

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
June 1, 2010

*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.
- \* **Expedited Secondary Applications to Use Stored Water**  
Applications to use stored water exclusively, filed under a simplified review process.
- \* **Emergency Water Use Permit Applications**  
Final Orders issued approving applications for temporary water use permits during a drought declared under ORS 536.740.
- \* **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.
- \* **Applications for Extensions of Time to Perfect Water Right Permits**  
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- \* **Application for Instream Lease**  
Application by water right holder to lease existing water rights to instream use.
- \* **Transfer Applications: Regular**  
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.

- \* **Transfer Preliminary Determinations**  
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- \* **Transfer Applications: Temporary Transfers**  
Requests to temporarily change place of use and, if necessary to convey the water to the new place of use, to temporarily change the point of diversion or appropriation.
- \* **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 "Jonine.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, July 01, 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, July 16, 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:

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="#">G-17204</a>	LOWRY, WAYNE	SHERWOOD SCHOOL DISTRICT	23295 SW MAIN ST	SHERWOOD OR	97140			PFO 3
Uses: 2	IR	A WELL > CEDAR CREEK	2.00S 1.00W 30 SWNW	Washington	04/16/2009	0.12C		

## 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-17231</a>	5	DESC	06/05/2009		TED MOORE	05/20/2010
<a href="#">G-17258</a>	5	DESC	08/27/2009		RAY SEIDLER	05/20/2010
<a href="#">G-17292</a>	5	DESC	12/07/2009		STEPHEN ERAKER	05/20/2010
<a href="#">R-87278</a>	6	WHEE	08/27/2008		JAMES KEMMER	05/20/2010
<a href="#">R-87476</a>	15	JACK	06/23/2009		TERRY SHORES	05/20/2010
<a href="#">S-86881</a>	7	UMAT	05/29/2007		DAVID LESSER	05/20/2010
<a href="#">S-87588</a>	2	CLAC	03/05/2010		JACK PERRIN	05/20/2010
<a href="#">G-17088</a>	2	MULT	07/30/2008	FIVE STAR STORAGE CO.		05/26/2010
<a href="#">S-87016</a>	8	WALL	10/19/2007		JACKIE MORTON	05/26/2010
<a href="#">G-16874</a>	5	DESC	06/19/2007	SUNRIVER WATER LLC		05/27/2010
<a href="#">G-17225</a>	9	BAKE	05/22/2009	PINE VALLEY LAND LLC		05/27/2010
<a href="#">G-17288</a>	12	HARN	11/20/2009		MIKE STILLS	05/27/2010
<a href="#">R-86357</a>	13	LAKE	06/30/2005	O MOUNTAINAIR LTD		05/27/2010
<a href="#">R-87517</a>	6	GRAN	08/21/2009		CRAIG ENSIGN	05/27/2010
<a href="#">R-87518</a>	6	GRAN	08/21/2009		MICHAEL ENSIGN	05/27/2010

Application	Basin	County	Priority	Company	Name	FO Date
<a href="#">R-87519</a>	6	GRAN	08/21/2009		MICHAEL ENSIGN	05/27/2010
<a href="#">R-87520</a>	6	GRAN	08/21/2009		MICHAEL ENSIGN	05/27/2010
<a href="#">S-86930</a>	2	CLAC	06/29/2007	WILLAMETTE TREE WHOLESale		05/27/2010
<a href="#">S-86931</a>	2	CLAC	06/29/2007	WILLAMETTE TREE WHOLESale		05/27/2010

## **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 July 31, 2010.**

R-87624

CHRISTMAN, TERRY

308 OCOTILLO AVE

FLORENCE AZ 85132

POD: 1 A SPRING > EAST PINE CREEK

SW 1/4 SW 1/4 Section 3 T 8.00S R 46.00E WM

Baker County

9.0 A for MULTIPLE PURPOSE

R-87625

PAGEL, MARTHA O.

