

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
July 6, 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*

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

- * **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- * **Alternate Reservoir Applications (ORS 537.409)**
Applications for storage permits for small ponds filed under a simplified review process.
- * **Applications for Extensions of Time to Perfect Water Right Permits**
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- * **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.
- * **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.
- * **Notice of Application to Reauthorize a Minor Hydroelectric Project**

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

Permit Application Initial Reviews and Proposed Final Orders

The following pages of this notice list permit applications that the Oregon Water Resources Department is evaluating for compliance with state water laws and regulations. Public participation and comment is encouraged. Opportunities for public involvement vary according to the stage of the permit evaluation.

Ground water permit applications in the Deschutes Basin (basin 5) may seek to provide mitigation pursuant to the Deschutes Ground Water Mitigation Rules by implementing a mitigation project or by obtaining mitigation credits made available by a completed mitigation project. Surface water and/or reservoir permit applications in the Deschutes Basin may be proposed ground water mitigation projects.

Initial Review Stage (IR in the "Stage" column of the permit listing)

The Department has given the applicant the results of an initial review of water use restrictions, water availability and other limits that affect the agency's decision on whether to issue a permit. The applicant has asked the agency to proceed to the next stage of evaluation. The Department welcomes comments from interested persons, agencies and organizations on the proposed water use.

The comment deadline for initial reviews appearing in this public notice is 5pm, Thursday, August 05, 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, August 20, 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)

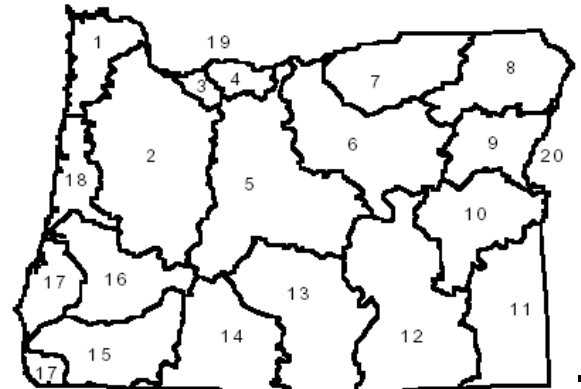
BASINS:

- | | |
|-----------------|---------------------|
| 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
S-86225	FREITAG, TED PROSPER SUB DISTRICT OF THE BANDON CRANBERRY WATER CONRTO						PFO 2
	17 A RESERVOIR > SIMPSON CREEK	28.00S 14.00W 20 SWNW	Coos	04/01/2005	23.66A		
	17 A RESERVOIR > SIMPSON CREEK	28.00S 14.00W 20 SWNW	Coos	04/01/2005	23.66A		
	17 A RESERVOIR > SIMPSON CREEK	28.00S 14.00W 20 SWNW	Coos	04/01/2005	23.66A		
Uses:	CR						
G-16681	EMMETT RANCH LLC EMMETT RANCH LLC PO BOX 1830 BEND OR 97709						PFO 2
	5 A WELL > DRY RIVER	15.00S 14.00E 21 SESW	Crook	06/09/2006	0.062C		
Uses:	IR						
G-16682	EMMETT RANCH LLC EMMETT RANCH LLC PO BOX 1830 BEND OR 97709						PFO 2
	5 A WELL > DRY RIVER	15.00S 14.00E 28 NENW	Crook	06/09/2006	0.062C		
Uses:	IR						
G-16877	SHORT, JOHN A. MANZANITA MARKETING GROUP LLC PO BOX 1830 BEND OR 97709						PFO 3
	5 A WELL > CROOKED RIVER	15.00S 15.00E 10 SWNE	Crook	06/25/2007	1.5C (est)		
	5 A WELL > CROOKED RIVER	15.00S 15.00E 10 SESW	Crook	06/25/2007	1.5C (est)		
Uses:	MU						
G-17297	MULLEN, GERALD P. 17792 RIVER RD NE SAINT PAUL OR 97137						PFO 2
	2 A WELL > MISSION CREEK	4.00S 2.00W 31 SESW	Marion	01/05/2010	0.04C		
Uses:	IR						
G-17300	KROPF, LEROY 24305 POWERLINE RD HARRISBURG OR 97446						PFO 2
	2 A WELL > MUDDY CREEK	14.00S 4.00W 35 SESW	Linn	01/20/2010	0.074C (est)		
	2 A WELL > MUDDY CREEK	14.00S 4.00W 35 SESW	Linn	01/20/2010	0.074C (est)		
Uses:	AG IR						
G-17314	DIVINE RISE FARMS DIVINE RISE FARMS PO BOX 52 HINES OR 97738						PFO 2
	12 A WELL > WILLOW CREEK	24.00S 29.00E 1 NESE	Harney	02/23/2010	0.43C		
Uses:	IR						

