

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
April 19, 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.
- * **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 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.

- * **Transfer Applications: Permit Amendments**
Requests to amend permits.
- * **District Temporary Transfers (ORS 540.570)**
Applications requesting transfers in place of use within a district's boundaries.
- * **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)**
- * **Proposed Order Approving District Water Right Remapping Petition**
- * **Application For A Minor Hydroelectric Project**
- * **Notice of Proposed Final Order Reedsport OPT Wave Park, LLC - HE 591**

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 19, 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, June 03, 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-17104	STEYAERT, JEFF KNIFE RIVER INC. 32260 OLD HWY 34 TANGENT, OR 97389						IR 3
5	A WELL > CROOKED RIVER	14.00S 14.00E 16 SWSW	Crook	09/16/2008	0.49C		
Uses:	IM MI						
G-17423	PHAN, FAYECHOY 5062 SWEGLE RD SALEM, OR 97301						IR 2
2	A WELL > BRANDY CREEK	7.00S 2.00W 20 NESW	Marion	09/15/2010	0.222C		
Uses:	IR						
G-17369	LASSELLE, JERRY 5120 SW BORLAND TUALATIN, OR 97062						IR 2
2	A WELL > PARROTT CREEK	3.00S 1.00E 25 NWNE	Clackamas	04/29/2010	0.08C		
2	A WELL > PARROTT CREEK	3.00S 1.00E 25 NWNW	Clackamas	04/29/2010	0.122C		
2	A WELL > PARROTT CREEK	3.00S 1.00E 25 NWNE	Clackamas	04/29/2010	0.123C (est)		
2	A RESERVOIR > PARROTT CREEK	3.00S 1.00E 25 NWNE	Clackamas	04/29/2010	10.0A		
Uses:	IR IS ST						
G-17415	THE DIAMOND SUMMIT AT LEISURE WOODS II HOMEOWNERS ASSOCIATION INC. PO BOX 1094 CRESCENT LAKE						IR 3
5	A WELL > CRESCENT CREEK	24.00S 7.00E 7 SWNE	Klamath	08/23/2010	0.066C		
Uses:	QM						
G-17439	MONTECUCCO FARMS 4015 N LOCUST ST CANBY, OR 97013						IR 2
2	A WELL > WILLAMETTE RIVER	3.00S 1.00E 21 NWSE	Clackamas	11/24/2010	0.557C (est)		
2	A WELL > WILLAMETTE RIVER	3.00S 1.00E 21 SWSE	Clackamas	11/24/2010	0.557C (est)		
Uses:	AG IM						
G-17441	DAVIES, M MARTIN 48647 HWY 78 PRINCETON, OR 97721						PFO 2
10	A WELL > MALHEUR LAKE	27.00S 35.00E 17 SWNW	Harney	12/01/2010	1.793C (est)		
10	A WELL > MALHEUR LAKE	27.00S 35.00E 17 NWSE	Harney	12/01/2010	1.793C (est)		
10	A WELL > MALHEUR LAKE	27.00S 35.00E 17 NESW	Harney	12/01/2010	1.793C (est)		
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
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
G-17106	2	WASH	09/17/2008	HILLSBORO SCHOOL DISTRICT 1J		04/14/2011
G-17220	2	CLAC	05/14/2009		EVA JULIET MIGUEL	04/14/2011
G-17320	2	MARI	03/11/2010		KATHERINE STUBBS	04/14/2011
R-86934	5	CROO	06/29/2007		GARY YOUNG	04/14/2011
R-86935	5	CROO	06/29/2007		GARY YOUNG	04/14/2011
R-87618	5	JEFF	06/15/2010		GLENN FESSLER	04/14/2011
S-87619	5	JEFF	06/15/2010		GLENN FESSLER	04/14/2011
G-17438	7	UMAT	11/18/2010	AVELLA STONE LLC	REID NELSON	04/15/2011

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 **May 19, 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-87711

