

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
April 24, 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.
- \* **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.
- \* **Water Right Cancellations**  
Abandonment of perfected and developed water rights and requests to cancel all or a portion of rights.
- \* **Applications for Extensions of Time to Perfect Water Right Permits**  
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- \* **Application for Instream Lease**  
Application by water right holder to lease existing water rights to instream use.
- \* **Transfer Applications: Regular**  
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- \* **Transfer Preliminary Determinations**  
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- \* **District Temporary Transfers (ORS 540.570)**  
Applications requesting transfers in place of use within a district's boundaries.

- \* **Ground Water Registration Modifications**  
Applications requesting Department recognition of changes in point of appropriation, place of use and character of use under a ground water certificate of registration.
- \* **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.

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".

## **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 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, May 24, 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, June 08, 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:

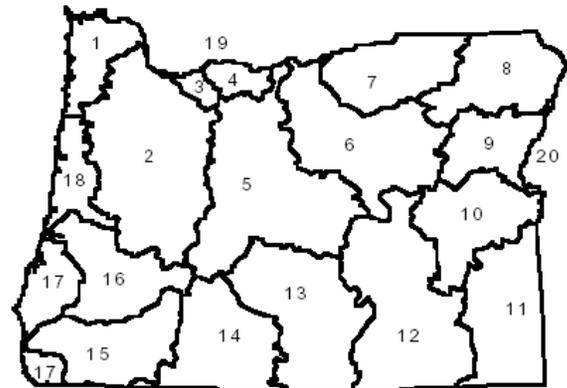
- |                 |                     |
|-----------------|---------------------|
| 1. North Coast  | 11. Owyhee          |
| 2. Willamette   | 12. Malheur L.      |
| 3. Sandy        | 13. Goose/Summer L. |
| 4. Hood         | 14. Klamath         |
| 5. Deschutes    | 15. Rogue           |
| 6.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

- AG: Agriculture
- CF,CH,CL, CR: Cranberry uses
- CM: Commercial
- CS: Campground
- DI, DN: Domestic including non-commercial lawn & garden
- DO: Domestic
- DS: Domestic & stock
- FI: Fish
- FP: Fire protection
- FW: Fish & wildlife
- GD: Group domestic

- GR: Groundwater recharge
- GT: Geothermal
- IC: Irrigation, primary & supplemental
- ID: Irrigation with domestic
- IL: Irrigation with livestock
- IM: Industrial or manufacturing
- IR: Irrigation
- IS: Irrigation, supplemental
- LV: Livestock
- LW: Livestock & wildlife
- MI: Mining

- MU: Municipal
- NU: Nursery use
- PA: Pollution abatement
- PW: Power
- QM: Quasi-municipal
- RC: Recreation
- RW: Road construction
- ST: Storage
- SW: Swimming
- TC: Temperature control
- WI: Wildlife

