

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
May 22, 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.
- * **Alternate Reservoir Applications (ORS 537.409)**
Applications for storage permits for small ponds 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.
- * **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: Permit Amendments**
Requests to amend permits.
- * **Establishment of Mitigation Credits in the Deschutes Basin**
Pursuant to OAR Chapter 690, Division 521 (ORS 537.746)

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 "Codi.N.Holmes@wrđ.state.or.us".

Permit Application Initial Reviews and Proposed Final Orders

The following pages of this notice list permit applications that the Oregon Water Resources Department is evaluating for compliance with state water laws and regulations. Public participation and comment is encouraged. Opportunities for public involvement vary according to the stage of the permit evaluation.

Ground water permit applications in the Deschutes Basin (basin 5) may seek to provide mitigation pursuant to the Deschutes Ground Water Mitigation Rules by implementing a mitigation project or by obtaining mitigation credits made available by a completed mitigation project. Surface water and/or reservoir permit applications in the Deschutes Basin may be proposed ground water mitigation projects.

Initial Review Stage (IR in the "Stage" column of the permit listing)

The Department has given the applicant the results of an initial review of water use restrictions, water availability and other limits that affect the agency's decision on whether to issue a permit. The 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, June 21, 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, July 06, 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)

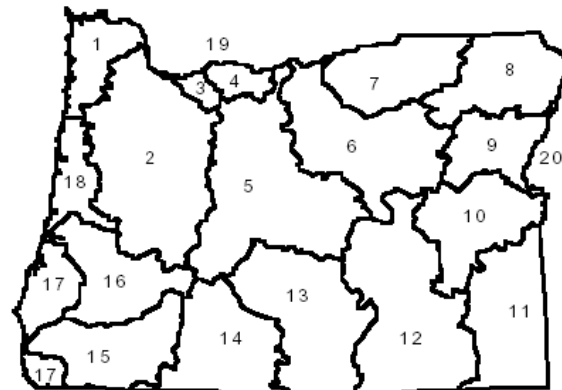
BASINS:	
1. North Coast	11. Owyhee
2. Willamette	12. Malheur L.
3. Sandy	13. Goose/Summer L.
4. Hood	14. Klamath
5. Deschutes	15. Rogue
6. John Day	16. Umpqua
7. Umatilla	17. S. Coast
8. Grande Ronde	18. Mid-Coast
9. Powder	19. Columbia
10. Malheur	20. Snake

- 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
S-87803	LUCAS, BONNIE C. PO BOX 87 WESTLAKE, OR 97493						IR 2
18	A SPRING > SILTCOOS LAKE	19.00S 12.00W 34 NWSE	Lane	04/30/2012	0.01C		
Uses:	DN						
G-17545	MCDANIEL, SAM 27972 LITTLE INDIAN CREEK RD JOHN DAY, OR 97845						IR 2
10	A WELL > BLAYLOCK CANYON	23.00S 37.00E 21 NESE	Malheur	04/02/2012	1.0C		
Uses:	IR						
G-17551	VIRTUE FINANCIAL SOLUTIONS LLC PO BOX 477 BAKER CITY, OR 97814						IR 2
9	A WELL > SECOND CREEK	9.00S 42.00E 29 SWSE	Baker	04/13/2012	0.334C (est)		
9	A WELL > SECOND CREEK	9.00S 42.00E 32 NENW	Baker	04/13/2012	0.334C (est)		
Uses:	IS						
G-17496	BONANZA SCHOOL 31610 MISSION ST BONANZA, OR 97623	KLAMATH COUNTY SCHOOL DISTRICT 10501	WASH				PFO 2
14	A WELL > LOST RIVER	39.00S 11.00E 10 SWNW	Klamath	10/19/2011	0.296C (est)		
14	A WELL > LOST RIVER	39.00S 11.00E 9 SENE	Klamath	10/19/2011	0.296C (est)		
14	A WELL > LOST RIVER	39.00S 11.00E 10 SWNW	Klamath	10/19/2011	0.296C (est)		
Uses:	GT						
S-87741	FOREST EDGE INVESTMENTS LLC PO BOX 407 WINCHESTER, OR 97495						PFO 2
16	BUCKHORN CREEK > LITTLE RIVER	27.00S 4.00W 1 NENE	Douglas	07/29/2011	0.005C		
Uses:	HC						

