

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
August 23, 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.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **Applications for Extensions of Time to Perfect Water Right Permits**
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- * **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.)
- * **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.
- * **Technical Report and Draft Certificate for A Minor Hydroelectric Project**

* **Certificate Issuance**

Included in this section is a listing of recently issued water right certificates.

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 22, 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, October 07, 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 02 A WELL > SPRING CR Uses: IR | EUGENE OR 97123 | 16.00S 03.00W 19 | NESW Lane | 01/29/2002 | 0.3700 C | IR | 3 |

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)

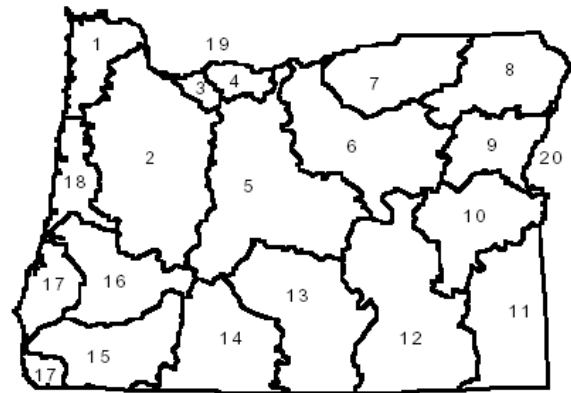
BASINS:

- | | |
|-----------------|---------------------|
| 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 |
|-------------------------|---|-----------------------|---------|------------|--------------|-------|--------|
| G-17468 | | | | | | | IR 2 |
| 6 | A WELL > JOHN DAY RIVER | 13.00S 27.00E 4 SWNE | Grant | 06/09/2011 | 0.989C | | |
| Uses: IR | | | | | | | |
| G-17466 | ROTH, PAUL 8004 LARDON RD NE SALEM, OR 97305 | | | | | | IR 2 |
| 2 | A WELL > LITTLE PUDDING RIVER | 7.00S 2.00W 14 NWNW | Marion | 05/24/2011 | 0.668C | | |
| Uses: IR IS | | | | | | | |
| S-87741 | | | | | | | IR 3 |
| 16 | BUCKHORN CREEK > LITTLE RIVER | 27.00S 4.00W 1 NENE | Douglas | 07/29/2011 | 0.005C | | |
| Uses: HC | | | | | | | |
| S-87736 | ATKINSON, JOHN R. 2823 NW KLINE ROSEBURG, OR 97470 U.S. BUREAU OF LAND MANAGEMENT 28910 HWY | | | | | | IR 2 |
| 12 | SPRINGS > SUMMIT CREEK | 31.00S 35.00E 16 SWSW | Harney | 07/07/2011 | 0.01C (est) | | |
| 12 | SUMMIT CREEK > TUDOR LAKE | 31.00S 35.00E 30 NENW | Harney | 07/07/2011 | 0.01C (est) | | |
| Uses: LV | | | | | | | |
| S-87734 | MCKEE, LEANN R. 24903 SW PERRYDALE RD AMITY, OR 97101 MCKEE, ROBERT LAWRENCE 24903 SW PERRY | | | | | | IR 2 |
| 2 | A RESERVOIR > SALT CREEK | 5.00S 4.00W 31 SENW | Yamhill | 07/06/2011 | 60.6A | | |
| 2 | A RESERVOIR > SALT CREEK | 5.00S 4.00W 31 NESW | Yamhill | 07/06/2011 | 3.5A | | |
| 2 | RUNOFF > SALT CREEK | 5.00S 4.00W 31 SENW | Yamhill | 07/06/2011 | 0.415C (est) | | |
| 2 | RUNOFF > SALT CREEK | 5.00S 4.00W 31 NESW | Yamhill | 07/06/2011 | 0.415C (est) | | |
| 2 | SPRINGS > SALT CREEK | 5.00S 4.00W 31 SENW | Yamhill | 07/06/2011 | 0.415C (est) | | |
| 2 | SPRINGS > SALT CREEK | 5.00S 4.00W 31 NESW | Yamhill | 07/06/2011 | 0.415C (est) | | |
| Uses: IR PM | | | | | | | |
| R-87735 | MCKEE, LEANN R. 24903 SW PERRYDALE RD AMITY, OR 97101 | | | | | | IR 2 |
| 2 | SPRINGS > SALT CREEK | 5.00S 4.00W 31 SENW | Yamhill | 07/06/2011 | 27.1A | | |
| 2 | SPRINGS > SALT CREEK | 5.00S 4.00W 31 NESW | Yamhill | 07/06/2011 | 1.75A | | |
| 2 | RUNOFF > SALT CREEK | 5.00S 4.00W 31 SENW | Yamhill | 07/06/2011 | 27.1A | | |
| 2 | RUNOFF > SALT CREEK | 5.00S 4.00W 31 NESW | Yamhill | 07/06/2011 | 1.75A | | |
| Uses: ST | | | | | | | |