### Commonly used "Type of Use" abbreviations (for definitions, consult Oregon Administrative Rules 690-300):



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
<a href="#">G-17458</a>	KUTSEV, FILIP 4268 MARTHALER RD NE WOODBURN, OR 97071						IR 3
2	A WELL > WEST CHAMPOEG CREEK	5.00S 2.00W 19 NENW	Marion	04/06/2011	0.29C		
Uses: IR							
<a href="#">G-17455</a>	CORIA, JANICE 8182 LIBERTY RD S SALEM, OR 97306 CORIA, LUIS 8182 LIBERTY RD S SALEM, OR 973						IR 3
2	A WELL > NEIL CREEK	8.00S 3.00W 33 NENE	Marion	03/29/2011	0.658C		
Uses: IR							
<a href="#">G-17521</a>	MEEDER, TROY 19344 INNES MARKET RD BEND, OR 97701						IR 3
5	A WELL > DESCHUTES RIVER	16.00S 11.00E 12 SWSE	Deschutes	12/27/2011	0.011C (est)		
5	A WELL > DESCHUTES RIVER	16.00S 11.00E 12 SWSE	Deschutes	12/27/2011	0.011C (est)		
Uses: IR							
<a href="#">G-17504</a>	BODEN, JEFF 7775 NW CORNELIUS PASS HILLSBORO, OR 97124						PFO 2
2	A WELL > ROCK CREEK	1.00N 2.00W 12 SWSW	Washington	11/14/2011	0.36C		
Uses: IR							
<a href="#">G-17469</a>	CHAPIN LIVING TRUST 9965 WHEATLAND RD N SALEM, OR 97303						PFO 2
2	A WELL > HUBBARD LAKE CREEK	6.00S 3.00W 11 SENW	Marion	06/14/2011	1.0C		
Uses: AG							
<a href="#">G-17433</a>	CROOK FAMILY LLC 94727 S BANK PISTOL RIVER RD BROOKINGS, OR 97415						PFO 2
17	A WELL > BURNT HILL CREEK	39.00S 14.00W 5 NWNE	Curry	10/21/2010	0.045C		
17	A WELL > BURNT HILL CREEK	39.00S 14.00W 5 NWNE	Curry	10/21/2010	0.022C		
17	A WELL > BURNT HILL CREEK	39.00S 14.00W 5 NWNE	Curry	10/21/2010	0.033C		
Uses: QM							
<a href="#">G-17486</a>	HARCOMBE, PAUL A. 30680 HORSESHOE DR SW ALBANY, OR 97321						PFO 2
2	A WELL > HORSESHOE LAKE	11.00S 4.00W 22 NWNE	Linn	08/29/2011	0.05C		
Uses: IR							

## Permit Application Final Orders

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

Application	Basin	County	Priority	Company	Name	FO Date
<a href="#">G-17302</a>	2	MULT	02/01/2010		DAVID THOMPSON	04/12/2012
<a href="#">S-87731</a>	16	DOUG	06/23/2011		ROGER BOTHWELL	04/12/2012
<a href="#">S-87732</a>	16	DOUG	06/24/2011		KEN CARLONI	04/12/2012
<a href="#">S-87733</a>	16	DOUG	06/24/2011		KEN CARLONI	04/12/2012
<a href="#">S-87739</a>	16	DOUG	07/26/2011		RICHARD GROST	04/12/2012
<a href="#">G-17287</a>	15	JACK	11/17/2009	KELLOGG KIN INC.		04/19/2012
<a href="#">S-87621</a>	2	BENT	06/16/2010	GREENBERRY IRRIGATION DISTRICT		04/19/2012
<a href="#">S-87737</a>	17	CURR	07/11/2011		DANA C OSMAN	04/19/2012

## **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 June 23, 2012.**

R-87797

ANDERSON, TIMOTHY AND COLLEEN  
14546 ANTIOCH RD  
WHITE CITY, OR 97503

POD: 1 RUNOFF > SNIDER CREEK  
SW 1/4 SE 1/4 Section 14T 35.00S R 2.00W WM  
Jackson County  
0.86 AF 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 **May 24, 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-87796

APPLEGATE IRRIGATION CORP.  
489 HAMILTON RD  
JACKSONVILLE, OR 97530

POD: 1 APPLLEGATE RIVER > ROGUE RIVER  
NE 1/4 NW 1/4 Section 33T 38.00S R 3.00W WM  
Jackson County  
22.5 CFS for IRRIGATION

POD: 2 APPLLEGATE RIVER > ROGUE RIVER  
NE 1/4 NE 1/4 Section 4 T 39.00S R 3.00W WM  
Jackson County  
22.5 CFS for IRRIGATION

S-87795

MCKEE, BOB  
24903 SW PERRYDALE RD  
AMITY, OR 97101

POD: 1 A RESERVOIR > SALT CREEK  
NW 1/4 NW 1/4 Section 12T 6.00S R 5.00W WM  
Polk County  
0.625 CFS for IRRIGATION (est.)

