

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
April 12, 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.
- * **Alternate Reservoir Applications (ORS 537.409)**
Applications for storage permits for small ponds filed under a simplified review process.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **Applications for Allocation Of Conserved Water**
Applications made by a water user who conserves water to use a portion of the conserved water on additional lands, lease or sell the water, or dedicate the water to instream use.
- * **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 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.
- * **Water Management and Conservation Plans**
Water management and conservation plans submitted by municipalities and agricultural water suppliers under provisions of OAR Chapter 690, Division 86.
- * **Establishment of Mitigation Credits in the Deschutes Basin pursuant to OAR Chapter 690, Division 521 (ORS 537.746)**
- * **Notice of Proposed Final Order and Draft Certificate to Reauthorize 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, May 12, 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 27, 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)

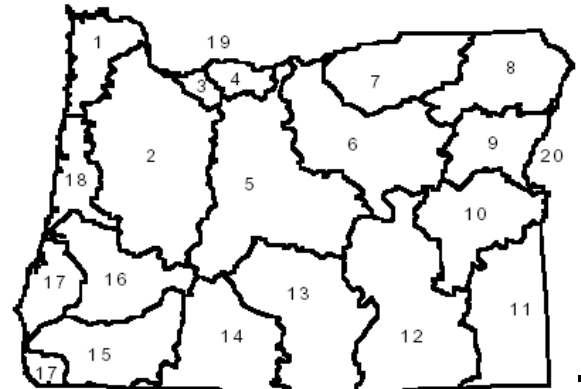
BASINS:

- | | |
|-----------------|---------------------|
| 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-87504	HUTCHISON, DANIEL 102 JANTONI DR BOISE, ID 83712						IR 2
11	A SPRING > BARREN VALLEY	28.00S 37.00E 34 NENE	Malheur	08/03/2009	0.046C		
11	A RESERVOIR > BARREN VALLEY	28.00S 37.00E 34 NESE	Malheur	08/03/2009	2.0A		
Uses: IR							
G-17425	STUEDLI, EDWARD R. 8441 DEHLINGER LANE KLAMATH FALLS, OR 97603						IR 3
14	A WELL > LOST RIVER	40.00S 10.00E 6 SENE	Klamath	09/29/2010	6.3C		
Uses: IS							
R-87708	JUBITZ, AL 5505 SW HEWETT BLVD PORTLAND, OR 97221						IR 2
2	UNNAMED STREAM > WILLAMETTE RIVER	3.00S 1.00E 19 SWNE	Clackamas	03/23/2011	17.0A		
Uses: AS FI ST WI							
G-17338	VITESSE LLC 1601 S CALIFORNIA AVE PALO ALTO, CA 94304						PFO 2
5	A WELL > CROOKED RIVER	15.00S 15.00E 2 SESE	Crook	03/31/2010	0.379C (est)		
5	A WELL > CROOKED RIVER	15.00S 15.00E 2 SESE	Crook	03/31/2010	0.379C (est)		
Uses: IM							
G-17447	AHART, DAN PO BOX 532 BURNS, OR 97720						PFO 2
12	A WELL > NINE MILE SLOUGH	24.00S 32.50E 4 NWNE	Harney	01/03/2011	1.56C		
12	A WELL > NINE MILE SLOUGH	24.00S 23.50E 4 SESW	Harney	01/03/2011	1.56C		
12	A WELL > NINE MILE SLOUGH	24.00S 32.50E 5 NENE	Harney	01/03/2011	1.5C		
12	A WELL > NINE MILE SLOUGH	24.00S 32.50E 5 SWSE	Harney	01/03/2011	1.5C		
12	A WELL > NINE MILE SLOUGH	24.00S 32.50E 8 NENW	Harney	01/03/2011	1.56C		
12	A WELL > NINE MILE SLOUGH	24.00S 32.50E 9 NWSW	Harney	01/03/2011	1.0C		
Uses: IR							

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
R-73460	17	COOS	06/29/1993	QUAIL MEADOW FARMS INC.	WAYNE FOSTER	03/31/2011
S-73459	17	COOS	06/29/1993	QUAIL MEADOW FARMS INC.	WAYNE FOSTER	03/31/2011
S-85618	17	COOS	05/27/2003	QUAIL MEADOW FARMS INC.	WAYNE FOSTER	03/31/2011
S-87592	17	COOS	03/16/2010		RON LAFRANCHI	04/04/2011
G-16632	1	CLAT	02/28/2006	BRADWOOD LANDING LLC		04/07/2011
S-86521	1	CLAT	02/28/2006	BRADWOOD LANDING LLC		04/07/2011
S-87154	1	CLAT	04/23/2008	BRADWOOD LANDING LLC	DAVE GLESSNER	04/07/2011
S-87577	6	GRAN	02/03/2010		BARBARA VOIGT	04/07/2011

