

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
February 28, 2012

*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](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.
- \* **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.
- \* **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.
- \* **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.
  
- \* **Certificate Issuance**  
Included in this section is a listing of recently issued water right certificates.
  
- \* **Water Management and Conservation Plans**  
Water management and conservation plans submitted by municipalities and agricultural water suppliers under provisions of OAR Chapter 690, Division 86.
  
- \* **Water Conservation, Re-Use and Storage Grant Program (Addendum)**  
Status , applications and funding recommendations for the 2011 Water Conservation, Re-Use and Storage Grant Program.

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 [Kim.R.French-Gorski@ wrd.state.or.us](mailto:Kim.R.French-Gorski@ 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, March 29, 2012.** 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, April 13, 2012.**

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 days: March 23, 2012, May 25, 2012, August 17, 2012, October 19, 2012, November 23, 2012, January 18, 2013, April 19, 2013 and May 24, 2013.

## 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:

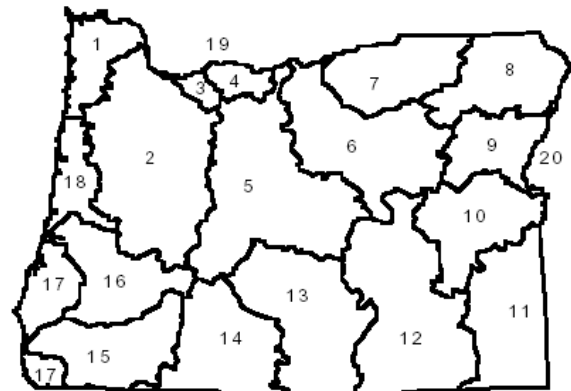
- \* Type of use (see abbreviations below)

### 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           |

### Commonly used "Type 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



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
<a href="#">G-17489</a>	WILSON, JAMES M. 21458 OAK LANE AURORA, OR 97082	WILSON, STUART 21458 OAK LANE AURORA, OR 9					IR 2
12	A WELL > MALHEUR LAKE	26.00S 33.00E 23 SESE	Harney	09/29/2011	2.0C		
Uses:	IR						
<a href="#">G-17515</a>	LEITHAUSER, EDITH E. PO BOX 157 SISTERS, OR 97759						IR 3
5	A WELL > WHYCHUS CREEK	15.00S 10.00E 4 SENW	Deschutes	12/12/2011	0.022C		
Uses:	IR						
<a href="#">G-17484</a>	MILLER, THOMAS C. PO BOX 386 BEAVERTON, OR 97075						PFO 2
6	A WELL > ROSEBUSH CANYON	2.00S 17.00E 30 SWNW	Sherman	08/22/2011	0.13C (est)		
6	A WELL > ROSEBUSH CANYON	2.00S 17.00E 30 SESE	Sherman	08/22/2011	0.13C (est)		
Uses:	CM DN IR						
<a href="#">G-17397</a>	CARLAND FAMILY TRUST PO BOX 64 MIDLAND, OR 97634						PFO 2
14	A WELL > KLAMATH RIVER	40.00S 9.00E 6 SWNW	Klamath	06/04/2010	4.4C		
Uses:	IS						

## Permit Application Final Orders

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

Application	Basin	County	Priority	Company	Name	FO Date
<a href="#">G-17456</a>	2	MULT	03/30/2011		JOHN ORLANDO	02/16/2012
<a href="#">R-87740</a>	15	JACK	07/28/2011		ROBERT MURPHY	02/27/2012

## **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 **March 29, 2012**. 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 rediversion point(s).

S-87783

EDWARDS, JOHN W. AND PATRICIA P.  
7163 CROWFOOT RD  
TRAIL, OR 97541

POD: 1 LOST CREEK RESERVOIR > ROGUE RIVER  
SE 1/4 NW 1/4 Section 26T 33.00S R 1.00E WM  
Jackson County  
2.5 AFT for IRRIGATION (est.)

**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 March 29, 2012.** 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: R-71067  
Permit Number: R-11351  
SMELT, DR RONALD  
7250 DRIVER VALLEY RD  
OAKLAND, OR 97462  
Douglas County  
UNNAMED STREAM > OLDHAM CREEK  
14.6 AF  
IRRIGATION AND WILDLIFE HABITAT  
October 1, 2015

Application Number: S-71068  
Permit Number: S-51192  
SMELT, DR RONALD  
7250 DRIVER VALLEY RD  
OAKLAND, OR 97462  
Douglas County  
UNNAMED STREAM > OLDHAM CREEK  
0.05 Cfs  
IRRIGATION OF 4.0 ACRES AND MAINTENANCE OF A RESERVOIR FOR WILDLIFE HABITAT  
October 1, 2015