GARNER, GORDON 24870 SUTTLE RD ELMIRA, OR 97437 GARNER, LINDA 24870 SUTTLE RD ELMIRA, OR 97437

POD: 1 FERN RIDGE RESERVOIR > LONG TOM RIVER
SW 1/4 SW 1/4 Section 20T 17.00S R 5.00W WM
Lane County
1.5 AFT for IRRIGATION

**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 19, 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-86210
Permit Number: S-54199
VANDERWEY, THEA
PO BOX 1407
SILVERTON, OR 97381
Marion County
BRUSH CREEK > SILVER CREEK
A RESERVOIR > BRUSH CREEK
A RESERVOIR > BRUSH CREEK
46.0 AF EACH YEAR, BEING 40.0 AF FROM HANK'S POND AND 6.0 AF FROM THEA'S
POND AND 0.4 CFS, BEING 0.29 CFS FOR IRRIGATION AND 0.11 CFS FOR POND
MAINTENANCE
IRRIGATION USE ON 23.4 ACRES AND POND MAINTENANCE
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 June 03, 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:	Klamath
Application File Number:	G-12136
Permit Number:	G-11204
Applicant:	KLAMATH FALLS CITY SCHOOLS DISTRICTS 1 AND 2
Address:	1336 AVALON KLAMATH FALLS, OR 97603
River Basin:	Klamath Basin
Water Source:	A WELL > KLAMATH RIVER
Authorized Use of Water:	AIR CONDITIONING OR HEATING
Maximum Diversion/ Appropriation Rate:	0.22 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1992 to October 1, 2013; and grant an extension of time to apply water to full beneficial use from October 1, 1993 to October 1, 2013.

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 10, 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 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: FROM NORTH CANAL DAM POD #11 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	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: FROM CENTRAL OREGON 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	0.204	65.41	DESCHUTES RIVER	COLUMBIA RIVER	12.0

County: Deschutes

Instream Lease Number: IL 1144

** Lessor **

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

** Lessor **

SANDINE, KENTON
MARIE-LOUISE KENTON
23860 DODDS RD
BEND, OR 97701

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

Contact: LAURA WILKE at (503) 986-0884

Reach: CENTRAL OREGON CANAL POD #1 TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1900	IR	0.611	196.22	DESCHUTES RIVER	COLUMBIA RIVER	36.0

County: Deschutes

Instream Lease Number: IL 1145

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

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

** Lessor **
PAVLICEK, JOHN
834 SW 11TH
REDMOND, OR 97756

Contact: LAURA WILKE at (503) 986-0884

Reach: NORTH CANAL DAM POD #11 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	0.063	20.17	DESCHUTES RIVER	COLUMBIA RIVER	3.7

County: Deschutes

Instream Lease Number: IL 1146

** Lessor **

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

** Lessee **

DESCHUTES RIVER CONSERVANCY
PO BOX 1560
BEND, OR 97709

** Lessor **

GERHARDT, WILLIAM
24455 DODDS RD
BEND, OR 97701

Contact: LAURA WILKE at (503) 986-0884

Reach: CENTRAL OREGON 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	0.131	41.97	DESCHUTES RIVER	COLUMBIA RIVER	7.7

County: Deschutes

Instream Lease Number: IL 1147

** Lessor **
CRONEN, DARYL
PO BOX 1471
BEND, OR 97709

** Lessor **
CENTRAL OREGON IRRIGATION DISTRICT
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: CENTRAL OREGON 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	0.539	173.16	DESCHUTES RIVER	COLUMBIA RIVER	31.77

County: Deschutes

Instream Lease Number: IL 1148

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

** Lessor **
CENTRAL OREGON IRRIGATION DISTRICT
1055 SW LAKE COURT

REDMOND, OR 97756

** Lessor **
BROCK, JAMES
REDMOND, OR 97756

Contact: LAURA WILKE at (503) 986-0884

Reach: COID NORTH CANAL DAM POD #11 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	0.177	56.69	DESCHUTES RIVER	COLUMBIA RIVER	10.4

County: Deschutes

Instream Lease Number: IL 1149

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

** Lessor **
RAMSTHEL, DOUGLAS
LORI RAMSTHEL
64154 PIONEER LOOP
Missing City, OR 97701-8835

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

Contact: LAURA WILKE at (503) 986-0884

Reach: NORTH CANAL POD #11 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 0.027 8.72 DESCHUTES RIVER COLUMBIA RIVER 1.6

