

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
August 25, 2015

*This notice is also available on our web page at the following address:
http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21*

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

- * **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **Applications for Limited Licenses**
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- * **Renewal of Aquifer Storage and Recovery (ASR) Limited Licenses (OAR 690-350-020(5)(c))**
Requests to renew ASR Limited Licenses for 5 years or less.
- * **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.
- * **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: Permit Amendments**
Requests to amend permits.

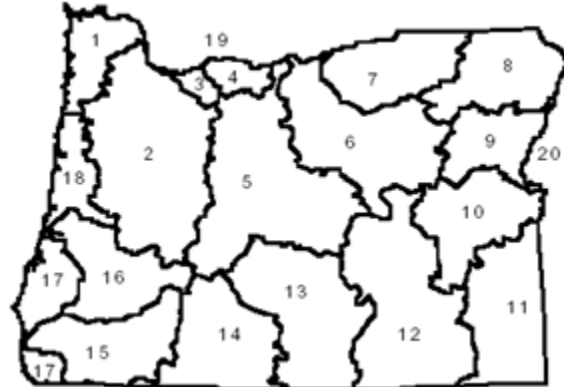
The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to "Codi.N.Holmes@ wrd.state.or.us".

How to Read the Listing

App#:

- G: Groundwater
- R: Reservoir
- S: Surface water
- I: Instream
- T: Transfer
- LL: Limited License

County/Basin (See Map)



Applicant Name

Applicant Address

Sources/TRSQ40Q160

Use/Quantity

Unit of measure:

CFS: Cubic feet per second

GPM: Gallons per minute

AF: Acre-feet

Priority Date

Stage/ Status

IR: Initial Review

PFO: Proposed Final Order

BASINS:

- | | | |
|----------------|--------------------|---------------|
| 1. North Coast | 8. Grande Ronde | 15. Rogue |
| 2. Willamette | 9. Powder | 16. Umpqua |
| 3. Sandy | 10. Malheur | 17. S. Coast |
| 4. Hood | 11. Owyhee | 18. Mid-Coast |
| 5. Deschutes | 12. Malheur L. | 19. Columbia |
| 6. John Day | 13. Goose/Summer L | 20. Snake |
| 7. Umatilla | 14. Klamath | |

Commonly used “Type of Use” abbreviations (for definitions, consult Oregon Administrative Rules 690-300):

- | | | |
|---|---------------------------------|-------------------------|
| AG: Agriculture | GR: Groundwater recharge | MU: Municipal |
| CR: Cranberry uses | GT: Geothermal | NU: Nursery use |
| CM: Commercial | ID: Irrigation with domestic | PA: Pollution abatement |
| DI, DN: Domestic including non-commercial lawn & garden | IL: Irrigation with livestock | PW: Power |
| DO: Domestic | IM: Industrial or manufacturing | QM: Quasi-municipal |
| DS: Domestic & stock | IR: Irrigation | RC: Recreation |
| FI: Fish | IS: Irrigation, supplemental | RW: Road construction |
| FP: Fire protection | LV: Livestock | TC: Temperature control |
| FW: Fish & wildlife | LW: Livestock & wildlife | WI: Wildlife |
| GD: Group domestic | MI: Mining | |

Initial Review and Proposed Final Orders

The following pages of this notice list permit applications that the Department is evaluating for compliance with state water law. 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.

Initial Review Stage (IR)

The Department has given the applicant an initial review of water-use restrictions, water availability and other limitations 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, September 24, 2015. Although we cannot respond individually to all comments, each will be considered as the agency makes its decision regarding proposed allocations.

Proposed Final Order Stage (PFO)

The proposed final order is the Department's penultimate decision on the water use request. The PFO documents the agency's decision through specific findings, including review of comments received. 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 free of charge online at: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>. 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 09, 2015.

The protest filing fee is \$350 for the applicants and \$700 for non-applicants. Detailed requirements for filing a protest are included in 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 in a hearing is allowed, an additional \$500 will be required to request to participate as a party or limited party.

