

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
October 5, 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.
- \* **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.

- \* **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.
- \* **Transfer Applications: Permit Amendments**  
Requests to amend permits.
- \* **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, November 04, 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 19, 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-17417</a> | TRENKLE, SAM 1010 RAIL ROAD AVE ONTARIO OR 97914   |                       |         |            |          |       | IR 2   |
| 10                      | A WELL > MALHEUR RIVER   | 18.00S 45.00E 13 NWSE | Malheur | 08/23/2010 | 1.75C    |       |        |
| Uses:                   | IR IS  |                       |         |            |          |       |        |
| <a href="#">G-17299</a> | THREE VALLEYS RANCH LLC THREE VALLEYS RANCH LLC PO BOX 5075 BRIDGEPORT OR 97819              |                       |         |            |          |       | PFO 2  |
| 10                      | A WELL > CASH GULCH  | 14.00S 42.00E 6 SESE  | Malheur | 01/25/2010 | 1.0C     |       |        |
| Uses:                   | MI   |                       |         |            |          |       |        |
| <a href="#">G-17278</a> | FALCON HEIGHTS WATER AND SEWER DISTRICT FALCON HEIGHTS WATER AND SEWER DISTRICT PO BOX 127 K |                       |         |            |          |       | PFO 2  |
| 14                      | A WELL > LOST RIVER  | 39.00S 9.00E 34 NWSW  | Klamath | 10/21/2009 | 0.71C    |       |        |
| 14                      | A WELL > LOST RIVER  | 39.00S 9.00E 34 NWSW  | Klamath | 10/21/2009 | 0.51C    |       |        |
| Uses:                   | MU   |                       |         |            |          |       |        |

## 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-17138</a> | 12    | HARN   | 11/04/2008 |                   | MIKE PEILA   | 09/23/2010 |
| <a href="#">G-17280</a> | 8     | WALL   | 10/23/2009 | COUNTY OF WALLOWA |              | 09/23/2010 |
| <a href="#">G-14880</a> | 5     | DESC   | 12/14/1998 |                   | LARRY WOGMAN | 09/30/2010 |
| <a href="#">G-16681</a> | 5     | CROO   | 06/09/2006 | EMMETT RANCH LLC  |              | 09/30/2010 |
| <a href="#">G-16682</a> | 5     | CROO   | 06/09/2006 | EMMETT RANCH LLC  |              | 09/30/2010 |
| <a href="#">S-86866</a> | 7     | UMAT   | 05/21/2007 |                   | KENT MADISON | 09/30/2010 |

## **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 December 04, 2010.**

R-87653

INGHAM, ANN

26248 METOLIUS MEADOWS DR

CAMP SHERMAN OR 97759

POD: 1 SOUTH FORK LAKE CREEK > METOLIUS RIVER

NW 1/4 SE 1/4 Section 16T 13.00S R 9.00E WM

Jefferson County

0.28 A for MULTIPLE PURPOSE

R-87655

LINEBAUGH, DONNA

3505 E FORK RD

1400 ROCK CREEK RD

WILLIAMS OR 97544

LINEBAUGH, LARRY

3505 E FORK RD

1400 ROCK CREEK RD

WILLIAMS OR 97544

LINEBAUGH, RALPH

3505 E FORK RD

1400 ROCK CREEK RD

WILLIAMS OR 97544

POD: 1 RUNOFF > ROCK CREEK

NW 1/4 SE 1/4 Section 22T 39.00S R 5.00W WM

Josephine County

1.44 A for MULTIPLE PURPOSE

**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 November 04, 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-12361  
Permit Number: G-13680  
GULICK, STANLEY  
RT 1 BOX 251  
HALFWAY OR 97834  
Baker County  
A WELL > CLEAR CREEK  
0.668 C  
SUPPLEMENTAL IRRIGATION 118.0 ACRES  
October 1, 2020



Application Number: G-13533  
Permit Number: G-12168  
AIKON LLC  
PO BOX 2703  
EUGENE OR 97402  
Lane County  
THREE WELLS > FLAT CREEK  
0.55 C, BEING 1.0 CFS FOR COMMERCIAL USE AND 0.45 C FOR IRRIGATION  
IRRIGATION OF 36.0 ACRES AND COMMERCIAL USE  
October 1, 2015

Application Number: G-14479  
Permit Number: G-13660  
YOUNG, GARY  
BLUE MOUNTAIN RANCH  
PO BOX 14  
PAULINA OR 97751  
Crook County  
EIGHT WELLS > PAULINA CREEK  
A CUMMULATIVE TOTAL OF 10.0 C, NOT TO EXCEED 2.4 CFS FROM EACH WELL  
PRIMARY IRRIGATION OF 775.2 ACRES AND SUPPLEMENTAL IRRIGATION OF 738.9 ACRES  
NOT MORE THAN 800.00 ACRES SHALL BE IRRIGATED ON ROTATION EACH YEAR  
October 1, 2020

