

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
February 15, 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](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.
- \* **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.
- \* **Municipal permit extension applications referred to Oregon Department of Fish and Wildlife for review under provisions of OAR 690- 315-0080.**
- \* **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.
- \* **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.

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, March 17, 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, April 01, 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)

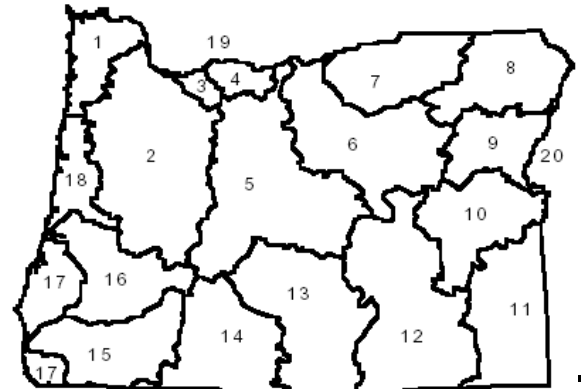
**BASINS:**

- |                 |                     |
|-----------------|---------------------|
| 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 |
|-------------------------|---|-----------------------|---------|------------|----------|-------|--------|
| <a href="#">S-87663</a> | NOFREY, BYRON L. 12000 E MAPLETON RD MAPLETON, OR 97453 |                       |         |            |          |       | PFO 2  |
| 18                      | SIUSLAW RIVER > PACIFIC OCEAN                           | 17.00S 10.00W 23 SWNW | Lane    | 11/03/2010 | 0.005C   |       |        |
| Uses:                   | HC  |                       |         |            |          |       |        |
| <a href="#">S-87641</a> | VAN SAUN, THOMAS D. PO BOX 1449 JACKSONVILLE, OR 97530  |                       |         |            |          |       | PFO 2  |
| 15                      | A RESERVOIR > APPLGATE RIVER                            | 38.00S 4.00W 6 NENE   | Jackson | 07/19/2010 | 12.0A    |       |        |
| 15                      | APPLGATE RESERVOIR > APPLGATE RIVER                     | 40.00S 4.00W 25 SESE  | Jackson | 07/19/2010 | 40.0A    |       |        |
| Uses:                   | IR IS TC  |                       |         |            |          |       |        |
| <a href="#">S-87605</a> | WERNER, DENNIS 463 S MOON BEAM WAY EAGLE, ID 83616      |                       |         |            |          |       | PFO 2  |
| 11                      | NORTH ALKALI CREEK > ALKALI CREEK                       | 22.00S 46.00E 14 SWNE | Malheur | 05/10/2010 | 11.0C    |       |        |
| Uses:                   | WI  |                       |         |            |          |       |        |

## 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-17296</a> | 7     | UMAT   | 12/31/2009 |                            | JOHN OWEN      | 02/03/2011 |
| <a href="#">G-17395</a> | 7     | UMAT   | 06/03/2010 | SEVEN HILLS PROPERTIES LLC |                | 02/03/2011 |
| <a href="#">G-17165</a> | 13    | LAKE   | 01/20/2009 | TOWN OF LAKEVIEW           |                | 02/11/2011 |
| <a href="#">S-87666</a> | 10    | MALH   | 11/12/2010 |                            | JEAN BELNAP    | 02/11/2011 |
| <a href="#">G-17136</a> | 12    | HARN   | 11/03/2008 |                            | WILLIAM DUNBAR | 02/14/2011 |
| <a href="#">G-17407</a> | 12    | HARN   | 07/19/2010 |                            | EDNA READ      | 02/14/2011 |
| <a href="#">R-87376</a> | 2     | CLAC   | 01/15/2009 |                            | DAVE OBRIST    | 02/14/2011 |
| <a href="#">R-87590</a> | 2     | POLK   | 03/12/2010 |                            | GARTH MULKEY   | 02/14/2011 |

## 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 **March 17, 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-87684

