

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
May 1, 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*

This publication lists agency activities requiring public notice. It also describes public comment processes and deadlines. Types of water use requests in this week's Public Notice include:

- * **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- * **Applications for Extensions of Time to Perfect Water Right Permits**
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- * **Application for Instream Lease**
Application by water right holder to lease existing water rights to instream use.
- * **Transfer Applications: Regular**
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- * **Transfer Preliminary Determinations**
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- * **Transfer Applications: Temporary Transfers**
Requests to temporarily change place of use and, if necessary, to convey the water to the new place of use, to temporarily change the point of diversion or appropriation.
- * **Transfer Applications: Permit Amendments**
Requests to amend permits.
- * **District Permanent Transfers (ORS 540.580)**
Petitions requesting transfers in place of use within a district's boundaries.
- * **Application for Allocation of Conserved Water**

- * **Establishment of Mitigation Credits in the Deschutes Basin**
Pursuant to OAR Chapter 690, Division 521 (ORS 537.746)
- * **Application to Develop Hydroelectric Use**
The Department seeks public comment on the following application to develop hydroelectric use as part of an existing certificated water right (ORS 543.765).
- * **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 "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 31, 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 15, 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	EUGENE OR 97123	16.00S 03.00W 19	NESW Lane	01/29/2002	0.3700 C	IR	3
	02	A WELL > SPRING CR						
		Uses: IR						

FIRST LINE:

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

SECOND LINE:

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

THIRD LINE:

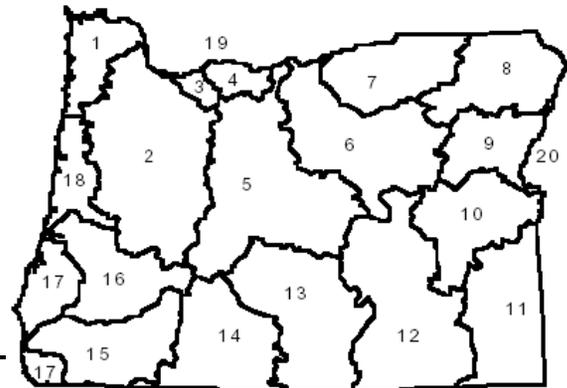
- * Type of use (see abbreviations below)

BASINS:

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

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
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R-87793									IR	2
	2	SOUTH FORK ASH CREEK > ASH CREEK	8.00S 4.00W 31	NESW	Polk	04/05/2012	48.333A			
	2	RUNOFF > SOUTH FORK ASH CREEK	8.00S 4.00W 31	NWSE	Polk	04/05/2012	48.333A			
	2	RUNOFF > SOUTH FORK ASH CREEK	8.00S 4.00W 31	NESE	Polk	04/05/2012	48.333A			
Uses:	ST									
S-87794		DINSDALE, PETER PO BOX 357 INDEPENDENCE, OR 97351							IR	2
	2	A RESERVOIR > SOUTH FORK ASH CREEK	8.00S 4.00W 31	NWSE	Polk	04/05/2012	80.0A			
	2	A RESERVOIR > SOUTH FORK ASH CREEK	8.00S 4.00W 31	NESE	Polk	04/05/2012	65.0A			
Uses:	IR									
G-17478		PATTON, LOWELL E. PO BOX 85 16051 SE HWY 224, DAMASCUS CLACKAMAS, OR 97015							PFO	2
	2	A WELL > CLACKAMAS RIVER	2.00S 2.00E 13	NESE	Clackamas	07/01/2011	0.11C			
Uses:	IR									
G-17494		WILLIAMS, CRAIG 1551 OAK AVE SAINT HELENA, CA 94574							PFO	2
	2	DRAIN TILE > BRUSH COLLEGE CREEK	7.00S 3.00W 7	NENW	Polk	10/17/2011	9.0A			
Uses:	IR ST									
G-17495		WILLIAMS, CRAIG 1551 OAK AVE SAINT HELENA, CA 94574							PFO	2
	2	A WELL > BRUSH COLLEGE CREEK	7.00S 3.00W 7	NENW	Polk	10/17/2011	0.39C			
Uses:	IS									
R-87430		COWAN, DAVID 7647 LIBBY RD NE OLYMPIA, WA 98506 COWAN, THERESA 7647 LIBBY RD NE OLYMPIA, WA							PFO	2
	14	RUNOFF > FISHHOLE CREEK	36.00S 14.00E 33	SENW	Klamath	03/27/2009	48.0A			
	14	A SPRING > FISHHOLE CREEK	36.00S 14.00E 33	SENW	Klamath	03/27/2009	48.0A			
Uses:	LV WI									
G-17155		9L FARMS LLC 4153 COLLINS DR MADRAS, OR 97741 LEACH, HENRIETTA 4153 COLLINS DR MADRAS, OR 9							PFO	2
	12	A WELL > MALHEUR LAKE	24.00S 33.00E 15	SESE	Harney	12/23/2008	1.5C			
Uses:	IR									

