

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
March 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*

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.
- * **Applications for Limited Licenses**
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- * **Application for Instream Lease**
Application by water right holder to lease existing water rights to instream use.
- * **Transfer Applications: Regular**
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.

- * **Transfer Preliminary Determinations**
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- * **Transfer Applications: Temporary Transfers**
Requests to temporarily change place of use and, if necessary to convey the water to the new place of use, to temporarily change the point of diversion or appropriation.
- * **Technical Report and Draft Water Right For A Minor Hydroelectric Project**

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, April 21, 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, May 06, 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)

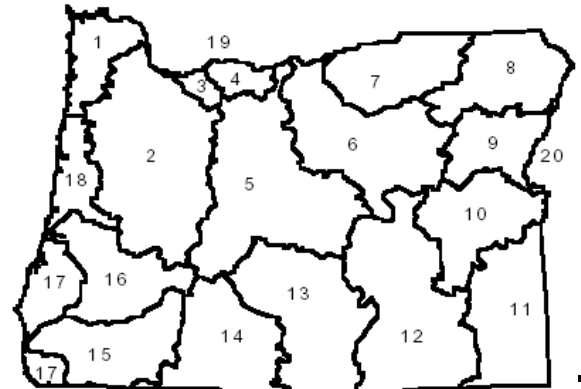
BASINS:

- | | |
|-----------------|---------------------|
| 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 | |
|-------------------------|--|-----------------------|----------|------------|-------------|-------|--------|---|
| G-17448 | KELLEY, MIKE 32008 DIAGONAL RD HERMISTON, OR 97838 | | | | | | IR | 2 |
| 7 | A WELL > HERMISTON DRAIN | 4.00N 29.00E 6 SWNW | Umatilla | 01/12/2011 | 0.16C | | | |
| Uses: | IR | | | | | | | |
| G-17375 | PEILA JR, JOHN PEILA RANCH INC. PO BOX 697 BURNS, OR 97720 | | | | | | IR | 2 |
| 13 | A WELL > BUTTE VALLEY | 27.00S 23.00E 20 SWNW | Lake | 05/06/2010 | 0.75C (est) | | | |
| 13 | A WELL > BUTTE VALLEY | 27.00S 23.00E 20 NWSE | Lake | 05/06/2010 | 0.75C (est) | | | |
| 13 | A WELL > BUTTE VALLEY | 27.00S 23.00E 17 SWSW | Lake | 05/06/2010 | 0.75C (est) | | | |
| 13 | A WELL > BUTTE VALLEY | 27.00S 23.00E 17 NWSE | Lake | 05/06/2010 | 0.75C (est) | | | |
| Uses: | IR | | | | | | | |
| G-17424 | WHITAKER, RANDY HARNEY ELECTRIC COOPERATIVE INC. 1326 HINES BLVD BURNS, OR 97720 | | | | | | PFO | 2 |
| 12 | A WELL > WEST FORK SILVIES RIVER | 23.00S 30.00E 23 SESE | Harney | 09/24/2010 | 0.98C (est) | | | |
| 12 | A WELL > WEST FORK SILVIES RIVER | 23.00S 30.00E 23 SESE | Harney | 09/24/2010 | 0.0C (est) | | | |
| Uses: | GT | | | | | | | |

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-17386 | 4 | WASC | 05/21/2010 | | TODD DAVIS | 03/10/2011 |
| G-17405 | 4 | WASC | 07/14/2010 | | MATTHEW OCONNOR | 03/10/2011 |
| G-17435 | 15 | JOSE | 11/04/2010 | RENDA DATA INDUSTRIAL PARK LLC | | 03/10/2011 |
| S-87664 | 2 | POLK | 11/09/2010 | | CANDACE TAYLOR | 03/10/2011 |
| R-87435 | 2 | BENT | 04/09/2009 | | ROGER KING | 03/14/2011 |
| S-87670 | 15 | JACK | 12/06/2010 | | DUNCAN JAMES HUNT | 03/17/2011 |
| S-87667 | 15 | JACK | 11/12/2010 | | JACK STOUT | 03/18/2011 |
| G-17436 | 7 | UMAT | 11/12/2010 | | GARY DUBOIS | 03/22/2011 |
| R-87377 | 6 | WHEE | 01/15/2009 | S AND R RODONI FARMS LP | | 03/22/2011 |

