

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
September 28, 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.
- * **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.
- * **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.

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

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, October 28, 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, November 12, 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)

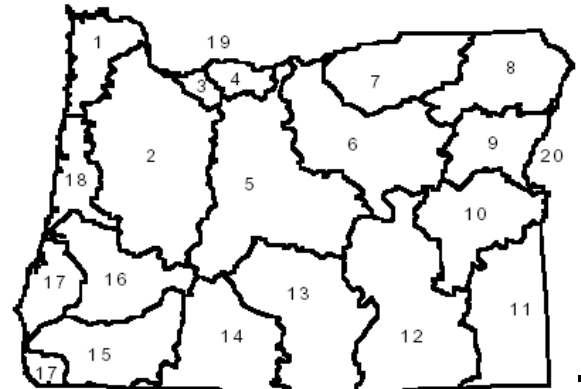
BASINS:

- | | |
|-----------------|---------------------|
| 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
G-17293	ELLIOTT, ALLAN CARLTON NURSERY CO. LLC PO BOX 398 DAYTON OR	97114					IR 3
2	A WELL > PALMER CREEK	5.00S 3.00W 5 NWSE	Yamhill	12/28/2009	0.166C	(est)	
2	A WELL > PALMER CREEK	5.00S 3.00W 5 SWNW	Yamhill	12/28/2009	0.166C	(est)	
2	A WELL > PALMER CREEK	5.00S 3.00W 5 SENW	Yamhill	12/28/2009	0.166C	(est)	
2	A WELL > PALMER CREEK	5.00S 3.00W 5 SENE	Yamhill	12/28/2009	0.166C	(est)	
2	DRAIN TILE > PALMER CREEK	5.00S 3.00W 5 NWSE	Yamhill	12/28/2009	0.166C	(est)	
2	DRAIN TILE > PALMER CREEK	5.00S 3.00W 5 NWSE	Yamhill	12/28/2009	0.166C	(est)	
Uses: NU PM							
G-17294	ELLIOTT, ALLAN CARLTON NURSERY CO. LLC PO BOX 398 DAYTON OR	97114					IR 3
2	A WELL > WARNER CREEK	5.00S 3.00W 16 NWNW	Yamhill	12/28/2009	0.333C	(est)	
2	A WELL > WARNER CREEK	5.00S 3.00W 8 SESE	Yamhill	12/28/2009	0.333C	(est)	
2	A WELL > WARNER CREEK	5.00S 3.00W 8 SESE	Yamhill	12/28/2009	0.333C	(est)	
Uses: NU							
G-17403	CITY OF COBURG CITY OF COBURG PO BOX 8316 COBURG OR	97408					IR 2
2	A WELL > MUDDY CREEK	16.00S 3.00W 28 NWNW	Lane	06/25/2010	0.279C		
Uses: CM							
G-17361	JOHNSON, ROBERT PO BOX 1776 INTERLACHEN OR	97024					IR 2
2	A WELL > FAIRVIEW LAKE	1.00N 3.00E 21 SWNW	Multnomah	04/21/2010	0.25C	(est)	
2	A WELL > FAIRVIEW LAKE	1.00N 3.00E 21 SENW	Multnomah	04/21/2010	0.25C	(est)	
2	A WELL > FAIRVIEW LAKE	1.00N 3.00E 21 SENW	Multnomah	04/21/2010	0.25C	(est)	
2	A WELL > BLUE LAKE	1.00N 3.00E 21 SENE	Multnomah	04/21/2010	0.25C	(est)	
Uses: MU							

App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
R-87647	BUHLER, JENNIE 4980 ENTERPRISE RD DALLAS OR	97338					IR 3
2	RUNOFF > SALT CREEK	6.00S 5.00W 31 SENW	Polk	08/11/2010	14.4A		
Uses:	MP						
G-17320	STUBBS, KATHERINE 6505 FRUITLAND RD NE SALEM OR	97317					IR 2
2	A WELL > LITTLE PUDDING RIVER	7.00S 2.00W 22 SWSW	Marion	03/11/2010	0.216C (est)		
2	A WELL > LITTLE PUDDING RIVER	7.00S 2.00W 22 SWSW	Marion	03/11/2010	0.216C (est)		
Uses:	IR NU						

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
G-12672	2	MARI	10/03/1991	MORSE BROTHERS INC.		09/16/2010
G-12677	2	LINN	10/03/1991	MORSE BROTHERS INC.		09/16/2010
G-12678	2	LINN	10/03/1991	MORSE BROTHERS INC.		09/16/2010
R-87604	2	LINN	05/11/2010		DARREL PETERSON	09/16/2010
S-86225	17	COOS	04/01/2005	ROSPER SUB DISTRICT OF THE BANDON CRANBERRY WATER	TED FREITAG	09/16/2010
R-87489	6	WHEE	06/30/2009	4 DSD LLC		09/20/2010
R-87490	6	WHEE	06/30/2009	4 DSD LLC		09/20/2010
R-87491	6	WHEE	06/30/2009	4 DSD LLC		09/20/2010
G-17138	12	HARN	11/04/2008		MIKE PEILA	09/23/2010
G-17280	8	WALL	10/23/2009	COUNTY OF WALLOWA		09/23/2010