County: Deschutes

Instream Lease Number: IL 1150

** 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: NORTH CANAL DAM POD #11 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	0.297	95.38	DESCHUTES RIVER	COLUMBIA RIVER	17.5

Reach: CENTRAL OREGON 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	0.575	184.5	DESCHUTES RIVER	COLUMBIA RIVER	33.85

County: Deschutes

Instream Lease Number: IL 1151

** Lessee **

DESCHUTES RIVER CONSERVANCY
PO BOX 1560
BEND, OR 97709

** Lessor **

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

** Lessor **

DAMON, CARY
CANYONS LAND & CATTLE COMPANY
PMB 381, 86 SW CENTURY DR
BEND, OR 97702-1047

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM NORTH CANAL DAM POD #11 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	3.11	998.59	DESCHUTES RIVER	COLUMBIA RIVER	183.21

County: Crook

Instream Lease Number: IL 1152

** Lessee **

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

** Lessor **

OCHOCO IRRIGATION DISTRICT
1001 NW DEER ST
PRINEVILLE, OR 97754

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM OCHOCO FEED CANAL POD TO CONFLUENCE WITH CROOKED R AND INTO CROOKED R TO LAKE BILLY CHINOOK

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

82246 CF RR * S 5426 8/10/1917 IM 0.25 80.0 OCHOCO CREEK CROOKED RIVER 20.0

County: Union

Instream Lease Number: IL 1153

** Lessee **

THE FRESHWATER TRUST
65 SW YAMHILL STREET, SUITE 200
PORTLAND, OR 97204

** Lessor **

MALMBERG, TONY
1782 S MAIN STREET
UNION, OR 97883

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE MOUTH OF CATHERINE CR

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
45105 RR *		12/31/1874	IR	0.73	87.6	CATHERINE CREEK	GRANDE RONDE RIVER	29.2

County: Jefferson

Instream Lease Number: IL 1154

** Lessee **

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

** Lessor **

THREE SISTERS IRRIGATION DISTRICT; POOLED LEASE
PO BOX 2230
SISTERS, OR 97759

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM THE POD TO THE MOUTH OF WHYCHUS CR

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
74135	CF *	12/31/1887	IR	0.256		SQUAW CREEK	DESCHUTES RIVER	12.8
		12/31/1895	IR	4.404		SQUAW CREEK	DESCHUTES RIVER	220.2

County: Deschutes

Instream Lease Number: IL 1155

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

** Lessor **
TUMALO IRRIGATION DISTRICT - POOLED LEASE
64697 COOK AVENUE
BEND, OR 97701
Contact: LAURA WILKE at (503) 986-0884

Reach: FROM POD #9 TO THE MOUTH OF THE DESCHUTES R

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1900	IR	0.17	54.5	DESCHUTES RIVER	COLUMBIA RIVER	10.0

Reach: FROM TUMALO CR POD #1 TO CONFLUENCE WITH DESCHUTES R & INTO DESCHUTES R TO THE MOUTH

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
74147	CF * S 19628	10/29/1913	IM,IR	2.369	760.69	TUMALO CREEK	DESCHUTES RIVER	76.76

Reach: FROM TUMALO FEED CANAL POD #1 TO CONFLUENCE WITH DESCHUTES R & INTO DESCHUTES R TO MOUTH OF THE
DESCHUTES R

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
74146	CF *	8/5/1900	IR	0.037	9.0	TUMALO CREEK	DESCHUTES RIVER	5.0
74146	CF *	9/30/1900	IR,ST	0.474	115.31	TUMALO CREEK	DESCHUTES RIVER	64.06
74146	CF *	5/27/1907	IR	0.067	16.2	TUMALO CREEK	DESCHUTES RIVER	9.0
74146	CF *	6/1/1907	IR	0.279	67.86	TUMALO CREEK	DESCHUTES RIVER	37.7