Permit Application Final Orders

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

Application	Basin	County	Priority	Company	Name	FO Date
G-17510	10	MALH	12/05/2011		MICHAEL MCGOURTY	05/14/2012
G-17516	10	MALH	12/14/2011		BRETT PARKS	05/14/2012
R-87314	6	WHEE	10/20/2008		ROBERT GOBET	05/14/2012
R-87315	6	WHEE	10/20/2008		ROBERT GOBET	05/14/2012
R-87316	6	WHEE	10/20/2008		ROBERT GOBET	05/14/2012
R-87317	6	WHEE	10/20/2008		ROBERT GOBET	05/14/2012
R-87318	6	WHEE	10/20/2008		ROBERT GOBET	05/14/2012
R-87729	2	WASH	06/16/2011	CITY OF HILLSBORO	ED BECKER	05/14/2012

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 July 21, 2012.

R-87682
MAYHEW, MARK AND CYNTHIA
PO BOX 881
EAGLE POINT, OR 97529 MAYHEW,
POD: 1 RUNOFF > LOST CREEK
SW 1/4 NE 1/4 Section 15T 37.00S R 2.00E WM
Jackson County
3.0 A for FIRE PROTECTION

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: WHEELER
WATER RIGHT CERTIFICATE: 25081, IN THE NAME OF ESTATE OF IRA O. AND
LUCINDA E. DERR
PRIORITY DATE: 1897
SOURCE: W FK, M FK AND E FK BIRCH CR > ROCK CR
LANDOWNER: DAYSPRING PARTNERS, LLC
ADDRESS: 15350 SW SEQUOIA PKWY, #250,
PORTLAND, OR 97224
USE: MINING
QUANTITY: 3.75 CFS
ACRES:
LOCATION: T13S, R25E, 7, SWNE, NESW, NWSE, SWSE

COUNTY: WHEELER
WATER RIGHT CERTIFICATE: 11676, IN THE NAME OF H. B. GARRISON
PRIORITY DATE: MAY 11, 1936
SOURCE: MULE GULCH > ROCK CR
LANDOWNER: DAYSPRING PARTNERS, LLC
ADDRESS: 15350 SW SEQUOIA PKWY, #250
PORTLAND, OR 97224
USE: MINING
QUANTITY: 3.0 CFS
ACRES:
LOCATION: T13S, R23E, 6, NWNE, SWNE, NWSW, SWSW, SWSE,
NENW, SENW, NESW, SESW

COUNTY: WHEELER
WATER RIGHT CERTIFICATE: 11928, IN THE NAME OF H. B. GARRISON
PRIORITY DATE: JUNE 5, 1936
SOURCE: ROCK CR > JOHN DAY R AND SPANISH GULCH > ROCK
CR
LANDOWNER: DAYSPRING PARTNERS, LLC
ADDRESS: 15350 SW SEQUOIA PKWY, #250
PORTLAND, OR 97224
USE: PLACER MINING
QUANTITY: 15.0 CFS; 10.0 CFS ROCK CR
5.0 CFS SPANISH GULCH
ACRES:

LOCATION: T13S, R25E, 6, NENW, NWNW, SWNW, SENW, NESW,
NWSW, SWSW, SESW, SESW, NWNE, SWNE, NWSE, SWSE

COUNTY: WHEELER

WATER RIGHT CERTIFICATE: 11475, IN THE NAME OF E. O. WATERMAN

PRIORITY DATE: SEPTEMBER 13, 1932

SOURCE: ROCK CR > JOHN DAY R

LANDOWNER: DAYSPRING PARTNERS, LLC

ADDRESS: 15350 SW SEQUOIA PKWY, #250
PORTLAND, OR 97224

USE: MINING

QUANTITY: 0.0 CFS; PLACE OF USE ONLY

ACRES:

LOCATION: T13S, R24E, 12, NENE, SWNE, SENE, NESE, NWSE,
SWSE, SESE

COUNTY: WHEELER

WATER RIGHT CERTIFICATE: 25977, IN THE NAME OF E. O. WATERMAN

PRIORITY DATE: 1875

SOURCE: W FK BIRCH CR CR > BIRCH CR

LANDOWNER: DAYSPRING PARTNERS, LLC

ADDRESS: 15350 SW SEQUOIA PKWY, #250
PORTLAND, OR 97224

USE: MINING

QUANTITY: 0.0 CFS; PLACE OF USE ONLY

ACRES:

LOCATION: T13S, R24E, 12, NESW, NWSW, NWSE, SWSE, NESE
T13S, R24E, 13, NWNE, SWNE, SENE
T13S, R25E, 7, NENW, SENW, NESW,
T13S, R25E, 18, NENE, SWNE, SENE, SWNW, NESW,
SESW, NESE,

LOTS 1 (NWNW), 2 (SWNW), 3 (NWSW), 4 (SWSW)

LOTS 7 (SWNW), 3 (NWSW), 4 (SWSW)

COUNTY: WHEELER

WATER RIGHT CERTIFICATE: 25978, IN THE NAME OF E. O. WATERMAN

PRIORITY DATE: JUNE 8, 1892

SOURCE: FIRST CR, SECOND CR, FIR TREE CR > ROCK CR

LANDOWNER: DAYSPRING PARTNERS, LLC

ADDRESS: 15350 SW SEQUOIA PKWY, #250
PORTLAND, OR 97224

USE: MINING

QUANTITY: 0.0 CFS; PLACE OF USE ONLY

ACRES:

LOCATION: T13S, R24E, 12, NESW, NWSW, NWSE, SWSE, NESE
T13S, R24E, 13, NWNE, SWNE, SENE
T13S, R25E, 7, NENW, SENW, NESW,
T13S, R25E, 18, NENE, SWNE, SENE, SWNW, NESW,
SESW, NESE, LOTS 7 (SWNW), 3 (NWSW), 4 (SWSW)

LOTS 1 (NWNW), 2 (SWNW), 3 (NWSW), 4 (SWSW)

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 July 06, 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: Baker
Application File Number: G-14733
Permit Number: G-13594
Applicant: PARKER, DOUGLAS A
Address: 45000 SCHOOL HOUSE RD
HAINES, OR 97833
River Basin: Powder Basin
Water Source: A WELL > HUNT CREEK
Authorized Use of Water: SUPPLEMENTAL IRRIGATION ON 10.47 Acres
Maximum Diversion/
Appropriation Rate: 0.126 CFS

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

County of Use: Coos
Application File Number: G-13770
Permit Number: G-12722
Applicant: FRIDAY FARMS INC.
Address: PO BOX 1384
BANDON, OR 97411
River Basin: South Coast Basin
Water Source: WELL 1 > COQUILLE RIVER
WELL 2 > COQUILLE RIVER
Authorized Use of Water: CRANBERRY ON 17.00 Acres
Maximum Diversion/
Appropriation Rate: 0.2 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, 2010; and grant an extension of time to apply water to full beneficial use from October 1, 2011 to October 1, 2010

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 June 05, 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-1413
WAGON TRAIL HOME OWNERS ASSOCIATION
MCCLONG, NORMAN
152656 HACKAMORE LN
LA PINE, OR 97739
POD: 1 LITTLE DESCHUTES > DESCHUTES R
NW 1/4 NW 1/4 Section 1 T 23.00S R 9.00E WM
Klamath County
0.046 CFS for GENERAL CONSTRUCTION OR MAINTENANCE

LL-1414
SLAYDEN SUNDT, A JOINT VENTURE
MURPHY, DUSTIN
8240 SW MACADAM AVE
PORTLAND, OR 97219
POD: 1 WILLAMETTE R > COLUMBIA R
SW 1/4 SE 1/4 Section 22T 1.00S R 1.00E WM
Multnomah County
0.056 CFS for GENERAL CONSTRUCTION OR MAINTENANCE