Alternate Reservoir Applications (ORS 537.409)

For alternate reservoir applications filed under ORS 537.409, the public is invited to comment within 60 days of this notice. The law provides that within 60 days after the Department provides public notice of the application, any person may submit detailed, legally obtained information in writing, requesting the Department to deny the application for a permit on the basis that the reservoir:

- (A) Would result in injury to an existing water right; or
- (B) Would pose a significant detrimental impact to existing fishery resources as determined on the basis of information submitted by the State Department of Fish and Wildlife.

Such comments must be submitted on or before June 11, 2011.

R-87709

PAGEL, MARTHA O. SCHWABE, WILLIAMSON, AND WYATT P C 530 CENTER ST NE SUITE 400 SALEM, OR 97301 PATTERSON, JOHN 45039 HWY 207 HEPPNER, OR 97836 PATTERSON, KAREN 45039 HWY 207 HEPPNER, OR 97836

POD: 1 A SPRING > INDIAN CREEK
NE 1/4 NE 1/4 Section 19T 6.00S R 26.00E WM
Morrow County
3.0 A for MULTIPLE PURPOSE (est.)

POD: 2 A SPRING > INDIAN CREEK
NE 1/4 NE 1/4 Section 19T 6.00S R 26.00E WM
Morrow County
3.0 A for MULTIPLE PURPOSE (est.)

POD: 3 A SPRING > INDIAN CREEK
NW 1/4 NE 1/4 Section 19T 6.00S R 26.00E WM
Morrow County
3.0 A for MULTIPLE PURPOSE (est.)

POD: 4 RUNOFF > INDIAN CREEK
SW 1/4 SE 1/4 Section 18T 6.00S R 26.00E WM
Morrow County
3.0 A for MULTIPLE PURPOSE (est.)

POD: 5 UNNAMED STREAM > INDIAN CREEK
SW 1/4 SE 1/4 Section 18T 6.00S R 26.00E WM
Morrow County
3.0 A for MULTIPLE PURPOSE (est.)

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 **May 12, 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 redirection point(s).

S-87707
SCHOCK, ANGELA 8300 GOLD RAY RD CENTRAL POINT, OR 97502 SCHOCK, RANDALL 8300
GOLD RAY RD CENTRAL POINT, OR 97502
POD: 1 LOST CREEK RESERVOIR > ROGUE RIVER
SE 1/4 NW 1/4 Section 26T 33.00S R 1.00E WM
Jackson County
20.0 AFT for IRRIGATION (est.)

POD: 2 ROGUE RIVER > PACIFIC OCEAN
NE 1/4 NE 1/4 Section 19T 36.00S R 2.00W WM
Jackson County
0.0 AFT for IRRIGATION (est.)

Applications for Allocation Of Conserved Water

The Department has received an application for an Allocation of Conserved Water pursuant to ORS 537.455 to 537.500 and OAR Chapter 690, Division 18. The Department's review will consider whether the diversion for the uses allowed under the original water right will be reduced by the conservation project; whether existing water rights will be protected from injury and whether the project is in compliance with local comprehensive land use plans.

CW-69

On March 28, 2011, the Deschutes River Conservancy (DRC), in conjunction with Three Sisters Irrigation District, and the following landowners, Ralph Affatati, Ed and Barbara Carollo, Brian Conner, Susan Conner, Doug Duey, Kristine Falco, John Gloeckner, Jerry and Sharon Hakes, Donna Harris, David Hurtley, Carl and Shelly Johnson, Mark and Sheila Kelley, Sandy Kennedy, Phillip Krohn, Gary and Angie Larson, Kara Lin Mickaelson, David and Christine Nelson, Peter Small, Ken and Rae Swearingen, Barbara Temple and Melissa Ward filed an Application for Allocation of Conserved Water under ORS 537.470.

The Department designated the application as CW-69. The Applicants propose to conserve water by replacing approximately 6,450 feet of the TSID Hurtley Lateral water conveyance system with, high density polyethylene (HDPE) pipe. Replacement of the existing, inefficient, damaged and leaky portions of the delivery system will completely eliminate water losses through this irrigation delivery system. The Hurtley Lateral serves approximately 102 acres, of which, 85.6 acres will be involved in this project. The project is expected to yield approximately 0.419 cfs of conserved water from Whychus Creek under Water Right Certificate 74135 with a priority date of 1895. It is proposed that 100% of the conserved water will be protected instream from the point of diversion (at approximately River Mile 23.5) to the confluence with the Deschutes River and then to River Mile 120 on the Deschutes River (near Lake Billy Chinook).

