

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
August 16, 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.
- * **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.
- * **Extension of Time Checkpoint Progress Reports filed pursuant to OAR 690-315**
Documents the progress made toward development of the water use project since approval of the last permit extension and/or the last progress report checkpoint. (OAR 690-315 pertains to permit extension applications filed on or after July 1, 2001.)
- * **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.
- * **Renewal of Aquifer Storage and Recovery (ASR) Limited Licenses (OAR 690-350- 020(5)(c))**
Requests to renew ASR Limited Licenses for 5 years or less.
- * **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.

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@wrđ.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, September 15, 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, September 30, 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)

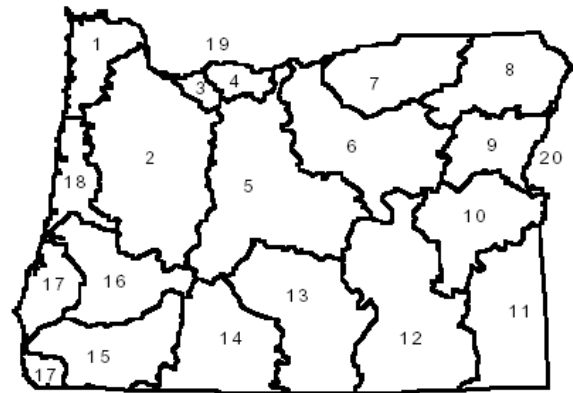
BASINS:

- | | |
|-----------------|---------------------|
| 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 |

(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 of Use" abbreviations



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
S-87703	WOOD, MONTE 12945 SE FAIRVIEW RD DAYTON, OR 97114						IR 2
2	A RESERVOIR > PALMER CREEK	5.00S 3.00W 19 NWNW	Yamhill	03/08/2011	10.0A		
2	A RESERVOIR > PALMER CREEK	5.00S 3.00W 19 NWNW	Yamhill	03/08/2011	10.0A		
Uses: IR IS							
G-17308	TEAGUE, GLEN 1055 MENDIOLA RD NYSSA, OR 97913						IR 2
11	A WELL > OWYHEE RIVER	21.00S 46.00E 17 SENW	Malheur	02/08/2010	0.401C		
Uses: IR							
S-87737	OSMAN, DANA C 25473 CAPE VIEW LOOP GOLD BEACH, OR 97444						IR 2
17	UNNAMED STREAM > MYERS CREEK	38.00S 14.00W 7 SWNE	Curry	07/11/2011	0.1C		
Uses: DO FP IR							
G-17437	MILLER, JENNIFER 3925 N KERBY PORTLAND, OR 97227						PFO 2
4	A WELL > PINE CREEK	2.00S 13.00E 18 SESE	Wasco	11/15/2010	0.034C (est)		
4	A WELL > PINE CREEK	2.00S 13.00E 18 SESE	Wasco	11/15/2010	0.034C (est)		
Uses: IR							
G-17166	LONG HAUL TIMBER AND CATTLE LLC 24620 TRILLIUM LANE ELMIRA, OR 97347						PFO 2
2	A WELL > HANNAVAN CREEK	17.00S 6.00W 11 SESE	Lane	01/20/2009	0.09C		
Uses: IR PM							
G-17211	GRAVES, RONALD N. J R SIMPLOT SELF DECLARATION OF REVOCABLE TRUST PO BOX 27 BOISE, ID 83707						PFO 3
13	A WELL > CHEWAUCAN RIVER	34.00S 19.00E 23 NESW	Lake	05/07/2009	3.4C		
Uses: IR							
G-17400	HENSLEE, RICK D. 60523 HWY 402 LONG CREEK, OR 97856						PFO 3
6	A WELL > LONG CREEK	10.00S 30.00E 9 NENE	Grant	06/21/2010	1.23C		
Uses: IR							

App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
G-17145	UNDERWOOD, HAROLD	8400 BUENA VISTA RD	INDEPEDENCE, OR	97351			PFO 3
2	A WELL > DUCK SLOUGH	9.00S 4.00W 3	SENE	Polk	11/20/2008	1.0C	
Uses:	IR						

Permit Application Final Orders

Following is a list of applications that have had final orders issued recently. If you would like a copy of any of the final orders, you may send a request with \$20.00 for each final order to the Water Rights Section, Oregon Water Resources Department, 725 Summer Street NE Ste A, Salem OR 97301. If you have any questions, please contact the Department's customer service staff by dialing 503-986-0801.

