

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
May 10, 2011

*This notice is also available on our web page at the following address:  
[http://www1.wrd.state.or.us/cgi-bin/notices.pl?water\\_rights](http://www1.wrd.state.or.us/cgi-bin/notices.pl?water_rights)*

This publication lists agency activities requiring public notice. It also describes public comment processes and deadlines. Types of water use requests in this week's Public Notice include:

- \* **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**  
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- \* **Applications for Extensions of Time to Perfect Water Right Permits**  
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- \* **Applications for Limited Licenses**  
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- \* **Application for Instream Lease**  
Application by water right holder to lease existing water rights to instream use.
- \* **Transfer Applications: Regular**  
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- \* **Transfer Preliminary Determinations**  
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- \* **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.
- \* **Ground Water Registration Modifications**  
Applications requesting Department recognition of changes in point of appropriation, place of use and character of use under a ground water certificate of registration.
- \* **Establishment of Mitigation Credits in the Deschutes Basin pursuant to OAR Chapter 690, Division 521 (ORS 537.746)**

The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to "Jonnine.L.SKAUG@ wrd.state.or.us".

## **Permit Application Initial Reviews and Proposed Final Orders**

The following pages of this notice list permit applications that the Oregon Water Resources Department is evaluating for compliance with state water laws and regulations. Public participation and comment is encouraged. Opportunities for public involvement vary according to the stage of the permit evaluation.

Ground water permit applications in the Deschutes Basin (basin 5) may seek to provide mitigation pursuant to the Deschutes Ground Water Mitigation Rules by implementing a mitigation project or by obtaining mitigation credits made available by a completed mitigation project. Surface water and/or reservoir permit applications in the Deschutes Basin may be proposed ground water mitigation projects.

### **Initial Review Stage (IR in the "Stage" column of the permit listing)**

The Department has given the applicant the results of an initial review of water use restrictions, water availability and other limits that affect the agency's decision on whether to issue a permit. The applicant has asked the agency to proceed to the next stage of evaluation. The Department welcomes comments from interested persons, agencies and organizations on the proposed water use.

**The comment deadline for initial reviews appearing in this public notice is 5pm, Thursday, June 09, 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 24, 2011.**

The protest filing fee is \$300 for the applicants and \$600 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO. Persons who support the PFO may file a "standing" fee of \$150 to retain the ability to participate in future proceedings relating to an application. Before participation is allowed, an additional \$300 will be required at the time of the proceeding.

If a protest or comment deadline falls on a day that the office is closed then the next open business day automatically becomes the deadline date. In addition to the usual state or federal office closures, the Oregon Water Resources Department headquarters office will be closed on the following Fridays: October 16, 2009; November 27, 2009; March 19, 2010; April 16, 2010; June 18, 2010; August 20, 2010; September 17, 2010; November 26, 2010; March 18, 2011; and May 20, 2011.

## How to Read the Listing

Applications on the next page are sorted by application number in the following format:

App#	Basin	Source	Township/Range	County	Priority	Quantity	Stage	Status
G-15693	DOE, JOHN PO BOX 123	EUGENE OR 97123	16.00S 03.00W 19 NESW	Lane	01/29/2002	0.3700 C	IR	3
	02 A WELL > SPRING CR							
	Uses: IR							

**FIRST LINE:**

- \* Application number:
  - G: groundwater
  - R: reservoir
  - S: surface water
  - I: instream
- \* Applicant name & address
- \* Stage of review:
  - IR: Initial Review
  - PFO: Proposed Final Order
- \* Decision status codes
  - 1: permit may be issued as requested
  - 2: permit may be issued with conditions
  - 3: permit unlikely to be issued

**SECOND LINE:**

- \* Basin number (see map below right)
  - \* Source > what it flows into
    - (in the case of wells, this describes the basin in which the well is located)
  - \* General legal description
  - \* County & Priority date
  - \* Amount
  - \* Unit of measure:
    - C: cubic feet per second
    - G: gallons per minute
    - A: acre-feet
- THIRD LINE:**
- \* Type of use (see abbreviations below)