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
R-87572	16	DOUG	01/26/2010		NANCY TRUEBLOOD	06/24/2010
R-87578	9	BAKE	02/03/2010		STARLA HAISLIP	06/24/2010
G-17130	2	YAMH	10/28/2008	PERRYDALE DOMESTIC WATER ASSOCIATION	RAY HOBSON	06/25/2010
R-87185	2	WASH	05/27/2008	LAKE TERRACE HOMEOWNERS ASSOCIATION	TOM HINDS	06/25/2010
R-87502	8	UNIO	08/03/2009	JORDAN CREEK RANCH LLC	DAVID LOWE	06/25/2010
G-17023	2	MARI	03/14/2008		STAN HERR	06/29/2010
G-17304	2	MARI	02/02/2010		ROBERT SKORNIAK	06/29/2010
G-17364	15	JACK	04/26/2010	GARDEN OF MEADEN	JAMES ROMANO	06/29/2010

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 September 04, 2010.

R-87633
HEARD, RICHARD A.
HEARD FARMS INC
578 ROGERS RD
ROSEBURG OR 97471
POD: 1 UNNAMED STREAM > SUTHERLIN CREEK
NE 1/4 SW 1/4 Section 6 T 26.00S R 5.00W WM
Douglas County
44.0 A for MULTIPLE PURPOSE

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
G-17394	14	Klamath	06/03/2010	PLATT, JACK 11070 OAK HILL RD INDEPENDENCE OR 97351	6/30/2010
G-17384	14	Klamath	05/20/2010	CARLETON, JIM PO BOX 362 MERRILL OR 97633	6/30/2010

**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 August 05, 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: R-84753
Permit Number: R-13370
GARVIN FAMILY LLC; GARVIN, VERN & DOROTHY
PO BOX 2282
HARBOR OR 97415
Jackson County
RUNOFF > CLIFF CREEK
18.0 AF PER YEAR
USE OF STORED WATER: TO BE APPROPRIATED UNDER PERMIT # R-53835,
FOR FROST PROTECTION AND IRRIGATION
October 1, 2012

Application Number: S-84754
Permit Number: S-53835
GARVIN FAMILY LLC; GARVIN, VERN & DOROTHY
PO BOX 2282
HARBOR OR 97415
Jackson County
A RESERVOIR > CLIFF CREEK
18.0 AF PER YEAR
FROST PERFECTION AND IRRIGATION OF 149.1 ACRES
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 August 20, 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:	Washington
Application File Number:	S-69637
Permit Number:	S-50879
Applicant:	JOINT WATER COMM ATTN: KEVIN HANWAY
Address:	150 E MAIN ST HILLSBORO OR 97123
River Basin:	Willamette Basin
Water Source:	SCOGGINS CREEK > TUALATIN RIVER
Authorized Use of Water:	MUNICIPAL USES
Maximum Diversion/ Appropriation Rate:	75.0 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2000 to October 1, 2071; and grant an extension of time to apply water to full beneficial use from October 1, 2000 to October 1, 2071.

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 July 20, 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-1300
ACS CONSTRUCTION LLC
SMITH, CLIFTON
PO BOX 1189
CHILOQUIN OR 97624
POD: 1 SPRAGUE R > WILLIAMSON R
NW 1/4 SW 1/4 Section 11 T 36.00S R 10.00E WM
Klamath County
25,000 GALLONS TOTAL for GENERAL CONSTRUCTION OR MAINTENANCE

LL-1301
MITCHELL, BUDD
MITCHELL, JANICE
12759 FINLAY RD
SILVERTON OR 97381
POD: 1 A WELL > BRUSH CR
NE 1/4 SW 1/4 Section 10 T 7.00S R 1.00W WM
Marion County
0.06 C for IRRIGATION

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 July 27, 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: Coos

Instream Lease Number: IL 420

Lessor:
LARSEN, GARY L.
54135 ECHO VALLEY ROAD
MYRTLE POINT OR 97458

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE PACIFIC OCEAN

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
80352	CR * S 29618	3/19/1964	IR	0.12	29.0	NORTH FORK COQUILLE RIVER	COQUILLE RIVER	11.6
75567	RR * S 29618	3/19/1964	IR	0.26	59.5	NORTH FORK COQUILLE RIVER	COQUILLE RIVER	23.8