Application Number: R-80938  
Permit Number: R-12189  
MURRY, ROSS AND CORRINE  
25606 WHEATON LAND  
VENETA, OR 97487  
Lane County  
RUNOFF/POND 3 > JOB SWALE CREEK  
35.7 AF  
LIVESTOCK AND RECREATION  
October 1, 2012

**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 April 13, 2012.** 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: Malheur  
Application File Number: S-16497  
Permit Number: S-29882  
Applicant: U.S. BUREAU OF RECLAMATION  
Address: 1150 CURTIS ROAD  
BOISE, ID 83706  
River Basin: Malheur Basin  
Water Source: BULLY CREEK > MALHEUR RIVER  
BULLY CREEK RESERVOIR > BULLY CREEK  
Authorized Use of Water: IRRIGATION ON 5363.0000 Acres  
SUPPLEMENTAL IRRIGATION ON 39.00 Acres  
Maximum Diversion/  
Appropriation Rate: 121.9 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1966 to October 1, 2012; and grant an extension of time to apply water to full beneficial use from October 1, 1967 to October 1, 2012

County of Use: Umatilla  
Application File Number: G-14110  
Permit Number: G-12472  
Applicant: ARTERBURN, MICHAEL  
Address: PO BOX 1166  
HERMISTON, OR 97838-3166  
River Basin: Umatilla Basin  
Water Source: A WELL > UMATILLA RIVER  
Authorized Use of Water: INDUSTRIAL/MANUFACTURING USES  
IRRIGATION ON 48.8 Acres  
Maximum Diversion/  
Appropriation Rate: 1.41 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2011 to October 1, 2014; and grant an extension of time to apply water to full beneficial use from October 1, 2011 to October 1, 2014

County of Use: Columbia  
Application File Number: G-16677  
Permit Number: G-16163  
Applicant: PEASLEY, QUINTIN D.  
Address: 34735 BENNETT ROAD  
WARREN, OR 97053  
River Basin: Willamette Basin  
Water Source: THREE WELLS > SCAPPOOSE BAY  
Authorized Use of Water: DOMESTIC USE FOR THREE HOUSEHOLDS AND IRRIGATION ON  
15.6 ACRES  
Maximum Diversion/  
Appropriation Rate: 0.20 CFS

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.

## 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 March 13, 2012, 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-1385  
DIAZ, KATHY  
489 BAILEY WAY  
ROSEBURG, OR 97470  
POD: 1 GALESVILLE RES > COW CR  
NE 1/4 NW 1/4 Section 3 T 28.00S R 6.00W WM  
Douglas County  
1.78 CFS for IRRIGATION

LL-1386  
STOFLETH, VERN  
1301 SOUTH G ST  
LAKEVIEW, OR 97630  
POD: 1 HART L > WARNER LS  
SW 1/4 SW 1/4 Section 18T 36.00S R 25.00E WM  
Lake County  
34.0 CFS for IRRIGATION

LL-1387  
UMATILLA BASIN WATER COMMISSION  
PO BOX 944  
HERMISTION, OR 97838  
POD: 1 A RES > COLUMBIA R  
Morrow County, Umatilla County  
3400.0 AF for IRRIGATION

LL-1388  
UMATILLA BASIN WATER COMMISSION  
PO BOX 944  
HERMISTION, OR 97838  
POD: 1 A RES > UMATILLA R  
Morrow County, Umatilla County  
3400.0 AF for IRRIGATION

## 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 March 29, 2012. 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: 11356  
Water Right: CERT 86819  
Priority Date: DECEMBER 31, 1882, DECEMBER 31, 1898  
Name: TRUDY JESSEN  
Address: PO BOX 388, PILOT ROCK OR 97868  
Change: ADDITIONAL POINT OF APPROPRIATION  
Source: CALIFORNIA GULCH

County: UMATILLA  
Transfer: 11357  
Water Right: CERT 86723, 51538, 86818  
Priority Date: 1969  
Name: TRUDY JESSEN  
Address: PO BOX 388, PILOT ROCK OR 97868  
Change: POINT OF DIVERSION; PLACE OF USE  
Source: EAST BIRCH CREEK

County: DESCHUTES  
Transfer: 11358  
Water Right: CERT 67284, 81663  
Priority Date: 1883  
Name: JOHN & PEGGY TEHAN  
Address: PO BOX 34, SISTERS OR 97759  
Change: PLACE OF USE; USE  
Source: SQUAW CREEK

## **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 March 29, 2012, 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-11300 filed by City of Sisters, PO Box 39, Sisters, OR 97759, proposes a change in place of use and a change in character of use under Certificate 67706. The right allows the use of 0.2 Cubic Foot per Second (CFS) (priority date 1885) from a diversion on Pole Creek in Sec. 35, T15S, R9E, W.M. for Municipal Use in Sec. 4, 5, 8, and 9, T15S, R10E, W.M. The applicant proposes to create an instream use in Pole Creek and Whychus Creek (from the diversion on Pole Creek to the mouth of Whychus Creek) at a maximum of 0.2 CFS, and to establish mitigation credits in the Deschutes Groundwater Study Area. 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.