SCHWABE WILLIAMSON AND WYATT

EQUITABLE CENTER

530 CENTER ST NE SUITE 400

SALEM OR 97301

DAYSRING PARTNERS LLC

DAYSRING PARTNERS LLC

15350 SW SEQUOIA PARKWAY SUITE 250

PORTLAND OR 97224

POD: 1 SPRINGS > ROCK CREEK

SW 1/4 NE 1/4 Section 22T 13.00S R 24.00E WM

Wheeler County

5.0 A for MULTIPLE PURPOSE (est.)

POD: 2 UNNAMED STREAM > ROCK CREEK

SW 1/4 NE 1/4 Section 22T 13.00S R 24.00E WM

Wheeler County

5.0 A for MULTIPLE PURPOSE (est.)

POD: 3 WEST BRANCH ROCK CREEK > ROCK CREEK

SE 1/4 SE 1/4 Section 21T 13.00S R 24.00E WM

Wheeler County

5.0 A for MULTIPLE PURPOSE (est.)



## **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 **July 01, 2010**. 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).

S-87613  
OWENS, ANDREW  
6523 AZALEA GLEN RD  
GLENDALE OR 97442

OWENS, ANDY  
6523 AZALEA GLEN RD  
GLENDALE OR 97442

OWENS, MARIAN  
6523 AZALEA GLEN RD  
GLENDALE OR 97442  
POD: 1 GALESVILLE RESERVOIR > COW CREEK  
SW 1/4 NE 1/4 Section 28T 31.00S R 4.00W WM  
Douglas County  
84.74 AFT for IRRIGATION (est.)  
POD: 2 COW CREEK > UMPQUA RIVER  
SW 1/4 NE 1/4 Section 25T 32.00S R 6.00W WM  
Douglas County  
0.0 AFT for IRRIGATION (est.)

## Emergency Water Use Permit Applications

Under OAR 690-19-040, after the Governor declares that a severe, continuing drought exists, the Director may accept applications for emergency use permits.

The Director shall approve an application for emergency water use upon findings that the proposed use will not cause injury to existing water rights and will not impair or be detrimental to the public interest. In evaluating whether the proposed use will impair or be detrimental to the public interest, the Director shall consider the factors described in OAR 690-310-0120 and 690-310-0130; and

- a) The need for water because of the drought emergency; and
- b) The short-term nature of the proposed emergency use.

An emergency use permit may be issued upon approval by the Director. No hearing under ORS 537.170 is required. The Director will consider all comments received concerning the use, or proposed use, under the emergency use permit throughout the life of the permit. Use of water under a emergency use permit may be regulated at any time in accordance with the terms and conditions of the permit. If use of water under a emergency use permit causes injury to an existing water right, the permit shall be revoked unless the injury is mitigated to the satisfaction of the injured water right holder. Any use of water under an emergency use permit shall not exceed the term of the Governor's declared drought or one year.

Application	Basin	County	Date Filed	Name	Final Order Date
<a href="#">G-17379</a>	14	Klamath	05/18/2010	CARLAND, DALE PO BOX 64 MIDLAND OR 97634	5/28/2010

## 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 June 15, 2010, 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.

LL-1290

KINDER MORGAN LIQUIDS TERMINAL - WILLBRIDGE  
STECKMAN, LARRY  
3709 NE 54<sup>TH</sup> AVE  
VANCOUVER WA 98661

POD: 1 WILLAMETTE R > COLUMBIA R  
NW ¼ SW ¼ Section 18 T 01.00N R 01.00 E WM  
Multnomah County  
4.46 CFS (est.) For GENERAL CONSTRUCTION  
4.46 CFS (est.) For HYDROSTATIC TEST OF  
ABOVEGROUND STORAGE TANK

