

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
May 3, 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 Extensions of Time to Perfect Water Right Permits**
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- * **Municipal permit extension applications referred to Oregon Department of Fish and Wildlife for review under provisions of OAR 690- 315-0080.**
- * **Applications for Limited Licenses**
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- * **Water Right Cancellations**
Abandonment of perfected and developed water rights and requests to cancel all or a portion of rights.
- * **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.
- * **District Permanent Transfers (ORS 540.580)**
Petitions requesting transfers in place of use within a district's boundaries.

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, June 02, 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 17, 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-17313	WIRTH FARMS 31595 DRIVER RD TANGENT, OR 97389						IR 3
	2 A WELL > CALAPOOIA RIVER	13.00S 3.00W 6 NESE	Linn	02/22/2010	0.5C (est)		
	2 A WELL > CALAPOOIA RIVER	13.00S 3.00W 6 NESW	Linn	02/22/2010	0.5C (est)		
Uses: IR							
G-17341	CASCADE ACADEMY OF CENTRAL OREGON 2150 NE STUDIO RD SUITE 2 BEND, OR 97701						PFO 2
	5 A WELL > DESCHUTES RIVER	17.00S 12.00E 9 NESW	Deschutes	04/05/2010	0.053C		
Uses: CM IR							
G-17451	RAY, CHRIS 6144 MOLTHAN RANCH RD IRONSIDE, OR 97908						PFO 2
	10 A WELL > WILLOW CREEK	14.00S 39.00E 21 SESW	Malheur	01/24/2011	1.5C		
Uses: IR							
G-17413	TOLL, LARRY TENNESON ENGINEERING CORP. 3313 W 2ND ST SUITE 100 THE DALLES, OR 97058						PFO 2
	5 A WELL > FINNEGAN CREEK	3.00S 16.00E 26 NWNW	Sherman	08/19/2010	0.1C		
Uses: PM ST							
G-17414	JUSTESEN, FRED A. 59720 TWIN LAKES RD GRASS VALLEY, OR 97029						PFO 2
	6 A WELL > JACKKNIFE CANYON	4.00S 17.00E 36 NENE	Sherman	08/19/2010	0.08C		
Uses: PM ST							
S-87631	CHEESEMAN, DEBBY 4700 FOOTHILL BLVD GRANTS PASS, OR 97526						PFO 2
	15 ROGUE RIVER > PACIFIC OCEAN	36.00S 4.00W 19 SESE	Jackson	06/24/2010	0.0A		
	15 LOST CREEK RESERVOIR > ROGUE RIVER	33.00S 1.00E 26 NWSE	Jackson	06/24/2010	3.0A		
Uses: IR							
G-17432	SHAW, BRIAN 1318 9TH ST OREGON CITY, OR 97045						PFO 3
	7 A WELL > MCKAY CREEK	1.00N 32.00E 14 SESE	Umatilla	10/20/2010	0.175C		
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-17295	14	KLAM	12/31/2009	BUREAU OF LAND MANAGEMENT		04/21/2011
G-17399	2	LANE	06/14/2010	FOOD FOR LANE COUNTY		04/21/2011
S-87580	16	DOUG	02/16/2010	HELEN E NORTHCRAFT TRUST	HELEN NORTHCRAFT	04/21/2011
S-87595	16	DOUG	03/31/2010		THOMAS JUSTIN LIN	04/21/2011
S-87635	16	DOUG	07/07/2010		AUSTIN WEBER	04/21/2011
S-87654	18	LANE	09/24/2010		KATHERINE SHAMEY	04/21/2011
S-87656	16	DOUG	10/04/2010		GARY LEE KLOPFENS	04/21/2011
S-87689	15	JOSE	02/07/2011		STEVE GLASSER	04/21/2011
G-16359	7	UMAT	12/30/2004		LES PETERSON	04/22/2011
G-16364	7	UMAT	01/10/2005		JOE FRAZIER	04/22/2011
G-17395	7	UMAT	06/03/2010	SEVEN HILLS PROPERTIES LLC		04/22/2011
G-17093	5	DESC	08/14/2008	TAYLOR NORTHWEST LLC		04/28/2011
G-17409	1	TILL	08/09/2010		DENIS LAVIOLETTE	04/28/2011
S-87550	2	POLK	08/26/2009		CAROL MARX	04/28/2011

<u>Application</u>	<u>Basin</u>	<u>County</u>	<u>Priority</u>	<u>Company</u>	<u>Name</u>	<u>FO Date</u>
S-87594	16	DOUG	03/23/2010		MARY BENNINGTON	04/28/2011
S-87605	11	MALH	05/10/2010		DENNIS WERNER	04/28/2011
R-86140	2	POLK	12/30/2004	ZENA HEIGHTS VINEYARD LLC		04/29/2011

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 July 02, 2011.

