

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
June 7, 2011

*This notice is also available on our web page at the following address:
http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21*

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.
- * **Water Right Cancellations**
Abandonment of perfected and developed water rights and requests to cancel all or a portion of rights.
- * **Applications for Extensions of Time to Perfect Water Right Permits**
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- * **Applications for Limited Licenses**
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- * **Application for Instream Lease**
Application by water right holder to lease existing water rights to instream use.
- * **Transfer Applications: Regular**
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.

- * **Transfer Preliminary Determinations**
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- * **Transfer Applications: Temporary Transfers**
Requests to temporarily change place of use and, if necessary to convey the water to the new place of use, to temporarily change the point of diversion or appropriation.
- * **Transfer Applications: Permit Amendments**
Requests to amend permits.
- * **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)**

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, July 07, 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, July 22, 2011.

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

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

How to Read the Listing

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

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

FIRST LINE:

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

SECOND LINE:

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

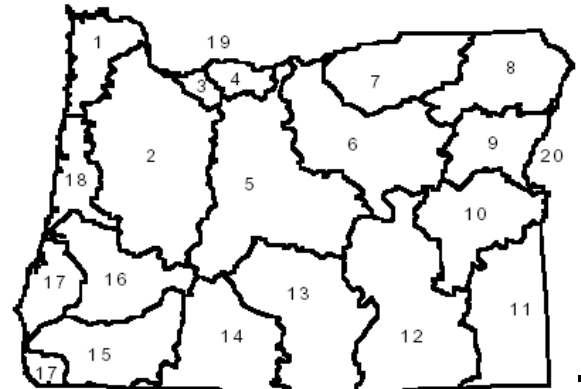
BASINS:

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

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

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

Commonly used “Type



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
S-87342	HILL (C/O), WILLIAM CFRI-HWKD MIDDLE	ZENA LLC PO BOX 3989 4	FINANCIAL PLAZA NAPA, CA	94558		IR	2
2	UNNAMED STREAM > SPRING VALLEY CREEK	6.00S 4.00W 23	SESW	Polk	11/19/2008	0.245C	
2	A RESERVOIR > SPRING VALLEY CREEK	6.00S 4.00W 23	SESW	Polk	11/19/2008	8.0A	
2	A RESERVOIR > SPRING VALLEY CREEK	6.00S 4.00W 23	SWSW	Polk	11/19/2008	5.404A	
2	A RESERVOIR > SPRING VALLEY CREEK	6.00S 4.00W 23	SWSW	Polk	11/19/2008	5.404A	
2	A RESERVOIR > SPRING VALLEY CREEK	6.00S 4.00W 23	SWNW	Polk	11/19/2008	5.404A	
2	A RESERVOIR > SPRING VALLEY CREEK	6.00S 4.00W 23	SWNW	Polk	11/19/2008	5.404A	
2	A RESERVOIR > SPRING VALLEY CREEK	6.00S 4.00W 23	SWSE	Polk	11/19/2008	5.404A	
2	A RESERVOIR > SPRING VALLEY CREEK	6.00S 4.00W 23	SWNE	Polk	11/19/2008	5.404A	
2	A RESERVOIR > SPRING VALLEY CREEK	6.00S 4.00W 23	SESE	Polk	11/19/2008	5.404A	
Uses:	IS PM						

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-16945	2	MARI	10/18/2007		LEROY LAACK	05/26/2011
S-86446	16	DOUG	10/21/2005	D G FAMILY TRUSTS II LLC	MARY ANN JEFFRIES	05/26/2011
R-87591	2	POLK	03/12/2010		DAN DAIL	06/02/2011
G-17311	13	LAKE	02/11/2010		KENNETH HINCKLE	06/03/2011
S-87684	15	JACK	01/26/2011		JIM WAPELHORST	06/03/2011
S-87691	2	POLK	02/16/2011		GARTH MULKEY	06/03/2011

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 August 06, 2011.

R-87724

DICKERSON, CLAY C. 1745 QUINES CREEK RD AZALEA, OR 97410

POD: 1 RUNOFF > QUINES CREEK

SW 1/4 NE 1/4 Section 27T 32.00S R 5.00W WM

Douglas County

1.0 A for MULTIPLE PURPOSE (est.)

POD: 2 UNNAMED STREAM > QUINES CREEK

SW 1/4 NE 1/4 Section 27T 32.00S R 5.00W WM

Douglas County

1.0 A for MULTIPLE PURPOSE (est.)

R-87728

KLEIN, RICHARD 49409 NW PONGRATZ RD BANKS, OR 97106

POD: 1 RUNOFF > WEST FORK DAIRY CREEK

NW 1/4 SE 1/4 Section 4 T 2.00N R 4.00W WM

Washington County

3.0 A for MULTIPLE PURPOSE

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: LINN
WATER RIGHT CERTIFICATE: 9692, IN THE NAME OF MOUNTAIN STATES
POWER COMPANY
PRIORITY DATE: AUGUST 23, 1920
SOURCE: THOMAS CR > SANTIAM R
LANDOWNER: ZIGLINSKI FAMILY, LLC
ADDRESS: 42647 HIGHWAY 226, SCIO, OR 97374
USE: DEVELOPMENT OF 326 THEORETICAL HORSEPOWER FOR
MUNICIPAL LIGHTING, PUMPING & MANUFACTURING
QUANTITY: 47.0 CFS
ACRES:
LOCATION: T10S, R1E, 8, NENW