Application Number: G-14668  
Permit Number: G-13614  
SPACE AGE FUEL INC.; PLISKA, JIM  
15525 SE MOR COURT  
CLACKAMAS OR 97015  
Umatilla County  
TWO WELLS > UMATILLA RIVER  
0.12 C, BEING 0.06 C FOR IRRIGATION AND 0.06 C COMMERCIAL USE  
IRRIGATION OF 5.0 ACRES AND COMMERCIAL USE  
October 1, 2011

Application Number: G-15271  
Permit Number: G-15205  
LEE, GUK J.; LEE, SANG  
11440 SW PACIFIC HWY  
TIGARD OR 97223  
Washington County  
A WELL > BAUSCH CREEK  
0.446 C  
IRRIGATION OF 62.3 ACRES  
October 1, 2015

Application Number: G-15773  
Permit Number: G-15357  
ROTH, STEPHEN F.  
41600 HWY 20  
BROTHERS OR 97712  
Deschutes County  
FOUR WELLS > CAMP CREEK  
17.2 C  
IRRIGATION OF 1375.0 ACRES  
October 1, 2011

Application Number: S-55566  
Permit Number: S-43875  
MCCORMACK, WILLIAM  
MCCORMACK RANCH LLC  
28833 SE BEAR CR RD  
PRINEVILLE OR 97754  
Crook County  
BEAR CREEK > CROOKED RIVER  
0.54 C  
IRRIGATION  
October 1, 2011

Application Number: S-85013  
Permit Number: S-54054  
TAYLOR, RICHARD  
PO BOX 637  
ASHLAND OR 97520  
Jackson County  
SPRING CREEK > JENNY CREEK  
7.0 C  
FOR AQUATIC LIFE IN 2 RESERVOIRS CONSTRUCTED UNDER PERMITS  
R-13393 AND R-13394  
October 1, 2020

Application Number: R-85014  
Permit Number: R-13393  
TAYLOR, RICHARD  
PO BOX 637  
ASHLAND OR 97520  
Jackson County  
SPRING CREEK > JENNY CREEK  
1.1 A  
MULTIPLE PURPOSE  
October 1, 2020

Application Number: R-85015  
Permit Number: R-13394  
TAYLOR, RICHARD  
PO BOX 637  
ASHLAND OR 97520  
Jackson County  
SPRING CREEK > JENNY CREEK  
0.73 A EACH YEAR  
STORED WATER - MULTIPLE PURPOSE  
October 1, 2020

Application Number: R-86292  
Permit Number: R-14279  
FREEMAN AND SONS  
3750 OAK GROVE RD  
RICKREALL OR 97371-9745  
Polk County  
RUNOFF > MCMAHAN BRANCH  
A SPRING > MCMAHAN BRANCH  
23.0 A EACH YEAR  
STORED WATER - MULTIPLE PURPOSE  
October 1, 2014

Application Number: S-86465  
Permit Number: S-54334  
GRAHAM, RICHARD; GRAHAM, JOANNE  
321 MAPLEWOOD LANE  
ROSEBURG OR 97470  
Douglas County  
NORTH UMPQUA RIVER > UMPQUA RIVER  
0.01 C  
DOMESTIC EXPANDED USE FOR ONE HOUSEHOLD  
October 1, 2015

Application Number: S-86466  
Permit Number: S-54335  
GRAHAM, RICHARD  
321 MAPLEWOOD LANE  
ROSEBURG OR 97470  
Douglas County  
NORTH UMPQUA RIVER > UMPQUA RIVER  
0.01 C  
DOMESTIC EXPANDED USE FOR ONE HOUSEHOLD  
October 1, 2015

## Applications for Limited Licenses

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

Licensees must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after October 19, 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-1323

MATT MCDUGALL CO

MCDUGALL, MATT

20182 SW 112TH AVE

TUALATIN OR 97062

POD: 1 YAQUINA BAY > PACIFIC OCEAN

SW 1/4 SE 1/4 Section 9 T 11.00S R 11.00W WM

Lincoln County

0.17 C for VIBROFLOTATION

## 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 26, 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: Grant

Instream Lease Number: IL 735

Lessor:  
BERREY, STEVE  
6305 SW ROSEWOOD; SUITE D  
LAKE OSWEGO OR 97035

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE MOUTH OF DEER CREEK

| Cert#     | Permit | Priority | Use | Rate(cfs) | Duty(acf) | Source     | Tributary to        | Acres |
|-----------|--------|----------|-----|-----------|-----------|------------|---------------------|-------|
| 2200 OR * | S 753  | 7/5/1911 | IR  | 0.25      | 79.6      | DEER CREEK | N FK JOHN DAY RIVER | 19.9  |

## **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 November 04, 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.