App#	Basin Source	Township/Range	County	Priority	Quantity Stage Status
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G-17480	RUPP, ROSA 420 RD 49 PASCO, WA 99301	RUPP, WILLIAM F. 420 RD 49 PASCO, WA 99301					PFO	2
	7 A WELL > EAST BIRCH CREEK	2.00S 32.00E 13 NWNW	Umatilla	08/11/2011		0.895C (est)		
	7 A WELL > EAST BIRCH CREEK	2.00S 32.00E 11 SESE	Umatilla	08/11/2011		0.895C (est)		
Uses:	IR IS							
G-17137	PEILA, MIKE PO BOX 537 HINES, OR 97738						PFO	3
	12 A WELL > SILVIES RIVER	24.00S 31.00E 18 NWNW	Harney	11/04/2008		2.8C		
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
<u>G-17287</u>	15	JACK	11/17/2009	KELLOGG KIN INC.		04/19/2012
<u>S-87621</u>	2	BENT	06/16/2010	GREENBERRY IRRIGATION DISTRICT		04/19/2012
<u>S-87737</u>	17	CURR	07/11/2011		DANA C OSMAN	04/19/2012
<u>G-17289</u>	2	LINN	11/23/2009		DAVID ROGERS	04/26/2012
<u>S-87700</u>	6	GRAN	02/28/2011		BARBARA VOIGT	04/26/2012

**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 31, 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-15755
Permit Number: G-15450
BROWN, LEONARD
PO BOX 249
MILTON FREEWATER, OR 97862
Umatilla County
TWO WELLS > LITTLE WALLA WALLA RIVER
9.34CFS
SUPPLEMENTAL IRRIGATION OF 155.31 ACRES AND TEMPERATURE CONTROL
October 1, 2017

Application Number: G-16174
Permit Number: G-15717
EARL BROWN AND SONS INC.
PO BOX 249
MILTON FREEWATER, OR 97862
Umatilla County
TWO WELLS > WEST LITTLE WALLA WALLA RIVER
1.49CFS
SUPPLEMENTAL IRRIGATION OF 59.8 ACRES AND TEMPERATURE CONTROL
October 1, 201

Application Number: G-15614
Permit Number: G-15322
BROWN, LEONARD
PO BOX 249
MILTON FREEWATER, OR 97862
Umatilla County
TWO WELLS > WEST LITTLE WALLA WALLA RIVER
5.77CFS
SUPPLEMENTAL IRRIGATION OF 163.86 ACRES AND TEMPERATURE CONTROL
October 1, 2017

Application Number: G-16606
Permit Number: G-16224
SCHANNO JR, D PAUL AND DIXIE
82163 DUFUR VALLEY RD
THE DALLES, OR 97021
Wasco County
TWO WELLS > SPRING BRANCH
5.0CFS
IRRIGATION USE ON 434.6 ACRES
October 1, 2015

