

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
February 22, 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.
- \* **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 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.
  
- \* **Establishment of Mitigation Credits in the Deschutes Basin pursuant to OAR Chapter 690, Division 521 (ORS 537.746)**

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 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, April 08, 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="#">G-17447</a>	AHART, DAN PO BOX 532 BURNS, OR 97720						IR 2
12	A WELL > NINE MILE SLOUGH	23.00S 32.50E 33 SWSW	Harney	01/03/2011	1.128C	(est)	
12	A WELL > NINE MILE SLOUGH	24.00S 32.50E 4 NWNW	Harney	01/03/2011	1.128C	(est)	
12	A WELL > NINE MILE SLOUGH	24.00S 23.50E 4 SESW	Harney	01/03/2011	1.128C	(est)	
12	A WELL > NINE MILE SLOUGH	24.00S 32.50E 5 NENE	Harney	01/03/2011	1.128C	(est)	
12	A WELL > NINE MILE SLOUGH	24.00S 32.50E 5 SWSE	Harney	01/03/2011	1.128C	(est)	
12	A WELL > NINE MILE SLOUGH	24.00S 32.50E 8 NENW	Harney	01/03/2011	1.128C	(est)	
12	A WELL > NINE MILE SLOUGH	24.00S 32.50E 9 NWSW	Harney	01/03/2011	1.128C	(est)	
Uses:	IR						
<a href="#">S-87675</a>	EUGENE WATER AND ELECTRIC BOARD PO BOX 10148 EUGENE, OR 97440-2148						IR 3
2	WILLAMETTE RIVER > COLUMBIA RIVER	17.00S 3.00W 30 SENE	Lane	01/03/2011	15.45C	(est)	
2	WILLAMETTE RIVER > COLUMBIA RIVER	17.00S 3.00W 32 NWNW	Lane	01/03/2011	15.45C	(est)	
Uses:	MU						
<a href="#">S-87688</a>	GRIMLER, ELSIE L. 5107 VALE COURT SE SALEM, OR 97306						IR 3
5	A SPRING > DOUGLAS CREEK	23.00S 6.00E 14 SWSE	Klamath	02/04/2011	0.005C		
Uses:	DO						
<a href="#">G-17441</a>	DAVIES, M MARTIN 48647 HWY 78 PRINCETON, OR 97721						IR 2
10	A WELL > MALHEUR LAKE	27.00S 35.00E 17 SWNW	Harney	12/01/2010	2.0C	(est)	
10	A WELL > MALHEUR LAKE	27.00S 35.00E 17 NWSE	Harney	12/01/2010	2.0C	(est)	
10	A WELL > MALHEUR LAKE	27.00S 35.00E 17 NENW	Harney	12/01/2010	2.0C	(est)	
Uses:	IR						
<a href="#">G-17409</a>	LAVIOLETTE, DENIS PO BOX 432 TILLAMOOK, OR 97141						PFO 2
1	A WELL > VAUGHN CREEK	1.00S 10.00W 1 SWNE	Tillamook	08/09/2010	0.073C	(est)	
1	A WELL > VAUGHN CREEK	1.00S 10.00W 1 SWNE	Tillamook	08/09/2010	0.073C	(est)	
1	A WELL > VAUGHN CREEK	1.00S 10.00W 1 SWNE	Tillamook	08/09/2010	0.073C	(est)	
Uses:	IR PM						

## 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-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-87590</a>	2	POLK	03/12/2010		GARTH MULKEY	02/14/2011
<a href="#">G-16072</a>	2	LANE	08/13/2003	LAMONTAI IMPROVEMENT DISTRICT	BRIAN DUELLETTE	02/17/2011
<a href="#">R-74326</a>	17	COOS	07/29/1994		JOHN A MCMAHON	02/17/2011
<a href="#">S-73190</a>	17	COOS	03/21/1991		JOHN A MCMAHON	02/17/2011
<a href="#">S-74327</a>	17	COOS	07/29/1994		JOHN A MCMAHON	02/17/2011
<a href="#">S-87298</a>	12	HARN	10/01/2008		WILLIAM DUNBAR	02/17/2011
<a href="#">R-87376</a>	2	CLAC	01/15/2009		DAVE OBRIST	02/18/2011

