

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
January 25, 2011

*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.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **Water Right Cancellations**
Abandonment of perfected and developed water rights and requests to cancel all or a portion of rights.
- * **Applications for Extensions of Time to Perfect Water Right Permits**
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- * **Application for Instream Lease**
Application by water right holder to lease existing water rights to instream use.
- * **Transfer 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: Permit Amendments**
Requests to amend permits.
- * **District Permanent Transfers (ORS 540.580)**
Petitions requesting transfers in place of use within a district's boundaries.

* **Notice of Draft Proposed Final Order to Reauthorize Minor Hydroelectric Projects and Draft Certificate**

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@wrđ.state.or.us".

Permit Application Initial Reviews and Proposed Final Orders

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

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

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

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

The comment deadline for initial reviews appearing in this public notice is 5pm, Thursday, February 24, 2011. 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, March 11, 2011.

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)

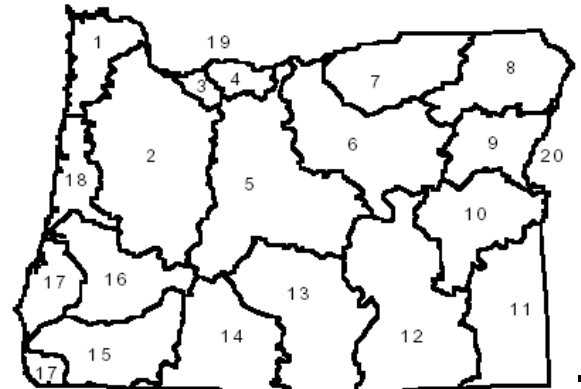
BASINS:

- | | |
|-----------------|---------------------|
| 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-87666	BELNAP, JEAN 4137 KOCHEMEIER RD VALE, OR 97918						IR 3
10	EAST BRANCH WILLOW CREEK > MALHEUR RIVER	18.00S 45.00E 17 NWNE	Malheur	11/12/2010	2.0C		
Uses:	IR IS						
G-17338	PAGEL, MARTHA O. SCHWABE WILLIAMSON AND WYATT EQUITABLE CENTER 530 CENTER ST NE SUITE 400 SA						IR 3
5	A WELL > CROOKED RIVER	15.00S 15.00E 2 SESE	Crook	03/31/2010	0.758C		
Uses:	IM						
G-17408	WARNER, SCOTT K. 91336 WATER USER LANE LAKEVIEW, OR 97630						IR 3
13	A WELL > MILL CREEK	40.00S 19.00E 33 SWSW	Lake	07/29/2010	3.342C		
Uses:	IR						
R-87618	FESSLER, GLENN 10965 SE GRIZZLY RD MADRAS, OR 97741						PFO 3
5	WILLOW CREEK > DESCHUTES RIVER	12.00S 15.00E 27 NESW	Jefferson	06/15/2010	50.0A		
5	UNNAMED STREAM > NEWBILL CREEK	12.00S 15.00E 33 NESW	Jefferson	06/15/2010	50.0A		
5	A SPRING > NEWBILL CREEK	12.00S 15.00E 33 NESE	Jefferson	06/15/2010	50.0A		
5	A SPRING > NEWBILL CREEK	12.00S 15.00E 33 NENE	Jefferson	06/15/2010	50.0A		
Uses:	ST						
S-87619	FESSLER, GLENN 10965 SE GRIZZLY RD MADRAS, OR 97741						PFO 3
5	A RESERVOIR > WILLOW CREEK		Jefferson	06/15/2010	100.0A		
Uses:	IS						

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-17146	12	HARN	11/24/2008	RATTLESNAKE CREEK LAND AND CATTLE LLC		01/13/2011
G-17278	14	KLAM	10/21/2009	FALCON HEIGHTS WATER AND SEWER DISTRICT		01/13/2011
G-17307	13	LAKE	02/08/2010		GEORGE JASKA	01/13/2011
G-17395	7	UMAT	06/03/2010	SEVEN HILLS PROPERTIES LLC		01/13/2011
R-87377	6	WHEE	01/15/2009	S AND R RODONI FARMS LP		01/13/2011
R-87585	2	LINN	02/26/2010		VERDIN DAVIS	01/13/2011
R-87624	9	BAKE	05/17/2010		TERRY CHRISTMAN	01/13/2011
S-87644	2	BENT	07/27/2010	J AND C BAYNE LLC		01/13/2011
R-86947	14	KLAM	07/03/2007		DARLA BARTELL	01/18/2011
R-86948	14	KLAM	07/03/2007		DARLA BARTELL	01/18/2011
R-86949	14	KLAM	07/03/2007		DARLA BARTELL	01/18/2011
S-86950	14	KLAM	07/03/2007		DARLA BARTELL	01/18/2011
G-17147	15	JACK	11/25/2008		LONNY HARRIS	01/20/2011
S-87592	17	COOS	03/16/2010		RON LAFRANCHI	01/20/2011