Application Number: S-86478
Permit Number: S-54348
SHADY COVE WATER WORKS LLC
425 W THIRD AVE
EUGENE, OR 97401
Jackson County
POND AND A RESERVOIR > ROGUE RIVER
109.0AF
QUASI-MUNICIPAL USES
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 May 15, 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-1406

FRIES, GREG

PO BOX 429

DUNDEE, OR 97115

POD: 1 GALESVILLE RES > COW CR

SW 1/4 SW 1/4 Section 30T 25.00S R 6.00W WM

Douglas County

2.65 CFS for IRRIGATION

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 22, 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: 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 4/25/1905	IR	0.054	19.29	DESCHUTES RIVER	COLUMBIA RIVER	4.5

County: Deschutes
Instream Lease Number: IL 924

** Lessor **

MCCOOL, DANIEL AND ELIZABETH
60359 ARNOLD MARKET RD
BEND, OR 97702

** Lessor **

ARNOLD IRRIGATION DISTRICT
19604 BUCK CANYON ROAD
BEND, OR 97702

** Lessee **

DESCHUTES RIVER CONSERVANCY
700 NW HILL ST
BEND, OR 97701

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	4.76	DESCHUTES RIVER	COLUMBIA RIVER	1.11

County: Umatilla
Instream Lease Number: IL 1235

** Lessor **

SAMS, LELAND AND GLENNA
61921 WEST RD
LA GRANDE, OR 97850

** Lessee **

THE FRESHWATER TRUST; C/O NATASHA BELLIS

65 SW YAMHILL STREET, SUITE 200
PORTLAND, OR 97204

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE MOUTH OF THE NORTH FORK WALLA WALLA RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:12830 OR *		12/31/1893	IR	0.15		SPRINGS	NORTH FORK WALLA WALLA RIVER	4.0

Reach: FROM THE POD TO THE MOUTH OF THE NORTH FORK WALLA WALLA RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:12831 OR *		12/31/1905	IR	0.259		SPRINGS	NORTH FORK WALLA WALLA RIVER	6.9

Reach: FROM THE POD TO THE NORTH FORK WALLA WALLA RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:12829 OR *		12/31/1891	IR	0.296		N FORK WALLA WALLA R	WALLA WALLA RIVER	7.9

County: Deschutes
Instream Lease Number: IL 1236

** Lessor **
TEHAN, JOHN T.
PO BOX 34
SISTERS, OR 97759

** Lessee **
DESCHUTES RIVER CONSERVANCY MITIGATION BANK
700 NW HILL ST
BEND, OR 97701
Contact: LAURA WILKE at (503) 986-0884

Reach: FROM THE POD TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:67284 RR *		12/31/1883	IR	0.07	19.25	SQUAW CREEK	DESCHUTES RIVER	3.5

Reach: FROM THE POD TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:81663 CF *		12/31/1883	IR	0.152	64.52	SQUAW CREEK	DESCHUTES RIVER	7.6

County: Klamath
 Instream Lease Number: IL 1237

** Lessor **
 LYNES, JIM
 5936 SHAWN DR
 HELENA, MT 59602

** Lessee **
 DESCHUTES RIVER CONSERVANCY MITIGATION BANK
 700 NW HILL ST
 BEND, OR 97701

Contact: LAURA WILKE at (503) 986-0884
 Reach: FROM THE POD (WITHIN TAXLOT 500) TO THE MOUTH OF THE LITTLE DESCHUTES RIVER

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:86855 RR *		9/1/1898	IR	0.209	33.4	BIG MARSH CREEK	CRESCENT CREEK	8.35