Reach: FROM TUMALO RESERVOIR TO CONFLUENCE WITH DESCHUTES R & INTO THE DESCHUTES R TO THE MOUTH

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
76106	CF * S 27840	12/8/1961	IR		188.67	UPPER TUMALO RESERVOIR	TUMALO CREEK	135.6

Reach: FROM POD ON TUMALO CR TO CONFLUENCE WITH DESCHUTES R & INTO DESCHUTES R TO THE MOUTH

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
76106	CF * S 27840	12/8/1961	IR	1.39	339.0	TUMALO CREEK	DESCHUTES RIVER	135.6

County: Coos

Instream Lease Number: IL 1156

** Lessor **

COOS COUNTY; ATTN BOARD OF COMMISSIONERS
250 N BAXTER
COQUILLE, OR 97423

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM POD TO MOUTH OF COQUILLE RIVER

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

53611 RR * S 19786 8/21/1950 IM 1.1 COQUILLE RIVER PACIFIC OCEAN

County: Coos

Instream Lease Number: IL 1157

** Lessor **

COOS COUNTY; ATTN BOARD OF COMMISSIONERS
250 N BAXTER
COQUILLE, OR 97423

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE LOG POND TO THE MOUTH OF THE COQUILLE R

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
22795 OR * R	1073	8/21/1959	IM		491.0	COQUILLE RIVER	PACIFIC OCEAN	

County: Union

Instream Lease Number: IL 1158

** Lessee **

THE FRESHWATER TRUST
65 SW YAMHILL STREET, SUITE 200
PORTLAND, OR 97204

** Lessor **

SHEEHY, RICHARD J
2735 COLLEGE ST
BAKER, OR 97814

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM POD TO THE MOUTH OF CATHERINE CR

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
49739 CF *		12/31/1867	IR	0.85	102.6	CATHERINE CREEK	GRANDE RONDE RIVER	34.2

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 May 19, 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: 11227
Water Right: CERT 52082
Priority Date: JUNE 29, 1973
Name: TERRA POMA LAND LLC GLENN CHOWNING
Address: PO BOX 862 HERMISTON OR 97838
Change: POU
Source: COLUMBIA RIVER

County: KLAMATH
Transfer: 11228
Water Right: CERT 48727
Priority Date: JANUARY 16, 1978
Name: KATHERINE L. SAGUNSKY
Address: 735 HANKS ST KLAMATH FALLS OR 97601
Change: POU
Source: LAKE OF THE WOODS

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 19, 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-10730 filed by GRASS BUTTE, LLC (1111 MAIN STREET, SUITE 700, VANCOUVER WA, 98660) and by PREMIER WEST BANK (875 RIMROCK WAY, SUITE 100, REDMOND OR, 97756) proposes a change in place of use and character of use under Certificates 83857, 83651, and 83732. The first right allows the use of 0.84 CUBIC FEET PER SECOND (CFS) (priority dates 1898, 1904/1910, and 1892) from the CROOKED RIVER in Sec.8, T15S, R16E, and Secs. 20, 24, and 29, T14S, R14E, W.M. for IRRIGATION in Secs. 20, 21, and 29. The second right allows the use of 0.56 CFS (priority date 1903) from the CROOKED RIVER in Sec. 24, T 14S, R 14E, W.M. for IRRIGATION in Sec. 28. The third right allows the use of 0.137 CFS (priority date 1892) from the CROOKED RIVER in Sec. 20, T14S, R14E, W.M. for IRRIGATION in Sec. 20. The applicant proposes to create an instream use in the Crooked River (from each point of diversion to Lake Billy Chinook) at a maximum of 1.536 CFS, and to establish mitigation credits in the Crooked River and General Zones of Impact. 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.