| App# | Basin Source | Township/Range | County | Priority | Quantity | Stage | Status |
|-------------------------|------------------------|---------------------------------------|---------|------------|----------|-------|--------|
| R-87735 | MCKEE, ROBERT LAWRENCE | 24903 SW PERRYDALE RD AMITY, OR 97101 | | | | | IR 2 |
| 2 | SPRINGS > SALT CREEK | 5.00S 4.00W 31 SENW | Yamhill | 07/06/2011 | 27.1A | | |
| 2 | SPRINGS > SALT CREEK | 5.00S 4.00W 31 NESW | Yamhill | 07/06/2011 | 1.75A | | |
| 2 | RUNOFF > SALT CREEK | 5.00S 4.00W 31 SENW | Yamhill | 07/06/2011 | 27.1A | | |
| 2 | RUNOFF > SALT CREEK | 5.00S 4.00W 31 NESW | Yamhill | 07/06/2011 | 1.75A | | |
| Uses: | ST | | | | | | |

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 |
|-------------------------|-------|--------|------------|---------------------|-------------------|------------|
| 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 |
| S-87646 | 15 | JACK | 08/11/2010 | | JAMES CHRISTOPHER | 08/12/2011 |
| S-87685 | 16 | DOUG | 01/28/2011 | | GERALD ANDERSON | 08/18/2011 |
| S-87665 | 16 | DOUG | 11/09/2010 | | PHYLLIS BUTCHER | 08/22/2011 |

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 October 22, 2011.

R-87671
THORKEKELSON, MARK 1080 CANTRALL RD JASKSONVILLE, OR 97530
POD: 1 UNNAMED STREAM > APPELEGATE RIVER
SW 1/4 NE 1/4 Section 32T 38.00S R 3.00W WM
Jackson County
4.0 A for MULTIPLE PURPOSE

Expedited Secondary Applications Under HB 2178 (2005)

For expedited secondary applications to use exclusively stored water filed under HB 2178, the public is invited to comment within 30 days of this notice, by **September 22, 2011**. The expedited secondary applications listed below have been filed recently. Any person may raise public interest issues regarding these applications. If public interest issues are raised, the Department may move the application to the standard process and review the application pursuant to ORS 537.153, and issue a Proposed Final Order. If no public issues are raised, the Department may issue a final order and permit without further prior notice.

Comments must identify the specific public interest under ORS 537.170(8) that would be impaired or detrimentally affected by the proposed use, and specifically how the identified public interest would be affected.

POD 1 is the location of the stored water. POD 2 and any additional points are the redistribution point(s).

S-87744
NELSON, JAN PO BOX 504 RIDDLE, OR 97469 QUESADA, DAVID PO BOX 504 RIDDLE, OR 97469

POD: 1 A RESERVOIR > COW CREEK
SW 1/4 NE 1/4 Section 28T 31.00S R 4.00W WM
Douglas County
2.0 AFT for DOMESTIC EXPANDED (est.)

POD: 2 COW CREEK > SOUTH UMPQUA RIVER
NW 1/4 NW 1/4 Section 9 T 31.00S R 7.00W WM
Douglas County
0.0 AFT for DOMESTIC EXPANDED (est.)