POD: 2 A RESERVOIR > SALT CREEK  
NW 1/4 NW 1/4 Section 12T 6.00S R 5.00W WM  
Polk County  
0.625 CFS for IRRIGATION (est.)

## Water Right Cancellations

ORS 540.621 authorizes the Director to issue an order canceling a perfected and developed water right whenever the owner certifies under oath that the right has been abandoned and requests a cancellation of the right.

The Department has received affidavits from owners of land to which a water right is appurtenant stating the owner has abandoned the water right, and requesting that the Department cancel portions of the right appurtenant to the land.

The Department proposes to issue orders canceling all or a portion of the following water right(s):

COUNTY:	DESCHUTES
WATER RIGHT CERTIFICATES:	83571 & 76714, IN THE NAME OF CENTRAL OREGON IRRIGATION DISTRICT
LANDOWNER:	JEFFERY M. JOHNSON
ADDRESS:	21225 DOVE LANE, BEND, OR 97702
USE:	IRRIGATION AND SUPPLEMENTAL IRRIGATION
SOURCE:	DESCHUTES RIVER AND CRANE PRAIRIE RESERVOIR
PRIORITY:	OCTOBER 31, 1900 AND DECEMBER 2, 1907
LOCATION:	T18S, R12E, SEC 2, SWNW TAX LOT 200

**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 May 24, 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: G-15056  
Permit Number: G-13833  
COOPER, DEVIN AND ALLISON  
25571 S BARLOW RD  
CANBY, OR 97013  
Clackamas County  
A WELL > ROCK CREEK  
0.236 CFS (est)  
IRRIGATION OF 18.85 ACRES  
October 1, 2014

Application Number: G-15792  
Permit Number: G-15491  
CITY OF SCAPPOOSE  
33568 COLUMBIA AVE  
SCAPPOOSE, OR 97056  
Columbia County  
TWO WELLS > JACKSON CREEK  
2.9 CFS, BEING 2.23 CFS FROM WELL 1 AND 0.67 CFS FROM WELL 2  
MUNICIPAL USES  
October 1, 2050

Application Number: G-15135  
Permit Number: G-15295  
CITY OF SCAPPOOSE  
33568 COLUMBIA AVE  
SCAPPOOSE, OR 97056  
Columbia County  
A WELL > SCAPPOOSE CREEK  
0.557 CFS  
MUNICIPAL USES  
October 1, 2050

## 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.

Licenseses must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after May 08, 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-1404

LEWIS, JOSEPH J 33568 E COLUMBIA AVE SCAPPOOSE, OR 97056

POD: 1 A WELL > COLUMBIA R

SE 1/4 NW 1/4 Section 7 T 3.00N R 1.00W WM

Columbia County

1.1 CFS for MUNICIPAL USES

LL-1405

STUART, CHAD

100 COLE M RIVERS DRIVE

TRAIL, OR 97541

POD: 1 ELK CR > ROGUE R

NW 1/4 SW 1/4 Section 31T 33.00S R 1.00E MD

Jackson County

0.045 CFS for RIPARIAN HABITAT RESTORATION PROJECT

POD: 2 ELK CR > ROGUE R

NW 1/4 SW 1/4 Section 31T 33.00S R 1.00E MD

Jackson County

0.045 CFS for RIPARIAN HABITAT RESTORATION PROJECT

POD: 3 ELK CR > ROGUE R

NW 1/4 SW 1/4 Section 31T 33.00S R 1.00E MD

Jackson County

0.045 CFS for RIPARIAN HABITAT RESTORATION PROJECT

POD: 4 ELK CR > ROGUE R

NW 1/4 SW 1/4 Section 31T 33.00S R 1.00E MD

Jackson County

0.045 CFS for RIPARIAN HABITAT RESTORATION PROJECT

POD: 5 ELK CR > ROGUE R

NW 1/4 SW 1/4 Section 31T 33.00S R 1.00E MD

Jackson County

0.045 CFS for RIPARIAN HABITAT RESTORATION PROJECT

**Applications for Instream Lease**

ORS 537.348 authorizes a water right holder to lease their existing water right(s) to instream use for a limited time. For the term of the lease, the water right holder agrees to suspend use of water under the original right. The state is the trustee for water rights leased for instream use. OAR 690-077-0077 requires that the Department public notice the lease applications.