T-10732 filed by THE DANIELS GROUP, 1111 MAIN ST, SUITE 700, VANCOUVER WA 98660 proposes an additional point of diversion under Certificate 86137. The right allows the use of 0.43 CUBIC FOOT PER SECOND (priority date 1903) from the CROOKED RIVER in Sec. 20, T 14 S, R 14 E, W.M. for IRRIGATION in Sec. 28. The applicant proposes an

additional point of diversion approximately 3.5 miles upstream in Sec. 23, T 14 S, R 14 E, W.M. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-10733 filed by DANIELS GROUP, LLC, 1111 MAIN ST SUITE 700, VANCOUVER WA 98660 proposes a change in points of diversion and place of use under Certificate 83850. The right allows the use of 1.2 CUBIC FEET PER SECOND (priority date APRIL 8, 1914) from the CROOKED RIVER in Sec. 29, T 14 S, R 14 E, W.M. for IRRIGATION in Sec. 20 and 29. The applicant proposes to move the points of diversion approximately 0.75 miles downstream and approximately 3.5 miles upstream in Sec. 20, T 14 S, R 14 E, W.M. and in Sec. 23, T 14 S, R 14 E, W.M., and to change the place of use to Sec. 28 and 29, T14 S, R 14 E W.M.. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-10734 filed by THE DANIELS GROUP, LLC, 1111 MAIN ST SUITE 700, VANCOUVER WA 98660 proposes a change in points of diversion and place of use under Certificate 83850. The right allows the use of 2.16 CUBIC FEET PER SECOND (priority date APRIL 8, 1914) from the CROOKED RIVER AND PRINEVILLE RESERVOIR in Sec. 23 and 29, T 14 S, R 14 E, W.M. for SUPPLEMENTAL IRRIGATION in Sec. 20, 28, and 29. The applicant proposes to move the points of diversion to one point of diversion approximately 3 miles upstream to Sec. 22, T 14 S, R 14 E, W.M.) and to change the place of use to Sec. 15 and 22, T 14 S, R 14 E, W.M. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11170 filed by STANFIELD HUTTERIAN FARM, 36345 DESPAIN GULCH ROAD, STANFIELD, OR 97875, proposes a change in place of use under Certificates 80911, 86127, and 86214. Certificate 80911 allows the use of 1.24 CUBIC FEET PER SECOND (priority date FEBRUARY 26, 1975) from the COLUMBIA RIVER in Sec. 8, T 5 N, R 30 E, W.M. for IRRIGATION in Sec. 9, 15, 21 and 22. The applicant proposes to change the place of use to Sec. 10, T 4 N, R 30 E, W.M. Certificate 86127 allows the use of 0.698 CFS (priority date OCTOBER 3, 1973 and DECEMBER 11, 1973) from the COLUMBIA RIVER in Sec. 8, T 5 N, R 30 E, W.M. for IRRIGATION in Sec. 4, 17, 18 and 20. The applicant proposes to change the place of use to Sec. 10 and 17, T 4 N, R 30 E, W.M. Certificate 86214 allows the use of 0.589 CFS (priority date OCTOBER 3, 1973 and DECEMBER 11, 1973) from the COLUMBIA RIVER in Sec. 8, T 5 N, R 30 E, W.M. for IRRIGATION in Sec. 7. The applicant proposes to change the place of use to Sec. 5, 8 and 10, T 4 N, R 30 E, W.M. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

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: UNION
Transfer: 11223
Water Right: CERT 36614
Priority Date: NOVEMBER 4, 1949
Name: H.L. WAGNER & SONS INC.
Address: PO BOX 167, IMBLER OR 97841
Change: POU
Source: A WELL

County: UMATILLA
Transfer: 11225
Water Right: CERT 76263,79993
Priority Date: 1972
Name: L & L FARMS C/O ROBERT LEVY
Address: 822 S HWY 395 #423 HERMISTON OR 97838
Change: POU/APOA
Source: WELLS

County: CROOK
Transfer: 11229
Water Right: CERT 81307
Priority Date: DECEMBER 31, 1880, DECEMBER 31, 1890
Name: ASPEN VALLEY RANCH JIM WOOD
Address: PO BOX 2700 POST OR 97752
Change: POU/POD
Source: NEWSOME CREEK/CAMP CREEK

County: LAKE
Transfer: 11230
Water Right: CERT 80684
Priority Date: DECEMBER 22, 1980
Name: TERRY NOFZIGER
Address: PO BOX 726, CHRISTMAS VALLEY OR 97641
Change: POU
Source: A WELL