S-87743
HAUSMAN, MARVIN 16031 SW PLEASANT HILL RD SHERWOOD, OR 97140 SHAW, BRIDGET
PO BOX 91575 PORTLAND, OR 97291

POD: 1 A RESERVOIR > MILL CREEK
SE 1/4 NW 1/4 Section 8 T 3.00S R 1.00W WM
Clackamas County
0.78 CFS for IRRIGATION

**Applications for Extensions of Time
to Perfect Water Right Permits filed pursuant to OAR 690-315**

Consistent with OAR 690-315-0050, the Department will accept public comment on the following extension applications until September 22, 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-86426
Permit Number: S-54301
DUKES FAMILY VINEYARDS, LLC
DUKES, PATRICK
PO BOX 99
AMITY, OR 97101
Yamhill County
RUNOFF > ASH SWALE
UNNAMED STREAM > ASH SWALE
A RESERVOIR > ASH SWALE
38.5 ACRE-FEET AND 0.724 CFS
IRRIGATION USE ON 57.9 ACRES
October 1, 2016

**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 October 07, 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: | Yamhill |
| Application File Number: | S-73307 |
| Permit Number: | S-52429 |
| Applicant: | BURNS FARM TRUST |
| Address: | PO BOX 817 AMITY, OR 97101 |
| River Basin: | Willamette Basin |
| Water Source: | A SPRING > SOUTH YAMHILL RIVER |
| Authorized Use of Water: | WILDLIFE, FIRE PROTECTION AND DOMESTIC USE FOR ONE FAMILY INCLUDING IRRIGATION OF LAWN AND NON-COMMERCIAL GARDEN NOT EXCEED ONE-HALF ACRE |
| Maximum Diversion/ Appropriation Rate: | 0.02 CFS, BEING 0.01 CFS FOR WILDLIFE OR FIRE PROTECTION, AND 0.01 CFS FOR DOMESTIC USE FOR ONE FAMILY INCLUDING IRRIGATION OF LAWN AND NON-COMMERCIAL GARDEN NOT TO EXCEED ONE-HALF ACRE |

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1998 to October 1, 2011; and grant an extension of time to apply water to full beneficial use from October 1, 1999 to October 1, 2011.

County of Use: Morrow
Application File Number: G-15220
Permit Number: G-14068
Applicant: HELLBERG, TIMOTHY
Address: 81300 W 6TH
IRRIGON, OR 97844
River Basin: Umatilla Basin
Water Source: TWO WELLS > COLUMBIA RIVER
Authorized Use of Water: IRRIGATION ON 13.21 Acres
Maximum Diversion/
Appropriation Rate: 0.165 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, 2012.

County of Use: Yamhill
Application File Number: S-86584
Permit Number: S-54416
Applicant: GOODRICH ROAD VINEYARD LLC
Address: PO BOX 3989
NAPA, CA 94558
River Basin: Willamette Basin
Water Source: THREE RESERVOIRS > YAMHILL CREEK
Authorized Use of Water: IRRIGATION ON 66.0 Acres
Maximum Diversion/
Appropriation Rate: 43.38 ACRE-FEET

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2011 to October 1, 2016.

County of Use: Yamhill
Application File Number: R-86592
Permit Number: R-14412
Applicant: GOODRICH ROAD VINEYARD LLC
Address: PO BOX 3989
NAPA, CA 94558
River Basin: Willamette Basin
Water Source: RUNOFF > YAMHILL CREEK
Authorized Use of Water: MULTIPLE PURPOSE
Maximum Diversion/
Appropriation Rate: 9.19 ACRE-FEET

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2011 to October 1, 2016.

County of Use: Yamhill
Application File Number: R-86593
Permit Number: R-14413
Applicant: GOODRICH ROAD VINEYARD LLC
Address: PO BOX 3989
NAPA, CA 94558
River Basin: Willamette Basin
Water Source: RUNOFF > YAMHILL CREEK
Authorized Use of Water: MULTIPLE PURPOSE
Maximum Diversion/
Appropriation Rate: 9.19 ACRE-FEET

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2011 to October 1, 2016.

County of Use: Malheur
Application File Number: G-11847
Permit Number: G-10994
Applicant: SEABRIDGE GOLD CORP.
Address: 106 FRONT STREET E, SUITE 400
TORONTO ONTARIO M5A 1J3
River Basin: Malheur Basin
Water Source: TWO WELLS > MALHEUR RIVER
Authorized Use of Water: MINING/INDUSTRIAL USES
Maximum Diversion/
Appropriation Rate: 2 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2008 to October 1, 2018; and grant an extension of time to apply water to full beneficial use from October 1, 2008 to October 1, 2018.