Application	Basin	County	Priority	Company	Name	FO Date
G-15565	14	KLAM	07/20/2001		DAVID OXLEY	08/04/2011
G-17156	2	MARI	12/30/2008		JEFFERSON DEFERRA	08/04/2011
G-17319	14	KLAM	03/22/2010	SPLENDOR RIDGE INC.	DOUGLAS ADKINS	08/04/2011
S-87707	15	JACK	03/25/2011		ANGELA SCHOCK	08/04/2011
S-87710	2	LANE	04/04/2011		BEVERLY MARSHALL	08/05/2011
S-87701	2	WASH	04/13/2011	STUART HOLDINGS LLC		08/11/2011
S-87706	16	DOUG	03/14/2011	NORRIS FARMS LLC		08/11/2011
S-87712	2	POLK	04/14/2011		KIMBERLY SWECKER	08/11/2011

**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 September 15, 2011. Following the comment period, the Department will prepare and issue a proposed final order. Individuals who would like a copy of the proposed final order may request copies by sending a request and \$20 (the charge required by law). Please indicate the file number. Copies of the proposed final order may be viewed at the Department and/or self copied. Individuals wishing to obtain a copy of the extension application should contact the Department by phone or in person.

Extension file information is included in the following format:

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

Application Number: S-75215
Permit Number: S-53596
ES PROPERTY HOLDINGS, LLC
HALPIN, RICHARD
7159 CROWFOOT RD
TRAIL, OR 97541
Jackson County
LOST CREEK RESERVOIR > ROGUE RIVER
46.4 AF
SUPPLEMENTAL IRRIGATION OF 23.2 ACRES
October 1, 2012

Application Number: G-13868
Permit Number: G-13083
STOLLER, WILLIAM H
15505 NE STOLLER RD
DAYTON, OR 97114
Yamhill County
SEVEN WELLS > YAMHILL RIVER
CUMMULATIVE TOTAL OF 0.579 CFS
IRRIGATION OF 349.2 ACRES AND INDUSTRIAL USE
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 September 30, 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:	Morrow
Application File Number:	G-8400
Permit Number:	G-7611
Applicant:	CHARLES JONES ESTATE JONES, KEN
Address:	PO BOX 311 LEXINGTON, OR 97839
River Basin:	Umatilla Basin
Water Source:	A WELL > WILLOW CREEK
Authorized Use of Water:	IRRIGATION AND SUPPLEMENTAL IRRIGATION ON 62.6 Acres
Maximum Diversion/ Appropriation Rate:	0.78 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1980 to October 1, 2012; and grant an extension of time to apply water to full beneficial use from October 1, 1980 to October 1, 2012.

County of Use: Coos
Application File Number: G-14559
Permit Number: G-13328
Applicant: WEBB, MICHAEL
WINTERS-WEBB, MICHELLE
Address: PO BOX 1934
BANDON OR 9711
AND ...
NORTHWEST FARM CREDIT SERVICES FLCA
PO BOX 2515
SPOKANE, WA 99220-2515
River Basin: South Coast Basin
Water Source: TWO SUMP WELLS > ROSA CREEK
Authorized Use of Water: IRRIGATION ON 27.0 Acres
Maximum Diversion/
Appropriation Rate: 0.602 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2010 to October 1, 2017.

County of Use: Morrow
Application File Number: G-15210
Permit Number: G-15144
Applicant: THREEMILE FARMS LLC; DOWNEY, WAYNE
Address: 75906 THREEMILE RD
BOARDMAN, OR 97818
River Basin: Umatilla Basin
Water Source: FOUR WELLS > SIXMILE CANYON
Authorized Use of Water: AGRICULTURE USES
Maximum Diversion/
Appropriation Rate: 2.67 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2006 to October 1, 2021.

County of Use: Wasco
Application File Number: R-84049
Permit Number: R-13105
Applicant: CITY OF THE DALLES ATTN: DAVE ANDERSON
Address: 1215 WEST 1ST ST
THE DALLES, OR 97058-3542
River Basin: Hood Basin
Water Source: SOUTH FORK MILL CREEK > MILL CREEK
DOG RIVER > EAST FORK HOOD RIVER
Authorized Use of Water: MUNICIPAL USES
Maximum Diversion/
Appropriation Rate: 2100 AF

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from November 20, 2011 to November 20, 2021.

County of Use: Wasco
Application File Number: S-84050
Permit Number: S-53930
Applicant: CITY OF THE DALLES ATTN: DAVE ANDERSON
Address: 1215 WEST 1ST ST
THE DALLES, OR 97058-3542
River Basin: Hood Basin
Water Source: A RESERVOIR > SOUTH FORK MILL CREEK
Authorized Use of Water: MUNICIPAL USES
Maximum Diversion/
Appropriation Rate: 2100 AF

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2007 to October 1, 2041.