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:	DESCHUTES
Transfer:	11221
Water Right:	PERMIT G 12755
Priority Date:	OCTOBER 5, 1995
Name:	TIMOTHY A. GREEN
Address:	18686 BULL SPRINGS RD, BEND OR 97701
Change:	POA
Source:	A WELL

District Temporary Transfers (ORS 540.570)

A district with a manager may request to temporarily make the following changes in water rights within district boundaries for one irrigation season: (1) The place of use of a water use subject to transfer; (2) The point of diversion/appropriation to facilitate a change in place of use; (3) The type of use from a primary right to a supplemental right; and (4) From a surface water point of diversion to a ground water appropriation.

The Department shall approve the request provided it does not cause injury to existing right or expand the water use. A district temporary transfer may be conditioned or revoked at any time to avoid injury to other water rights. The use of water reverts to the authorized place of use, type of use, point of diversion/appropriation upon expiration of the temporary change.

The Department seeks public comments on the recently filed district temporary transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before May 19, 2011. The Department shall consider the comments in determining whether to condition, reject, or revoke a temporary district transfer.

County: UMATILLA
Transfer: 11222
Water Right: CERT 76715,79439,82441
Priority Date: 1903,1924,1983
Name: WESTLAND IRRIGATION DISTRICT
Address: PO BOX 944 HERMISTON OR 97838
Change: POU
Source: UMATILLA RIVER/MCKAY RES/WELL

County: UMATILLA
Transfer: 11224
Water Right: CERT 79990,79991,83083,76051,79439
Priority Date: 1976,1981,1958,1924,2008
Name: WESTLAND IRRIGATION DISTRICT (L & L FARMS)
Address: PO BOX 944 HERMISTON OR 97838
Change: POU
Source: A WELL

County: UMATILLA
Transfer: 11226
Water Right: CERT 76051,75126,61534,75128,79439
Priority Date: 1958,1975,1976,1974
Name: WESTLAND IRRIGATION DISTRICT
(AMSTAD TO CORREA RANCH)
Address: PO BOX 944 HERMISTON OR 97838
Change: POU
Source: UMATILLA RIVER/WELLS

County: HOOD RIVER
Transfer: 11231
Water Right: CERT 81340,80929
Priority Date: 1895,1964
Name: EAST FORK IRRIGATION DISTRICT
Address: PO BOX 162, ODELL OR 97044
Change: POU
Source: EAST FORK HOOD RIVER

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 May 19, 2011. The Department will hold a contested case hearing if: 1) a protest and \$600 protest fee for non-applicant and \$300.00 protest fee for applicant are received within the time allowed; or 2) the Department finds a hearing is needed to determine whether the proposed changes would result in injury to existing rights. (If a water user believes that a proposed change could injure a water delivery within a district's boundaries, the matter will be resolved directly between the district and the water user.)

COUNTY: DESCHUTES
NOTICE OF DISTRICT
PERMANENT TRANSFER: NOTICE #T-2011-003
CERTIFICATE: 83571,76714
PRIORITY DATE: 1900,1907,1913
NAME: CENTRAL OREGON IRRIGATION DISTRICT
ADDRESS: 1055 SW LAKE COURT REDMOND OR 97756
CHANGE: POU
SOURCE: DESCHUTES RIVER/CRANE PRAIRIE RES
ACRES: 9.80
AUTHORIZED POU: T18S R13E 8
PROPOSED POU: T18S R13E 5,8

COUNTY: DESCHUTES
NOTICE OF DISTRICT
PERMANENT TRANSFER: NOTICE #T-2011-006
CERTIFICATE: 83571,76714
PRIORITY DATE: 1900,1907,1913
NAME: CENTRAL OREGON IRRIGATION DISTRICT
ADDRESS: 1055 SW LAKE COURT REDMOND OR 97756
CHANGE: POU
SOURCE: DESCHUTES RIVER/CRANE PRAIRIE RES
ACRES: 0.50
AUTHORIZED POU: T14S R13E 32
PROPOSED POU: T14S R13E 32