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 June 12, 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: IL 1234

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

** Lessor **
CARNAHAN, ROBERT
81272 DUFER VALLEY RD
P.O.BOX 98
DUFER, OR 97021

Contact: KODY THURGOOD at 503-986-0892

Reach:	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert#								
Cert:5643 OR *		12/31/1888	IR	0.065	15.0	FIFTEENMILE CREEK	COLUMBIA RIVER	5.0

County: Jefferson
Instream Lease Number: IL 1244

** Lessee **

DESCHUTES RIVER CONSERVANCY MITIGATION BANK
PO BOX 1560
BEND, OR 97709

** Lessor **

THREE SISTERS IRRIGATION DISTRICT
PO BOX 2230
SISTERS, OR 97759

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:74135	CF *	12/31/1895	IM, IR, ST	3.501	638.79	SQUAW CREEK	DESCHUTES RIVER	175.03

County: Jackson
Instream Lease Number: IL 1245

** Lessor **

MEDFORD WATER COMMISSION
200 S IVY ST, RM 177
MEDFORD, OR 97501-8601

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM THE POD TO THE MOUTH OF THE ROGUE RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:15846	OR *	1905	IR	0.42	94.5	FOURBIT CREEK	S FORK BIG BUTTE CREEK	21.0

Reach: FROM THE POD TO THE MOUTH OF THE ROGUE RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:9821	OR * S	3283	DO,IR	0.4	146.25	FOURBIT CREEK	S FORK BIG BUTTE CREEK	32.5

Reach: FROM THE POD TO THE MOUTH OF THE ROGUE RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:5107	OR * S	3550	I*	0.72	243.0	TWO SPRINGS	FOURBIT CREEK	54.0

Reach: FROM THE POD TO THE MOUTH OF THE ROGUE RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:7434	OR * S	4854	IR	1.0	418.5	FOURBIT CREEK	S FORK BIG BUTTE CREEK	93.0

Reach: FROM THE POD TO THE MOUTH OF THE ROGUE RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:6740	OR * S	4637	IR	1.63	585.0	WILLOW CREEK	S FORK BIG BUTTE CREEK	130.0

Reach: FROM THE POD TO THE MOUTH OF THE ROGUE RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:4898	OR * S	3579	IR	1.76	634.5	FOURBIT CREEK	S FORK BIG BUTTE CREEK	141.0

County: Crook
Instream Lease Number: IL 1246

** Lessor **
MCINTOSH, SANDRA
3790 NE MCKAY RD
PRINEVILLE, OR 97754

** Lessor **
MCINTOSH, DONALD
3790 NE MCKAY RD
PRINEVILLE, OR 97754

** Lessee **
DESCHUTES RIVER CONSERVANCY
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:35725	OR * S 25593	6/25/1958	IR	1.383	221.24	MCKAY CREEK	CROOKED RIVER	55.31

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 June 21, 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: DOUGLAS
Transfer: 11418
Water Right: CERT 38427, 40359, 49667, 54476, 76353, 76681, 87562
Priority Date: OCTOBER 24, 1958
Name: CITY OF ROSEBURG
900 SE DOUGLAS AVE
ROSEBURG, OR 97470
Change: POINT OF DIVERSION; PLACE OF USE; USE
Source: SOUTH UMPQUA RIVER

County: LAKE
Transfer: 11421
Water Right: CERT 48606, 53059
Priority Date: AUGUST 2, 1973
Name: DELWIN KROPF
PO BOX 74
CHRISTMAS VALLEY, OR 97641
Change: POINT OF APPROPRIATION; PLACE OF USE
Source: A WELL