**The deadline for submitting claims of injury to existing water rights or enlargement of the original right against a lease application is May 15, 2012.** Parties to the lease, including the Department, will review any such claims before the lease is finalized. The lease files are available for viewing at the Salem office of the Water Resources Department.

County: Wasco  
Instream Lease Number: SL 17

\*\* Lessee \*\*  
THE FRESHWATER TRUST; C/O DAVID PILZ  
65 SW YAMHILL STREET, SUITE 200  
PORTLAND, OR 97204

\*\* Lessor \*\*  
ALBRECHT, VIRGINIA  
802 NE 5TH STREET  
DUFER, OR 97021

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE MOUTH OF FIFTEENMILE CREEK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:87436	CF * S 92, S 93	5/3/1909	IR	0.059	14.1	TAMARACK CREEK	EIGHTMILE CREEK	4.7

County: Deschutes  
Instream Lease Number: IL 427

\*\* Lessor \*\*

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

\*\* Lessor \*\*

WILLIAMS, JOHN AND SANDRA  
20420 STURGEON ROAD  
BEND, OR 97701

\*\* Lessee \*\*

DESCHUTES RIVER CONSERVANCY  
PO BOX 1560  
BEND, OR 97709

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM THE POD (SWALLEY MAIN CANAL) TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:74145	CF RR EX	9/1/1899	IR	0.02	5.59	DESCHUTES River	COLUMBIA River	1.0

County: Deschutes

Instream Lease Number: IL 827

./

\*\* Lessee \*\*

OREGON WATER RESOURCES DEPARTMENT  
725 SUMMER ST NE SUITE A  
SALEM, OR 97301-1271

\*\* Lessor \*\*

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

\*\* Lessor \*\*  
BRIAN, FRANK  
CO LESSOR - COID  
21255 YOUNG  
BEND, OR 97701

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM POD (SWALLEY MAIN CANAL) TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:74145	CF RR EX	9/1/1899	IR	0.219	72.65	DESCHUTES River	COLUMBIA River	14.0

County: Deschutes  
Instream Lease Number: IL 847

\*\* Lessor \*\*  
ARNOLD IRRIGATION DISTRICT  
19604 BUCK CANYON ROAD  
BEND, OR 97702

\*\* Lessor \*\*  
MILLER, MAJORIE  
63095 CASEY PLACE  
BEND, OR 97701

\*\* Lessee \*\*  
DESCHUTES RIVER CONSERVANCY  
PO BOX 1560  
BEND, OR 97709  
Contact: LAURA WILKE at (503) 986-0884

Reach: FROM ARNOLD CANAL POD#1 TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:74197	CF RR *	2/1/1905	IR	0.009	19.29	DESCHUTES RIVER	COLUMBIA RIVER	4.5
		4/25/1905						

County: Deschutes

Instream Lease Number: IL 924

\*\* Lessor \*\*

ARNOLD IRRIGATION DISTRICT  
19604 BUCK CANYON ROAD  
BEND, OR 97702

\*\* Lessor \*\*

MCCOOL, DANIEL  
60359 ARNOLD MARKET RD  
BEND, OR 97702

\*\* Lessee \*\*

DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST  
BEND, OR 97701

\*\* Lessor \*\*

MCCOOL, ELIZABETH  
60359 ARNOLD MARKET RD  
BEND, OR 97702

Contact: LAURA WILKE at (503) 986-0884

Reach: ARNOLD CANAL POD#1 TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:74197	CF RR *	2/1/1905 4/25/1905	IR	0.02	0.94	DESCHUTES RIVER	COLUMBIA RIVER	1.11