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.

Final Orders - Permit & Limited License Applications

Following is a list of applications for new appropriations that have had final orders issued recently. If you would like a hard copy of an order mailed to you, send a request with \$25.00 for each order to the Water Rights Section, Oregon Water Resources Department, 725 Summer Street NE Suite A, Salem OR 97301. If you have any questions, please contact the Department's customer service staff by dialing 503-986-0801.

App# [G-18116](#)
County/Basin Crook / Deschutes(5)
Applicant Name ARNETT, RANDALL
645 G ST STE 100 NUMBER 575
ANCHORAGE, AK 99501
Priority Date 07/13/2015
Issue Date 08/14/2015
Status APPROVED

App# [LL-1593](#)
County/Basin Yamhill / Willamette(2)
Applicant Name CHAMBERS, KEVIN
23620 SE FRANQUETTE DR
AMITY, OR 97101
Priority Date 06/05/2015
Issue Date 08/18/2015
Status DENIED

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 **September 24, 2015**. 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#	S-88117
County/Basin	Douglas / Umpqua(16)
Applicant Name	MULL, WILLIAM AND MARILYN 969 NW BROADWAY ROSEBURG, OR 97471
Sources/TRSQ40Q160	A RESERVOIR > COW CREEK / 31.00S 4.00W 28 SWNE SOUTH UMPQUA RIVER > UMPQUA RIVER / 27.00S 6.00W 15 NESE
Use/Quantity	DOMESTIC EXPANDED / 2.000 AF DOMESTIC EXPANDED / 0.000 AF
Priority Date	08/12/2015

Applications for Limited Licenses

A limited license allows the right to use or store water for no more than 5 consecutive years. Use of water under a limited license is subordinate to all other authorized uses and may be shut-off at any time to satisfy those other uses. In addition, the Department may revoke a limited license if its use causes injury to any other water right or minimum perennial streamflow.

Licensees must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after September 08, 2015, upon finding that the proposed water use will not impair or be detrimental to the public interest (OAR 690-340-030).** The public is invited to provide comments that will assist the Director in determining whether the use would impair or be detrimental to the public interest.

App#	LL-1608
County/Basin	Morrow / Umatilla(7)
Applicant Name	GAS TRANSMISSION NORTHWEST REVENAUGH, BOBBY 700 LOUISIANA ST SUITE 700 HOUSTON, TX 77002
Sources/TRSQ40Q160	CARTY RES > SIXMILE CANYON / 3.00N 24.00E 34 SWSW
Use/Quantity	INDUSTRIAL/MANUFACTURING USES / 2500 GPM
Priority Date	08/20/2015

Aquifer Storage and Recovery (ASR) Limited License

ASR means the storage of water from a separate source that meets drinking water standards in a suitable aquifer for later recovery and not having as one of its primary purposes the restoration of the aquifer (ORS 537.531). The use of water for ASR testing purposes requires a limited license pursuant to ORS 537.534. The requirements and procedures of an ASR limited license are different than those for limited licenses pursuant to ORS 537.143. Only after completion of an ASR testing program under a limited license may an applicant apply for a permanent ASR permit. The appearance of the request in the public notice commences a 30-day public comment period for the application. Following the public comment period, the Department may request additional information from the applicant, issue the limited license with proper conditions, or deny the application.

WASHINGTON
ASR LL-17

Hillsboro School District
c/o Loren Rogers
3083 NE 49th Place
Hillsboro, OR 97124

A 5-year testing program

Diversion of 100 gpm from the Tualatin River, a tributary of the Willamette River, using authorization of Certificates 67891, 85913, 81026, and 81027 or from Sain Creek, a tributary of Scoggins Creek or Scoggins Creek, tributary of the Tualatin River using authorization of Certificates 81026 and 81027.