County: Deschutes

Instream Lease Number: IL 982

Lessor:
AVION WATER CO. INC.
60813 PARRELL RD
BEND OR 97702

Lessor:
ARNOLD IRRIGATION DISTRICT
19604 BUCK CANYON RD
BEND OR 97702

Lessee:
DESCHUTES RIVER CONSERVANCY
PO BOX 1560
BEND OR 97709

Contact: LAURA WILKE at (503) 986-0884

Reach: ARNOLD CANAL POD #1 TO MOUTH OF DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
74197	CF RR *	2/1/1905	IR	0.098	41.56	DESCHUTES RIVER	COLUMBIA RIVER	49.06
74197	CF RR *	4/25/1905	IR	0.49	168.7	DESCHUTES RIVER	COLUMBIA RIVER	49.06

County: Jackson

Instream Lease Number: IL 1084

Lessor:
ROGUE RIVER VALLEY IRRIGATION DISTRICT
3139 MERRIMAN RD
MEDFORD OR 97501

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE MOUTH OF LITTLE BUTTE CREEK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
84949	RR * S 407	3/31/1910	IM	0.66	235.0	N.FORK LITTLE BUTTE CREEK	LITTLE BUTTE CREEK	97.3
85288	RR * E 19	7/23/1909	IR,IS	0.97	346.0	N.FORK LITTLE BUTTE CREEK	LITTLE BUTTE CREEK	97.3
85288	RR * E 19	7/23/1909	IR,IS	0.97	346.0	S.FORK LITTLE BUTTE CREEK	LITTLE BUTTE CREEK	97.3
85288	RR * E 19	7/23/1909	IR,IS	0.97	346.0	UNNAMED STREAM	LITTLE BUTTE CREEK	97.3

County: Crook

Instream Lease Number: IL 1085

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 THE OCHOCO FEED CANAL POD TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
82246	CF RR * S 5426	8/10/1917	IM	0.25	60.0	OCHOCO CREEK	CROOKED RIVER	20.0

County: Crook

Instream Lease Number: IL 1086

Lessor:
OCHOCO IRRIGATION DISTRICT
1001 NW DEER ST
PRINEVILLE OR 97754

Lessor:
HUDSPETH, SHELLEY
2682 SINGING WOODS DRIVE
HILLSBORO OR 97123

Lessee:
DESCHUTES RIVER CONSERVANCY
700 NW HILL ST
BEND OR 97701

Contact: LAURA WILKE at (503) 986-0884

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

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
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82246 CF RR * S 5426 8/10/1917 IR 2.234 536.1 OCHOCO CREEK CROOKED RIVER 178.7

County: Deschutes

Instream Lease Number: IL 1087

Lessor:
ARNOLD IRRIGATION DISTRICT
19604 BUCK CANYON RD
BEND OR 97702

Lessee:
DESCHUTES RIVER CONSERVANCY
700 NW HILL ST
BEND OR 97701

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM THE POD (ARNOLD CANAL) TO THE MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
74197 CF RR *		2/1/1905	IR	0.029	12.32	DESCHUTES RIVER	COLUMBIA RIVER	14.54
74197 CF RR *		4/25/1905	IR	0.145	50.0	DESCHUTES RIVER	COLUMBIA RIVER	14.54

County: Jefferson

Instream Lease Number: IL 1088

Lessor:
THREE SISTERS IRRIGATION DISTRICT
PO BOX 2230
SISTERS OR 97759

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 WHYCHUS CREEK AND TO THE MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
74135	CF *	12/31/1899	IM,IR,ST	0.204	37.23	SQUAW CREEK	DESCHUTES RIVER	10.2
74135	CF *	12/31/1904	IM,IR,ST	0.85	155.11	SQUAW CREEK	DESCHUTES RIVER	42.5
74135	CF *	12/31/1885	IM,IR,ST	3.134	571.89	SQUAW CREEK	DESCHUTES RIVER	156.7

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 August 05, 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: YAMHILL
Transfer: 11097
Water Right: CERT 10846, 15427
Priority Date: 1919, 1940
Name: CITY OF YAMHILL
Address: 450 S MAPLE ST, YAMHILL OR 97148
Change: PLACE OF USE, ADDITIONAL POINT OF DIVERSION
Source: TURNER CREEK