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 **April 21, 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-87706
NORRIS FARMS LLC
NORRIS, PAUL
NORRIS, SANDY
8181 OAK HILL RD
ROSEBURG, OR 97471

POD: 1 A RESERVOIR > COW CREEK
SW 1/4 NE 1/4 Section 28T 31.00S R 4.00W WM
Douglas County
100.4 AFT for IRRIGATION (est.)

POD: 2 UMPQUA RIVER > PACIFIC OCEAN
NW 1/4 NW 1/4 Section 31T 25.00S R 6.00W WM
Douglas County
0.0 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: MARION
WATER RIGHT CERTIFICATE: 28929, IN THE NAME OF ESTATE OF LEONARD W. THACKERY
PRIORITY DATE: DECEMBER 31, 1954
SOURCE: PUDDING R > MOLALLA R
LANDOWNER: STEVEN V. & CONSTANCE A. JOHNSON
ADDRESS: 10404 HAZELGREEN RD, SILVERTON, OR 97381
USE: IRRIGATION
QUANTITY: 0.08 CFS
ACRES: 6.8
LOCATION: T6S, R1W, 32, SWNW (LOT 2), NWSW

COUNTY: MARION
WATER RIGHT CERTIFICATE: 33895, IN THE NAME OF GWENETH N. THACKERY
PRIORITY DATE: APRIL 15, 1946
SOURCE: PUDDING R > MOLALLA R
LANDOWNER: STEVEN V. & CONSTANCE A. JOHNSON
ADDRESS: 10404 HAZELGREEN RD, SILVERTON, OR 97381
USE: IRRIGATION
QUANTITY: 0.25 CFS
ACRES: 20.0
LOCATION: T6S, R1W, 31, SENE (LOT 1), NESE
T6S, R1W, 32, SWNW (LOT 2), NWSW

COUNTY: MARION
WATER RIGHT CERTIFICATE: 48063, IN THE NAME OF GWENETH N. THACKERY
PRIORITY DATE: FEBRUARY 3, 1967
SOURCE: PUDDING R > WILLAMETTE R
LANDOWNER: STEVEN V. & CONSTANCE A. JOHNSON
ADDRESS: 10404 HAZELGREEN RD, SILVERTON, OR 97381
USE: IRRIGATION
QUANTITY: 0.25 CFS
ACRES: 20.1
LOCATION: T6S, R1W, 31, NESE, SESE
T6S, R1W, 32, NWSW, SWSW

**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 April 21, 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: S-70919
Permit Number: S-52004
SETNIKER, DAVID
PO BOX 338
INDEPENDENCE, OR 97351
Marion/Polk County
HAYDEN SLOUGH > RICKREALL CREEK
8.98 CFS
PRIMARY IRRIGATION OF 741.0 ACRES & 68.6 ACRES OF SUPPLEMENTAL IRRIGATION
October 1, 2016

Application Number: G-10510
Permit Number: G-10129
NEVIN CATTLE CO.
19646 WEBBER RD
KLAMATH FALLS OR 97603
Klamath County
DEER RIDGE WELL, LISKEY WELL & MITCHELL WELL
0.98 CFS, BEING 0.82 CFS FROM DEER RIDGE WELL, 0.09 CFS FROM LISKEY WELL
& 0.07 CFS FROM MITCHELL WELL
IRRIGATION
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 May 06, 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: | Umatilla |
| Application File Number: | G-14668 |
| Permit Number: | G-13614 |
| Applicant: | SPACE AGE FUEL INC. |
| Address: | 15525 SE FOR MOR COURT CLACKAMAS OR 97015 |
| River Basin: | Umatilla Basin |
| Water Source: | TWO WELLS > UMATILLA RIVER |
| Authorized Use of Water: | IRRIAGION OF 5.0 ACRES AND COMMERCIAL USES |
| Maximum Diversion/ Appropriation Rate: | 0.12 CFS, BEING 0.06 FOR IRRIGATION AND 0.06 CFS FOR COMMERCIAL USE |

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2009 to October 1, 2011.