Extensions of Time Progress
Checkpoint Progress Reports filed pursuant to OAR 690-315

Consistent with OAR 690-315-0050(6), the Department will accept public comment on the following Extension of time Checkpoint Progress Reports until September 15, 2011. Comments must be in writing and must indicate the application file and permit numbers. Following the comment period, the Department shall review evidence to determine whether or not the permit holder has been diligent in developing and perfecting the water use permit and has complied with all terms and conditions of the permit and/or extension of time. Additionally, the Department will provide notice of its determination to anyone who has submitted comments.

Extension file information is included in the following format:

- (a) Permit holder's name and address;
- (b) Application file number / permit number
- (c) County of use
- (d) Quantity of permitted water use in gallons per minute (gpm), cubic feet per second (cfs) or acre feet (af);
- (e) Common name of water source(s) listed in the permit;
- (f) Use of water allowed under the permit;

SOUTHVIEW IMPROVEMENT DISTRICT
ATTN: DONALD M. LOUX
APPLICATION NUMBER: G-15347 PERMIT NUMBER: G-15107
LANE COUNTY
WELL 3 IN BERRY CREEK BASIN
GROUP DOMESTIC USE EXPANDED FOR 30 HOUSEHOLDS AND IRRIGATION
OF 1.0 ACRE

BILL OLINGER PROPERTIES, LLC
APPLICATION NUMBER: G-14994 PERMIT NUMBER: G-13936
MARION COUNTY
A WELL IN THE WILLAMETTE RIVER BASIN
COMMERCIAL USE

ECHO CANYON RANCHES, INC.
APPLICATION NUMBER: G-11893 PERMIT NUMBER: G-13786
MALHEUR COUNTY
ONE WELL WITHIN THE OWYHEE RIVER BASIN
IRRIGATION OF 200.0 ACRES

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 August 30, 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-1374
GLEN/MAR CONSTRUCTION INC
PADDISON, NEAL
15800 SE 135TH AVE
CLACKAMAS, OR 97015
 POD: 1 GALESVILLE RES > COW CR
 SW 1/4 SW 1/4 Section 13 T 27.00S R 6.00W WM
 Douglas County
 5.0 A for GENERAL CONSTRUCTION OR MAINTENANCE

**Renewal of Aquifer Storage and Recovery (ASR) Limited Licenses
(OAR 690-350-020(5)(c))**

ASR means the storage of water from a separate source that meets drinking water standards in a suitable aquifer for later recovery and not having as one of its primary purposes the restoration of the aquifer (ORS 537.531). The use of water for ASR testing purposes requires a limited license pursuant to ORS 537.534. The requirements and procedures of an ASR limited license are different than those for limited licenses pursuant to ORS 537.143. Only after completion of an ASR testing program under a limited license may an applicant apply for a permanent ASR permit. The appearance of a renewal request in the public notice commences a 30-day public comment period. Following the public comment period, the Department may request additional information regarding the renewal request, renew the limited license, renew the limited license with additional conditions, or deny the request.

An ASR Limited License may be renewed if the applicant demonstrates to the Director's satisfaction that further testing is necessary and that the applicant complied with the terms of the limited license. The standards, findings and process used in the license renewal process shall be as provided in OAR 690-350-0020. The Director may renew an ASR Limited License for a term of not more than 5 years.

CLAC

ASR LL #003
Renewal

Clackamas River Water
c/o Rob Cummings
16770 SE 82nd Drive
Clackamas, OR 97015

The license holder requests to renew the existing ASR limited license for 5 years.

CURRENTLY AUTHORIZED

Diversion of 3 cfs from the Clackamas R., a tributary of the Willamette R.
Using authorization of water right Permit S-22581, held by South Fork Water Board, Permit S-34426, held by Clackamas River Water for municipal use, or the ASR limited license for ASR testing as a non-municipal use.

Storage of 200 million gallons in a basalt aquifer
Combined maximum injection of 12,000 gpm through 6 wells
Combined maximum withdrawal of 12,000 gpm through 6 wells
For municipal use or ASR testing as non-municipal use

Clackamas River POD for Permit S-22581: T2S/R2E, Section 21
Clackamas River POD for Permit S-34426: T2S/R2E, Section 16
Either of the above-referenced Clackamas River POD's for ASR testing as a non-municipal use or municipal use under the ASR limited license
ASR Wells: T2S/ R2E, Sections 28, 29, 33 and 34.

WASH

ASR LL #005
Renewal with modifications

City of Tigard
Dennis Koellermeier
13125 SW Hall Blvd.
Tigard, OR 97223

The license holder requests to renew the existing ASR limited license for 5 years.