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 22, 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;

TERRY ANDERSON
APPLICATION NUMBER: G-14767 PERMIT NUMBER: G-13764
CROOK COUNTY
A WELL IN THE DESCHUTES RIVER BASIN
IRRIGATION OF 39.83 ACRES

WESTPORT WATER ASSOCIATION
APPLICATION NUMBER: S-72379 PERMIT NUMBER: S-52496
CLATSOP COUNTY
WEST CREEK, A TRIBUTARY OF THE COLUMBIA RIVER
SUPPLEMENTAL HUMAN CONSUMPTION FOR 217 HOMES

NW FARM CREDIT SERVICES, PCA & DAVID G. & KATHRYN L. LECOMPTE
APPLICATION NUMBER: G-15091 PERMIT NUMBER: G-14066
MARION COUNTY
A WELL IN JEFF CREEK BASIN
NURSERY OPERATIONS ON 43.8 ACRES

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 22, 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-8612 filed by CAMPBELL ROAD NURSERY, LLC, 12401 SW CAMPBELL RD., HILLSBORO, OR 97123, proposes a change in point of appropriation under Certificate 85466. The right allows the use of 0.23 CUBIC FOOT PER SECOND (priority date JANUARY 10, 1989) from a well in Sec. 1, T 2 S, R 3 W, W.M. (Willamette Basin) for IRRIGATION. The applicant proposes to move the point of appropriation approximately 0.4 mile northeast in Sec. 1, T 2 S, R 3 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-11193 filed by City Of Lebanon, Attn Rob Emmons, 853 Main St, Lebanon, OR 97355-3200, proposes a change in point of appropriation and a change in place of use under Certificate 37744. The right allows the use of 0.07 cubic foot per second (priority date October 4, 1968) from a well in Sec. 10, T 12 S, R 2 W, W.M. (South Santiam River Basin) for irrigation in Sec. 10. The applicant proposes to move the point of appropriation approximately 2.5 miles southeast to within Sec. 23, T 12 S, R 2 W, W.M. and to change the place of use to within Sects. 23 and 24, T 12 S, R 2 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.

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 September 22, 2011. The Department shall consider the comments in determining whether to condition, reject, or revoke a temporary district transfer.

County: BAKER
Transfer: 11281
Water Right: CERT 51711
Priority Date: SEPTEMBER 30, 1935
Name: BURNT RIVER IRRIGATION DIST
Address: 19498 HWY 245, HERDFORD OR 97837
Change: POU, POD
Source: BURNT RIVER, CAMP CREEK, UNITY RESERVOIR

**Technical Report and Draft Certificate
for A Minor Hydroelectric Project**

The Department seeks public comment on the technical report and draft certificate for water use at a minor hydroelectric project. Comments must be submitted within 60 days of publication of the notice. The application and supporting documents can be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the technical report and draft certificate please contact Mary Grainey (503) 986-0833. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

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

Comments are Due October 21, 2011

Certificate Issuance

Following is a list of certificates that have been recently issued. If you are viewing this electronically then you should be able to view the certificate by clicking on the underlined blue text. Appeal rights are provided on each certificate document.

If under the file number the "App:" abbreviation for application is provided then any person owning an application, permit or water right certificate subsequent in priority to a certificate listed here may file a protest within three months of issuance of the certificate. See Oregon Revised Statutes 537.260. Rules governing protests are in Oregon Administrative Rules Chapter 690 division 002. Any protest must be accompanied by a protest fee of \$600. (ORS 536.050(1)(j)(A)).

| File Number | Certificate Number | Basin Number | County | Priority Date | Issue Date | Name |
|------------------------------|-----------------------|--------------|--------|---------------|------------|--|
| App: R 68806 | 87040 | 15 | JOSE | 11/03/1986 | 08/19/2011 | EMONDS LUGTENAAR, THOMAS K. |
| App: S 83366 | 87154 | 12 | HARN | 01/23/1998 | 08/19/2011 | WEIL, MICHAEL C. WEIL, KATHERINE R. |

OREGON WATER RESOURCES DEPARTMENT



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

PUBLIC NOTICE OF WATER USE REQUESTS
August 23, 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.)