Any interested person may comment in writing, on CW-69. Comments must be received by May 23, 2011 or within 20 days of the last date of publication in the newspaper, whichever is later. Comments should be sent to Kody Thurgood, Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301-1266. Comments may be faxed to 503-986-0903. The Department will review all comments received when determining whether to approve the proposed allocation of conserved water.

A copy of the application and other information on the allocation and use of conserved water may be obtained from the Department by contacting Kody Thurgood at 503-986-0892 or thurgokj@wrd.state.or.us.

**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 May 12, 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: R-85899
Permit Number: R-13974
FLEMING, BRUCE
1129 SW 20TH
PORTLAND, OR 97205
Clatsop County
UNNAMED STREAM > NEHALEM RIVER
11.0 AF
MULTIPLE PURPOSE
October 1, 2012

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.

Licenseses must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after April 26, 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-1348

OAKRIDGE SAND AND GRAVEL
SCHUTTE, JEFF
3555 GATEWAY ST, SUITE 200
SPRINGFIELD, OR 97463

POD: 1 TRAP CR > CLEARWATER R
SW 1/4 NE 1/4 Section 1 T 27.00S R 4.00E WM
Douglas County
0.22 C (est)for ROAD CONSTRUCTION

POD: 2 BEAR CR > CLEARWATER R
SW 1/4 SW 1/4 Section 6 T 27.00S R 5.00E WM
Douglas County
0.22 C (est)for ROAD CONSTRUCTION

LL-1349

TOM HAMMOND, MINERAL VALLEY LLC
JAY, STEVE
BOX 5075
BRIDGEPORT, OR 97819

POD: 1 A WELL > CLARKS CR
SW 1/4 SW 1/4 Section 28 T 12.00S R 41.00E WM
Baker County
0.07 C for MINING

LL-1350

OREGON MILITARY DEPARTMENT
ARNOLD, JIM
PO BOX 14350
SALEM, OR 97309-5047

POD: 1 SLUSHER LK > CULLABY CR
SW 1/4 SW 1/4 Section 4 T 7.00N R 10.00W WM
Clatsop County
25,000 GALLONS for WATER PURIFICATION SYSTEM TRAINING

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 May 03, 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: Deschutes

Instream Lease Number: IL 1132

**** Lessee ****

DESCHUTES RIVER CONSERVANCY
PO BOX 1560
BEND, OR 97709

**** Lessor ****

CENTRAL OREGON IRRIGATION DISTRICT; POOLED LEASE
1055 SW LAKE COURT
REDMOND, OR 97756
Contact: LAURA WILKE at (503) 986-0884

Reach: CO CANAL POD #1 TO THE MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1900	IR	1.562	501.61	DESCHUTES RIVER	COLUMBIA RIVER	92.03

County: Deschutes

Instream Lease Number: IL 1133

** Lessor **

CENTRAL OREGON IRRIGATION DISTRICT; POOLED LEASE
1055 SW LAKE COURT
REDMOND, OR 97756

** Lessee **

DESCHUTES RIVER CONSERVANCY
PO BOX 1560
BEND, OR 97709

** Lessor **

GLOUDE, THOMAS
2045 36TH AVE SE
ALBANY, OR 97322
Contact: LAURA WILKE at (503) 986-0884

Reach:

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1900	IR	0.042	13.63	DESCHUTES RIVER	COLUMBIA RIVER	2.5

County: Deschutes

Instream Lease Number: IL 1134

** Lessee **

DESCHUTES RIVER CONSERVANCY
PO BOX 1560
BEND, OR 97709

** Lessor **

AVION WATER CO. INC.
60813 PARRELL RD
BEND, OR 97702

** Lessor **

CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT

REDMOND, OR 97756

Contact: LAURA WILKE at (503) 986-0884

Reach:

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1900	IR	0.204	65.41	DESCHUTES RIVER	COLUMBIA RIVER	12.0

County: Deschutes

Instream Lease Number: IL 1135

** Lessor **

CENTRAL OREGON IRRIGATION DISTRICT; POOLED LEASE

1055 SW LAKE COURT

REDMOND, OR 97756

** Lessee **

DESCHUTES RIVER CONSERVANCY

PO BOX 1560

BEND, OR 97709

Contact: LAURA WILKE at (503) 986-0884

Reach: CO CANAL POD #1 TO THE MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1900	IR	2.154	691.67	DESCHUTES RIVER	COLUMBIA RIVER	126.9

