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.

* **Water Right Cancellations**
  Abandonment of perfected and developed water rights and requests to cancel all or a portion of rights.

* **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.

* **District Permanent Transfers (ORS 540.580)**
  Petitions requesting transfers in place of use within a district’s boundaries.
* 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.

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, February 11, 2010. 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, February 26, 2010.

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:

<table>
<thead>
<tr>
<th>App#</th>
<th>Basin</th>
<th>Source</th>
<th>Township/Range</th>
<th>County</th>
<th>Priority</th>
<th>Quantity</th>
<th>Stage Status</th>
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<tbody>
<tr>
<td>G-15693</td>
<td>DOE, JOHN PO BOX 123 EUGENE OR 97123</td>
<td>02 A WELL &gt; SPRING CR</td>
<td>16.00S 03.00W 19 NESW Lane</td>
<td>01/29/2002</td>
<td>0.3700</td>
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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

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)

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 livestock  PW: Power
DI.DN: Domestic including non-commercial lawn & garden  IL: Irrigation with livestock  QM: Quasi-municipal
DO: Domestic  IM: Industrial or manufacturing  RW: Road construction
DS: Domestic & stock  IR: Irrigation  ST: Storage
FI: Fish  IS: Irrigation, supplemental  SW: Swimming
FP: Fire protection  LV: Livestock  TC: Temperature control
FW: Fish & wildlife  LW: Livestock & wildlife  WI: Wildlife
GD: Group domestic  MI: Mining

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

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<table>
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<tr>
<th>App#</th>
<th>Basin Source</th>
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<td>12 A WELL &gt; WEST FORK SILVIES RIVER</td>
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<td>METCALF, AL FALCON HEIGHTS WATER AND SEWER DISTRICT PO BOX 127 KLAMATH FALLS</td>
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<td>App#</td>
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<td>G-17263</td>
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<td>A WELL &gt; IMNAHA RIVER</td>
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<td>Wallowa</td>
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<td>GLOECKLER, EMILY TA OPERATING LLC 24601 CENTER RIDGE RD SUITE 200 WESTLAKE OR 44145-5639</td>
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Water Right Cancellations

ORS 540.621 authorizes the Director to issue an order canceling a perfected and developed water right whenever the owner certifies under oath that the right has been abandoned and requests a cancellation of the right.

The Department has received affidavits from owners of land to which a water right is appurtenant stating the owner has abandoned the water right, and requesting that the Department cancel portions of the right appurtenant to the land.

The Department proposes to issue orders canceling all or a portion of the following water right(s):

COUNTY: BAKER
WATER RIGHT CERTIFICATE: 49963, IN THE NAME OF F. C. VAUGHAN
PRIORITY DATE: APRIL 13, 1926
SOURCE: OVERFLOW FROM CITY OF BAKER'S RESERVOIR
LANDOWNER: RICHARD S. AND TRUDY L. LOWERY
ADDRESS: 19105 GRACE ST., BAKER CITY, 97814
USE: IRRIGATION
QUANTITY: 0.09 CFS
ACRES: 8.65
LOCATION: T9S,R40E,SEC 19, NWNE
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 February 11, 2010. 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: S-70511
Permit Number: S-52132
U.S. BUREAU OF LAND MANAGEMENT
777 NW GARDEN VALLEY BLVD
ROSEBURG 97470
Douglas County
A SPRING > TWELVEMILE CREEK
WEASEL FLATS HELIPOND RES > TWELVEMILE CREEK
0.70 CFS, BEING 0.69 CFS OF LIVE FLOW FOR FOREST MANAGEMENT,
0.01 CFS OF LIVE FLOW FOR MAINTENCEANCE OF WEASEL FLATS HELIPOND
RESERVOIR, AND 6.6 AF OF STORED WATER FOR FOREST MANAGEMENT
FOREST MANAGEMENT AND RESERVOIR MANAGEMENT
October 1, 2012
Application Number: R-70701
Permit Number: R-11753
U.S. BUREAU OF LAND MANAGEMENT
777 NW GARDEN VALLEY BLVD
ROSEBURG 97470
Douglas County
A SPR/WEASEL FLATS > TWELVEMILE CREEK
6.6 AF APPROPRIATED FOR STOARAGE EACH YEAR
STORED WATER TO BE APPROPRIATED & MAINTAINED UNDER PERMIT # S-52132
FOR FOREST MANAGEMENT
October 1, 2012
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 February 26, 2010. 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:                         Morrow
Application File Number:               G-15812
Permit Number:                        G-15542
Applicant:                           TURNER, KENNEY
                                      LINDSAY, MELISSA
Address:                             65708 SAND HOLLOW RD
                                      HEPPNER OR  97836
River Basin:                         Umatilla Basin
Water Source:                        TWO WELLS > LITTLE BUTTER CREEK
Authorized Use of Water:             PRIMARY IRRIGATION OF 370.0 ACRES AND
                                      SUPPLEMENTAL IRRIGATION OF 595.9 ACRES
Maximum Diversion/
Appropriation Rate:                  7.36 CFS, BEING 4.46 CFS FROM WELL 1 AND 2.90
                                      CFS FROM WELL 2

Recommendation: The department proposes to grant an extension of time to
Apply water to full beneficial user from October 1, 2008 to October 1, 2014.
County of Use: Crook
Application File Number: G-16037
Permit Number: G-15598
Applicant: GUTIERREZ CATTLE CO.
Address: PO BOX 1076
WEST SACRAMENTO CA 95691
River Basin: Deschutes Basin
Water Source: A WELL > MERWIN RES
Authorized Use of Water: IRRIGATION ON 251.5 Acres
Maximum Diversion/ Appropriation Rate: 3.14 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2008 to October 1, 2010.
**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 February 02, 2010. 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.