Transfer: 11137  
Water Right: CERT 25670  
Priority Date: DECEMBER 31, 1866  
Name: DAYSPRING PARTNERS LLC  
Address: 15350 SW SEQUOIA PARKWAY STE 250,  
PORTLAND OR 97224  
Change: PLACE OF USE  
Source: ROCK 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 November 04, 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-9490 filed by William Robinson, PO Box 2709, Florence OR 97439 proposes a change in character of use of a storage right under Certificate 31076. The right allows the use of 45.0 acre feet (priority date Sept. 15, 1961) from UNNAMED STREAM, tributary to Woahink Lake in Sec. 11, T 19 S, R 12 W, W.M. for Recreation within Sec. 11. The applicant proposes to change the character of use to multi-purpose. The Water Resources Department has concluded that the proposed transfer appears not to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-10285 filed by Basil Michael Elias, 3400 Portland Road NE, Salem, OR 97301, proposes a change in point of appropriation under Certificate 49470. The right allows the use of 0.91 cubic foot per second (priority date April 24, 1969) from a well in Sec. 33, T 6 S, R 1 W, W.M. for irrigation within Sec. 33 and in Sec. 4, T 7 S, R 1 W, W.M. The applicant proposes to move the point of appropriation approximately 1,000 feet east within Sec. 33. 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-10861 filed by Mike and Jackie Gulzow, 62133 Pierce Rd., LaGrande, OR 97850, proposes two additional points of diversion under Certificate 27921. The right allows the use of 1.09 cubic feet per second (priority date 11/13/1952) from the Grande Ronde River. The points of diversion are located in Sec. 36, T 2 S, R 38 E, W.M. for irrigation in Sec. 36, T 2 S, R 38 E, W.M. and Sec. 31 in T 2 S, R 39, E, W.M. The first additional point of diversion is located in Sec. 36, T 2 S, R 38 E, W.M., upstream approx. 0.75 mile from one existing diversion point and 450 feet from the other point of diversion. The second additional point of diversion is located in Sec. 31, T 2 S, R 39 E, W.M., downstream approx 1.25 mile from one and 2050 feet from the other existing points of diversion. 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-11056 filed by Fishhawk Lake Water Company, 9997 Beach Dr., Birkenfeld, OR 97016 proposes a change in place of use and a change in character of use under Certificate 46757. The right allows the use of 0.10 cubic foot per second (priority date May 1, 1969) from Fishhawk Creek in Sec. 6, T 6 N, R 5 W, W.M. for group domestic for 97 dwellings in Sec. 6, T 6 N, R 5 W and Sec. 1, T 6 N, R 6 W, W.M. The applicant proposes to change the place of use to within Sec. 6, T 6 N, R 5 W and Sec. 1, T 6 N, R 6 W, W.M.; and to change the character of use to quasi-municipal 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.



## **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:        | WHEELER                             |
| Transfer:      | 11136                               |
| Water Right:   | CERT 13575                          |
| Priority Date: | DECEMBER 31, 1882                   |
| Name:          | U.S. BUREAU OF LAND MANAGEMENT      |
| Address:       | 3050 NE 3RD ST, PRINEVILLE OR 97754 |
| Change:        | PLACE OF USE, POINT OF DIVERSION    |
| Source:        | BRIDGE CREEK                        |

## **Transfer Applications: Permit Amendments**

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU) pursuant to ORS 537.211 (4).

Notice is given that the following applications for Permit Amendments have been received by the Department. If the proposed change in point of diversion or appropriation is for a distance greater than 1/4 mile or includes intervening diversion points, notice also will be published in a local newspaper.

|                |                                    |
|----------------|------------------------------------|
| County:        | DESCHUTES                          |
| Transfer:      | 11138                              |
| Water Right:   | PERMIT G 16177, G 16178            |
| Priority Date: | 1992                               |
| Name:          | CITY OF BEND, PATRICK GRIFFITHS    |
| Address:       | 62975 BOYD ACRES RD, BEND OR 97701 |
| Change:        | ADDITIONAL POINT OF APPROPRIATION  |
| Source:        | WELLS                              |

## 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 November 04, 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:             | DESCHUTES   |
| NOTICE OF DISTRICT  |   |
| PERMANENT TRANSFER: | NOTICE # T-2010-004                                       |
| CERTIFICATE:        | 83571,76714   |
| PRIORITY DATE:      | 1900,1907,1913  |
| NAME:               | CENTRAL OREGON IRRIGATION DISTRICT                        |
| ADDRESS:            | 1055 SW LAKE COURT, REDMOND, OR 97756                     |
| CHANGE:             | POU   |
| SOURCE:             | DESCHUTES RIVER/CRANE PRAIRIE RES                         |
| ACRES:              | 24.1  |
| AUTHORIZED POU:     | T14S R13E 14,16<br>T15S R12E 13,25<br>T15S R13E 5,9,18,20 |
| PROPOSED POU:       | T14S R13E 4   |

**OREGON  
WATER  
RESOURCES  
DEPARTMENT**



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**

October 5, 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 propose final order and final order are also available for viewing—at no charge—at our Salem office or at the local watermaster office.)