County: MARION
Transfer: 11422
Water Right: CERT 87468
Priority Date: JUNE 12, 1996
Name: CROSBY LAND COMPANY, LLC
PO BOX 70
WOODBURN, OR 97071
Change: POINT OF APPROPRIATION
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 June 21, 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-9689 filed by, John And Janna Vanden Brink, PO Box 165, Ione, OR 97843, proposes approval of an additional point of appropriation under Certificate 85546. The right allows the use of 0.722 cubic foot per second from Well 2 in Sec. 28, T 1 S, R 24 E, W.M. for agriculture water use associated with a dairy in Sec. 28. The applicants propose to add a point of appropriation in Sec. 28. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-10269 filed by the PORT OF MORROW, PO BOX 200, BOARDMAN, OR 97818, proposes a change in place of use, character of use, and to add five new additional wells under Certificate 51822. The right allows the use of 4.46 CUBIC FEET PER SECOND (priority date DECEMBER 1, 1971) from Wells 16 (Sec. 12) and Well 17 (Sec 2), within T4N, R25E, W.M. (Columbia River Basin) for IRRIGATION in Sections 1, 2, 11 and 12. The applicant proposes to add five additional wells, being the three EB Wells within Sec. 2, T4N, R25E, W.M., located approximately 1¼ mile northwest from Well 16, approximately 1600 feet northwest from Well 17; and being the PDX1 and DLB1 wells within Sec. 2, T4N, R25E, W.M., located approximately ½ mile east from Well 16, and 1½ miles east from Well 17 within, and, to change the place of use and character of use to Municipal use within the service area boundary of the Port of Morrow. 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-10643 filed by Julie Dean, 32020 West Valley Hwy, Sheridan, OR 97378, proposes changes in place of use and character of use under Certificate 43096. The right allows the use of 0.22 cubic foot per second from the South Yamhill River in Sec. 33, T 5 S, R 6 W, W.M. for industrial use in Sec. 27, 28 and 33. The applicant proposes to change the character of use to irrigation and to change the place of use to 17.6 acres in Sec. 28 and 33, T 5 S, R 6 W, W.M. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11312 filed by Jeff and Erin Maupin, 67477 Silver Creek Rd., Riley, OR 97758-9618, proposes changes in point of appropriation and place of use under Certificates 64982 and 64983. The rights allow the use of 1.63 cubic feet per second from Wells 2 and 4 in Sec. 6 and 7, T 26 S, R 34 E, W.M. for primary and supplemental irrigation in Sec. 6 and 7, T 26 S, R 34 E. The applicant proposes to move the point of appropriation to a well in Sec. 7, T 26 S, R 34 E; and to change the place of use to Sec. 1 and 12, T 26 S, R 33 E, and Sec. 6 and 7, T 26 S, R 34 E. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11323 filed by the City of Newport, 169 SW Coast Hwy, Newport, OR 97365, proposes a point of diversion change under Certificate 1012. The right allows the use of 0.54 cubic feet per second from Blattner's Creek in Sec. 27, T 10 S, R 11 W, W.M. for municipal use in the City of Newport. The applicant proposes to move the point of diversion to two intake points in Sec. 33, T 10 S, R 11 W. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

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: CLACKAMAS
Transfer: 11423
Water Right: CERT G 16881
Priority Date: SEPTEMBER 30, 2010
Name: EDWARD I. SEAGRAVES
16268 S BABLER RD
OREGON CITY, OR 97045
Change: ADDITIONAL POINT OF APPROPRIATION
Source: A WELL

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-174

Project Applicant: Deschutes River Conservancy Mitigation Bank and Three Sisters Irrigation District (on behalf of several landowners)

Mitigation Project
And Process: Instream Lease Application IL-1244 for Certificate 74135 (Also see Instream Lease Section of the May 22, 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 3.5 CFS with a
Maximum Seasonal Volume – no initial
duty limit

Current Use: 175.03 acres of Irrigation Use

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: up to 315.1 Mitigation Credits
May be available for use in the Whychus Creek and General Zones
of Impact

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

**OREGON
WATER
RESOURCES
DEPARTMENT**



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

PUBLIC NOTICE OF WATER USE REQUESTS

May 22, 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.)