LL-1291

SALMON VALLEY WATER CO  
GOFF, LON  
PO BOX 205  
WELCHES OR 97067

POD: 1 A WELL > SANDY R  
SE ¼ SW ¼ Section 33 T 02.00S R 07.00E WM  
Clackamas County  
.17 CFS (est.) For COMMERCIAL, INDUSTRIAL AND DOMESTIC  
POD: 2 A WELL > SANDY R  
NE ¼ NW ¼ Section 4 T 03.00S R 07.00E WM  
Clackamas County  
.17 CFS (est.) For COMMERCIAL, INDUSTRIAL AND DOMESTIC

## **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 July 16, 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:	Clatsop
Application File Number:	G-12783
Permit Number:	G-11676
Applicant:	KNAPPA WATER ASSOCIATION
Address:	92755 ALLEN RD ASTORIA OR 97103-8603
River Basin:	North Coast Basin
Water Source:	A WELL > COLUMBIA RIVER
Authorized Use of Water:	QUASI-MUNICIPAL USES
Maximum Diversion/ Appropriation Rate:	0.1003 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2009 to October 1, 2029.

County of Use:	Linn
Application File Number:	G-15034
Permit Number:	G-13866
Applicant:	ROTH VALLEY FARMS LTD ROTH, GARY D.
Address:	33803 SEVEN MILE LANE SE ALBANY OR 97322
River Basin:	Willamette Basin
Water Source:	A WELL > OAK CREEK
Authorized Use of Water:	IRRIGATION ON 80.0 Acres
Maximum Diversion/ Appropriation Rate:	1.0 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2009 to October 1, 2012.

## 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 June 22, 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.

County: Wasco

Instream Lease Number: IL 2

Lessor:  
WEBB, WAYNE L.  
PO BOX 692  
THE DALLES OR 97058

Lessee:  
THE FRESHWATER TRUST  
65 SW YAMHILL STREET, SUITE 200  
PORTLAND OR 97204

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE MOUTH OF BUCKHOLLOW CREEK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
38374 OR *	S 28518	12/10/1962	IR	0.93	149.2	BUCK HOLLOW CREEK	DESCHUTES RIVER	37.3
51048 OR *	R 6150	3/10/1975	IR,IS		11.83	KERR CREEK	BUCK HOLLOW CREEK	
51049 OR *	S 38057	3/10/1975	IR,IS	0.32	47.6	KERR CREEK/ WEBB RESERVOIR	BUCK HOLLOW	19.3
				0.16	25.39	BUCK HOLLOW CREEK	DESCHUTES RIVER	

County: Douglas

Instream Lease Number: IL 486

Lessor:  
DOUGLAS COUNTY  
1036 SE DOUGLAS, ROOM 306  
ROSEBURG OR 97470

Contact: KODY THURGOOD at 503-986-0892

Reach: GALESVILLE DAM (RM 60.0) TO RM 27.0

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
75977 CF *	S 43360	6/19/1978	IM	0.16	39.2	COW CREEK	SOUTH UMPQUA RIVER	
75976 CF *	S 44067	3/21/1979	IM	0.37	89.6	COW CREEK	SOUTH UMPQUA RIVER	

75975	CF *	S 36922	5/18/1972	IM	0.15		COW CREEK	SOUTH UMPQUA RIVER
75974	CF *	S 8227	11/2/1927	IM	0.19	37.25	COW CREEK	SOUTH UMPQUA RIVER
75972	CF *	S 8227	11/2/1927	IM	0.49	98.25	COW CREEK	SOUTH UMPQUA RIVER
75971	CF *	S 35304	7/2/1970	IM	0.48	128.1	UNNAMED STREAM/ COW CREEK	SOUTH UMPQUA RIVER

County: Douglas

Instream Lease Number: IL 593

Lessor:  
DOUGLAS COUNTY NATURAL RESOURCES DIVISION  
1036 SE DOUGLAS, ROOM 306  
ROSEBURG OR 97470

Contact: KODY THURGOOD at 503-986-0892

Reach: RM 40.8 TO CONFLUENCE WITH PASS CREEK AT RM 24.0

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
80977	CF *	S 19149	8/15/1949	IR	0.76	151.5	ELK CREEK	UMPQUA RIVER 60.6