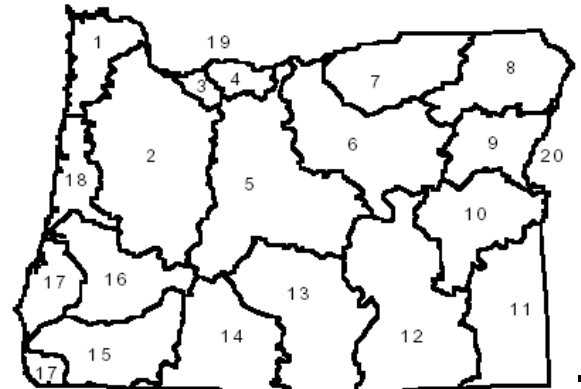
**BASINS:**

- |                 |                     |
|-----------------|---------------------|
| 1. North Coast  | 11. Owyhee          |
| 2. Willamette   | 12. Malheur L.      |
| 3. Sandy        | 13. Goose/Summer L. |
| 4. Hood         | 14. Klamath         |
| 5. Deschutes    | 15. Rogue           |
| 6. John Day     | 16. Umpqua          |
| 7. Umatilla     | 17. S. Coast        |
| 8. Grande Ronde | 18. Mid-Coast       |
| 9. Powder       | 19. Columbia        |
| 10. Malheur     | 20. Snake           |

**of Use” abbreviations (for definitions, consult Oregon Administrative Rules 690-300):**

AG: Agriculture	GR: Groundwater recharge	MU: Municipal
CF,CH,CL, CR: Cranberry uses	GT: Geothermal	NU: Nursery use
CM: Commercial	IC: Irrigation, primary & supplemental	PA: Pollution abatement
CS: Campground	ID: Irrigation with domestic	PW: Power
DI, DN: Domestic including non-commercial lawn & garden	IL: Irrigation with livestock	QM: Quasi-municipal
DO: Domestic	IM: Industrial or manufacturing	RC: Recreation
DS: Domestic & stock	IR: Irrigation	RW: Road construction
FI: Fish	IS: Irrigation, supplemental	ST: Storage
FP: Fire protection	LV: Livestock	SW: Swimming
FW: Fish & wildlife	LW: Livestock & wildlife	TC: Temperature control
GD: Group domestic	MI: Mining	WI: Wildlife

Commonly used “Type



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
<a href="#">G-17412</a>	KASTOR, RANCE 21202 SE PINE CREEK RD POST, OR 97752						PFO 2
5	A WELL > CROOKED RIVER	17.00S 19.00E 2 NENW	Crook	08/16/2010	0.35C		
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
<a href="#">G-17093</a>	5	DESC	08/14/2008	TAYLOR NORTHWEST LLC		04/28/2011
<a href="#">G-17409</a>	1	TILL	08/09/2010		DENIS LAVIOLETTE	04/28/2011
<a href="#">S-87550</a>	2	POLK	08/26/2009		CAROL MARX	04/28/2011
<a href="#">S-87594</a>	16	DOUG	03/23/2010		MARY BENNINGTON	04/28/2011
<a href="#">S-87605</a>	11	MALH	05/10/2010		DENNIS WERNER	04/28/2011
<a href="#">R-86140</a>	2	POLK	12/30/2004	ZENA HEIGHTS VINEYARD LLC		04/29/2011
<a href="#">S-83776</a>	15	JOSE	02/25/1998	BLACK BAR LODGE INC.	WILLIAM E HULL	05/05/2011
<a href="#">S-87592</a>	17	COOS	03/16/2010		RON LAFRANCHI	05/06/2011

**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 June 09, 2011.** Following the comment period, the Department will prepare and issue a proposed final order. Individuals who would like a copy of the proposed final order may request copies by sending a request and \$20 (the charge required by law). Please indicate the file number. Copies of the proposed final order may be viewed at the Department and/or self copied. Individuals wishing to obtain a copy of the extension application should contact the Department by phone or in person.

Extension file information is included in the following format:

- (a) Application Number;
- (b) Permit number;
- (c) Applicant name and address;
- (d) County of application;
- (e) Common name of water source(s) listed in the permit;
- (f) Amount of water use permitted in gallons per minute (gpm), cubic feet per second (cfs) or acre feet (af) of storage;
- (g) Use allowed in the permit;
- (h) Proposed extended date of completion as requested by the extension applicant;

Application Number: G-14877  
Permit Number: G-13732  
SCHROEDER, DARRELL H & PATRICIA A  
26975 NW MEEK RD  
HILLSBORO, OR 97124  
Washington County  
WELL 2 > STOREY CREEK  
0.084 CFS  
IRRIGATION OF 6.7 AC  
October 1, 2016