County: GRANT
Transfer: 11098
Water Right: CERT 61857
Priority Date: 1875
Name: STEP FORWARD ACTIVITIES, INC.
Address: P O BOX 1070, BAKER CITY OR 97814
Change: PLACE OF USE
Source: JOHN DAY RIVER

County: JOSPHINE
Transfer: 11099
Water Right: CERTS 27800, 21969, 27802, 31332, 27801
Priority Date: 1956, 1950, 1957, 1893, 1956
Name: RENDATA INDUSTRIAL PARK
Address: 700 MERLIN RD, GRANTS PASS OR 97526
Change: USE, PLACE OF USE, SW POD TO GW POA
Source: LOUSE CREEK AND RESERVOIR

County: BAKER
Transfer: 11100
Water Right: CERT 44243
Priority Date: 1888
Name: JOHN AND DOROTHY RANDALL
Address: 42866 NEW BRIDGE RD, RICHLAND, OR 97814
Change: HISTORIC POINT OF DIVERSION
Source: EAGLE CREEK

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 August 05, 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-7054 filed by Neskowin Regional Water District (PO Box 823, Neskowin, OR 97149), proposes a change in place of use and a change in character of use under Certificates 21365 and 21373. Certificate 21365 allows the use of 1.0 Cubic Foot per Second (CFS) (priority date August 26, 1920) from two Unnamed Streams in Sec. 25 and 36, T 5 S, R 11 W, W.M. for Municipal Uses in Sec. 25, T 5 S, R11 E, W.M. Certificate 21373 allows the use of 1.3 CFS (priority date December 7, 1944) from an Unnamed Stream in Sec. 25, T 5 S, R 11 W, W.M. for Municipal Uses in Sec. 25, T 5 S, R 11 W, W.M. The applicant proposes to create an instream use under Certificate 21365 from the points of diversion on the two Unnamed Streams into Hawk Creek and to the mouth of Hawk Creek at a maximum rate of 1.0 CFS. The applicant proposes to create an instream use under Certificate 21373 from the point of diversion on the Unnamed Stream into Butte Creek and to the mouth of Butte Creek at a maximum rate of 1.3 CFS. The application was amended to convert the transfer to an instream transfer and to clarify the rights to be transferred to instream use. 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-10630 filed by RICK HUFSTADER AND CYNTHIA STRICKLAND, PO BOX Nki, KETCHIKAN, AK 99950, proposes a change in point of diversion and a change in place of use under Certificates 39356 and 39357. The rights allow the use of 0.38 CUBIC FOOT PER SECOND (priority date JUNE 28, 1949 and 1906) from the JOHN DAY RIVER in Sec. 27, T 13 S, R 29 E, W.M. for IRRIGATION in Sec. 18 and 19. The applicant proposes to move the point of diversion approximately 4 miles downstream to Sec. 18, T 13 S, R 29 E, W.M. and to change the place of use within Sec. 18 and 19, T 13 S, R 29 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.

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:	MARION
Transfer:	11101
Water Right:	CERT 60971
Priority Date:	MAY 13, 1980
Name:	KRAEMER FARMS LLC, RAY STAFFORD
Address:	13318 DOMINIC ROAD NE, MOUNT ANGEL OR 97362
Change:	PLACE OF USE
Source:	OLSEN WELL 3

Notice of Application to Reauthorize a Minor Hydroelectric Project

Consistent with Oregon Revised Statute 543A.035(4), The Department is providing public notice on the following Notice of Intent filed with the department seeking the reauthorization of an existing minor hydroelectric project.

Application: HE 528
Expiration date: December 31, 2011.
Applicants: Doug A. Sharkey
Address: 8433 Highway 35, Mount Hood Parkdale, OR 97041-9762
Amount of water: 0.05 cubic feet per second
Source of water: Rimrock Creek, tributary to East Fork Hood River.
Location of the
Point of Diversion: NW 1/4 NE 1/4 of Section 16, Township 1 South, Range 10 East, W.M.,
Place of Use: SE 1/4 SW 1/4 of Section 9, Township 1 South, Range 10 East, W.M.,
Purpose: To supply power to residence
Power developed: 1 Theoretical Horsepower

The Oregon Water Resource Department (OWRD) requests that parties interested in providing comments on the application or in future notices about the application and participating in the reauthorization process, contact R. Craig Kohanek at 503-986-0823 or at his email address Ron.c.kohanek@wrd.state.or.us . Copies of this application are available upon request.

**OREGON
WATER
RESOURCES
DEPARTMENT**



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

July 6, 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:

* 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.)