T-11108 filed by Oregon Department of Fish and Wildlife, 3406 Cherry Ave NE, Salem, OR 97303, proposes a point of diversion change under Certificate 24625. The right allows the use of 0.5 cubic foot per second from Little Herman Creek in Sec. 7, T 2N, R 8E, W.M. for operation of a fish hatchery in Sec. 8. The applicant proposes additional points of diversion in Sec. 7 and 8. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11249 filed by Oregon Department of Fish and Wildlife, 3406 Cherry Ave NE, Salem, OR 97303, proposes a point of diversion change under Certificate 24625. The right allows the use of 9.5 cubic feet per second from Little Herman Creek in Sec. 7, T 2N, R 8E, W.M. for operation of a fish hatchery in Sec. 8. The applicant proposes additional points diversion of in Sec. 7 and 8. The Water Resources Department proposes to approve the transfer, based on 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: LAKE  
Transfer: 11355  
Water Right: CERT 52784  
Priority Date: APRIL 27, 1978  
Name: CHURCH FAMILY FARMS  
Address: PO BOX 751, CHRISTMAS VALLEY OR 97641  
Change: POINT OF APPROPRIATION; PLACE OF USE  
Source: A WELL

## **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: WALLOWA  
Transfer: 11359  
Water Right: CERT G 10569  
Priority Date: APRIL 12, 1985  
Name: CITY OF WALLOWA  
Address: PO BOX 487, WALLOWA OR 97885  
Change: ADDITIONAL POINT OF APPROPRIATION  
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 March 29, 2012. 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: DESCHUTES  
Notice of District  
Permanent Transfer: NOTICE #N12.001  
Certificate: 76106  
Priority Date: 1961  
Name: TUMALO IRRIGATION DISTRICT  
Address: 64697 COOK AVE, BEND, OR 97701  
Change: POU  
Source: TUMALO CREEK  
Acres: 0.5  
Authorized POU: T16S R12E 17  
Proposed POU: T16S R12E 17

County: DESCHUTES  
Notice of District  
Permanent Transfer: NOTICE #N12.002  
Certificate: 76106  
Priority Date: 1961  
Name: TUMALO IRRIGATION DISTRICT  
Address: 64697 COOK AVE, BEND, OR 97701  
Change: POU  
Source: TUMALO CREEK  
Acres: 2.5  
Authorized POU: T16S R11E 22  
Proposed POU: T16S R11E 22

## **Water Management and Conservation Plans**

The Department is required to give notice and to invite public review and comment on Water Management and Conservation Plans submitted pursuant to OAR Chapter 690, Division 086. The Department will consider all public comments in its review of the draft plan and will report the results of the review to the water supplier 90 days from the time the plan was submitted.

**Any person may review and comment on a draft plan on or before March 29, 2012.** The plans are available for viewing at the Salem office of the Water Resources Department. Comments should focus on elements in the draft that do not meet the requirements of OAR Chapter 690, Division 086 and should include suggestions on how to bring the draft into compliance with the rules.

Plans have been submitted by the following agricultural and municipal water suppliers:

City of Gearhart (Municipal)

To review any of the above plans or to provide comments on the plans, contact Lisa Jaramillo at 503-986-0880 or email: [lisa.j.jaramillo@wrd.state.or.us](mailto:lisa.j.jaramillo@wrd.state.or.us).

## 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	Basin Number	County	Priority Date	Issue Date	Name
<a href="#">App: G 14520</a> <a href="#">Cert#-87431</a>	2	WASH	05/12/1997	02/24/2012	THUNDERBIRD SPRINGS LLC
<a href="#">App: R 73446</a> <a href="#">Cert#-87424</a>	2	CLAC	06/04/1993	02/22/2012	WEST COAST TRUST; FRANK J BRONEC TRUST, UTD 9/12/05 BRONEC, JOSEPH E.; B FARMS LLC
<a href="#">Xfer: T 11205</a> <a href="#">Cert#-87430</a>	18	LANE	11/22/1993	02/24/2012	NOFREY, BYRON L. NOFREY, SUSAN C.