R-87716
BROWN, ELENA
PO BOX 506
FOSSIL, OR 97830
POD: 1 RUNOFF > STONE CABIN CREEK
SE 1/4 NE 1/4 Section 14T 7.00S R 20.00E WM
Wheeler County
2.0 A for MULTIPLE PURPOSE

R-87717
BROWN, ELENA
PO BOX 506
FOSSIL, OR 97830
POD: 1 RUNOFF > STONE CABIN CREEK
SE 1/4 NE 1/4 Section 14T 7.00S R 20.00E WM
Wheeler County
1.5 A for MULTIPLE PURPOSE

R-87718
BROWN, ELENA
PO BOX 506
FOSSIL, OR 97830
POD: 1 RUNOFF > STONE CABIN CREEK
SE 1/4 NE 1/4 Section 14T 7.00S R 20.00E WM
Wheeler County
1.75 A for MULTIPLE PURPOSE

R-87719
BROWN, ELENA
PO BOX 506
FOSSIL, OR 97830
POD: 1 RUNOFF > WEST FORK BUTTE CREEK
NE 1/4 NW 1/4 Section 14T 7.00S R 20.00E WM
Wheeler County
4.5 A for MULTIPLE PURPOSE

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 **June 02, 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-87715
ALLAN SAUL LIVING TRUST
KAREN E. SAUL, TRUSTEE
3099 RIVER RD S 150A
SALEM, OR 97302

POD: 1 A RESERVOIR > ASH SWALE
NE 1/4 SE 1/4 Section 3 T 7.00S R 5.00W WM
Polk County
6.0 AFT for IRRIGATION

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: DESCHUTES
WATER RIGHT CERTIFICATES: 83571 AND 76714, IN THE NAME OF CENTRAL OREGON IRRIGATION DISTRICT
LANDOWNER: LINDA R. ANDERSON
ADDRESS: PO BOX 9055
BEND, OR, 97708
USE: IRRIGATION & SUPPLEMENTAL IRRIGATION
SOURCE: DESCHUTES RIVER & CRANE PRAIRIE RESERVOIR >
COLUMBIA RIVER
PRIORITY: OCTOBER 31, 1900 & DECEMBER 2, 1907
ACREAGE: 0.33
LOCATION: T18S, R12E, SEC. 04, SESW, TAX LOT 700

COUNTY: DESCHUTES
WATER RIGHT CERTIFICATES: 83571 AND 76714, IN THE NAME OF CENTRAL OREGON IRRIGATION DISTRICT
LANDOWNER: CENTRAL OREGON IRRIGATION DISTRICT
ADDRESS: 1055 SW LAKE COURT
REDMOND, OR 97756
USE: IRRIGATION & SUPPLEMENTAL IRRIGATION
SOURCE: DESCHUTES RIVER & CRANE PRAIRIE RESERVOIR >
COLUMBIA RIVER
PRIORITY: OCTOBER 31, 1900 & DECEMBER 2, 1907
ACREAGE: 0.125
LOCATION: T18S, R12E, SEC. 03, NENW, TAX LOT 525

COUNTY: DESCHUTES
WATER RIGHT CERTIFICATES: 83571 AND 76714, IN THE NAME OF CENTRAL OREGON IRRIGATION DISTRICT
LANDOWNER: CENTRAL OREGON IRRIGATION DISTRICT
ADDRESS: 1055 SW LAKE COURT
REDMOND, OR 97756
USE: IRRIGATION & SUPPLEMENTAL IRRIGATION
SOURCE: DESCHUTES RIVER & CRANE PRAIRIE RESERVOIR >
COLUMBIA RIVER
PRIORITY: OCTOBER 31, 1900 & DECEMBER 2, 1907
ACREAGE: 0.319
LOCATION: T17S, R12E, SEC. 23, NESE, TAX LOT 1300