County: Washington

Instream Lease Number: IL 610

Lessor:  
STARK, BETTY  
(EGGER FAMILY LLC)  
12405 SW RIVER ROAD  
HILLSBORO OR 97123

Lessee:  
THE FRESHWATER TRUST  
65 SW YAMHILL STREET, SUITE 200  
PORTLAND OR 97204

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM POD TO THE MOUTH OF MCFEE CREEK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
22742 OR *	S 18452	8/13/1948	IR	0.001	0.25	MCFEE CREEK	TUALATIN RIVER	0.1
23098 OR *	S 22173	3/9/1953	IR	0.01	2.0	MCFEE CREEK	TUALATIN RIVER	0.8
15444 OR *	S 14685	11/23/1940	IR	0.03	6.25	MCFEE CREEK	TUALATIN RIVER	2.5

County: Jackson

Instream Lease Number: IL 903

Lessor:  
KNOEBEL, BETTY  
CHIMNEY ROCK RANCH  
PO BOX 558  
EAGEL POINT OR 97524

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE MOUTH OF LITTLE BUTTE CREEK AT THE ROGUE RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
57753 OR *	S 33060	1/19/1967	IR	0.08	29.7	NORTH FORK LITTLE BUTTE CREEK	LITTLE BUTTE CREEK	6.6

County: Jackson



Instream Lease Number: IL 904

Lessor:  
KNOEBEL, BETTY  
B BAR K CASCADE RANCH  
PO BOX 558  
EAGEL POINT OR 97524

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE MOUTH OF LITTLE BUTTE CREEK AT THE ROGUE RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
57753 OR *	S 33060	1/19/1967	IR	0.43	154.8	NORTH FORK LITTLE BUTTE CREEK	LITTLE BUTTE CREEK	34.4

County: Jackson

Instream Lease Number: IL 905

Lessor:  
KNOEBEL, BETTY  
LITTLE BUTTE CREEK RANCH LLC  
PO BOX 558  
EAGEL POINT OR 97524

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE MOUTH OF LITTLE BUTTE CREEK AT THE ROGUE RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
57753 OR *	S 33060	1/19/1967	IR	0.85	303.75	NORTH FORK LITTLE BUTTE CREEK	LITTLE BUTTE CREEK	67.5

County: Crook

Instream Lease Number: IL 1076

Lessor:

MILL CREEK LAND, LLC; MARK COPELAND  
MILL CREEK LAND, LLC  
7900 NE MILL CREEK RD  
PRINEVILLE OR 97754

Lessee:

DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST  
BEND OR 97701

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM THE POD TO THE MOUTH OF MILL CREEK AT RM 0

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83656	CF *	12/31/1868	IR	0.404	129.2	MILL CREEK	CROOKED RIVER	32.3
83657	CF *	12/31/1868	IR	1.17	374.0	MILL CREEK	OCHOCO CREEK	93.6

Instream Lease Number: IL 1077

Lessor:

OCHOCO IRRIGATION DISTRICT  
1001 NW DEER ST  
PRINEVILLE OR 97754

Lessee:

DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST  
BEND OR 97701

Contact: LAURA WILKE at (503) 986-0884

Reach:

FROM OCHOCO FEED CANAL (POD #1) TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
82248 CF RR *	S 49824	9/2/1986	IM	1.081	259.5	OCHOCO CREEK	CROOKED RIVER	86.5
82246 CF RR *	S 5426	8/10/1917	IM,IR	5.529	1326.9	OCHOCO CREEK	CROOKED RIVER	442.3