County: Deschutes

Instream Lease Number: IL 1136

** Lessor **

CENTRAL OREGON IRRIGATION DISTRICT; POOLED LEASE
1055 SW LAKE COURT
REDMOND, OR 97756

** Lessee **

DESCHUTES RIVER CONSERVANCY
PO BOX 1560
BEND, OR 97709
Contact: LAURA WILKE at (503) 986-0884

Reach: FROM NORTH CANAL DAM POD #11 TO MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1900	IR	0.522	167.6	DESCHUTES RIVER	COLUMBIA RIVER	30.75

County: Deschutes

Instream Lease Number: IL 1137

** Lessee **

DESCHUTES RIVER CONSERVANCY
PO BOX 1560
BEND, OR 97709

** Lessor **

CENTRAL OREGON IRRIGATION DISTRICT
1055 SW LAKE COURT
REDMOND, OR 97756

** Lessor **

DORNING, PAT
CITY OF REDMOND
716 SW EVERGREEN AVE
REDMOND, OR 97756-2242
Contact: LAURA WILKE at (503) 986-0884

Reach: FROM NORTH CANAL DAM POD #11 TO MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
-------	--------	----------	-----	-----------	-----------	--------	--------------	-------

83571 CF RR CR * 10/31/1900 IR,PM 1.124 360.82 DESCHUTES RIVER COLUMBIA RIVER 66.2

County: Deschutes

Instream Lease Number: IL 1138

** Lessee **

DESCHUTES RIVER CONSERVANCY MITIGATION BANK
PO BOX 1560
BEND, OR 97709

** Lessor **

CENTRAL OREGON IRRIGATION DISTRICT; POOLED LEASE
1055 SW LAKE COURT
REDMOND, OR 97756
Contact: LAURA WILKE at (503) 986-0884

Reach: FROM NORTH CANAL DAM POD #11 TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571 CF RR CR *		10/31/1900	IR	0.896	287.57	DESCHUTES RIVER	COLUMBIA RIVER	52.76

County: Deschutes

Instream Lease Number: IL 1139

** Lessor **

CENTRAL OREGON IRRIGATION DISTRICT
1055 SW LAKE COURT
REDMOND, OR 97756

** Lessee **

DESCHUTES RIVER CONSERVANCY MITIGATION BANK
PO BOX 1560
BEND, OR 97709

** Lessor **

DUPONT, ROBERT

PO BOX 61012
RENO, NV 89506
Contact: LAURA WILKE at (503) 986-0884

Reach: FROM NORTH CANAL DAM POD #11 TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1900	IR	0.93	298.69	DESCHUTES RIVER	COLUMBIA RIVER	54.8

County: Deschutes

Instream Lease Number: IL 1140

** Lessee **
DESCHUTES RIVER CONSERVANCY
PO BOX 1560
BEND, OR 97709

** Lessor **
ARNOLD IRRIGATION DISTRICT; POOLED LEASES
19604 BUCK CANYON RD
BEND, OR 97702
Contact: LAURA WILKE at (503) 986-0884

Reach: FROM ARNOLD CANAL POD #1 TO THE MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:74197	CF RR *	2/1/1905	IR	0.029	12.25	DESCHUTES RIVER	COLUMBIA RIVER	14.46
		4/25/1905	IR	0.144	49.72			

County: Yamhill

Instream Lease Number: IL 1141

** Lessor **

GRAUER BROS
21400 SW GOPHER VALLEY ROAD
SHERIDAN, OR 97378
Contact: KODY THURGOOD at 503-986-0892

Reach: POD TO THE MOUTH OF THE S YAMHILL RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
9858 OR *	S 9316	10/15/1929	IR	0.1	19.1	YAMHILL RIVER	WILLAMETTE RIVER	7.63

County: Jefferson

Instream Lease Number: IL 1142

** Lessee **

DESCHUTES RIVER CONSERVANCY MITIGATION BANK
PO BOX 1560
BEND, OR 97709

** Lessor **

POOLED LEASE
NORTH UNIT IRRIGATION DISTRICT
2125 NW BEECH STREET
MADRAS, OR 97741
Contact: LAURA WILKE at (503) 986-0884

Reach: FROM POD TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
72283 CF *	S 33954	9/18/1968	IR	0.354	77.3	CROOKED RIVER	DESCHUTES RIVER	77.3