Application	Basin	County	Priority	Company	Name	FO Date
S-87662	16	DOUG	11/02/2010	HEARD FAMILY LLC		01/20/2011
R-87513	2	CLAC	08/17/2009		JOHN CHILDS	01/21/2011
R-87561	2	CLAC	12/21/2009		BURL MOSTUL	01/21/2011

Expedited Secondary Applications Under HB 2178 (2005)

For expedited secondary applications to use exclusively stored water filed under HB 2178, the public is invited to comment within 30 days of this notice, by **February 24, 2011**. The expedited secondary applications listed below have been filed recently. Any person may raise public interest issues regarding these applications. If public interest issues are raised, the Department may move the application to the standard process and review the application pursuant to ORS 537.153, and issue a Proposed Final Order. If no public issues are raised, the Department may issue a final order and permit without further prior notice.

Comments must identify the specific public interest under ORS 537.170(8) that would be impaired or detrimentally affected by the proposed use, and specifically how the identified public interest would be affected.

POD 1 is the location of the stored water. POD 2 and any additional points are the diversion point(s).

S-87681
CENTRAL POINT SCHOOL DIST NO 6
ROBINSON, VICKI
300 ASH ST
CENTRAL POINT, OR 97502
POD: 1 ROGUE RIVER > PACIFIC OCEAN
NE 1/4 NW 1/4 Section 6 T 36.00S R 1.00W WM
Jackson County
0.0 AFT for IRRIGATION (est.)

POD: 2 LOST CREEK RESERVOIR > ROGUE RIVER
SE 1/4 NW 1/4 Section 26T 33.00S R 1.00E WM
Jackson County
4.35 AFT for IRRIGATION (est.)

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:	LINN
WATER RIGHT CERTIFICATE:	9692, IN THE NAME OF MOUNTAIN STATES WATER COMPANY
PRIORITY DATE:	AUGUST 23, 1920
SOURCE:	THOMAS CR > SANTIAM R
LANDOWNER:	ZIGLINSKI FAMILY, LLC
ADDRESS:	43430 THOMAS CREEK DR. SCIO, OR 97374
USE:	POWER FOR MUNICIPAL LIGHTING, PUMPING AND MANUFACTURING
QUANTITY:	47.0 CFS
ACRES:	
LOCATION:	T10S, R1E, 8, NENW

**Applications for Extensions of Time
to Perfect Water Right Permits filed pursuant to OAR 690-315**

Consistent with OAR 690-315-0050, the Department will accept public comment on the following extension applications until February 24, 2011. 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-15220
Permit Number: G-14068
HELLBERG, TIMOTHY
81300 W 6TH
IRRIGON, OR 97844
Morrow County
TWO WELLS > COLUMBIA RIVER
0.165 CFS
IRRIGATION OF 13.21 ACRES
October 1, 2012

Application Number: S-86584
Permit Number: S-54416
GOODRICH ROAD VINEYARD LLC
PO BOX 3989
NAPA, CA 94558
Yamhill County
THREE RESERVOIRS > YAMHILL CREEK
43.38 AF
IRRIGATION OF 13.21 ACRES
October 1, 2016

Application Number: R-86592
Permit Number: R-14412
GOODRICH ROAD VINEYARD LLC
PO BOX 3989
NAPA, CA 94558
Yamhill County
RUNOFF > YAMHILL CREEK
9.19 AF
MULTI-PURPOSE
October 1, 2016

Application Number: R-86593
Permit Number: R-14413
GOODRICH ROAD VINEYARD LLC
PO BOX 3989
NAPA, CA 94558
Yamhill County
RUNOFF > YAMHILL CREEK
9.19 AF
MULTI-PURPOSE
October 1, 2016

**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 March 11, 2011. 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:	Deschutes
Application File Number:	G-10208
Permit Number:	G-9284
Applicant:	AVION WATER CO. INC.
Address:	60813 PARRELL RD BEND, OR 97702
River Basin:	Deschutes Basin
Water Source:	ONE WELL > DESCHUTES RIVER
Authorized Use of Water:	QUASI-MUNICIPAL USES
Maximum Diversion/ Appropriation Rate:	165 GPM

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2009 to October 1, 2014; and grant an extension of time to apply water to full beneficial use from October 1, 2009 to October 1, 2014.