**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 17, 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:	Crook
Application File Number:	G-12648
Permit Number:	G-12739
Applicant:	OCHOCO WEST WATER AND SANITARY AUTHORITY
Address:	5488 NW PRINE RD PRINEVILLE, OR 97754
River Basin:	Deschutes Basin
Water Source:	A WELL > LYTLE CREEK
Authorized Use of Water:	QUASI-MUNICIPAL USES
Maximum Diversion/ Appropriation Rate:	0.579 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1998 to October 1, 2049; and grant an extension of time to apply water to full beneficial use from October 1, 1999 to October 1, 2049.

County of Use: Polk
Application File Number: R-86292
Permit Number: R-14279
Applicant: FREEMAN AND SONS
Address: 3750 OAK GROVE RD
RICKREALL, OR 97371-9745
River Basin: Willamette Basin
Water Source: RUNOFF > MCMAHAN BRANCH
A SPRING > MCMAHAN BRANCH
Authorized Use of Water: STORE WATER FOR MULTIPLE PURPOSE
Maximum Diversion/
Appropriation Rate: 23.0(AF)PER YEAR

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2010 to October 1, 2014.

County of Use: Crook
Application File Number: G-14479
Permit Number: G-13660
Applicant: YOUNG, GARY
Address: PO BOX 14
PAULINA, OR 97751
River Basin: Deschutes Basin
Water Source: 8 WELLS > PAULINA CREEK
Authorized Use of Water: IRRIGATION ON 775.2 ACRES AND
SUPPLEMENTAL IRRIGATION OF 738.9 Acres.
NOT MORE THAN 800.0 ACRES SHALL BE IRRIGATED
ON ROTATION EACH YEAR.
Maximum Diversion/
Appropriation Rate: A CUMULATIVE TOTAL OF 10.0 CFS, NOT TO EXCEED
2.4 CFS FROM EACH WELL.

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2010 to October 1, 2020.

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

Consistent with OAR 690-315-0080 the Department must notify Oregon Department of Fish and Wildlife of certain pending municipal water use extension applications. If applicable under OAR 690-315-0080 any undeveloped portion of a municipal permit must be conditioned to maintain the persistence of listed fish species in the portions of waterways affected by water use under the permit. The following applications were referred to the Oregon Department of Fish and Wildlife on April 29, 2011.

Application File Number:G-13518

Permit Number:G-11921

Applicant: City of Woodburn

Water Source: 12 Wells within the Mill Creek Basin

Authorized Use of Water Under Permit: Municipal

Application File Number:G-13519

Permit Number:G-11922

Applicant: City of Woodburn

Water Source: 12 Wells within the Mill Creek Basin

Authorized Use of Water Under Permit: Municipal

Applications for Limited Licenses

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

Licensees must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after May 17, 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-1353
DOUGLAS COUNTY FOREST PRODUCT
BLODGETT, JOHN
PO BOX 848
WINCHESTER, OR 97495
POD: 1 NORTH UMPQUA R > UMPQUA R
SE 1/4 SE 1/4 Section 23 T 26.00S R 6.00W WM
Douglas County
0.56 C for ROAD CONSTRUCTION

LL-1354
TAPANI UNDERGROUND, INC
MAHONEY, CHAD
PO BOX 1900
BATTLE GROUND, WA 98604
POD: 1 E FORK HOOD R > HOOD R
NE 1/4 NE 1/4 Section 5 T 3.00S R 10.00E WM
Hood River County
0.958 C for ROAD CONSTRUCTION

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 24, 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: Jackson

Instream Lease Number: IL 1161

** Lessor **

MEDFORD IRRIGATION DISTRICT - POOLED LEASE
PO BOX 70
JACKSONVILLE, OR 97530

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE MOUTH OF LITTLE BUTTE CR

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83381	RR * E 19	7/23/1909	IR	0.34	152.0	NORTH FORK LITTLE BUTTE CREEK	LITTLE BUTTE CREEK	33.73