## **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 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-87689

GLASSER, SARA & SEVE GLASSER

1630 WILLIAMS HWY PMB 351

8900 N APPELEGATE RD

GRANTS PASS, OR 97527

POD: 1 APPELEGATE RESERVOIR > APPELEGATE RIVER

SE 1/4 SE 1/4 Section 25T 40.00S R 4.00W WM

Jackson County

13.5 AFT for IRRIGATION (est.)

POD: 2 APPELEGATE RIVER > ROGUE RIVER

SW 1/4 SW 1/4 Section 6 T 38.00S R 4.00W WM

Jackson County

0.0 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 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-14426  
Permit Number: G-13335  
ROTH FAMILY LLC  
12513 HOBART RD  
SILVERTON, OR 97381  
Marion County  
TWO WELLS>WILLAMETTE RIVER  
1.18 CFS FROM WELL 1 AND 1.98 CFS FROM WELL 2, NOT TO EXCEED A MAXIMUM  
CUMULATIVE TOTAL OF 1.98 CFS  
SUPPLEMENTAL IRRIGATION OF 158.0 ACRES  
October 1, 2013



**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 08, 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:	Union
Application File Number:	G-13680
Permit Number:	G-12578
Applicant:	JOHNSON, DEE WAYNE
Address:	69092 HWY 237 COVE, OR 97824
River Basin:	Grande Ronde Basin
Water Source:	A WELL > CATHERINE CREEK
Authorized Use of Water:	IRRIGATION ON 368.0 Acres
Maximum Diversion/ Appropriation Rate:	4.6 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2008 to October 1, 2013; and grant an extension of time to apply water to full beneficial use from October 1, 2008 to October 1, 2013

County of Use: LINN  
Application File Number: G-12679  
Permit Number: G-12318  
Applicant: MORSE BROTHERS INC.; HARRISBURG S AND G  
Address: 32260 OLD HWY 34  
TANGENT, OR 97389  
River Basin: Willamette Basin  
Water Source: ONE WELL AND ONE SUMP, TRIBUTARIES OF THE WILLAMETTE RIVER  
Authorized Use of Water: INDUSTRIAL/MANUFACTURING USES  
Maximum Diversion/  
Appropriation Rate: 2.67 CFS, BEING 0.22 CFS FROM THE WELL AND 2.45 FROM THE SUMP

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

County of Use: Jackson  
Application File Number: G-14436  
Permit Number: G-13365  
Applicant: MEADOWS, DON & PAT MEADOWS  
Address: 1001 JULIET AVE  
WHITE CITY, OR 97503  
River Basin: Rogue Basin  
Water Source: A WELL > ROGUE RIVER  
Authorized Use of Water: IRRIGATION OF 3.37 Acres  
Maximum Diversion/  
Appropriation Rate: 0.042 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2002 to October 1, 2013.

County of Use: Klamath  
Application File Number: G-14546  
Permit Number: G-13320  
Applicant: JESPERSEN EDGEWOOD INC.  
Address: 12941 SWAN LAKE RD  
KLAMATH FALLS, OR 97630  
River Basin: Klamath Basin  
Water Source: A WELL > SWAN LAKE  
Authorized Use of Water: IRRIGATION ON 80.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 79.1 ACRES  
Maximum Diversion/  
Appropriation Rate: 1.99 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2002 to October 1, 2012.

## 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 March 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: Marion

Instream Lease Number: IL 1107

**\*\* Applicant \*\***

MOORE, ROGER

375 TILLIUM DR

SILVERTON, OR 97381

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE MOUTH OF ABIQUA CREEK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
38580	OR * S 29744	6/18/1964	IR	0.24	47.0	ABIQUA CREEK	PUDDING RIVER	18.8

County: Klamath

Instream Lease Number: IL 1108

**\*\* Lessor \*\***

HAVLIK, ALBERT AND PATRICIA

52406 MOUNTAIN VIEW RD

SCAPPOOSE, OR 97056

\*\* Lessee \*\*

DESCHUTES RIVER CONSERVANCY MITIGATION BANK  
700 NW HILL ST  
BEND, OR 97701  
Contact: LAURA WILKE at (503) 986-0884

Reach: FROM THE POD TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
86022 RR *		4/30/1902	IR	1.1	176.4	LITTLE DESCHUTES RIVER	DESCHUTES RIVER	44.1

County: Deschutes

Instream Lease Number: IL 978

\*\* Lessee \*\*

DESCHUTES RIVER CONSERVANCY  
PO BOX 1560  
BEND, OR 97709

\*\* Lessor \*\*

SWALLEY IRRIGATION DISTRICT  
64672 COOK AVENUE, SUITE 1  
BEND, OR 97701

\*\* Lessor \*\*

CURL, JERRY  
CLR  
703 NW STONEPINE DR.  
BEND, OR 97701

Contact: LAURA WILKE at (503) 986-0884

Reach: POD #12 TO MOUTH OF DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
74145	CF RR *	9/1/1899	IR	0.092	29.46	DESCHUTES R	COLUMBIA R	5.4