Storage of 30 million gallons in a basalt aquifer within the Columbia River Basalt Group
Maximum injection of 100 gpm into one well
Maximum withdrawal of 320 gpm from the same well
For municipal use (irrigation)

River/Creek POA's: T1S, R5W, Section 20; T1S, R3W, Section 8; T1S, R5W, Section 14, and T1S, R4W, Section 20
ASR Well: T1N, R2W, Section 14

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; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

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 September 24, 2015. 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	T 12138
Water Right	Cert:27019 , Cert:28839 , Cert:46391 , Cert:84831
County/Basin	Harney / Malheur Lake(12)
Applicant Name	PHASE 3 FARMS INC 41771 SODHOUSE LANE PRINCETON, OR 97721
Proposed Change	ADDITIONAL POINT OF APPROPRIATION,PLACE OF USE
Sources/TRSQ40Q160	A WELL > MALHEUR LAKE / 27.00S 33.00E 2 NWNW A WELL > MALHEUR LAKE / 26.00S 33.00E 34 SWNE A WELL > MALHEUR LAKE / 26.00S 33.00E 33 NWSE A WELL > MALHEUR LAKE / 26.00S 33.00E 34 SWSW A WELL > MALHEUR LAKE / 26.00S 33.00E 28 SESW WELL 1 > MALHEUR LAKE / 27.00S 33.00E 2 NWNW WELL 1 > SILVIES RIVER / 26.00S 33.00E 34 SWNE
Use/Quantity	IRRIGATION / 0.490 CFS IRRIGATION / 1.980 CFS IRRIGATION / 1.320 CFS IRRIGATION / 2.030 CFS IRRIGATION / 2.665 CFS IRRIGATION / 1.610 CFS IRRIGATION / 1.980 CFS
Priority Date	04/29/1955, 05/05/1955, 05/17/1971, 04/07/1981

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 September 24, 2015, 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-10193 filed by Ann Wisnovsky, 1352 Applegate Rd, Jacksonville, OR 97530, proposes to transfer the rights under Certificates 86833 and 86834. Certificate 86833 allows the use of 0.7 cfs from the Little Applegate River in Sec. 33, T38S, R3W, WM, and Sec. 14, T39S, R3W, WM for irrigation and stock in Sects. 33 and 34. Certificate 86834 allows the use of 0.31 cfs from the Little Applegate River in Sec. 33, T38S, R3W, WM, and Sec. 14, T39S, R3W, WM for irrigation in Sec. 34. The applicant proposes to create an instream use in the Applegate River from the point of diversion to the mouth. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540, OAR 690-380-5000 and OAR 690-077-0075.

T-12062 filed by Phase 3 Farms Inc, 41771 Sodhouse Lane, Princeton, OR 97721, proposes a place of use change under Certificate 27019. The right allows the use of 0.28 cfs from Well 1 in Sec. 2, T27S, R33E, WM for irrigation in Sec. 2, T27S, R33E, WM and Sec. 35, T26S, R33E, WM. The applicant proposes to change the place of use to Sec. 2, T27S, R33E, WM. 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 [T-12134](#)
Water Right Cert:26711
County/Basin Jackson / Rogue(15)
Applicant Name BLAKENSHIP, ALAN
29280 HWY 62
TRAIL, OR 97541
Proposed Change ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160 A SPRING > KNIGHTON CREEK / 33.00S 2.00E 17 SENW
KNIGHTON CREEK > ROGUE RIVER / 33.00S 2.00E 17 SENW
Use/Quantity IRRIGATION / 0.060 CFS
IRRIGATION / 0.110 CFS
Priority Date 11/02/1950

Transfer [T-12137](#)
Water Right Cert:19516
County/Basin Lane / Willamette(2)
Applicant Name DECK, JOHN
DECK FAMILY FARM
25362 HIGH PASS ROAD
JUNCTION CITY, OR 97448
Proposed Change PLACE OF USE
Sources/TRSQ40Q160 OWENS CREEK > BEAR CREEK / 16.00S 5.00W 6 NWNW
Use/Quantity IRRIGATION / 0.250 CFS
Priority Date 04/02/1946