County of Use: Deschutes
Application File Number: G-10349
Permit Number: G-9972
Applicant: AVION WATER CO. INC.
Address: 60813 PARRELL RD BEND, OR 97702
River Basin: Deschutes Basin
Water Source: TWO WELLS > DESCHUTES RIVER
Authorized Use of Water: GROUP DOMESTIC USE FOR 188 FAMILIES, INCLUDING IRRIGATION OF LAWNS AND GARDENS, NOT TO EXCEED ONE-HALF ACRE IN AREA PER FAMILY (WILDRIVER)

Maximum Diversion/
Appropriation Rate: 0.15 CFS, FROM WELL 1 AND 0.42 CFS FROM WELL 2

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2009 to October 1, 2024; and grant an extension of time to apply water to full beneficial use from October 1, 2009 to October 1, 2024.

County of Use: Crook
Application File Number: G-13446
Permit Number: G-12192
Applicant: AVION WATER CO. INC.
Address: 60813 PARRELL RD BEND, OR 97702
River Basin: Deschutes Basin
Water Source: A WELL > DECHUTES RIVER
Authorized Use of Water: GROUP DOMESTIC USE FOR 102 HOUSEHOLDS INCLUDING UP TO ONE-HALF ACRE OF LAWN AND NON-COMMERCIAL GARDEN FOR EACH

Maximum Diversion/
Appropriation Rate: 0.29 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2009 to October 1, 2020; and grant an extension of time to apply water to full beneficial use from October 1, 2009 to October 1, 2020.

County of Use: Union
Application File Number: G-14698
Permit Number: G-13726
Applicant: R.D. MAC INC.; COLLMAN HARRY T
BLACKMAN, GREG
Address: PO BOX 1086 LA GRANDE, OR 97850
River Basin: Grande Ronde Basin
Water Source: A WELL > GRANDE RONDE RIVER
Authorized Use of Water: IRRIGATION ON 19.9 Acres
SUPPLEMENTAL IRRIGATION ON 145.5 Acres

Maximum Diversion/
Appropriation Rate: 2.06 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2003 to October 1, 2011.

County of Use: Clackamas
Application File Number: G-15109
Permit Number: G-15351
Applicant: INTERFOR PACIFIC INC.
Address: 1555 SOUTH HWY 211
MOLALLA, OR 97381
River Basin: Willamette Basin
Water Source: A WELL > MOLALLA RIVER
Authorized Use of Water: INDUSTRIAL/MANUFACTURING USES
Maximum Diversion/
Appropriation Rate: 0.111 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2007 to October 1, 2013.

County of Use: Deschutes
Application File Number: G-15851
Permit Number: G-16025
Applicant: AVION WATER CO. INC.
Address: 60813 PARRELL RD BEND, OR 97702
SUSSMAN, ADAM
1600 SW WESTERN BLVD SUITE 240
CORVALLIS, OR 97333
River Basin: Deschutes Basin
Water Source: FOUR WELLS > DESCHUTES RIVER
ADDITIONAL 7 WELLS FROM PERMIT AMENDMENT T-10204
AND ADDITIONAL 2 WELLS FROM PERMIT AMENDMENT T-10488
Authorized Use of Water: QUASI-MUNICIPAL USES
Maximum Diversion/
Appropriation Rate: 5.0 CFS, LIMITED TO A MAXIMUM ANNUAL VOL OF 643.0 AF
FURTHER LIMITED BY MITIGATION REQUIREMENTS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2010 to October 1, 2025.

County of Use: Deschutes
Application File Number: G-16060
Permit Number: G-16026
Applicant: AVION WATER CO. INC.
Address: 60813 PARRELL RD BEND, OR 97702
River Basin: Deschutes Basin
Water Source: FOUR WELLS > DESCHUTES RIVER
ADDITIONAL 7 WELLS FROM PERMIT AMENDMENT T-10204
AND ADDITIONAL 2 WELLS FROM PERMIT AMENDMENT T-10488
Authorized Use of Water: QUASI-MUNICIPAL USES
Maximum Diversion/
Appropriation Rate: 10.0 CFS, LIMITED TO A MAXIMUM ANNUAL VOLUME OF
1287.0 AF, FURTHER LIMITED BY MITIGATION REQUIREMENTS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2010 to October 1, 2025.