Reach:                   POD #13 TO MOUTH OF DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
74145	CF RR *	9/1/1899	IR	0.334	107.03	DESCHUTES R	COLUMBIA R	19.6

## 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 24, 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: MORROW  
Transfer: 11198  
Water Right: CERT 81577  
Priority Date: MARCH 11, 1959  
Name: SAGE HOLLOW RANCH LLC  
Address: 3620 INDEPENDENCE ROAD, SUNNYSIDE WA 98944  
Change: POU/APOA  
Source: A WELL

County: DESCHUTES  
Transfer: 11201  
Water Right: CERT 85431, 85432, 85430  
Priority Date: AUG. 25, 1970; NOV. 25, 1977; MAY 13, 1966  
Name: RICK MORROW, DBA R & B RANCH LLC  
Address: 3705 BALLYNTYNE RD, SALEM OR 97302  
Change: USE/POA  
Source: WELLS

County: DOUGLAS  
Transfer: 11202  
Water Right: CERTS: 51243 AND 67627  
Priority Date: JUNE 30, 1972 AND AUGUST 27, 1963  
Name: RIVER BEND WEST WATER ASSOCIATION, INC.  
Address: PO BOX 1304, ROSEBURG OR 97470  
Change: POD  
Source: UMPQUA RIVER

## **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:	TILLAMOOK
Transfer:	11197
Water Right:	PERMIT S 6673
Priority Date:	MARCH 13, 1924
Name:	CITY OF TILLAMOOK
Address:	210 LAUREL AVE, TILLAMOOK OR 97141
Change:	POD
Source:	FAWCETT CREEK

## 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 March 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  
Transfer: 11199  
Water Right: CERT 74197  
Priority Date: FEBRUARY 1, 1905, APRIL 25, 1905  
Name: ARNOLD IRRIGATION DISTRICT  
Address: 19604 BUCK CANYON RD, BEND OR 97709  
Change: POU  
Source: DESCHUTES RIVER

County: DESCHUTES  
Transfer: 11200  
Water Right: CERT 74197  
Priority Date: FEBRUARY 1, 1905, APRIL 25, 1905  
Name: ARNOLD IRRIGATION DISTRICT  
Address: 19604 BUCK CANYON RD, BEND OR 97709  
Change: POU  
Source: DESCHUTES RIVER



## **Establishment of Mitigation Credits in the Deschutes Basin**

ORS 537.746 authorizes the Department to award mitigation credits in the Deschutes Basin to approved mitigation projects. Mitigation credits may be used in the Deschutes Basin, specifically the Deschutes Ground Water Study Area, to mitigate for the impacts of ground water use on surface water flows. Pursuant to OAR Chapter 690, Division 521, upon receipt of notification of a mitigation project, the Department shall give public notice of the intent to establish mitigation credits.

The public is invited to comment on establishment of mitigation credits for the project(s) described below. Comments must be received within 21 days of the date of this public notice. Comments should address the award of mitigation credits to the proposed project and its use for mitigation purposes. Included in this public notice is a preliminary determination as to the amount of mitigation credits that may be available from the proposed project.

### Deschutes County

#### **Mitigation Project #: MP-144**

Project Applicant: Deschutes River Conservancy Mitigation Bank and Albert and Patricia Havlik

#### Mitigation Project

And Process: Instream Lease Application IL-1108 for Certificate 86022 (see also instream lease section of the public notice for additional details)

Subbasin/Source: Little Deschutes River Subbasin – Little Deschutes River, tributary to the Deschutes River

Amount of Water: Proposed Instream: up to 1.10 CFS  
Maximum Annual Volume – 176.4 AF

Current Use: Irrigation of 44.1 acres

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

#### Preliminary Mitigation

Credit Determination: 79.4 Mitigation Credits

May be available for use in the Little Deschutes, Upper Deschutes, Middle Deschutes, and General Zones of Impact

Contact: Laura Wilke, Phone: (503) 986-0884

# **OREGON WATER RESOURCES DEPARTMENT**



**725 Summer Street NE Ste A  
Salem OR 97301**

**PUBLIC NOTICE OF WATER USE REQUESTS**  
February 22, 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.)