Application Number: G-12838  
Permit Number: G-11977  
RICKREALL COMMUNITY WATER ASSOCIATION  
PO BOX 44  
RICKREALL, OR 97371  
Polk County  
A WELL > WILLAMETTE RIVER  
0.56 CFS  
DOMESTIC AND COMMERCIAL USE  
October 1, 2047

Application Number: S-32892  
Permit Number: S-28984  
CROSS TYRHOLM, DIANE L. & TYRHOLM, MICHAEL D.  
3703 COLLIER LANE  
KLAMATH FALLS, OR 97603  
Klamath County  
DOBE, UPPER PINE, LOWER PINE, RATTLESNAKE, BLACK CANYON CREEKS  
AND SMITH RESERVOIR, PERMIT R-3511  
4.24 CFS  
IRRIGATION  
October 1, 2013



**Proposed Final Orders Regarding  
Applications for Extensions of Time for Water Right Permits**

ORS 537.230, 537.248, 537.630 and 539.010 authorize the Water Resources Department to extend time limits contained in water right permits for completing construction of water development projects and applying water to full beneficial use. Procedures for permit holders to apply for extensions and for the Department to evaluate and determine whether or not to approve extensions of time are contained in OAR 690-320-0010 for extensions filed before July 1, 2001, and in OAR 690-315-0010 for extensions filed on or after July 1, 2001.

Proposed Final Orders (PFO's) are the Department's preliminary decision on extension requests. They document the agency's decision through specific findings. Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of \$20. (Any person paying to receive a PFO by mail will also receive a copy of the Final Order when it is issued). PFO's may be viewed for free at the Department's Salem Office or at the appropriate district watermaster office.

**Extension of Time Public Notice and Comment Procedures**

**Written comments on or written protests against a PFO must be submitted on or before June 24, 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:	Jefferson
Application File Number:	G-16198
Permit Number:	G-15771
Applicant:	COLUMBIA EMPIRE FARMS,R-2 RANCH
Address:	31461 NE BELL RD SHERWOOD, OR 97140
River Basin:	Deschutes Basin
Water Source:	A WELL > PONY CREEK
Authorized Use of Water:	IRRIGATION ON 833.61 Acres
Maximum Diversion/ Appropriation Rate:	1.67 CFS

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

County of Use: Crook  
Application File Number: S-50255  
Permit Number: S-42780  
Applicant: OCHOCO WEST WATER AND SANITARY AUTHORITY

Address: 5488 NW PRINE RD  
PRINEVILLE, OR 97754

River Basin: Deschutes Basin  
Water Source: SPRINGS > LYTLE CREEK  
Authorized Use of Water: DOMESTIC INCLUDING LAWN AND GARDEN  
Maximum Diversion/  
Appropriation Rate: 0.2 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1996 to October 1, 2041; and grant an extension of time to apply water to full beneficial use from October 1, 1996 to October 1, 2041

## 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 24, 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-1355  
E G M LLC  
FRIES, GREG  
PO BOX 429  
DUNDEE, OR 97115  
POD: 1 GALESVILLE RES > COW CR  
SW 1/4 SW 1/4 Section 30 T 25.00S R 6.00W WM  
Douglas County  
2.65 C for IRRIGATION

LL-1356  
MAJORS, JANETTE  
PO BOX 681  
ASHLAND, OR 97520  
POD: 1 APPELEGATE R > ROGUE R  
NE 1/4 SW 1/4 Section 19 T 40.00S R 3.00W WM  
Jackson County  
0.005 C for HUMAN CONSUMPTION  
  
POD: 2 APPELEGATE RES > ROGUE R  
NE 1/4 SW 1/4 Section 19 T 40.00S R 3.00W WM  
Jackson County  
0.0625 C for IRRIGATION

## 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 31, 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 1164

**\*\* Lessee \*\***

DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST  
BEND, OR 97701

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

LEITHAUSER, FLOYD  
ELL, LLC  
PO BOX 157  
SISTERS, OR 97759

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM POD TO MOUTH OF WHYCHUS CR AND INTO DESCHUTES R TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
67284 RR *		1883	IR	0.24	89.5	SQUAW CREEK	DESCHUTES RIVER	12.0

Reach: FROM POD ON WHYCHUS CR TO MOUTH AND INTO DESCHUTES R TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
36137 CF * 21.33		1883	IR	0.43	158.85	SQUAW CREEK	DESCHUTES RIVER	