COUNTY: DESCHUTES
NOTICE OF DISTRICT
PERMANENT TRANSFER: NOTICE #T-2011-007
CERTIFICATE: 83571,76714
PRIORITY DATE: 1900,1907,1913
NAME: CENTRAL OREGON IRRIGATION DISTRICT
ADDRESS: 1055 SW LAKE COURT REDMOND OR 97756
CHANGE: POU
SOURCE: DESCHUTES RIVER/CRANE PRAIRIE RES
ACRES: 7.30
AUTHORIZED POU: T16S R14E 17
T17S R12E 14
T18S R13E 11
PROPOSED POU: T18S R13E 11

COUNTY: HOOD RIVER
NOTICE OF DISTRICT
PERMANENT TRANSFER: NOTICE #2011-01
CERTIFICATE: 81340
PRIORITY DATE: 1895
NAME: EAST FORK IRRIGATION DISTRICT
ADDRESS: PO BOX 162 ODELL OR 97044
CHANGE: POU
SOURCE: EAST FORK HOOD RIVER
ACRES: 1.00
AUTHORIZED POU: T2N R10E 26
PROPOSED POU: T3N R11E 31

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-151

Project Applicant: Deschutes River Conservancy Mitigation Bank, Central Oregon Irrigation District, and Kenton and

Marie-Louise Sandine
Mitigation Project

And Process: Instream Lease Application IL-1144 for Certificate 83571 (Also see Instream Lease Section of the April 19, 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 0.611 CFS with a Maximum Seasonal Volume – 196.22 AF

Current Use: Irrigation of 36.0 acres

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: 64.8 Mitigation Credits

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

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

Crooked County

Mitigation Project #: MP-152

Project Applicant: Deschutes River Conservancy Mitigation Bank and
Ochoco Irrigation District

Mitigation Project

And Process: Instream Lease Application IL-1152 for Certificate
82246 (Also see Instream Lease Section of the April 19,
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 0.25 CFS with a
Maximum Seasonal Volume –
60.0 AF

Current Use: 20.0 equivalent acres of Floating Industrial Use

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: up to 60.0 Mitigation Credits

May be available for use in the Crooked River and
General
Zones of Impact

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

Crook County

Mitigation Project #: MP-153

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

Mitigation Project And Process: Instream Lease Application IL-1154 for Certificate 74135 (Also see Instream Lease Section of the April 19, 2011 public notice for application details)

Subbasin/Source: Whychus Creek Subbasin – Whychus Creek, tributary to the Deschutes River

Amount of Water: Proposed Instream: up to 4.66 CFS with a Maximum Seasonal Volume – 850.35 AF

Current Use: Irrigation of 233.0 acres

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: 419.4 Mitigation Credits

May be available for use in the Whychus Creek and General Zones of Impact

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

Proposed Order Approving District Water Right Remapping Petition

Walla Walla River Irrigation District petitioned the Water Resources Commission for a change in its water right to reflect actual water use under the provisions of ORS 541.325 to 541.331. The Director can issue a proposed order approving petition and maps if the petitioner has met the statutory requirements.

The petitioner is required to publish notice in a local newspaper that a proposed order has been issued. The proposed order and petition can be reviewed at the Walla Walla River Irrigation District's office located at 323 Evans Street, Milton-Freewater, Oregon and the local Water Resources Department office, located at 116 SE Dorion Ave., Pendleton, Oregon.

Comments on the proposed order can be submitted to the Department by any person. Protests can be filed only by water users, as defined of ORS 541.325(3). Protests should be submitted with the statutory filing fee to Oregon Water Resources, attn. - Susan Douthit, 725 Summer St., Suite A, Salem, OR 97301.

UMATILLA COUNTY

Based on a review of the petition and findings report, the Director has found that WALLA WALLA RIVER IRRIGATION DISTRICT has met the requirements of ORS 541.325 to 541.331.

On April 13, 2011, the Director issued a proposed order proposing to approve the petition and map submitted by WALLA WALLA RIVER IRRIGATION DISTRICT to confirm the present use of water right for IRRIGATION and SUPPLEMENTAL IRRIGATION. The specific parcels, water rights modified by the petition or affected by the petition, the petitioned place of use and source of water are described in the proposed order.