CURRENTLY AUTHORIZED

Diversion of 9 cfs from a combination of the Bull Run River, a tributary of the Sandy River, using authorization of ORS 538.420 and the Tualatin River, a tributary of the Willamette River, using authorization of Permit S-46423.
Storage of 400 million gallons in a basalt aquifer
Maximum injection of 1,750 gpm per well through five wells
Maximum withdrawal of 1,750 gpm per well through five wells
Water withdrawn from an ASR well is first debited against a storage account before the withdrawal is considered natural water.
Complete water quality testing is conducted at each well.
For municipal use

Bull Run River POD: T1S/R5E, Section 25, SW1/4 SW1/4

Tualatin River POD: T1S/R3W, Section 8, SW1/4 SW1/4

Authorized ASR Wells:

ASR 1---T2S/R1W, Section 11, SW1/4 NW1/4

ASR 2--- T2S/R1W, Section 10, SW1/4 NW1/4

ASR 3--- T2S/R1W, Section 10, NW1/4 NW1/4

ASR 4--- T2S/R1W, Section 9, SW 1/4 NE 1/4

ASR 5--- T2S/R1W, Section 4, NW1/4 SE 1/4

AUTHORIZATION CHANGES REQUESTED

Modify Condition 11B to allow simultaneous withdrawals of natural and stored water from ASR wells.
Allow well-field water quality sampling approach for ASR 2 and ASR 3

Rename and relocate:

ASR 4 to ASR 3---T2S/R1W, Section 9, SW1/4 NE 1/4

ASR 3 to ASR 4---T2S/R1W, Section 10, NW1/4 SW1/4

Relocate:

ASR 5---T2S/R1W, Section 5, SW1/4 SE1/4

Increase:

Maximum storage volume of 500 million gallons in a basalt aquifer

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 September 15, 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: KLAMATH
Transfer: 11279
Water Right: CERTS 45158, 47296 AND 68022
Priority Date: 1961, 1971
Name: GREGORY BULKLEY AND JACQUELINE GRAHAM
Address: 28850 IVORY PINE RD, PO BOX 46, BLY OR 97622
Change: POU, USE
Source: FIVEMILE CREEK

County: MALHEUR
Transfer: 11280
Water Right: CERTS 37339 AND 51472
Priority Date: 1966, 1977
Name: JERROLD STRICKLAND
Address: 6110A HWY 201, HUNTINGTON OR 97907
Change: POU
Source: SNAKE 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 September 15, 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-7819 filed by Weyerhaeuser Co., P.O. Box 907, Albany OR 97321, proposes a change point of diversion, changes in places of use, and changes in character of use under Certificates 27995 and 27996. Certificate 27995 allows the use of 0.21 cubic foot per second (priority date March 23, 1955) from the Coast Fork Willamette River in Sec. 15, T 20 S, R 3 W, W.M. for mill use and maintenance of log pond constructed under Permit R-2077 in Sec. 15. The applicant proposes to move the point of diversion approximately 1782 feet downstream to within Sec. 10, T 20 S, R 3 W, W.M.; to change the place of use to within Sects. 10 and 15, T 20 S, R 3 W, W.M.; and to change the character of use to industrial/mill use. Certificate 27996 allows the storage of 10.6 acre feet (priority date March 23, 1955) from the Coast Fork Willamette River in Sec. 15, T 20 S, R 3 W, W.M. for Rickini Mill Pond and storage of water for mill pond in Sec. 15. The applicant proposes to move the point of diversion approximately 1782 feet downstream to within Sec. 10, T 20 S, R 3 W, W.M.; to change the place of use to within Sects. 10 and 15, T 20 S, R 3 W, W.M.; and to change the character of use to industrial/mill use. The Water Resources Department has concluded that the proposed transfer

appears to not be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11102 filed by the City of Prineville (387 NE 3rd St., Prineville, OR 97754) proposes a change in place of use and a change in character of use under Certificates 75486 and 75488. Certificate 75486 allows the use of 0.25 Cubic Foot per Second (cfs) (priority date September 11, 1934) Certificate 75488 allows the use of 0.21 cfs (priority date March 28, 1935) from the CROOKED RIVER in Sec. 26, T14S, R15E, W.M. for IRRIGATION in Sec. 26 and 35, respectively. The applicant proposes to create an instream use in the Crooked River (from the point of diversion to Lake Billy Chinook) at a maximum of 0.3 cfs, and to establish mitigation credits in the Crooked River and General Zones of Impact. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540, 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.

OREGON WATER RESOURCES DEPARTMENT



**725 Summer Street NE Ste A
Salem OR 97301**

PUBLIC NOTICE OF WATER USE REQUESTS
August 16, 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.)