KAISER, GARY D. KAISER SURVEYING 19440 HWY 62 EAGLE POINT, OR 97524

WAPELHORST, JIM 6900 ROGUE RIVER DR SHADY COVE, OR 97539

POD: 1 ROGUE RIVER > PACIFIC OCEAN

NW 1/4 NE 1/4 Section 21T 34.00S R 1.00W WM

Jackson County

0.0 AFT for IRRIGATION (est.)

POD: 2 LOST CREEK RESERVOIR > PACIFIC OCEAN

SE 1/4 NW 1/4 Section 26T 33.00S R 1.00E WM

Jackson County

7.2 AFT for IRRIGATION (est.)

**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 March 17, 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-12559  
Permit Number: G-12301  
BLOOMQUIST, GORDON  
30042 WEAVER SPRINGS LANE  
BURNS, OR 97720  
Harney County  
A WELL > MALHEUR LAKE  
3.19 CFS  
IRRIGATION OF 255.0 ACRES  
October 1, 2014

**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 April 01, 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: Jackson  
Application File Number: R-84753  
Permit Number: R-13370  
Applicant: GARVIN FAMILY LLC  
Address: PO BOX 2282  
HARBOR, OR 97415  
River Basin: Rogue Basin  
Water Source: RUNOFF > CLIFF CREEK  
Authorized Use of Water: FROST PROTECTION & IRRIGATION  
Maximum Diversion/  
Appropriation Rate: 18.0 AF PER YEAR

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2006 to October 1, 2012.

County of Use: Jackson  
Application File Number: S-84754  
Permit Number: S-53835  
Applicant: GARVIN FAMILY LLC  
Address: PO BOX 2282  
HARBOR, OR 97415  
River Basin: Rogue Basin  
Water Source: A RESERVOIR > CLIFF CREEK  
Authorized Use of Water: FROST PROTECTION  
IRRIGATION ON 149.1 Acres  
Maximum Diversion/  
Appropriation Rate: 18.0 AF PER YEAR

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2006 to October 1, 2012.



## **Pending Municipal Permit Extension Applications Sent to Oregon Department of Fish and Wildlife for Review**

Consistent with OAR 690-315-0080 the Department must notify Oregon Department of Fish and Wildlife of certain pending municipal water use extension applications. If applicable under OAR 690-315-0080 any undeveloped portion of a municipal permit must be conditioned to maintain the persistence of listed fish species in the portions of waterways affected by water use under the permit. The following applications were referred to the Oregon Department of Fish and Wildlife on February 11, 2011.

Application File Number: S-46505

Permit Number: S-34661

Applicant: City of Carlton

Water Source: Panther Creek, Tributary to North Yamhill River

Authorized Use of Water Under Permit: Municipal

Application File Number: S-44207

Permit Number: S-32488

Applicant: City of Carlton

Water Source: Fall Creek, Tributary to Panther Creek

Authorized Use of Water Under Permit: Municipal

Application File Number: S-65051

Permit Number: S-48451

Applicant: City of Sandy

Water Source: The Salmon River, Tributary to the Sandy River

Authorized Use of Water Under Permit: Municipal

Application File Number: G-834

Permit Number: G-734

Applicant: City of Salem

Water Source: A Well within the North Santiam River Basin

Authorized Use of Water Under Permit: Municipal

## 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 March 01, 2011, 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-1338

USG OREGON LLC

NICHOLS, SCOTT

1505 TYRELL LN

BOISE, ID 83706

POD: 1 A WELL > BULLY CR

NE 1/4 NE 1/4 Section 8 T 18.00S R 43.00E WM

Malheur County

0.445 C for GEOTHERMAL WELL DRILLING

## 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 March 17, 2011. 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: BAKER, UNION  
Transfer: 11194  
Water Right: CERT 1493,79534  
Priority Date: 1893,1870  
Name: ALVA R. & SUSAN C. MASCALL  
Address: PO BOX 249,NORTH POWDER OR 97867  
Change: POU/POD  
Source: NORTH POWDER RIVER