County of Use: Harney
Application File Number: R-70721
Permit Number: R-11412
Applicant: READ, EDNA L.
Address: PO BOX 15
DENIO, NV 89404
River Basin: Malheur Lake Basin
Water Source: RINCON CREEK > THOUSAND CREEK
STONEHOUSE CREEK > THOUSAND CREEK
EAST CREEKS > THOUSAND CREEK
Authorized Use of Water: APPROPRIATED UNDER PERMIT 51326 FOR
SUPPLEMENTAL IRRIGATION
Maximum Diversion/
Appropriation Rate: 205 ACRE FEET PER YEAR

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1993 to October 1, 2011; and grant an extension of time to apply water to full beneficial use from October 1, 1994 to October 1, 2011.

County of Use: Harney
Application File Number: S-70722
Permit Number: S-51326
Applicant: READ, EDNA L.
Address: PO BOX 15
DENIO, NV 89404
River Basin: Malheur Lake Basin
Water Source: A RESERVOIR > RINCON CREEK
Authorized Use of Water: SUPPLEMENTAL IRRIGATION ON 116.8 Acres
Maximum Diversion/
Appropriation Rate: 205 ACRE FEET STORED WATER ONLY

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1993 to October 1, 2011; and grant an extension of time to apply water to full beneficial use from October 1, 1994 to October 1, 2011.

County of Use: Douglas
Application File Number: S-86151
Permit Number: S-54275
Applicant: AUGENSTEIN, JOHN W.
Address: 24905 AUBERRY RD
CLOVIS, CA 93611
River Basin: Umpqua Basin
Water Source: NORTH UMPQUA RIVER > UMPQUA RIVER
Authorized Use of Water: DOMESTIC
Maximum Diversion/
Appropriation Rate: 0.005 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2010 to October 1, 2015.

Applications for Limited Licenses

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

Licensees must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after April 05, 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-1342
BILL, WILLIS
19004 NE SANRAFAEL
PORTLAND, OR 97238
POD: 1 A WELL > WILLAMETTE R
NW 1/4 NW 1/4 Section 23 T 1.00N R 2.00E WM
Multnomah County
0.122 C for GEO-THERMAL HEAT EXCHANGE

LL-1343
CIVIL CONSTRUCTION CO INC
WOLF, PAUL
1840 W 16TH
THE DALLES, OR 97058
POD: 1 N FORK JOHN DAY R > JOHN DAY R
SE 1/4 NE 1/4 Section 34 T 7.00S R 35.50E WM
Grant County
0.066 C for ROAD CONSTRUCTION

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 April 21, 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: CROOK
Transfer: 11209
Water Right: CERT 524, 31943
Priority Date: 1890, 1949
Name: RANCE KASTOR
Address: 21202 SE PINE CREEK RD POST OR 97752
Change: POU
Source: PINE CREEK