County: Crook
 Instream Lease Number: IL 1238

** Lessor **
 MILLER, ROBERT
 4604 MCKAY CREEK RD

PRINEVILLE, OR 97754

** Lessee **

DESCHUTES RIVER CONSERVANCY
PO BOX 1560
BEND, OR 97709

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM THE POD TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:35725	OR * S 25593	6/25/1958	IR	0.018	2.8	MCKAY CREEK	CROOKED RIVER	0.7

Reach: FROM THE POD TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:68060	CR * S 40048	8/5/1975	IR	0.028	4.4	MCKAY CREEK	CROOKED RIVER	1.1

County: Crook
Instream Lease Number: IL 1239

** Lessee **

DESCHUTES RIVER CONSERVANCY
PO BOX 1560
BEND, OR 97709

** Lessor **

OCHOCO IRRIGATION DISTRICT - POOLED LEASE
1001 NW DEER STREET
PRINEVILLE, OR 97754
Contact: LAURA WILKE at (503) 986-0884

Reach: FROM THE POD TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:82248	CF RR * S 49824	9/2/1986	IM	2.13	68.0	OCHOCO RESERVOIR	OCHOCO CREEK	17.0

Reach: FROM THE POD TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:82246	CF RR * S 5426	8/10/1917	IR	1.474	471.6	OCHOCO CREEK	CROOKED RIVER	117.0

County: Crook
 Instream Lease Number: IL 1240

** Lessor **
 OCHOCO IRRIGATION DISTRICT - POOLED LEASE
 1001 NW DEER STREET
 PRINEVILLE, OR 97754

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

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM THE POD TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:82246	CF RR * S 5426	8/10/1917	IR	8.34	2668.8	OCHOCO CREEK	CROOKED RIVER	667.2

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 31, 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: HARNEY
Transfer: 11412
Water Right: CERT 14052
Priority Date: 18 DATES FROM 1880-1916
Name: THOMAS W. KETSCHER
PO BOX 717
HINES, OR 97738
Change: USE
Source: SILVER CREEK

County: MALHEUR
Transfer: 11413
Water Right: CERT 85564
Priority Date: 1989
Name: CHRISTOPHER JAMES RAY
6144 MOLTHAN RANCH RD
IRONSIDE, OR 97908
Change: PLACE OF USE
Source: A WELL

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 31, 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-10750 filed by Thomas E. Rasmussen, 1301 SOUTH G ST, LAKEVIEW OR 97630, proposes a change in points of diversion under Certificates 9451, 22209, and 45409. Certificate 9451 allows the use of the waters of HART LAKE (priority date 1892) Sec. 18, T36S, R25E, W.M. for irrigation and livestock in Secs. 24, 25, and 36, T35S, R24E, W.M., Secs. 30 and 31, T35S, R25E, W.M., Secs. 1, 12, and 13, T36S, R24E, W.M., Secs. 6, 7, 8, 18, and 19, T36S, R25E, W.M. The applicant proposes to move the point of diversion approximately 60 feet to 96 FEET NORTH AND 4528 FEET WEST FROM SE CORNER OF SEC. 18, within SW SW, Glot 12, T36S, R25E, W.M. Cert. 22209 allows the use of the waters of HART LAKE 20.80 CFS (priority date March 15, 1951) from the HART LAKE in SEC. 14, T36S, R24E and Sec. 18, T36S, R25E, W.M. for supplemental irrigation in Secs. 24, 25, and 36, T35S, R24E, W.M., Secs. 30 and 31, T35S, R25E, W.M., Secs. 1, 12, and 13, T36S, R24E, W.M., and Secs. 6, 7, 8, 18, and 19, T36S, R25E, W.M. The applicant proposes to move the point of diversion approximately 60 feet to 96 FEET NORTH AND 4528 FEET WEST FROM SE CORNER OF SECTION 18, within SW SW, Glot 12, T36S, R25E, W.M. Cert. 45409 allows the use of 23,384.41 acre-feet (priority date August 30, 1950) from the HART LAKE for supplemental irrigation in Secs. 24, 25, and 36, T35S, R24E, W.M., Secs. 30 and 31, T35S, R25E, W.M., Secs. 1, 12, and 13, T36S, R24E, W.M., and in Secs. 6, 7, 8, 18, and 19, T36S, R25E, W.M. The applicant proposes to move the point of diversion approximately 60 feet to 96 FEET NORTH AND 4528 FEET WEST FROM SE CORNER OF SECTION 18, within SW SW, Glot 12, T36S, R25E, 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-11257 filed by RIPE LLC, PO Box 157, St. Paul, OR 97137, proposes additional points of appropriation under Registration Application GR-2514 (Certificate of