County: Deschutes

Instream Lease Number: IL 982

\*\* Lessee \*\*

DESCHUTES RIVER CONSERVANCY  
PO BOX 1560  
BEND, OR 97709

\*\* Lessor \*\*

AVION WATER CO. INC.  
60813 PARRELL RD  
BEND, OR 97702

\*\* Lessor \*\*

ARNOLD IRRIGATION DISTRICT  
19604 BUCK CANYON RD  
BEND, OR 97702  
Contact: LAURA WILKE at (503) 986-0884

Reach: FROM POD #1 TO THE MADRAS GAGE AND ON TO THE MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:74197	CF RR *	2/1/1905 4/25/1905	IR	0.588	210.27	DESCHUTES RIVER	COLUMBIA RIVER	49.06

County: Deschutes  
Instream Lease Number: IL 984

\*\* Lessor \*\*

ARNOLD IRRIGATION DISTRICT  
19604 BUCK CANYON RD  
BEND, OR 97702

\*\* Lessee \*\*

DESCHUTES RIVER CONSERVANCY  
PO BOX 1560  
BEND, OR 97709

\*\* Lessor \*\*

HUKARI, DALE

PO BOX 1998

TUBAC, AZ 85646

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM THE ARNOLD CANAL POD #1 TO THE MADRAS GAGE AND ON TO THE MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:74197	CF RR *	2/1/1905 4/25/1905	IR	0.366	131.15	DESCHUTES RIVER	COLUMBIA RIVER	30.6

County: Deschutes

Instream Lease Number: IL 1223

\*\* Lessor \*\*

TUMALO IRRIGATION DISTRICT

64697 COOK AVE

BEND, OR 97701

\*\* Lessee \*\*

DESCHUTES RIVER CONSERVANCY

PO BOX 1560

BEND, OR 97709

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM THE POD#9 (BEND FEED CANAL) TO THE MOUTH OF THE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:83571	CF RR CR *	1900	IR	0.044	19.77	DESCHUTES RIVER	COLUMBIA RIVER	2.0

Reach: TUMALO RESERVOIR TO TUMALO CREEK POD AND THEN TO MOUTH OF TUMALO CREEK AND THEN INTO DESCHUTES RIVER  
TO MOUTH OF DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:76106	CF * S 27840	12/8/1961	IR	0.21	36.15	TUMALO CREEK	DESCHUTES RIVER	14.46
Reach: FROM POD #1 TUMALO FEED CANAL TO THE MOUTH OF THE DESCHUTES RIVER								
Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:74146	CF *	9/1/1900	IR	0.241	30.42	TUMALO CREEK	DESCHUTES RIVER	16.9
Reach: FROM POD #1 TUMALO FEED CANAL TO THE MOUTH OF THE DESCHUTES RIVER								
Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:74146	CF *	5/27/1907	IR	0.31	39.06	TUMALO CREEK	DESCHUTES RIVER	21.7
Reach: FROM POD #1 TUMALO FEED CANAL TO THE MOUTH OF THE DESCHUTES RIVER								
Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:74146	CF *	6/1/1907	IR	0.41	51.66	TUMALO CREEK	DESCHUTES RIVER	28.7
Reach: FROM POD #1 (TUMALO FEED CANAL) TO THE MOUTH OF THE DESCHUTES RIVER								
Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:74147	CF * S 19628	10/29/1913	IM,IR	3.008	965.83	TUMALO CREEK	DESCHUTES RIVER	97.46