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<tr>
<td>Instream Lease Number:</td>
<td>IL 108</td>
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<tr>
<td>Lessor:</td>
<td>EASTERN OREGON LIGHT &amp; POWER</td>
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<tr>
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<td>ATTN: DOUG HENDERSON</td>
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<td>P.O. BOX 247</td>
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<td></td>
<td>HAINES OR 97833-0247</td>
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<td>Contact:</td>
<td>KODY THURGOOD at 503-986-0892</td>
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<tr>
<td>Reach:</td>
<td>FROM POD TO SITE OF FORMER POWERHOUSE AND TAILRACE IN THE SW 1/4, SEC 33, T7S, R38E, WM.</td>
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<tr>
<th>Cert#</th>
<th>Permit</th>
<th>Priority</th>
<th>Use</th>
<th>Rate(cfs)</th>
<th>Duty(acf)</th>
<th>Source</th>
<th>Tributary to</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>4120 OR *</td>
<td>04/11/1902</td>
<td>PW</td>
<td>13.0</td>
<td>ROCK CREEK</td>
<td>POWDER RIVER</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Public Notice date January 12, 2010, Page 13
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 February 11, 2010. Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

County: Wheeler
Transfer: T -10996
Water Right: Cert:25918,25924,37255,83217,83219
Priority Date: 1887, 1899, 1954, 1984, 1986
Name: DAYSPRING PARTNERS LLC
Address: 15350 SW SEQUOIA PARKWAY SUITE 250, PORTLAND, OR 97224
Change: POU
Source: A RESERVOIR, SPRING, HIGH CREEK, ROCK CREEK UNNAMED DRAINAGEWAY

County: Grant
Transfer: T -10997
Water Right: Cert:946
Priority Date: 1912
Name: ENGLE, GARY
Address: 37796 COTTONWOOD ROAD, MONUMENT, OR, 97864
Change: POD
Source: COTTONWOOD CREEK

County: Marion
Transfer: T -10999
Water Right: Cert:82388
Priority Date: 1992
Name: JOHNSON, STEVE V. & JOHNSON, CONSTANCE A.
Address: 10404 HAZELGREEN RD, SILVERTON, OR, 97381
THE PICTSWEET COMPANY
TEN PICTSWEET DRIVE, BELLS, TN, 38006
Change: POU, POA
Source: A WELL

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County:       Deschutes
Transfer:     T -11000
Water Right:  Cert:75760
Priority Date: 1903
Name:         CITY OF BEND
Address:      62975 BOYD ACRES RD,BEND,OR,97701
Change:       USE, POU
Source:       DESCHUTES RIVER
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 February 11, 2010, 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-9967 filed by Matthew & Sarah Erlandson, 2480 South Walnut St., Milton-Freewater, OR 97862, proposes a change in point of diversion under Certificate 83333. The right allows the use of 0.11 cubic foot per second (priority date of 1894) from a diversion on the Walla Walla River located within the SWNW, Sec. 18, T5N, R36E, WM., for irrigation in Sec. 13, of T 5 N, R 35 E, WM. The applicant proposes to change the point of diversion downstream approximately 1100 feet to a location within the SENE, of Sec. 13, T 5 N, R 35 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.
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 February 11, 2010. The Department will hold a contested case hearing if: 1) a protest and $600 protest fee for non-applicant and $300.00 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.)

- County: CROOK, DESCHUTES, JEFFERSON
  Transfer: 10995
  Water Right: CERT 76714,83571
  Priority Date: 1900,1907,1913
  Name: CENTRAL OREGON IRRIGATION DISTRICT
  Address: 1055 SW LAKE COURT, REDMOND OR 97756
  Change: PLACE OF USE
  Source: CRANE PRAIRIE RESERVOIR, DESCHUTES RIVER

- County: MORROW, UMATILLA
  Transfer: 10998
  Water Right: CERT 79924,79925,79926,79928,79929,79941
  Priority Date: 1893,1906,1908,1968,1966
  Name: WEST EXTENSION IRRIGATION DISTRICT
  Address: PO BOX 100, IRRIGON OR 97844
  Change: PLACE OF USE
  Source: UMATILLA RIVER
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 February 11, 2010. 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 Millersburg (Municipal)
Rivergrove Water District (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.
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"): Mail me the order (payment enclosed)*

Your Name, Address, and Phone Number:

______________________________________________________________

______________________________________________________________

______________________________________________________________

______________________________________________________________

* 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 propose final order and final order are also available for viewing—at no charge—at our Salem office or at the local watermaster office.)