Reach: FROM THE POD TO THE MOUTH OF LITTLE BUTTE CR

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83383	RR * S 407	3/31/1910	IS	0.42	152.0	NORTH & SOUTH FORK LITTLE BUTTE CREEK	LITTLE BUTTE CREEK	33.73

Reach: FROM THE POD TO THE MOUTH OF BEAR CR

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
80578	OR CF RR * S 2382	3/1/1915	IS	0.42	152.0	BEAR CREEK	ROGUE RIVER	33.73

Reach: FROM POD TO MOUTH OF BEAR CR

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83728	CF * S 25915	9/6/1915	IS	0.84	152.0	EMIGRANT CREEK	BEAR CREEK	33.73

Reach: FROM POD TO MOUTH

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
S 4951	* S 4951	6/18/1920	IR	0.42	152.0	WASTE WATER	ROGUE RIVER	33.73

County: Klamath

Instream Lease Number: IL 1162

** Lessee **

KLAMATH BASIN RANGELAND TRUST
700 MAIN ST, SUITE 201A
KLAMATH FALLS, OR 97601

** Lessor **

EZELL, ROB
WOOD RIVER LODGE, LLC
63710 SCENIC DR
BEND, OR 97701

Contact: LAURA WILKE at (503) 986-0884

Reach: POD TO MOUTH OF WOOD RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
20364	OR * S 21864	10/27/1952	IR	0.51	127.0	WOOD RIVER	UPPER KLAMATH L	25.4

County: Crook

Instream Lease Number: IL 1163

** Lessee **

DESCHUTES RIVER CONSERVANCY
700 NW HILL ST
BEND, OR 97701

** Lessor **

OCHOCO IRRIGATION DISTRICT - POOLED LEASE
1001 NW DEER STREET
PRINEVILLE, OR 97754

Contact: LAURA WILKE at (503) 986-0884

Reach: OCHOCO FEED CANAL POD TO MOUTH OF OCHOCO CR AND INTO CROOKED R TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
82248	CF RR * S 49824	9/2/1986	IM	1.081	346.0	OCHOCO CREEK	CROOKED RIVER	86.5

Reach: OCHOCO FEED CANAL POD TO MOUTH OF OCHOCO CR 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,IR	7.533	2410.4	OCHOCO CREEK	CROOKED RIVER	602.6

Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before June 02, 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: LAKE
Transfer: 11236
Water Right: CERT 30784,38097,81497
Priority Date: 1960,1968,1982
Name: PERNOLL RANCH LLC
Address: PO BOX 35, SUMMER LAKE OR 97640
Change: POU
Source: WELLS

County: CLACKAMAS
Transfer: 11237
Water Right: CERT 85960
Priority Date: APRIL 4, 1939
Name: ERIC L STROM
Address: 29391 S MERIDIAN RD HUBBARD OR 97032
Change: HISTORIC POD
Source: PUDDING 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 June 02, 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-8313 filed by LAKEVIEW WATER USERS, INC., 91164 WATER USERS LANE, LAKEVIEW, OR, 97630, and responsible landowners BOBBY R. AND BILLIE L. EVANS, c/o EVANS & BARTLETT CPAs LLP, 411 CENTER STREET, LAKEVIEW, OR, 97630, proposes a change in place of use under Certificate 85839 and the right confirmed under T-5045. The right allows the use of 1.85 CUBIC FEET PER SECOND (priority date JANUARY 21, 1907, Drews Creek; JULY 31, 1908, Cottonwood Creek) from DREWS CREEK and RESERVOIR and COTTONWOOD CREEK and RESERVOIR in Sec. 5 and 11, T 40 S, R 18 E, W.M., Sec. 29, T 38 S, R 19 E, W.M. and Sec. 16, T 39 S, R 19 E, W.M., for IRRIGATION in Sec. 24, T 40 S, R 18 E, W.M., and Sec. 18, T 40 S, R 19 E, W.M. The applicant proposes to change the place of use to Sec. 25, T 40 S, R 18 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-8314 filed by BOBBY R. AND BILLIE L. EVANS, c/o EVANS & BARTLETT CPAs LLP, 411 CENTER STREET, LAKEVIEW, OR, 97630, proposes a change in place of use under Certificate 51395. The right allows the use of 0.47 CUBIC FOOT PER SECOND (priority date JULY 12, 1967) from A WELL in the MILL CREEK BASIN in Sec. 24, T 40 S, R 18 E, W.M., for IRRIGATION in Sec. 25, T 40 S, R 18 E, W.M. The applicant proposes to change the place of use to Sec. 24 and 25, T 40 S, R 18 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-10490 filed by Deschutes River Conservancy (PO BOX 1560, BEND, OR 97709) and Swalley Irrigation District (64672 Cook Ave, Suite 1, Bend, OR 97701), proposes a change in place of use and a change in character of use under Certificate 74145. The right allows the use of UP TO 0.198 Cubic Foot Per Second (CFS) (priority date September 1, 1899) from the Deschutes R in Sec. 29, T 17 S, R 12 E, W.M. for Irrigation of 7.96 acres in Sections 8, 17 and 28, and 2.3 equivalent acres of Dust Abatement in Sec. 17. The applicant proposes to create an instream use in the Deschutes River (from the point of diversion to Lake Billy Chinook) at a maximum of 0.145 CFS, and to establish mitigation credits in the Middle Deschutes and General Zones of Impact. The application was amended to remove a few acres of irrigation and dust abatement, add additional acres of irrigation and to cancel 0.5 acre of irrigation. 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, and OAR 690-077-0075. 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-11205 filed by Larry & Dorothea Null, PO Box 2716, Florence, OR 97439, proposes a change in place of use under Certificate 84576. The right allows the use of 0.005 cubic foot per second (priority date Nov. 22, 1993) from the SIUSLAW RIVER in Sec. 23, T 17 S, R 10W, W.M, for Domestic Use Expanded and Human Consumption within Section 23. The applicant proposes to change the place of use within Section 23. 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.