County: BAKER  
Transfer: 11195  
Water Right: CERT 4039,52582  
Priority Date: 1879,1977  
Name: FREEMAN ANGUS RANCH, SETH FREEMAN  
Address: 37494 SUTTON CREEK RD BAKER OR 97814  
Change: APOD  
Source: SUTTON CREEK

County: KLAMATH  
Transfer: 11196  
Water Right: CERT 42738  
Priority Date: APRIL 26, 1967  
Name: HORSEFLY IRRIGATION DISTRICT  
Address: PO BOX 188, BONANZA OR 97623  
Change: APOA  
Source: A WELL

## **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 March 17, 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-6875 filed by GERALDINE THURESSON, 5907 UPPER COW CREEK ROAD, AZALEA, OR 97410, proposes an additional point of diversion under Certificates 51964, 51966, 67779 and 67780. Certificates 51964 and 67779 allow the use of 0.199 and 0.013 CUBIC FOOT PER SECOND (CFS), respectively (priority date JULY 28, 1950) from COW CREEK in Sec. 28 and 33, T 31 S, R 4 W, W.M. for IRRIGATION in Sec. 28 and 33, T 31 S, R 4 W. Certificates 51966 and 67780 allow the use of 0.185 and 0.01 CFS (priority date JULY 25, 1961) from COW CREEK in Sec. 33, T 31 S, R 4 W, W.M. for IRRIGATION in Sec. 33, T 31 S, R 4 W. The applicant proposes an additional point of diversion for all four rights in Sec. 33, T 31 S, R 4 W, W.M., approximately 40 feet downstream from the lower end of the authorized diversion reach for Certificates 51964 and 67779, 400 feet downstream from the point of diversion for Certificate 67780 and 1,700 feet upstream from the diversion point for Certificate 51966. 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-10023 filed by Sandra L. Moritz, proposes a change in point of diversion and place of use under Certificates 14476, 15128, and 21277. The rights allow the use of a combined total of 0.53 cfs (priority dates May 31, 1939, April 16, 1941, and March 18, 1949, respectively) from a diversion in Sec. 9, T6S, R6W, W.M. (Yamhill River Basin) for irrigation in Sec. 4, 5, 8, and 9. The applicant proposes to change the point of diversion to another location approximately 1.5 miles south (Sec. 16, T6S, R6W, W.M.); and to change the place of use to Sec. 9, T6S, R6W, 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.