Transfer Applications: Permit Amendments

The holder of a water right permit may apply to change a point of diversion or appropriation or to change the place of use 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	T 12135
Water Right	Permit: S 54839
County/Basin	Morrow / Umatilla(7)
Applicant Name	MCELLIGOTT, MATT 49026 HWY 30 NORTH POWDER, OR 97867
Proposed Change	ADDITIONAL POINT OF DIVERSION
Sources/TRSQ40Q160	A RESERVOIR > WILLOW CREEK / 2.00S 26.00E 35 NWSE WILLOW CREEK > COLUMBIA RIVER / 2.00S 26.00E 27 SENW WILLOW CREEK > COLUMBIA RIVER / 2.00S 26.00E 27 SWNE WILLOW CREEK > COLUMBIA RIVER / 2.00S 26.00E 8 SWSW WILLOW CREEK > COLUMBIA RIVER / 2.00S 26.00E 21 NESW WILLOW CREEK > COLUMBIA RIVER / 2.00S 26.00E 21 SWSE WILLOW CREEK > COLUMBIA RIVER / 1.00S 25.00E 27 SWSW WILLOW CREEK > COLUMBIA RIVER / 1.00S 25.00E 28 NESE WILLOW CREEK > COLUMBIA RIVER / 1.00S 23.00E 1 SWSE WILLOW CREEK > COLUMBIA RIVER / 1.00S 24.00E 12 SENE WILLOW CREEK > COLUMBIA RIVER / 1.00S 24.00E 11 SENE WILLOW CREEK > COLUMBIA RIVER / 1.00S 24.00E 11 SWNE WILLOW CREEK > COLUMBIA RIVER / 1.00S 24.00E 11 SENW WILLOW CREEK > COLUMBIA RIVER / 1.00S 24.00E 10 NENE WILLOW CREEK > COLUMBIA RIVER / 2.00S 26.00E 7 SENW WILLOW CREEK > COLUMBIA RIVER / 2.00S 26.00E 17 NESW WILLOW CREEK > COLUMBIA RIVER / 1.00S 25.00E 35 NESE WILLOW CREEK > COLUMBIA RIVER / 1.00S 25.00E 28 NENW WILLOW CREEK > COLUMBIA RIVER / 1.00S 25.00E 20 NWSE WILLOW CREEK > COLUMBIA RIVER / 1.00S 25.00E 36 SWSW WILLOW CREEK > COLUMBIA RIVER / 2.00S 25.00E 1 SWNE WILLOW CREEK > COLUMBIA RIVER / 2.00S 25.00E 1 SWNE
Use/Quantity	IRRIGATION / 2500.000 AF
Priority Date	01/06/2009
Transfer	T 12136
Water Right	Permit: G 17062
County/Basin	Harney / Malheur Lake(12)
Applicant Name	GOLDEN RULE FARMS INC. PO BOX 255 CHRISTMAS VALLEY, OR 97641
Proposed Change	ADDITIONAL POINT OF APPROPRIATION,PLACE OF USE
Sources/TRSQ40Q160	A WELL > MILLER CANYON / 23.00S 26.00E 12 SWSW A WELL > MILLER CANYON / 23.00S 26.00E 12 SESE A WELL > MILLER CANYON / 23.00S 26.00E 12 NWNW A WELL > MILLER CANYON / 23.00S 26.00E 12 NENE
Use/Quantity	IRRIGATION / 2.650 CFS (est)
Priority Date	08/31/2012

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
August 25, 2015

Use 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)*

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Your Name, Address, and Phone Number:

* We are required by law to charge a fee of \$25 to mail a copy of proposed and final orders on a pending permit or permit extension applications to any interested person. Please include a check made out to the Oregon Water Resources Department in the amount of \$25 for each type of order you would like mailed to you. This fee entitles you to also receive a copy of the final order, when issued. Copies of proposed and final orders are also available for viewing (at no charge) at our Salem office, at the local watermaster office, or online.