Application For A Minor Hydroelectric Project

The Department seeks public comment on the following application for additional water use at an existing minor hydroelectric project. Comments must be submitted within 30 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 Graine (503) 986-0833. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Application: HE 594
Applicant: Jay and Jan Wheelhouse
Address: P.O. Box 388 Hermiston, OR 97838
Amount of water: 0.45 cubic feet per second (cfs) November 1 thru May 31.
Source of water: Bell Cow Creek, tributary to N McKay Creek
Location of the
Point of Diversion: NE ¼ SE ¼ of Section 28, Township 1 North, Range 34 East, W.M., Umatilla County
Place of Use: NW ¼ SW ¼ of Section 28, Township 1 North, Range 34 East, W.M., Umatilla County
Purpose: off-grid use on ranch
Power developed: 5.5 Theoretical horsepower

Comments are Due May 19, 2011

Notice of Proposed Final Order
Reedsport OPT Wave Park, LLC - HE 591

Proposed Final Order on the Potential for Cumulative Impacts
with other Existing, Approved or Proposed Hydroelectric Projects
(ORS 543.255)

This matter comes before the Director on application of Reedsport OPT Wave Park, LLC (Applicant) for a hydroelectric project. The issue before the Director is whether the proposed project may contribute to cumulative impacts with other existing, approved or proposed hydroelectric projects in the same river basin. ORS 543.255. It is presumed that if there are other existing, approved or proposed projects, in the same river basin, there is a potential for cumulative impacts. OAR 690-051-0290(1). This presumption may be rebutted by showing the impacts of the proposed project are so small in extent, short-termed or localized that there is no reasonable likelihood of cumulative impacts. *Id.*

A contested case hearing shall be scheduled concerning the public interest issues of the Project according to ORS 543.230.

The Project as proposed by OPT is for 10 PowerBuoys to be deployed off the coast of Reedsport Oregon. Each buoy is capable of producing 150 KW of electricity. Total installed capacity will be 1.5 MW.

The Proposed Order presents findings of facts and conclusions of law to find that this project is the first of its kind off of the coast of Oregon. There are no other existing, approved or proposed hydroelectric projects in the Pacific Ocean at this time. A consolidated review of all pending hydroelectric projects in the basin is not required. A contested case hearing on the issue of whether the proposed project might impair or be detrimental to the public interest shall be scheduled within a few months.

Any person may protest this proposed order and request a hearing as provided by the Administrative Procedures Act, Oregon Revised Statutes Chapter 183 by filing a protest and request for hearing by **May 19, 2011**. A protest must be in writing, accompanied by a fee of \$600, and received at the Oregon Water Resources Department by **5 p.m. on May 19, 2011**. ORS 536.050(1)(j). Persons may mail or deliver protests and requests for hearing to:

Mary Grainey
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

The proposed final order, application and supporting documents can be viewed at the Water Resources Department, 725 Summer Street NE, Salem, Oregon 97301. The project is also filed with the Federal Energy Regulatory Commission (FERC) as docket p-12713.

Any person requesting a contested case hearing will be notified of the time and place of the hearing. Any person may be represented by legal counsel at the hearing. Any person requesting a hearing will be notified of the time and place of the hearing and given information on the procedures, right of representation and other rights of parties relating to the conduct of the hearing before the commencement of the hearing. Any hearing will be held by an administrative law judge from the Office of Administrative Hearings.

If you do not request a hearing within the time specified in this notice, or if you withdraw a request for hearing, notify the Division or the administrative law judge that you will not appear or fail to appear at a scheduled hearing, the Director may issue a final order. If the Director issues a final order by default, the Director will designate the Department's file on this matter as the record for the purpose of proving a prima facie case upon default.

For Further Information Contact: Mary Grainey 503-986-0833,
Mary.S.Grainey@wrd.state.or.us .

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

April 19, 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 proposed final order and final order are also available for viewing—at no charge—at our Salem office or at the local watermaster office.)