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:	MULTNOMAH
WATER RIGHT CERTIFICATE:	33195, IN THE NAME OF RICHLAND WATER DISTRICT HOOD RIVER COUNTY
PRIORITY DATE:	APRIL 3, 1959
SOURCE:	3 WELLS > COLUMBIA R
LANDOWNER:	PORTLAND WATER BUREAU OF CITY OF PORTLAND
ADDRESS:	1120 SW 5TH AVE., ROOM 600, PORTLAND, OR, 97204-1926
USE:	MUNICIPAL
QUANTITY:	1.00 CFS
ACRES:	
LOCATION:	T1N, R2E, 25, NWSW, SWNW T1N, R2E, 26, SENE, SWNE, NESE, NWSE, SWSE, SESE T1N, R2E, 35, 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 October 28, 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: G-15826
Permit Number: G-16044
ARTHUR AND MARY B SPADA
SPADA, ANGELO
PO BOX 157
SAINT PAUL OR 97137
Marion County
THREE WELLS > RYAN CREEK BASIN
3.397 CFS, BEING 0.356 FROM WELL 1, 1.704 FROM WELL 2 AND
1.337 CFS FROM WELL 3
NURSERY USE ON 115.3 ACRES AND MAINTENANCE OF A POND
October 1, 2015

Application Number: S-86218

Permit Number: S-54264

AKSE, JAMES

315 JADE DR

ROSEBURG OR 97470

Douglas County

NORTH UMPQUA RIVER > UMPQUA RIVER

0.03 CFS; BEING 0.005 CFS FOR DOMESTIC USE AND

0.025 CFS FOR IRRIGATION

DOMESTIC USE FOR ONE HOUSEHOLD; IRRIGATION USE ON 2.0 ACRES

October 1, 2015

**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 November 12, 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:	Gilliam
Application File Number:	G-16275
Permit Number:	G-15853
Applicant:	WILDE, GARY M.
Address:	18048 MIDDLE ROCK CREEK LANE ARLINGTON OR 97812
River Basin:	John Day Basin
Water Source:	A WELL > ROCK CREEK
Authorized Use of Water:	SUPPLEMENTAL IRRIGATION ON 12.8 Acres
Maximum Diversion/ Appropriation Rate:	0.16 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, 2014.

County of Use: Wallowa
Application File Number: G-16572
Permit Number: G-16089
Applicant: BONNEVILLE POWER ADMINISTRATION
Address: TRFT-TPP4 PO BOX 61409
VANCOUVER WA 98666-1409
River Basin: Grande Ronde Basin
Water Source: TWO WELLS > LOSTINE RIVER
TWO PROPOSED WELLS > LOSINE RIVER
Authorized Use of Water: FISH HABITAT
Maximum Diversion/
Appropriation Rate: 3.21 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2010 to October 1, 2020; and grant an extension of time to apply water to full beneficial use from October 1, 2010 to October 1, 2020.

County of Use: Wallowa
Application File Number: S-86487
Permit Number: S-54336
Applicant: BONNEVILLE POWER ADMINISTRATION
Address: TRFT-TPP4 PO BOX 61409
VANCOUVER WA 98666-1409
River Basin: Grande Ronde Basin
Water Source: LOSTINE RIVER > WALLOWA RIVER
Authorized Use of Water: FISH HABITAT
Maximum Diversion/
Appropriation Rate: 18 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2010 to October 1, 2020; and grant an extension of time to apply water to full beneficial use from October 1, 2010 to October 1, 2020.

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.

Licenseses must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after October 12, 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-1321

RLK & COMPANY

BRETT, BILL

27500 E TIMBERLINE RD

TIMBERLINE OR 97028

POD: 1 SPRING 1 > SANDY R

SE 1/4 SW 1/4 Section 7 T 3.00S R 9.00E WM

Clackamas County

0.13 C (est)for SNOW MAKING

POD: 2 SPRING 2 > SANDY R

SE 1/4 SW 1/4 Section 7 T 3.00S R 9.00E WM

Clackamas County

0.13 C (est)for SNOW MAKING

LL-1322

HARPER, ALICE

HARPER, RICHARD E.

PO BOX 8

IONE OR 97843

POD: 1 A WELL > EIGHTMILE CAN

SW 1/4 SW 1/4 Section 9 T 1.00S R 22.00E WM

Gilliam County

0.56 C for WIND FARM CONSTRUCTION

LL-1324

CENTRAL OREGON IRRIGATION DISTRICT

PENHOLLOW, CARY D.