T-10961 filed by G. Wayne and Helen M. Troy, 24242 Old Hwy 30, Baker City, OR 97814, proposes changes in point of diversion and place of use under Certificates 5961, 6005, 6042 and similar changes in place of use only for underlying Permit G-15774 (priority May 23, 2003). Certificate 5961 (Priorities 1863, 1864 and 1868) allows the use from ALDER CREEK and HILL CREEK in Sec.33 & 34, T 10 S, R 42 E, W.M. for IRRIGATION in Sec. 34. Certificate 6005 (Priorities MARCH 1877 AND 1909) allows the use from ALDER CREEK in Sec.34 & 35, T 10 S, R 42 E, W.M. for IRRIGATION in Sec. 34, 35 and Sec. 2, T 11 S, R 42 E WM. Certificate 6042 (Priorities 1862 & 1864) allows the use from STRAW RANCH CREEK and ALDER CREEK in Sec.32 & 33, T 10 S, R 42 E, W.M. for IRRIGATION in Sec. 33. The applicant proposes to change the points of diversion to nine PODs in Sec. 32, 33 and 34, T 10 S, R 42 E. The proposed PODs are varying distances (660 feet to approximately 3 miles) upstream from the authorized PODs. The applicant also proposes to change the place of use within Sec 33, 34 & 35, T 10 S, R 42 E, W.M., and within Sec 2, T 11 S, R 42 E, WM. 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-11038 filed by LARRY AND TARA GRASSMAN, PO BOX 101, CHRISTMAS VALLEY, OR 97641, proposes changes in point of appropriation place of use under Certificates 79432 and 86621. Certificate 79432 allows the use of 0.17 CUBIC FOOT PER SECOND (priority date FEBRUARY 18, 1981) from a well in Sec. 1, T 27 S, R 17 E, W.M. (Fort Rock Basin) for IRRIGATION in Sec. 1. The applicant proposes to change the place of use within Sec. 1, T 27 S, R 17 E. Certificate 86621 allows the use of 0.569 CUBIC FOOT PER SECOND (priority date NOVEMBER 3, 1983) from a well in Sec. 10, T 28 S, R 16 E, W.M. (Fort Rock Basin) for IRRIGATION in Sec. 10, T 28 S, R 16 E. The applicant proposes to move the point of appropriation approximately 10.7 miles northeast to Sec. 1, T 27 S, R 17 E W.M. and to change the place of use to Sec. 1, T 27 S, R 17 E. 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-11137 filed by DAYSPRING PARTNERS LLC, 15350 SW SEQUOIA PARKWAY, SUITE 250, PORTLAND OR 97224, proposes a change in place of use under Certificates 25670, 25922, 37254, and 86550. The first right allows the use of ROCK CREEK (priority date 1866) in Sec. 27, T 13 S, R 24 E, W.M. for IRRIGATION in Sec. 6, T 13 S, R 25 E, W.M. The second right allows the use of ROCK CREEK, WEST FORK ROCK CREEK, and ROCK CREEK LAKE (priority date 1899) in Secs. 21, 22, and 27, T 13 S, R 24 E, W.M. for IRRIGATION in Sec. 36, T 12 S, R 24 E, W.M. The third right allows the use of ROCK CREEK Lake (priority date May 3, 1954) in Sec. 22, T 13 S, R 24 E, W.M. for SUPPLEMENTAL IRRIGATION in Secs. 25 and 36, T 12 S, R 24 E, W.M. The fourth right allows the use of 1.68 CUBIC FEET PER SECOND (priority date April 30, 1954) from ROCK CREEK in Sec. 27, T 13 S, R 24 E, W.M. for IRRIGATION and SUPPLEMENTAL IRRIGATION in Secs. 25 and 36, T 12 S, R 24 E, W.M. The applicant proposes to change the place of use to Sec. 36, T 12 S, R 24 E, Sec. 1, T 13 S, R 24 E, and Sec. 31, T 12 S, R 25 E, W.M.. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11161 filed by Barbara Easterling, 24345 Klupenger Road SE, Aurora, Oregon 97002, proposes a change in point of appropriation under Certificate 38261. The right allows the use of 0.94 cubic foot per second (priority date May 18, 1966) from a well in Sec. 33, T 3 S, R 1 W, W.M. (Willamette River Basin) for irrigation in Sec. 33. The applicant proposes to move the point of appropriation to two wells between approximately 50 and 850 feet within Sec. 33, T 3 S, R 1 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.

T-11173 filed by 70 Ranch Inc., 22013 Thomas Creek Road, Lakeview, OR 97630, proposes a change in place of use under Certificate 55094. The right allows the use of 0.31 cubic foot per second (priority date April 15, 1977) from a well in Sec. 18, T 38 S, R 20 E, W.M. (Cox Creek Basin) for irrigation in Sec. 18. The applicant proposes to change the place of use to Sec. 13, T 38 S, R 19 E, W.M. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11175 filed by Wilderness Retreat, P O Box 1295, Brookings, OR 97415, proposes a change in point of diversion under Certificate 86738. The right allows the use of 0.03 cubic foot per second (priority date August 18, 1970) from Second Creek in Sec. 17, T 39 S, R 12 W, W.M. for quasi-municipal use in Sec. 17. The applicant proposes to move the point of diversion approximately 1800 feet upstream to within Sec. 16, T 39 S, R 12 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.

**OREGON  
WATER  
RESOURCES  
DEPARTMENT**



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**

February 15, 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:**

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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.)