Registration GR-3833). The ground water registration claims the use of 600 gallons per minute (tentative priority date November, 1954 from a well in Sec. 22, T 4 S, R 2 W, W.M. (Champoeg Creek Basin) for irrigation in Sects. 15 and 22, T 4 S, R 2 W, W.M. The applicant proposes additional points of appropriation between approximately 100 and 1000 feet within Sec. 22, T 4 S, R 2 W, W.M. The Water Resources Department has concluded that the proposed modification appears to be consistent with the requirements of ORS Chapter 537, ORS Chapter 540 and OAR 690-382-1000.

T-11261 filed by Coleman Farms Inc, 16873 French Prairie Road NE, Woodburn, OR 97071, Fairfield Farms Inc., 4440 Mahony Road NE, St. Paul, OR 97137, and RIPE LLC, P.O. Box 157, St. Paul, OR 97137, proposes additional points of appropriation to modify the point of appropriation under Registration Application GR-488 (Certificate of Registration GR-515). The ground water registration claims the use of 300 gallons per minute (tentative priority date July 1948 from a well in Sec. 22, T 4 S, R 2 W, W.M. (Champoeg Creek Basin) for irrigation in Sec.22. The applicants propose additional points of appropriation approximately between 2500 and 3000 feet east within Sec. 22 and to modify the location of the original point of appropriation approximately 2500 feet southwest to Sec. 21, T 4 S, R 2 W, W.M. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

T-11271 filed by Auxier Resource I, LLC, 5285 Meadows Rd., Suite 333, Lake Oswego, OR 97035, proposes a point of diversion change under Certificate 25482. The right allows the use of 0.625 cubic foot per second from the JOHN DAY RIVER in Sec. 4, T 13 S, R 27 E, W.M. for irrigation in Sec. 5, T 13 S, R 27 E, W.M. The applicant proposes to move the point of diversion downstream within Sec. 5. 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:	UNION
Transfer:	11409
Water Right:	CERT 61385
Priority Date:	1980
Name:	SHARON HOHSTADT 65691 BOOTH LANE COVE, OR 97824
Change:	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: HARNEY
Transfer: 11411
Water Right: CERT G 16654
Priority Date: 2008
Name: STEVE RICKMAN
69773 OLD EXPERIMENT RD
BURNS, OR 97720
Change: 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 May 31, 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:	UMATILLA
Transfer:	11408
Water Right:	CERT 76717, 76799, 79439
Priority Date:	1907, 1961, 1924
Name:	WESTLAND IRRIGATION DISTRICT PO BOX 944 HERMISTON, OR 97838
Change:	PLACE OF USE
Source:	UMATILLA RIVER

Application for Allocation of Conserved Water

The Department has received applications for Allocation of Conserved Water pursuant to ORS 537.455 to 537.500 and OAR Chapter 690, Division 18. The Department's review will consider whether the diversion for the uses allowed under the original water right will be reduced by the conservation project; whether existing water rights will be protected from injury and whether the project is in compliance with local comprehensive land use plans.

Application CW-73

On April 05, 2012, Walla Walla River Irrigation District filed an Application for Allocation of Conserved Water under ORS 537.470.