## 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 May 24, 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: JACKSON  
Transfer: T-11398  
Water Right: INCHOATE T-8948, T-9465, T-9654  
Priority Date: 1857, 1923, 1923  
Name: JAMES & HELEN CHRISTOPERSON  
MARTINA & JAMES CHRISTOPHERSON, JR.  
Address: 489 HAMILTON RD, JACKSONVILLE OR 97530  
Name: ANTONIO CRUZ MENA  
Address: 680 UPPER APPELEGATE ROAD, JACKSONVILLE, OR 97530  
Change: USE, POU (TIME LIMITED INSTREAM)  
Source: LITTLE APPELEGATE RIVER

County: MARION, YAMHILL  
Transfer: T-11399  
Water Right: CERTS 79467, 79468  
Priority Date: 1961, 1993  
Name: CARLTON NURSERY CO. LLC  
Address: PO BOX 398, DAYTON OR 97114  
Change: PLACE OF USE  
Source: LAMBERT SLOUGH AND RESERVOIRS UNDER PERMITS R 1625 AND R-5363

County: MARION  
Transfer: 11403  
Water Right: CERT 60958  
Priority Date: 1978  
Name: ARTHUR & MARY SPADA, FELLER-NYQUIST FARM, LLC  
Address: PO BOX 157, ST PAUL, OR 97137  
Change: POINT OF APPROPRIATION; USE (SUPP TO PRIMARY)  
Source: A WELL

County: MORROW  
Transfer: 11404  
Water Right: CERT 44107  
Priority Date: 1968, 1968  
Name: KARL & PATRICIA SMITH  
Address 78276 PAUL SMITH ROAD, BOARDMAN, OR 97818  
Change: POINT OF DIVERSION; PLACE OF USE  
Source: COLUMBIA RIVER

County: LAKE  
Transfer: 11405  
Water Right: CERT 67902 AND 80753  
Priority Date: 1978  
Name: COUGAR MOUNTAIN CATTLE COMPANY, C/O DEBRA JENSEN  
Address 1995 FIR STREET SOUTH, SALEM, OR 97302  
Change: POINT OF APPROPRIATION; PLACE OF USE  
Source: WELLS WITHIN THE FORT ROCK BASIN

## **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 May 24, 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-11298 filed by Steven and Constance Johnson, 10404 Hazelgreen Rd., Silverton, OR 97381, proposes changes in point of appropriation and place of use under Certificate 86681. The right allows the use of 0.25 cubic foot per second from Well 2 in Sec. 29, T 7 S, R 2 W, W.M. for irrigation in Sec. 29. The applicant proposes to move the point of appropriation in Sec. 3, T 7 S, R 2 W, and to change the place of use to Sec. 3. The Water Resources Department proposes to approve the transfer, based on 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 May 24, 2012. The Department shall consider the comments in determining whether to condition, reject, or revoke a temporary district transfer.

County: UMATILLA  
Transfer: T-11393  
Water Right: CERT 76051, 75126, 61534, 75128, 79439  
Priority Date: 1958, 1975, 1976, 1974, 1924  
Name: WESTLAND IRRIGATION DISTRICT  
Address: 32327 OREGON TRAIL RD, ECHO OR 97826  
Change: POU  
Source: UMATILLA RIVER AND WELLS IN UMATILLA BASIN

County: UMATILLA  
Transfer: 11406  
Water Right &  
Priority Date: CERT 85124 (6/8/1971); CERT 87042 (2/16/1973); CERT 74762 (3/25/1955); CERT 87111 (10/3/1973 & 12/11/1973); CERT 80850 (2/16/1973); T-6787 (4/8/1963 & 6/8/1971); PERMIT S 54561 (1/30/2008)  
Name: ECHO IRRIGATION DISTRICT  
73120 HWY 207, ECHO, OR 97826  
Change: PLACE OF USE  
Source: WELLS WITHIN THE STAGE GULCH & UMATILLA RIVER BASINS, AND THE COLUMBIA RIVER, TRIBUTARY TO PACIFIC OCEAN