County: Deschutes

Instream Lease Number: IL 1165

\*\* Lessor \*\*  
HINGLEY, GARY  
20925 YOUNG AVE  
BEND, OR 97701

\*\* 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: FROM COID NORTH CANAL POD 11 TO MOUTH OF DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571 CF RR CR *		10/31/1900	IR	0.051	16.35	DESCHUTES RIVER	COLUMBIA RIVER	3.0

County: Deschutes

Instream Lease Number: IL 1166

\*\* Lessor \*\*

LICITRA, TONY  
61975 SOMERSET DR  
BEND, OR 97702-8716

\*\* Lessor \*\*

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

\*\* Lessee \*\*

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

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM CO 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	0.341	109.56	DESCHUTES RIVER	COLUMBIA RIVER	20.1

County: Deschutes

Instream Lease Number: IL 1167

\*\* 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: FROM COID NORTH CANAL POD#11 TO MOUTH OF DESCHUTES R

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1900	IR	0.024	7.63	DESCHUTES RIVER	COLUMBIA RIVER	1.

Reach: FROM CO CANAL POD#1 TO MOUTH OF DESCHUTES R

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1900	IR	0.466	149.78	DESCHUTES RIVER	COLUMBIA RIVER	27.48

County: Deschutes

Instream Lease Number: IL 1168

\*\* Lessor \*\*

DESCHUTES RIVER CONSERVANCY  
PO BOX 1560  
BEND, OR 97709

\*\* Lessor \*\*

STASTNY, DONALD  
2309 SW 1ST AVE 1145  
PORTLAND, OR 97201-5040

\*\* Lessor \*\*

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

Contact: LAURA WILKE at (503) 986-0884

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

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1990	IR	0.042	13.63	DESCHUTES RIVER	COLUMBIA RIVER	2.5



County: Douglas

Instream Lease Number: IL 1169

\*\* Lessor \*\*

JONES, GLORIA  
2307 HUBBARD CREEK RD  
UMPQUA, OR 97486

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM POD TO THE MOUTH OF THE UMPQUA R

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
41522 OR	* S 35192	6/5/1970	IR	0.63	126.0	UMPQUA RIVER	PACIFIC OCEAN	50.4

Reach: FROM POD TO THE MOUTH OF UMPQUA R

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
59059 OR	* S 39075	5/14/1974	IR	0.73	146.5	UMPQUA RIVER	PACIFIC OCEAN	58.6

## 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 09, 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: CLACKAMAS  
Transfer: 11240  
Water Right: CERT 29328  
Priority Date: APRIL 14, 1958  
Name: HELLEN HEIDI AFFENTRAGER  
Address: 16971 SOUTH CLACKAMAS RIVER DRIVE  
OREGON CITY OR 97045  
Change: USE/POU/POD/APOD  
Source: CLACKAMAS RIVER

County: DOUGLAS  
Transfer: 11241  
Water Right: CERT 79011  
Priority Date: SEPTEMBER 2, 1983  
Name: GLENN & DORIS BUTLER  
Address: 18478 DIXONVILLE RD, ROSEBURG OR 97470  
Change: POU/APOD  
Source: DEER CREEK

County: CROOK  
Transfer: 11243  
Water Right: CERT 22454  
Priority Date: JULY 23, 1946  
Name: TEREBOBNE DOMESTIC WATER DISTRICT  
Address: PO BOX 31, TERREBONNE OR 97760  
Change: USE/POU  
Source: CROOKED 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 09, 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-8414 filed by the CITY OF SWEET HOME, 1730 N 9th Ave, Sweet Home, Oregon 97386, proposes a change in character of use under Certificate 9288. The right allows the use of 0.076 CUBIC FOOT PER SECOND (priority date APRIL 24, 1931) from AMES CREEK in Sec. 31, T 13 S, R 1 E, W.M. for MAINTENANCE OF A MILL POND in Sec. 31. The applicant proposes to change the character of use to Municipal 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.

T-11152 filed by Stauffer Brothers, 13851 Stauffer Road NE, Hubbard, OR 97032, proposes additional points of appropriation under Certificate 55411. The right allows the use of 1.06 cubic feet per second (priority date April 28, 1978) from a well in Sec. 26, T 4 S, R 1 W, W.M. (Willamette Basin) for irrigation and supplemental irrigation in Secs. 26 and 27. The applicant proposes three additional points of appropriation approximately 250 feet west, 500 feet southwest, and 400 feet west in Sec. 26, T 4 S, R 1 W, W.M. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