The Department designated the application as CW-73. The Applicants propose to conserve water by piping two miles and eliminating use of an additional 1.5 miles of the Milton Ditch. Additional piping of the Powell Pleasantview Ditch and the installation of a totalizing flow meter and an automated headgate.

The project is expected to yield approximately over 3.0 cfs of conserved water from Walla Walla River under Water Right Certificate(s) 12561,12698,12962,12954,12988,12992,12993,12994,12940,13005,13043,13020,13057,13003,13031,13023,55844,54771,50399,52832,52833,76940,33675,13010,12888,12961,13164,13065, and T-8626 with a priority dates of 1875 through 1905. It is proposed that 100% of the conserved water will be protected instream from the POD on the Walla Walla River from Cemetery Bridge to the Oregon-Washington State line.

Any interested person may comment in writing on CW-73. Comments must be received by May 23, 2011 or within 20 days of the last date of publication in the newspaper, whichever is later. Comments should be sent to Kody Thurgood, Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301-1266. Comments may be faxed to 503-986-0903. The Department will review all comments received when determining whether to approve the proposed allocation of conserved water. A copy of the application and other information on the allocation and use of conserved water may be obtained from the Department by contacting Kody Thurgood at 503-986-0892 or thurgokj@ wrd.state.or.us.

Application CW-68

On February 24, 2011, Molly Reid of GSI Water Solutions, Inc., acting as agent for Glenn Chowning and Ken VanDewall of Terra Poma Land LLC., filed an Application for an Allocation of Conserved Water under ORS 537.470. The Department designated the application as CW-68. The Applicants propose to conserve water by upgrading their existing center pivot circle irrigation system by replacing the existing 10 gallon per minute sprinklers with state of the art new low pressure, low flow spray nozzles along with end gun shut-offs. The new system also includes an IRZ monitoring system. The project will also use various cover crops to increase the water holding capacity of the soil and prevent erosion.

The project is expected to yield approximately 1.55 cfs and 270 acre-feet of conserved water from the Columbia River under Certificate 52082 with a June 29, 1973 priority date. It is proposed that 25% or 0.39 cfs and 67.5 acre-feet of the conserved water will go instream from the POD to the mouth of the Columbia River. The remaining conserved water will be used for irrigation purposes.

Any interested person may file written comments. Comments must be received by June 11, 2012 or within 20 days of the last date of publication in the newspaper, whichever is later. Comments should be sent to Kody Thurgood, Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301-1266. Comments may be faxed to 503-986-0903. The Department will review all comments received when determining whether to approve the proposed allocation of conserved water.

A copy of the application and other information on the allocation and use of conserved water may be obtained from the Department by contacting Kody Thurgood at 503-986-0892 or Kody.J.Thurgood@wrд.state.or.us.

Establishment of Mitigation Credits in the Deschutes Basin

ORS 537.746 authorizes the Department to award mitigation credits in the Deschutes Basin to approved mitigation projects. Mitigation credits may be used in the Deschutes Basin, specifically the Deschutes Ground Water Study Area, to mitigate for the impacts of ground water use on surface water flows. Pursuant to OAR Chapter 690, Division 521, upon receipt of notification of a mitigation project, the Department shall give public notice of the intent to establish mitigation credits.

The public is invited to comment on establishment of mitigation credits for the project(s) described below. Comments must be received within 21 days of the date of this public notice. Comments should address the award of mitigation credits to the proposed project and its use for mitigation purposes. Included in this public notice is a preliminary determination as to the amount of mitigation credits that may be available from the proposed project.