County: Jefferson

Instream Lease Number: IL 1143

** Lessor **

POOLED LEASE
NORTH UNIT IRRIGATION DISTRICT
2125 NW BEECH STREET
MADRAS, OR 97741

** Lessee **

DESCHUTES RIVER CONSERVANCY
PO BOX 1560
BEND, OR 97709
Contact: LAURA WILKE at (503) 986-0884

Reach: FROM DESCHUTES RIVER POD TO THE MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
72279	CF * S 23196	2/28/1913	IR	1.116	305.6	DESCHUTES RIVER	COLUMBIA RIVER	152.8

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 May 12, 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-11049 filed by Stuart Holdings, LLC and BTG, LLC, 525 N. Tomahawk Drive, Portland, OR 97217, proposes a change in character of use under Certificate 26960. The right allows the storage of 40.0 acre-feet (priority date October 13, 1955) from McKay Creek in Sec. 7, T 1 N, R 2 W, W.M. for storage in a mill pond in Sec. 7. The applicant proposes to change the character of use to storage for general industrial use. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Transfer Applications: Temporary Transfer

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

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

County:	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

Water Management and Conservation Plans

The Department is required to give notice and to invite public review and comment on Water Management and Conservation Plans submitted pursuant to OAR Chapter 690, Division 086. The Department will consider all public comments in its review of the draft plan and will report the results of the review to the water supplier 90 days from the time the plan was submitted.

Any person may review and comment on a draft plan on or before May 12, 2011.

The plans are available for viewing at the Salem office of the Water Resources Department. Comments should focus on elements in the draft that do not meet the requirements of OAR Chapter 690, Division 086 and should include suggestions on how to bring the draft into compliance with the rules.

Plans have been submitted by the following agricultural and municipal water suppliers:

Avion Water Company (Municipal)

To review any of the above plans or to provide comments on the plans, contact Lisa Jaramillo at 503-986-0880 or lisa.j.jaramillo@ wrd.state.or.us.

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-148

Project Applicant: Deschutes River Conservancy Mitigation Bank and
Central Oregon Irrigation District (pooled lease)
Mitigation Project
And Process: Instream Lease Application IL-1138 for Certificate
83571 (Also see Instream Lease Section of the April 12,
2011 public notice for application details)
Subbasin/Source: Middle Deschutes River Subbasin – Deschutes River,
tributary to the Columbia River
Amount of Water: Proposed Instream: up to 0.896 CFS with a
Maximum Seasonal Volume –
287.57 AF
Current Use: Irrigation of 52.76 acres
Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: 95.0 Mitigation Credits
May be available for use in the Middle Deschutes and
General Zones of Impact
Contact: Laura Wilke, Phone: (503) 986-0884

Deschutes County

Mitigation Project #: MP-149

Project Applicant: Deschutes River Conservancy Mitigation Bank, Central Oregon Irrigation District and Robert DuPont and Timothy Puckett

Mitigation Project

And Process: Instream Lease Application IL-1139 for Certificate 83571 (Also see Instream Lease Section of the April 12, 2011 public notice for application details)

Subbasin/Source: Middle Deschutes River Subbasin – Deschutes River, tributary to the Columbia River

Amount of Water: Proposed Instream: up to 0.93 CFS with a Maximum Seasonal Volume – 298.69 AF

Current Use: Irrigation of 54.8 acres

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: 98.6 Mitigation Credits

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

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

Crook County

Mitigation Project #: MP-150

Project Applicant: Deschutes River Conservancy Mitigation Bank and North Unit Irrigation District (on behalf of several landowners)

Mitigation Project And Process: Instream Lease Application IL-1142 for Certificate 72283 (Also see Instream Lease Section of the April 12, 2011 public notice for application details)

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

Amount of Water: Proposed Instream: up to 0.354 CFS with a Maximum Seasonal Volume – 77.3 AF

Current Use: Irrigation of 77.3 acres

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: 77.3 Mitigation Credits
May be available for use in the Crooked River and General Zones of Impact

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

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

The Department seeks public comment, protests and/or requests for standing on the following Proposed Final Order and Draft Certificate to reauthorize a minor hydroelectric project. Comments, protests or requests for standing must be submitted within 45 days of publication of the notice.

The application, Proposed Final Order and Draft Certificate 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 Mary Grainey at (503)986-0833. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Comments, protests, and/or requests for standing must be received by the Oregon Water Resources Department by 5:00 pm, May 27, 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

April 12, 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.)