1055 SW LAKE COURT

REDMOND OR 97756

POD: 1 CRANE PRAIRIE RES > DESCHUTES R

SW 1/4 NW 1/4 Section 16 T 21.00S R 8.00E WM

Deschutes County

450.0 A 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 October 19, 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: Douglas

Instream Lease Number: IL 1095

Lessor:
WONDRA, ATTN: NORB
INTERNATIONAL PAPER COMPANY
77622 U.S. HIGHWAY 101
GARDINER OR 97441

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
80658	RR * R 2342	8/3/1955	IM	10.39	7525.0	TAHKENITCH CREEK & TAHKENITCH LAKE RESERVOIR	PACIFIC OCEAN	
80658	RR * R 2342	11/9/1955	IM	7.71	5580.0	TAHKENITCH CREEK & TAHKENITCH LAKE RESERVOIR	PACIFIC OCEAN	

Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before October 28, 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: DESCHUTES
Transfer: 11132
Water Right: CERT 86336
Priority Date: SEPTEMBER 25, 1986
Name: CHRISTOPHER CHAPANAR, NICOLE CHAPANAR
Address: 3635 ASH STREET, NORTH BEND OR 97459
Change: SUPPLEMENTAL TO PRIMARY
ADDITIONAL POINT OF APPROPRIATION
Source: A WELL

County: CROOK
Transfer: 11134
Water Right: CERT 76013,76012,75489,83850,83857
Priority Date: 1914,1893,1895,1935
Name: CITY OF PRINEVILLE
Address: 387 NE 3RD STREET, PRINEVILLE OR 97754
Change: PLACE OF USE
Source: CROOKED RIVER/PRINVILLE RES

County: CROOK
Transfer: 11135
Water Right: CERT 76366,75205,83370,83371
Priority Date: 1868
Name: CHRISTINE R. BAUERSFELD, JAMES R BAUERSFELD,
MONICA MYRIN, STEVE MYRIN
Address: 9500 MILL CR, PRINEVILLE OR 97754
Change: ADDITIONAL POINT OF DIVERSION
Source: MILL 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 October 28, 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-10865 filed by the City of The Dalles, 1215 West First St., The Dalles, 97058, proposes to change the point of appropriation under Groundwater Registration Application GR-4258 (Cert. of Registration GR-4107). The groundwater registration claims the use of 5.124 cubic feet per second (tentative priority date of October 11, 1923) from a well within the COLUMBIA RIVER BASIN in Sec. 3, T 1 N, R 13 E, W.M.), for Municipal, Domestic, Irrigation, Manufacturing, and Industrial uses within the service area of the City of The Dalles. The applicant proposes to change the POINT OF APPROPRIATION to three new wells, being: Lone Pine Well located approx. 2 1/4 miles east in Sec. 1; Jordan Well located approx. 3/4 mile west in Sec. 4; and Marks Well located approx. 1 1/4 miles southwest in Sec. 4 all within T 1 N, R 13 E, W.M.. The Water Resources Department has concluded that the proposed modification appears to be consistent with the requirements of ORS Chapter 537, 540 and OAR 690-382-1000.

T-11005 filed by U.S. UMPQUA NATIONAL FOREST, 2900 NW STEWART PARKWAY, ROSEBURG, OR 97471 proposes a change in place of use under Certificate 34613. The right allows the use of 0.15 CUBIC FOOT PER SECOND (priority date APRIL 4, 1963) from the ROW RIVER in Sec. 31, T 20 S, R 2 W, W.M. for IRRIGATION in Sec. 31 and 32, T 20 S, R 2 W, and Sec. 5 and 6, T 21 S, R 2 W, W.M. The applicant proposes to change the place of use within Sec. 32, T 20 S, R 2 W, and Sec. 5, T 21 S, R 2 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.

District Permanent Transfers (ORS 540.580)

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

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

The Department seeks public comment on recently filed district transfer applications listed below. The deadline for comments or protests to the transfer application must be received by the Department on or before October 28, 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:	JACKSON
Transfer:	11133
Water Right:	CERT 80578,83381,83383,83728,PERMIT S-4951
Priority Date:	1909,1910,1915,1920,1953
Name:	MEDFORD IRRIGATION DISTRICT
Address:	PO BOX 70, JACKSONVILLE OR 97530
Change:	PLACE OF USE
Source:	DEAD INDIAN CR/DALEY CR/BEAVER DAM CR/SALT CR N & S LITTLE BUTTE CR/FISH LAKE/BEAR CR FOURMILE LAKE/EMMIGRANT CR/CONDE CR

**OREGON
WATER
RESOURCES
DEPARTMENT**



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

September 28, 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.)