## 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 July 01, 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: HARNEY  
Transfer: 11079  
Water Right: CERT 82605  
Priority Date: MAY 26, 1983  
Name: SUSAN SINGHOSE, WAYNE SINGHOSE  
Address: 62500 COUNTY LINE RD, BEND OR 97701  
Change: PLACE OF USE, ADDITIONAL POINT OF APPROPRIATION  
Source: A WELL

County: WALLOWA  
Transfer: 11080  
Water Right: CERT 3082  
Priority Date: DECEMBER 31, 1880, DECEMBER 31, 1888  
Name: AMY NOBLES, DARRYL NOBLES  
Address: 67275 LOSTINE RIVER RD, LOSTINE OR 97857  
Change: POINT OF DIVERSION  
Source: LOSTINE RIVER

County: GRANT  
Transfer: 11081  
Water Right: CERT 24617  
Priority Date: OCTOBER 1, 1946  
Name: DEBORAH LETOSKY, JOSEPH LETOSKY  
Address: PO BOX 63, DAYVILLE OR 97825  
Change: ADDITIONAL POINT OF DIVERSION  
Source: JOHN DAY 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 July 01, 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-10632 filed by PAULETTO RANCH LLC, 844 JOELSON RD, UMPQUA 97486 proposes a change in place of use and character of use under Certificate 58676. The right allows the use of 0.02 CUBIC FOOT PER SECOND (priority date APRIL 19, 1978) from MILL CR. AND RESERVOIR in Sec. 3, T 26 S, R 7 W, W.M. for LIVESTOCK in Sec. 3. The applicant proposes to change the place of use to Sec. 3, T 26 S, R 7 W, W.M.; and to change the character of use to IRRIGATION. 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 10701 filed by Dennis Van Dorn, 17487 Wall Lane SE, Jefferson, OR 97352, proposes an additional point of appropriation and re-description of the place of use under Registration Application GR-420 (Certificate of Registration GR 406). The ground water registration claims the use of 340 gallons per minute (tentative priority date 1949) from a well Sec. 13, T 10 S, R 3 W, W.M. (North Santiam River Basin) for irrigation in Sec. 13. The applicant proposes an additional point of appropriation approximately 1000 feet south within Sec. 13, T 10 S, R 3 W, W.M. and to re-describe the place of use within Sec. 13, T 10 S, R 3 W, W.M. The Water Resources Department has concluded that the proposed modification appears to be consistent with the requirements of ORS Chapter 537, ORS Chapter 540 and OAR 690-382-1000.

T-10729 filed by TANASACRES NURSERY, 32570 NW ZION CHURCH RD, PORTLAND, OR 97291, proposes a change in place of use under Special Order Volume 67, Pages 627-662 (Determination of Satisfactory Proof for Permit S-35792). The right allows the use of 0.25 CUBIC FOOT PER SECOND (priority date FEBRUARY 20, 1963) from the TUALATIN RIVER in Sec. 8, T 1 S, R 3 W, W.M. for IRRIGATION in Sec. 13 and 14, T 1 N, R 3 W. The applicant proposes to change the place of use to Sec. 13 and 14, T 1 N, R 3 W, 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.

## **Transfer Applications: Temporary Transfer**

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation. The Department shall approve the request provided it does not cause injury to existing water rights or expand the water use. If after the change is approved, it is found to cause injury, the approved change may be revoked. The use of water reverts to the authorized place of use upon expiration of the temporary change.

Notice is given that the following applications for Temporary Transfers have been received by the Department:

County:	GRANT
Transfer:	11082
Water Right:	CERT 24997, 36873
Priority Date:	1872,1900,1908
Name:	JAY C. SMITH
Address:	PO BOX 383, MT VERNON OR 97865
Change:	PLACE OF USE, POINT OF DIVERSION
Source:	MOON CREEK

## **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 July 01, 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 Mt. Angel (Municipal)

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



# **OREGON WATER RESOURCES DEPARTMENT**



725 Summer Street NE Ste A  
Salem OR 97301

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

June 1, 2010

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.)