Deschutes County

Mitigation Project #: MP-171

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

Mitigation Project
And Process: Instream Lease Application IL-1225 for Certificate 83571 (Also see Instream Lease Section of the April 17, 2012 public notice for application details)

Subbasin/Source: Middle Deschutes River Subbasin – Deschutes River, tributary to the Columbia River

Amount of Water: Proposed Instream: up to 2.01 CFS with a
Maximum Seasonal Volume – 645.34 AF

Current Use: 118.4 acres of Irrigation Use

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: up to 213.1 Mitigation Credits
May be available for use in the Middle Deschutes River and General Zones of Impact

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

Deschutes County

Mitigation Project #: MP-172

Project Applicant: Deschutes River Conservancy Mitigation Bank and John Tehan

Mitigation Project
And Process: Instream Lease Application IL-1236 for Certificate 81663 and 67284 (Also see Instream Lease Section of the May 1, 2012 public notice for application details)

Subbasin/Source: Whychus Creek Subbasin – Whychus Creek, tributary to the Deschutes River

Amount of Water: Proposed Instream: up to 0.22 CFS with a
Maximum Seasonal Volume – 106.9 AF
Current Use: 7.6 acres of Irrigation Use under Certificate 81663 and 3.5 acres of
Irrigation Use under Certificate 67284
Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: up to 20.0 Mitigation Credits
May be available for use in the Whychus Creek and General Zones of
Impact

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

Klamath County

Mitigation Project #: MP-173

Project Applicant: Deschutes River Conservancy Mitigation Bank and Jim Lynes

Mitigation Project

And Process: Instream Lease Application IL-1237 for Certificate 86855 (Also see
Instream Lease Section of the May 1, 2012 public notice for application
details)

Subbasin/Source: Crescent Creek Subbasin – Big Marsh Creek,
tributary to Crescent Creek

Amount of Water: Proposed Instream: up to 0.21 CFS with a
Maximum Seasonal Volume – 33.4 AF

Current Use: 8.35 acres of Irrigation Use

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: up to 15.0 Mitigation Credits
May be available for use in the Little Deschutes and General Zones of
Impact

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

**Application to Develop Hydroelectric Use as part of an existing
Certificated Water Right**

The Department seeks public comment on the following application to develop hydroelectric use as part of an existing certificated water right (ORS 543.765). Comments must be submitted within 30 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 application please contact R. Craig Kohanek (503) 986-0823. A copying fee will be assessed as allowed in Oregon Revised Statute (ORS) Chapter 536.050(1)(e).

Application: PC 896
Applicant: City of Hillsboro
Address: 150 East Main Street, Third Floor, Hillsboro, OR 97123-4028
Amount of water: 3.8 cubic feet per second
Source of water: Sain Creek and Tualatin River
Location of the
Points of Diversion: Spring Hill Intake on the Tualatin River: SW ¼ SW ¼ of Section 8, Township 1 South, Range 3 West, W.M., 500 Feet North and 410 Feet East from the SW Corner of Section 8, Washington County
Place of Use: SE ¼ SE ¼ of Section 24, Township 1 South, Range 3 West, W.M., Washington County
Power developed: 137 Theoretical horsepower
Water Right
Certificates: 67891, 81026, and 81027

Comments are Due May 31, 2012

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
<u>App: G 12267 Cert#-87542</u>	2	CLAC	10/18/1990	04/27/2012	WEST COAST TRUST; FRANK J BRONEC TRUST, UTD 9/12/05 BRONEC, JOSEPH E.; B FARMS LLC BRONEC, JOSEPH E.
<u>App: R 83373 Cert#-87512</u>	16	DOUG	04/22/1997	04/27/2012	HOWELL, RICHARD C. HOWELL, SHELAGH E.
<u>App: S 86991 Cert#-87544</u>	16	DOUG	09/24/2007	05/01/2012	LEBEL, YVAN
<u>Xfer: T 10984 Cert#-87543</u>	6	GRAN	03/29/1956	05/01/2012	NEAL JR, LEWIS D. NEAL, MARY E. PRATER, BRIAN PRATER, PATRICE
<u>Xfer: T 7233 Cert#-87521</u>	2	MARI	06/21/1976	04/27/2012	CATES, SHARON K.

**OREGON
WATER
RESOURCES
DEPARTMENT**



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
May 1, 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.)