T 11153 filed by Ray & Eleanor Will and Roy & Gloria Will, 13601 Stauffer Rd. NE, Hubbard, OR 97032, proposes four additional points of appropriation under Registration Application GR-759 (Certificate of Registration GR 785). The ground water registration claims the use of 250 gallons per minute (tentative priority date March 31, 1953) from a well in Sec. 26, T 4 S, R 1 W, W.M. (Willamette Basin) for irrigation in Sects. 26 and 27. The applicant proposes additional points of appropriation approximately 1100 feet east, 850 feet east, 1050 feet southeast, and 1500 feet east in Sec. 26, T 4 S, R 1, W, W.M. The Water Resources Department has concluded that the proposed modification appears to be consistent with the requirements of ORS Chapter 537, ORS Chapter 540 and OAR 690-382-1000.

## 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 June 09, 2011. The Department shall consider the comments in determining whether to condition, reject, or revoke a temporary district transfer.

County: UMATILLA  
Transfer: 11238  
Water Right: CERT 85124,74898,74762,86214,80850  
PERMITS G 2415,S 54561  
Priority Date: 1971,1963,1973,1955,2007  
Name: ECHO IRRIGATION DISTRICT  
Address: 73120 HWY 207, ECHO OR 97826  
Change: POU/POA  
Source: WELLS/COLUMBIA RIVER

County: UMATILLA  
Transfer: 11239  
Water Right: CERT 80849  
Priority Date: DECEMBER 29, 1975  
Name: ECHO IRRIGATION DISTRICT  
Address: 73120 HWY 207, ECHO OR 97826  
Change: POU  
Source: WELLS

## 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 09, 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: UMATILLA  
NOTICE OF DISTRICT  
PERMANENT TRANSFER: NOTICE # 2011-01  
CERTIFICATE: 76715,79439  
PRIORITY DATE: 1903,1924  
NAME: WESTLAND IRRIGATION DISTRICT  
ADDRESS: PO BOX 944 HERMISTON OR 97838  
CHANGE: POU  
SOURCE: UMATILLA RIVER  
ACRES: 9.0  
AUTHORIZED POU: T4N R28E 33  
PROPOSED POU: T3N R27E 01

COUNTY: JACKSON  
NOTICE OF DISTRICT  
PERMANENT TRANSFER: NOTICE #07-2  
CERTIFICATE: 79212; PERMIT S 25915  
PRIORITY DATE: 5/23/1912, 7/31/1915, 9/6/1915, 9/6/1915  
NAME: TALENT IRRIGATION DISTRICT  
ADDRESS: PO BOX 4676, TALENT, OR 97540  
CHANGE: POU  
SOURCE: EMIGRANT CR, KEENE CR AND RESERVOIR, SODA CR,  
BEAVER CR  
ACRES: 3.00  
AUTHORIZED POU: T37S R1W 34  
PROPOSED POU: T39S R1E 02

COUNTY: JACKSON  
NOTICE OF DISTRICT  
PERMANENT TRANSFER: NOTICE #08-1  
CERTIFICATE: PERMIT S 25915  
PRIORITY DATE: 9/6/1915  
NAME: TALENT IRRIGATION DISTRICT  
ADDRESS: PO BOX 4676, TALENT, OR 97540  
CHANGE: POU  
SOURCE: EMIGRANT CR, KEENE CR AND RESERVOIR, SODA CR,  
BEAVER CR  
ACRES: 0.5  
AUTHORIZED POU: T37S R1W 27  
PROPOSED POU: T39S R1E 15

COUNTY: JACKSON  
NOTICE OF DISTRICT  
PERMANENT TRANSFER: NOTICE #09-6  
CERTIFICATE: 79212; 83727  
PRIORITY DATE: 5/23/1912, 7/31/1915, 9/6/1915, 9/6/1915  
NAME: TALENT IRRIGATION DISTRICT  
ADDRESS: PO BOX 4676, TALENT, OR 97540  
CHANGE: POU  
SOURCE: EMIGRANT CR, KEENE CR AND RESERVOIR, SODA CR,  
BEAVER CR  
ACRES: 3.0  
AUTHORIZED POU: T38S R1E 32  
PROPOSED POU: T38S R1E 32

COUNTY: JACKSON  
NOTICE OF DISTRICT  
PERMANENT TRANSFER: NOTICE #10-1  
CERTIFICATE: 79212; 83727  
PRIORITY DATE: 5/23/1912, 7/31/1915, 9/6/1915, 9/6/1915  
NAME: TALENT IRRIGATION DISTRICT  
ADDRESS: PO BOX 4676, TALENT, OR 97540  
CHANGE: POU  
SOURCE: EMIGRANT CR, KEENE CR AND RESERVOIR, SODA CR,  
BEAVER CR  
ACRES: 4.05  
AUTHORIZED POU: T38S R1W 12  
PROPOSED POU: T38S R1W 12