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

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

The Department seeks public comment on the recently-filed applications for recognition of modifications in ground water registrations listed below. Any person may comment on an application for a ground water registration modification. Comments must be received by the Department on or before May 24, 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 recognized after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

County: UMATILLA  
Transfer: 11402  
Water Right: GR 4229  
Priority Date: 1924  
Name: DEEP ROOTS LLC  
PO BOX 1622, WALLA WALLA, WA 99362  
Change: POINT OF APPROPRIATION  
Source: A WELL, TRIBUTARY TO DUGGER CREEK

## **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 May 24, 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 WALDPOR (MUNICIPAL)

To review any of the above progress reports or to provide comments on the progress reports, contact Lisa Jaramillo at 503-986-0880 or Lisa.J.JARAMILLO@wrđ.state.or.us or Bill Fujii at 503 986 0887 or by email at william.h.fujii@wrđ.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 12566</a> <a href="#">Cert#-87437</a>	14	KLAM	06/12/1991	04/20/2012	CHEYNE, MARGARET G. CHEYNE, CHARLES D.
<a href="#">App: G 14546</a> <a href="#">Cert#-87538</a>	14	KLAM	06/11/1997	04/20/2012	JESPERSEN EDGEWOOD INC.
<a href="#">App: R 85931</a> <a href="#">Cert#-87537</a>	5	DESC	02/04/2004	04/20/2012	MILLER TREE FARM LLC
<a href="#">Xfer: T 10831</a> <a href="#">Cert#-87536</a>	2	MARI	09/12/1958	04/20/2012	KRAEMER, PAUL
<a href="#">Xfer: T 6529</a> <a href="#">Cert#-87441</a>	9	BAKE	12/31/1881	04/20/2012	DEWART, RICHARD T.; LAZY S OVER SEVEN INC.
<a href="#">Xfer: T 6530</a> <a href="#">Cert#-87442</a>	9	BAKE	12/31/1880	04/20/2012	DEWART, RICHARD T.; LAZY S OVER SEVEN INC.
<a href="#">Xfer: T 6618</a> <a href="#">Cert#-87444</a>	2	MULT	06/13/1966	04/20/2012	U.S. ARMY CORPS OF ENGINEERS; PORTLAND DISTRICT
<a href="#">Xfer: T 6619</a> <a href="#">Cert#-87445</a>	2	MULT	05/05/1972	04/20/2012	U.S. ARMY CORPS OF ENGINEERS; PORTLAND DISTRICT
<a href="#">Xfer: T 6878</a> <a href="#">Cert#-87450</a>	2	MARI	05/27/1966	04/20/2012	BUTSCH, JAMES

File Number	Basin Number	County	Priority Date	Issue Date	Name
<a href="#">Xfer: T 6913 Cert#-87451</a>	2	CLAC	12/14/1966	04/20/2012	MONTECUCCO, PAUL A.
<a href="#">Xfer: T 7279 Cert#-87452</a>	2	MARI	03/23/1981	09/09/9999	PEMBROKE FARMS
<a href="#">Xfer: T 7315 Cert#-87453</a>	12	HARN	10/31/1974	04/20/2012	SMITH, JACK G. SMITH, BONNIE J.
<a href="#">Xfer: T 7399 Cert#-87455</a>	2	LINN	10/24/1968	04/20/2012	HELMS BROTHERS FARM
<a href="#">Xfer: T 7507 Cert#-87508</a>	6	GRAN	06/30/1893	04/10/2012	CHOUINARD, ROBERT G. CHOUINARD FAMILY TRUST
<a href="#">Xfer: T 7606 Cert#-87454</a>	9	BAKE	12/31/1884	04/20/2012	ROBERTSON, DARYL R. WHITELEY, CAROL B.

**OREGON  
WATER  
RESOURCES  
DEPARTMENT**



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

**PUBLIC NOTICE OF WATER USE REQUESTS**  
April 24, 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:**

---

---

---

---

\* 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.)