County of Use: Morrow
Application File Number: S-70272
Permit Number: S-51017
Applicant: MADISON, KENT R.
Address: 29299 MADISON RD ECHO, OR 97826
River Basin: Umatilla Basin
Water Source: COLUMBIA RIVER > PACIFIC OCEAN
Authorized Use of Water: IRRIGATION ON 7597.9 Acres
SUPPLEMENTAL IRRIGATION ON 2047.3 Acres
Maximum Diversion/
Appropriation Rate: 33.42 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, 2015; and grant an extension of time to apply water to full beneficial use from October 1, 2010 to October 1, 2015.

Applications for Instream Lease

ORS 537.348 authorizes a water right holder to lease their existing water right(s) to instream use for a limited time. For the term of the lease, the water right holder agrees to suspend use of water under the original right. The state is the trustee for water rights leased for instream use. OAR 690-077-0077 requires that the Department public notice the lease applications.

The deadline for submitting claims of injury to existing water rights or enlargement of the original right against a lease application is February 15, 2011. 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: Yamhill

Instream Lease Number: IL 1104

**** Applicant ****

HAMPTON LUMBER MILLS INC.
9600 SW BARNES RD SUITE 200
PORTLAND, OR 97225

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE CONFLUENCE WITH THE WILLAMETTE RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Source	Tributary to
14487 OR	* S 13861	2/23/1939 7/20/1939	IM, PM	5.0	SOUTH FORK YAMHILL AND POND	YAMHILL RIVER

County: Polk

Instream Lease Number: IL 1103

** Applicant **

HAMPTON LUMBER MILLS INC.
9600 SW BARNES RD SUITE 200
PORTLAND, OR 97225

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE CONFLUENCE WITH THE WILLAMETTE RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to
43201	OR * S 36783	8/7/1972	FP,IM	1.11		SOUTH YAMHILL RIVER	YAMHILL RIVER

Reach: FROM THE POD TO THE CONFLUENCE WITH THE WILLAMETTE RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to
45690	OR * R 6246	7/25/1974	FP		2.0	SOUTH YAMHILL RIVER	YAMHILL RIVER

Reach: FROM THE POD TO THE CONFLUENCE WITH THE WILLAMETTE RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to
45691	OR * S 38829	7/25/1974	FP	0.22		SOUTH YAMHILL RIVER	YAMHILL RIVER

Transfer Preliminary Determinations

A Preliminary Determination provides the Department's conclusion as to whether a proposed change in place of use, point of diversion or appropriation, or character of use of an existing water right should be approved. Changes of water rights may be proposed in an application for transfer (including instream, historic POD, exchange, substitution or ground water registration modification).

The Department has issued preliminary determinations on the transfer applications listed below. In addition to this notice, the Department is complying with ORS 540.520(2) that requires publication of notice in a local newspaper for all transfers except those proposing a change in place of use only or a change in point of diversion of less than ¼ mile where there are no intervening diversion points.

Any person may protest the application and preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-0900, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by a \$600 protest fee for non-applicant and \$300.00 protest fee for applicant. A Water Right Transfer Protest Form is available at <http://www.oregon.gov/OWRD/PUBS/forms.shtml> or by calling 503-986-0888. Protests must be received by the Department on or before February 24, 2011, 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-10948 filed by Kenneth Gustafson of B & G Resources, 5200 SW Macadam Ave., Suite 470, Portland, OR 97239, proposes to change the point of diversion and place of use under two existing water rights. Certificates 83483 and 80564 (both with a priority date of July 3, 1945) allow the use of 1/40 th of one cubic foot per second per acre, limited to 4.5 acre-feet per each acre during the irrigation season, both from a diversion on the Umatilla River within the SE 1/4 NE 1/4, Sec 12, T2N, R30E, W.M., for irrigation in Sections 1 & 12, T2N, R30E, and Sec 7, T2N, R31E, W.M., W.M. The applicant proposes to change the place of use of a portion of Certificate 80564 and change the point of diversion for both rights downstream approximately 2400 feet to within the NW¼ of the NE¼ Sec. 12, T2N, R30E, W.M. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540, OAR 690-380-2110 and 690-380-5000.