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 400

**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 July 07, 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-14450
Permit Number: G-13463
JONES FARM OWNERS ASSOCIATION
PO BOX 23099
TIGARD, OR 97281-3099
Washington County
A WELL > MCKAY CREEK
1.07 CFS
IRRIGATION ON 85.7 ACRES
October 1, 2020

Application Number: G-15210
Permit Number: G-15144
THREEMILE FARMS LLC
DOWNEY, WAYNE
75906 THREEMILE RD
BOARDMAN, OR 97818
Morrow County
FOUR WELLS > WILLOW CREEK
2.67 CFS
AGRICULTURE USES
October 1, 2021

**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 July 22, 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:	Sherman
Application File Number:	G-12391
Permit Number:	G-11973
Applicant:	CITY OF WASCO
Address:	PO BOX 26 WASCO, OR 97065
River Basin:	Deschutes Basin
Water Source:	TWO WELLS> SPANISH HOLLOW
Authorized Use of Water:	MUNICIPAL USES
Maximum Diversion/ Appropriation Rate:	0.91 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1997 to October 1, 2048; and grant an extension of time to apply water to full beneficial use from October 1, 1998 to October 1, 2048.

County of Use: Linn
Application File Number: S-64559
Permit Number: S-47330
Applicant: CITY OF JEFFERSON
Address: PO BOX 83
JEFFERSON, OR 97352
River Basin: Willamette Basin
Water Source: SANTIAM RIVER > WILLAMETTE RIVER
Authorized Use of Water: MUNICIPAL USES
Maximum Diversion/
Appropriation Rate: 3.09 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1994 to October 1, 2044; and grant an extension of time to apply water to full beneficial use from October 1, 1994 to October 1, 2044.

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 June 21, 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-1360
WILLAMALANE PARKS AND RECREATION
TETZLER, DAN
682 36TH ST
SPRINGFILED, OR 97478
POD: 1 WILLAMETTE R > COLUMBIA R
NE 1/4 SE 1/4 Section 34 T 17.00S R 3.00W WM
Lane County
0.11 C for RECREATION - FISHING PONDS

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 June 28, 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: Yamhill

Instream Lease Number: IL 1173

**** Lessor ****

CRUICKSHANK, GARY
11400 SE STOCKHOFF RD
DAYTON, OR 97114

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM POD TO MOUTH OF THE WILLAMETTE RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
51060 OR * S	40709	12/31/1976	IR	1.92	3.8	SOUTH YAMHILL RIVER	YAMHILL RIVER	153.6

County: Deschutes

Instream Lease Number: IL 1174

**** 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 POD#1 AND POD #11 TO LAKE BILLY CHINOOK AND INTO THE MADRAS REACH

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1900	IR	0.096	30.48	DESCHUTES RIVER	COLUMBIA RIVER	10.46

Reach: FROM POD#1 AND POD #11 TO LAKE BILLY CHINOOK AND INTO THE MADRAS REACH

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
83571	CF RR CR *	10/31/1900	IR	0.131	42.11	DESCHUTES RIVER	COLUMBIA RIVER	10.46

County: Deschutes

Instream Lease Number: IL 1175

** Lessor **

SWALLEY IRRIGATION DISTRICT
64672 COOK AVE SUITE 1
BEND, OR 97701

** Lessor **

GHEEN, HANSON
8430 SW 77TH ST
BEND, OR 97701

** Lessor **

GHEEN, GLENDA
8430 SW 77TH ST
BEND, OR 97701

** Lessee **

DESCHUTES RIVER CONSERVANCY
PO BOX 1560
BEND, OR 97709

** Lessor **
AGNEW, PATRICK K.
404 STEEPLE LANE
WILDWOOD, MO 63005

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM SWALLEY MAIN CANAL POD#3 TO THE MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
74145	CF RR *	9/1/1899	IR	0.0045		DESCHUTES R	COLUMBIA R	38.4

County: Deschutes

Instream Lease Number: IL 1176

** Lessor **
SWALLEY IRRIGATION DISTRICT
64672 COOK AVE SUITE 1
BEND, OR 97701

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

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM SWALLEY MAIN CANAL POD#3 TO THE MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
74145	CF RR *	9/1/1899	IR	0.11		DESCHUTES R	COLUMBIA R	14.4

County: Crook

Instream Lease Number: IL 1177

** Lessor **

OCHOCO IRRIGATION DISTRICT
1001 NW DEER ST
PRINEVILLE, OR 97754

** Lessor **

TYE, AMY
BANK OF THE CASCADES
1070 NW BOND ST SUITE 203
BEND, OR 97701

** Lessee **

DESCHUTES RIVER CONSERVANCY
700 NW HILL ST
BEND, OR 97701

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM POD#1 TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
82246	CF RR * S 5426	8/10/1917	IR	0.146	46.8	OCHOCO CREEK	CROOKED RIVER	11.7

