

A contested case hearing shall be scheduled concerning the public interest issues of the Project according to ORS 543.230.

The project as proposed would operate in a run-of-release mode utilizing up to 425 cubic feet per second (cfs) of water released for irrigation and flood control from Warm Springs Reservoir, located within the Malheur Basin on the Malheur River, tributary to the Snake River. The project is expected to use up to 45 to 79 feet of gross head from a single turbine which will provide up to 3,815 theoretical horsepower. Expected output is about 2.7 megawatts.

The Proposed Order presents findings of facts and conclusions of law to find that there are no other existing, approved or proposed hydroelectric projects in the Malheur Basin at this time. A consolidated review of all pending hydroelectric projects in the basin is not required. A contested case hearing on the issue of whether the proposed project might impair or be detrimental to the public interest shall be scheduled within a few months.

Any person may protest this proposed order and request a hearing as provided by the Administrative Procedures Act, Oregon Revised Statutes Chapter 183 by filing a protest and request for hearing by **October 30, 2014**. A protest must be in writing, accompanied by a fee of \$700, and received at the Oregon Water Resources Department by **5 p.m. on October 30, 2014**. ORS 536.050(1)(j). Persons may mail or deliver protests and requests for hearing to:

Mary Grainey or Ann Reece  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

The proposed order, application and supporting documents can be viewed at the Water Resources Department, 725 Summer Street NE, Salem, Oregon 97301. The project is on file with the Federal Energy Regulatory Commission (FERC) per docket p-13570.

Any person may be represented by legal counsel at the hearing. Any person requesting a hearing will be notified of the time and place of the hearing and given information on the procedures, right of representation and other rights of parties relating to the conduct of the hearing before the commencement of the hearing. Any hearing will be held by an administrative law judge from the Office

of Administrative Hearings.

If you do not request a hearing within the time specified in this notice, or if you withdraw a request for hearing, notify the Division or the administrative law judge that you will not appear or fail to appear at a scheduled hearing, the Director may issue a final order. If the Director issues a final order by default, the Director will designate the Department's file on this matter as the record for the purpose of proving a prima facie case upon default.

For Further Information Contact: Ann Reece 503-986-0834, [reeceal@wrd.state.or.us](mailto:reeceal@wrd.state.or.us) , or Mary Graine 503-986-0833, [Mary.S.Grainey@wrd.state.or.us](mailto:Mary.S.Grainey@wrd.state.or.us) .

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
September 30, 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:**

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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.)