T-11018 filed by Vardan & Megan Rigby, 66741 E. Birch Creek Rd, Pilot Rock, OR 97868, proposed to change the point of appropriation for a portion of an existing water right. Certificate 83663 allows the use of One-Eightieth of one cfs (priority date April 17, 2000) from a well within the Birch Creek Basin, located within the SW1/4 SW1/4 of

Sec. 21, T1S, R32E, W.M., for irrigation in Sections 21 and 28. The applicants propose to change the point of appropriation for a certain 4.0 acres northwest approximately 360 feet to a new well within the same quarter quarter within Sec. 21. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540, OAR 690-380-2110 and 690-380-5000.

T-11088 filed by MINAM LAKE RESERVOIR ASSOCIATION 1120 SE FLORENCE, ENTERPRISE OR 97828, proposes a change in point of diversion under Certificates 11642, 11999, 14526, 41074, 41177, 41283, 41376, 41637, 54099, 55031, 57556, 58694, 64780, 65550, 79892, and 80877. The rights allow the use of 141.71 CUBIC FEET PER SECOND (priority dates JUNE 6, 1935, FEBRUARY 15, 1937, APRIL 24, 1941, MAY 16, 1969, NOVEMBER 20, 1969, 1889, APRIL 15, 1969, JUNE 2, 1975, 1890, DECEMBER 22, 1976, JULY 3, 1985, AUGUST 18, 1971, JULY 9, 1969, APRIL 24, 1968, MARCH 29, 1973, JUNE 25, 1973, and APRIL 30, 1937) from WALLOWA RIVER in Sec. 4, 5, 8, 9, 10, 11, 13, 14, 15, 16, 23, 24, 25, 36, T 1 N, R 42 E W.M. and Sec. 28, 29, 30, 31, 32, 33, T 1 N, R 43 E W.M. and Sec. 2, 3, 4, 5, 9, 10, 11, T 1 S, R 43 E W.M. for IRRIGATION and SUPPLEMENTAL IRRIGATION. The applicant proposes to move the point of diversion approximately 120 feet upstream (Sec. 11, T 1 S, R 43 E W.M.). The Water Resources Department has concluded that the proposed transfer appears to not be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000, due to potential injury of instream water right Certificate 73021. The applicant has requested that the Department seek a recommendation from ODFW to consent to the injury under OAR 690-380-5050. T-11088 will be denied unless ODFW recommends that the Department consent to injury of the instream right due to a net benefit to the resource, and no protests are filed.

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:	MARION
Transfer:	11186
Water Right:	PERMIT G 10223
Priority Date:	APRIL 14, 1983
Name:	CITY OF AUMSVILLE, STEVE OSLIE
Address:	595 MAIN ST, AUMSVILLE OR 97325
Change:	PLACE OF USE, 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 February 24, 2011. 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-2011-001
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:	1.30
AUTHORIZED POU:	T16S R14E 28
PROPOSED POU:	T16S R14E 16

COUNTY: DESCHUTES
NOTICE OF DISTRICT
PERMANENT TRANSFER: NOTICE # T-2011-002
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: 14.80
AUTHORIZED POU: T16S R14E 20
T17S R13E 19,20
T18S R13E 12
PROPOSED POU: T15S R15E 19

Notice of Draft Proposed Final Order to Reauthorize Minor Hydroelectric Projects and Draft Certificate

The Department seeks public comment on the following Draft Proposed Final Order to reauthorize a minor hydroelectric project and Draft Certificate. Comments must be submitted within 60 days of publication of the notice.

The applications and Draft Proposed Final Orders can be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the documents please contact R. Craig Kohanek at (503)986-0823. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Comments must be received by the Oregon Water Resources Department by 5:00pm March 28, 2011.

Name:	Michael E. Clawson
Address:	20836 Mustola Road Clatskanie, OR 97016
County:	Columbia
Basin:	North Coast
Stream:	0.35 cfs, Unnamed Stream, tributary to Beaver Creek
Application Number:	HE 408
State Expiration Date:	December 31, 2011
Project Description:	Water from the stream creates a small pool, from which water is diverted into a corrugated metal pipe. This pipe delivers the water into a concrete silt trap/intake box. A white PVC pipe is attached to the downstream end of the box, and is buried and serves as the project penstock. It extends approximately 1,180 feet to where it enters the powerhouse and connects to turbine. This provides the project approximately 168 feet of head. After passing through the turbine, the water is returned to the unnamed stream above its confluence with Beaver Creek.

**OREGON
WATER
RESOURCES
DEPARTMENT**



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

January 25, 2011

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