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 June 02, 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:	JACKSON
NOTICE OF DISTRICT	
PERMANENT TRANSFER:	NOTICE # 11-01
CERTIFICATE:	83381, 83383, 80578
PRIORITY DATE:	1909, 1910, 1915, 1953, 1920
NAME:	MEDFORD IRRIGATION DISTRICT
ADDRESS:	PO BOX 70 JACKSONVILLE OR 97530
CHANGE:	POU
SOURCE:	N&S FORKS OF LITTLE BUTTE CR/FOURMILE LAKE RES FISH LAKE RES/BEAR CR
ACRES:	16.00
AUTHORIZED POU:	T37S R2W 35, 36
PROPOSED POU:	T37S R2W 28

COUNTY: UMATILLA
NOTICE OF DISTRICT
PERMANENT TRANSFER: NOTICE # 2010-01
CERTIFICATE: UMATILLA RIVER DECREE V3 P242
PRIORITY DATE: 1905
NAME: HERMISTON IRRIGATION DISTRICT
ADDRESS: 366 E HURLBURT AVE HERMISTON OR 97838
CHANGE: POU
SOURCE: UMATILLA RIVER
ACRES: 9.83
AUTHORIZED POU: T4N R28E 15
PROPOSED POU: T4N R28E 15
T5N R28E 33,34

COUNTY: UMATILLA
NOTICE OF DISTRICT
PERMANENT TRANSFER: NOTICE # 2010-03
CERTIFICATE: UMATILLA RIVER DECREE V3 P242
PRIORITY DATE: 1905
NAME: HERMISTON IRRIGATION DISTRICT
ADDRESS: 366 E HURLBURT AVE HERMISTON OR 97838
CHANGE: POU
SOURCE: UMATILLA RIVER
ACRES: 1.63
AUTHORIZED POU: T4N R28E 10
PROPOSED POU: T4N R28E 10

COUNTY: UMATILLA
NOTICE OF DISTRICT
PERMANENT TRANSFER: NOTICE # 2011-01
CERTIFICATE: UMATILLA RIVER DECREE V3 P 242
PRIORITY DATE: 1905
NAME: HERMISTON IRRIGATION DISTRICT
ADDRESS: 366 E HURLBURT AVE HERMISTON OR 97838
CHANGE: POU
SOURCE: UMATILLA RIVER
ACRES: 22.61
AUTHORIZED POU: T4N R28E 9,12
T5N R28E 15
PROPOSED POU: T5N R28E 26

**OREGON
WATER
RESOURCES
DEPARTMENT**



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

May 3, 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.)