## **ADDENDUM TO THE FEBRUARY 14, 2012, PUBLIC NOTICE OF WATER USE REQUESTS**

### **2011 Water Conservation, Re-Use and Storage Grant Program**

*Interested parties are reminded that the 30-day public comment period for the 2011 Water Conservation, Reuse and Storage Grant Program, which opened on February 14, 2012, closes on March 15, 2012.*

The Department published a list of feasibility study grant applications on February 14 that a multi-agency review team is recommending for funding. The listing does not constitute a funding commitment; public comment must first be incorporated into staff recommendations, which will be presented to the Water Resources Commission for final decision at its April 2012 meeting. Funding levels are dependent on the issuance of Lottery-backed bonds, scheduled for May 2012. Release of funds will not occur until a negotiated grant agreement is signed.

Copies of the applications are available on the Department web site; please see:  
[http://www.wrd.state.or.us/OWRD/LAW/conservation\\_reuse\\_storage\\_grant.shtml](http://www.wrd.state.or.us/OWRD/LAW/conservation_reuse_storage_grant.shtml)

The Water Conservation, Reuse and Storage Grant Program, established by Senate Bill 1069 (2008), is designed to fund the qualifying costs of planning studies that evaluate the feasibility of developing water conservation, reuse or storage projects. The 2011 Legislature approved continuation of this grant program for the 2011-13 biennium through the use of Lottery-backed bonds scheduled to be issued in May 2012 and available for distribution in June 2012.

Applications for projects were solicited by the Water Resources Department from October 3, 2011 to December 15, 2011. Twenty three applications were accepted, totaling approximately \$2.3 million. An Application Review Team (ART), which included agency staff and other state agency staff, reviewed the applications using criteria established in 2008. They met on February 9 to advise Grant Program staff and make recommendations.

All the applications had components that were considered to be of merit for funding from the grant program. However, due to the limited funding, the Water Resources Commission will be unable to fully fund all the applications. The Application Review Team developed a recommendation for Commission consideration, dividing the applications into two major groupings: 1) Approve grant and funding; and 2) Solicit secondary applications and approve grants if funding is available.

Those that the Application Review Team recommended for funding are listed below alphabetically.

Central Oregon Irrigation District, Redmond	\$11,485
Deschutes River Conservancy, Bend	\$50,000
Dundee, City of	\$30,000
East Valley Water District	\$71,665
Fessler Nursery, Woodburn	\$11,405
Grande Ronde Model Watershed - Upper Grande Ronde La Grande	\$56,000
Hood River County	\$250,000
Jefferson County Soil and Water Cons Dist	\$15,350
La Creole Orchards, Portland	\$6,200
Medford Water Commission	\$100,000
Sisters, City of	\$21,210
Talent Irrigation District - WISE	\$243,000
Tri City Water & Sanitary Authority, Myrtle Creek	\$16,500
Umatilla Basin Watershed Council, Pendleton	\$34,020

Those that are recommended for funding subject to availability of funds and possible adjustments to the scope of the grant through a secondary application process are listed below alphabetically.

Clean Water Services, Hillsboro	\$57,000
Corvallis, City of	\$466,977
Grande Ronde Model Watershed - Lostine, La Grande	\$56,000
Lane Council of Governments	\$242,553
Lower Powder Irrigation District, Baker City	\$42,409
Polk County	\$80,538
Springfield/Eugene	\$170,262
Walla Walla Basin Watershed Council, Milton-Freewater	\$129,200
Water And Stream Health Committee (WASH)	\$134,000

The public may comment on any of the 23 applications on either of these lists, on or before March 15. These comments, together with Application Review Team recommendations, will be incorporated into staff recommendations, which will be presented to the Water Resources Commission during its April 19-20, 2012 meeting in Salem.

Following the decision of the Commission, staff will work with applicants to develop a grant agreement that will include a statement of work, negotiated funding level, verification of matching requirements, and termination date for grant expenditures.

*This concludes the recommendations of the Application Review Team. **If you have questions or concerns please contact Bill Fujii at 503 986 0887. Consistent with OAR 690-600-0060 public comments will be accepted until 5:00 p.m. on March 15, 2012. Electronic submission is encouraged - send email to [william.h.fujii@wr.d.state.or.us](mailto:william.h.fujii@wr.d.state.or.us). Comments should be attached in an MS word or pdf format. Faxed comments can be sent to 503 986 0903. Written comments can be sent to the attention of Bill Fujii - Water Supply and Conservation Coordinator, Oregon Water Resources Department, 725 Summer St. NE Suite A, Salem, Oregon 97301.***

**OREGON  
WATER  
RESOURCES  
DEPARTMENT**



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
February 28, 2012

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"):

Mail me the order  
(payment enclosed)\*

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

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