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 July 07, 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: UMATILLA
Transfer: 11254
Water Right: CERT 79889
Priority Date: FEBRUARY 25, 1977
Name: IVAN COOK
Address: 1870 S 1ST STREET HERMISTON OR 97838
Change: POU/POA
Source: WELLS

County: UMATILLA
Transfer: 11255
Water Right: CERT 79889
Priority Date: FEBRUARY 25, 1977
Name: HERMISTON PARTNERS 1, LLC
Address: PO BOX 13103 DES MOINES IOWA 50310
Change: POU/POA
Source: WELLS

County: UMATILLA
Transfer: 11256
Water Right: CERT 79889
Priority Date: FEBRUARY 25, 1977
Name: PIONEER HI-BRED INTERNATIONAL INC.
Address: 2212 SE 9TH STREET HERMISTON OR 97838
Change: POU/POA
Source: WELLS

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 July 07, 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-11227 filed by Terra Poma Land, LLC, PO Box 862, Hermiston, OR 97838, proposes a change in place of use under Certificate 52082. The right allows the use of 1.1 cubic feet per second (priority date June 29, 1973) from a well in Sec. 2, T 4 N, R 25 E, W.M. (Umatilla Basin) for irrigation in Secs. 7, 8, 17 and 18, T 4 N, R, 25 E, W.M. The applicant proposes to change the place of use to Sec. 8, T 3 N, R 27 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-11228 filed by Katherine L. Sagunsky and Bryan Stuart, 735 Hanks Street, Klamath Falls, OR 97601, proposes a change in place of use under Certificate 48727. The right allows the use of 0.005 cubic foot per second (priority date January 16, 1978) from Lake of the Woods in Sec. 14, T 37 S, R 5 E, W.M. for domestic use in Sec. 14. The applicant proposes to change the place of use within Sec. 14. 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: UMATILLA
Transfer: 11258
Water Right: CERT 79889
Priority Date: FEBRUARY 25, 1977
Name: PIONEER HI-BRED INTERNATIONAL INC.
Address: 2212 SE 9TH STREET HERMISTON OR 97838
Change: POU/POA
Source: WELLS

County: BAKER/UNION
Transfer: 11259
Water Right: CERT 8394
Priority Date: 1911
Name: DELBERT STEPHENS
Address: 46226 ROCK CREEK TOWN ROAD HAINES OR 97833
Change: POU
Source: A RESERVOIR/NORTH POWDER RIVER

County: MARION
Transfer: 11260
Water Right: CERT 30118
Priority Date: 1958
Name: RON VANDECOUVERING
Address: 11607 BARON ROAD MT ANGEL OR 97362
Change: POU
Source: S/N STREAM/RESERVOIRS/ZOLLNER CREEK

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: LANE
Transfer: 11252
Water Right: PERMIT G 13183
Priority Date: NOVEMBER 16, 1994
Name: CITY OF COBURG
Address: PO BOX 8316, COBURG OR 97408
Change: POA
Source: A WELL

County: DESCHUTES
Transfer: 11253
Water Right: PERMIT G 15357
Priority Date: JUNE 3, 2002
Name: STEPHEN & CLANCY ROTH
Address: 41600 HWY 20 BROTHERS, OR 97712
Change: POA/APOA
Source: A WELL

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 July 07, 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 # 2011-02
CERTIFICATE: UMATILLA RIVER DECREE VOL 3 PG 242
PRIORITY DATE: 1905
NAME: HERMISTON IRRIGATION DISTRICT
ADDRESS: 366 E HURLBURT AVE HERMISTON OR 97838
CHANGE: POU
SOURCE: UMATILLA RIVER
ACRES: 5.70
AUTHORIZED POU: T5N R28E 27
PROPOSED POU: T5N R28E 27

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-157

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

Mitigation Project
And Process: Instream Transfer Application T-11248 for Certificate 83571 (Also see Instream Transfer Section of the May 31, 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 0.432 CFS with a Maximum Seasonal Volume – 138.82 AF

Current Use: Irrigation of 25.47 acres

Credits Assigned to: Deschutes River Conservancy and Central Oregon Irrigation District

Preliminary Mitigation
Credit Determination: 45.8 Mitigation Credits
May be available for use in the Middle Deschutes and General Zones of Impact

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

Crook County

Mitigation Project #: MP-158

Project Applicant: Deschutes River Conservancy Mitigation Bank and Cheryl Parga

Mitigation Project

And Process: Instream Lease Application IL-1178 for Certificate 72314, 65987, 29013, 48122, and 66290 (Also see Instream Lease Section of the June 7, 2011 public notice for application details)

Subbasin/Source: Crooked River Subbasin – Allen Creek and McKay Creek, tributary to the Crooked River

Amount of Water: Proposed Instream: up to 3.5 CFS with a Maximum Seasonal Volume – 764.0 AF

Current Use: Irrigation of 191.0 acres

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: 343.8 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

June 7, 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.)