County: DESCHUTES
Transfer: 11210
Water Right: CERT 76619
Priority Date: AUGUST 25, 1938
Name: TUMALO TOWN DISTRICT IMPROVEMENT CO.
Address: 64682 COOK AVENUE #54 BEND OR 97701
Change: POU/APOD
Source: RUNOFF/DESCHUTES 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 April 21, 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-11097 filed by City of Yamhill, 450 South Maple Street, Yamhill, Or 97148, proposes an additional point of diversion and change in place of use under Certificates 10846 (priority date FEBRUARY 1919) and 15427 (priority date FEBRUARY, 1919). The rights allow the use of 0.65 and 0.63 CUBIC FOOT PER SECOND respectively from TURNER CREEK, Section 10, T 2 S, R 5 W, W.M. for MUNICIPAL PURPOSE in Secs 27, 30, 31, 32, 33 & 34, T 2 S, R 4 W; Secs 10, 14, 15, 23, 24, T 2 S, R 5 W; Secs 3, 4, 5,6 , 9 & 10, T 3 S, R 4 W, W.M. including the City of Yamhill. The applicant proposes to add a point of diversion approximately 800 feet downstream to Sec. 10, T 2 S, R 5 W, W.M. and to change the place of use to Secs 27, 30, 31, 32, 33 & 34, T 2 S, R 4 W; Secs 10, 14, 15, 23, 24 & 25, T 2 S, R 5 W; Secs 3, 4, 5,6 , 9 & 10, T 3 S, R 4 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-11163 filed by PAULINA MEADOWS LLC; C/O LARRY KEITH, 250 N HANSARD, LEBANON, OR 97355 proposes a change in place of use and a change in character of use under Certificate 86022. The portion of the right proposed for transfer allows the use of up to 1.06 CUBIC FEET PER SECOND (priority date 1897) from the LITTLE DESCHUTES RIVER in Sec. 34, T 23 S, R 9 E, W.M. for IRRIGATION in Sections 15 and 22, T 22 S, R 10 E, W.M.

The applicant proposes to create an instream use beginning in the Little Deschutes River (from the diversion to the confluence with the Deschutes River and to Lake Billy Chinook), at a maximum of 1.06 CFS, and to establish mitigation credits in the Little Deschutes, Upper Deschutes, Middle Deschutes, and General Zones of Impact. The application was amended to reduce the number of acres proposed for transfer. 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. The Department has also concluded that the proposed transfer appears to result in mitigation credits pursuant to OAR 690-521-0300 & OAR 690-521-0400.

Transfer Applications: Temporary Transfer

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation. The Department shall approve the request provided it does not cause injury to existing water rights or expand the water use. If after the change is approved, it is found to cause injury, the approved change may be revoked. The use of water reverts to the authorized place of use upon expiration of the temporary change.

Notice is given that the following applications for Temporary Transfers have been received by the Department:

County: MORROW
Transfer: 11208
Water Right: CERT 8224, 38830
Priority Date: 1926, 1964
Name: H.W. & JUDITH F. (PACHY) BURNS
Address: 63131 RHEA CREEK RD IONE OR 97843
Change: POU/POD/APOD
Source: RHEA CREEK

County: POLK
Transfer: 11211
Water Right: CERT 24673
Priority Date: JUNE 24, 1952
Name: BRYCE & CARRIE CRUICKSHANK
Address: 5465 RED PRAIRIE RD SHERIDAN OR 97378
Change: POU
Source: MILL CREEK

**Technical Report and Draft Water Right For
A Minor Hydroelectric Project**

The Department seeks public comment and/or objections on the following technical report and draft water right certificate for additional water use at an existing minor hydroelectric project. Comments and/or objections must be submitted within 60 days of publication of the notice. The application and supporting documents 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 application please contact Mary Grainey (503) 986-0833. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

| | |
|--|--|
| Application: | HE 593 |
| Applicant: | Vern Spaur, aka SPS of Oregon |
| Address: | 68832 Allen Canyon Loop, Wallowa, OR 97885 |
| Amount of water: | 1.0 cubic feet per second (cfs) November thru April. |
| Source of water: | West Side Ditch from Lostine River |
| Location of the Point of Diversion: | SW 1/4 of Section 31, Township 1 North, Range 43 East, W.M., Wallowa County |
| Place of Use: | SW 1/4 of Section 31, Township 1 North, Range 43 East, W.M., Wallowa County |
| Purpose: | to be sold, via net metering, to PacifiCorp |
| Power developed: | 20.9 Theoretical horsepower |

Comments and/or Objections are Due May 23, 2011

**OREGON
WATER
RESOURCES
DEPARTMENT**



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

March 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:

* 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.)