COUNTY: JACKSON  
NOTICE OF DISTRICT  
PERMANENT TRANSFER: NOTICE #11-1  
CERTIFICATE: 79212; PERMIT S 25915  
PRIORITY DATE: 5/23/1912, 7/31/1915, 9/6/1915, 9/6/1915  
NAME: TALENT IRRIGATION DISTRICT  
ADDRESS: PO BOX 4676, TALENT, OR 97540  
CHANGE: POU  
SOURCE: EMIGRANT CR, KEENE CR AND RESERVOIR, SODA CR,  
BEAVER CR  
ACRES: 6.90  
AUTHORIZED POU: T38S R2W 2  
PROPOSED POU: T37S R2W 33  
T38S R2W 4

COUNTY: JACKSON  
NOTICE OF DISTRICT  
PERMANENT TRANSFER: NOTICE #  
CERTIFICATE: 79212; 83727  
PRIORITY DATE: 5/23/1912, 7/31/1915, 9/6/1915, 9/6/1915  
NAME: TALENT IRRIGATION DISTRICT  
ADDRESS: PO BOX 4676, TALENT, OR 97540  
CHANGE: POU  
SOURCE: EMIGRANT CR, KEENE CR AND RESERVOIR, SODA CR,  
BEAVER CR  
ACRES: 0.12  
AUTHORIZED POU: T38S R2W 2  
PROPOSED POU: T38S R2W 2



## **Transfer Applications: Ground Water Registration Modification**

The holder of a ground water certificate of registration may request that the Department recognize a change in point of appropriation, place of use or character of use under the ground water registration. Modifications of ground water registrations are authorized under ORS 537.610(4) and OAR Chapter 382.

The Department seeks public comment on the recently-filed applications for recognition of modifications in ground water registrations listed below. Any person may comment on an application for a ground water registration modification. Comments must be received by the Department on or before June 09, 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 recognized 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: JOSEPHINE  
Transfer: 11242  
Water Right: APP GR 200 CERT GR 186  
Priority Date: NOVEMBER 2, 1950  
Name: MARK & BECKY VIDLAK  
Address: 17097 WILLIAMS HWY, WILLIAMS OR 97544  
Change: POA  
Source: A WELL

## **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-155**

Project Applicant: Deschutes River Conservancy Mitigation Bank, Central Oregon Irrigation District, and Tony and Roberta Licita

### Mitigation Project

And Process: Instream Lease Application IL-1166 for Certificate 83571 (Also see Instream Lease Section of the May 10, 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 0.341 CFS with a Maximum Seasonal Volume – 109.56 AF

Current Use: Irrigation of 20.1 acres

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

### Preliminary Mitigation

Credit Determination: 36.2 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-156**

Project Applicant: Terrebonne Domestic Water District

Mitigation Project

And Process: Instream Transfer Application T11243 for Certificate 22454 (Also see Transfer Section of the May 10, 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 0.14 CFS with a Maximum Seasonal Volume – 22.4 AF

Current Use: Irrigation of 5.6 acres

Credits Assigned to: Terrebonne Domestic Water District

**Preliminary Mitigation**

Credit Determination: 10.1 Mitigation Credits

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

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

**OREGON  
WATER  
RESOURCES  
DEPARTMENT**



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**

May 10, 2011

Use the back of this form to offer comments on water use requests or other items in this notice or to order copies of proposed final and final orders. You are welcome to submit comments on a separate sheet, but please be sure to include your name and address and reference the specific request or document that concerns you. Please mail your comments to the address listed above.

**Water Use Request Type & File Number**  
(e.g. "Permit Application G-12345" or "Transfer T-1234"):  
enclosed)\*

Mail me the order  
(payment

**Your Name, Address, and Phone Number:**

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\* We are required by law to charge a fee of \$20 to mail a copy of a proposed and final order on a pending water right application or permit extension to any interested person. Please include a check made out to the Oregon Water Resources Department in the amount of \$20 for each type of order you would like mailed to you. This fee entitles you to also receive a copy of the final order, when issued. (Copies of propose final order and final order are also available for viewing—at no charge—at our Salem office or at the local watermaster office.)