

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
August 25, 2009

*This notice is also available on our web page at the following address:
http://www1.wrd.state.or.us/cgi-bin/notices.pl?water_rights*

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 Allocation Of Conserved Water**
Applications made by a water user who conserves water to use a portion of the conserved water on additional lands, lease or sell the water, or dedicate the water to instream use.
- * **Applications for Extensions of Time to Perfect Water Right Permits**
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- * **Applications for Limited Licenses**
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- * **Transfer Applications: Regular**
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- * **Transfer Preliminary Determinations**
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.

* **Transfer Applications: Permit Amendments**

Requests to amend permits.

* **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 "Jonnine.L.SKAUG@ wrd.state.or.us".

Permit Application Initial Reviews and Proposed Final Orders

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

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

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

The Department has given the applicant the results of an initial review of water use restrictions, water availability and other limits that affect the agency's decision on whether to issue a permit. The applicant has asked the agency to proceed to the next stage of evaluation. The Department welcomes comments from interested persons, agencies and organizations on the proposed water use.

The comment deadline for initial reviews appearing in this public notice is 5pm, Thursday, September 24, 2009. Although we cannot respond individually to all comments, each will be considered as the agency makes its permit decision.

Proposed Final Order Stage (PFO in the "Stage" column of the permit listing)

The proposed final order is the Department's preliminary decision on the water use request. It will indicate how the comments received on the application in the first stage were considered. The PFO documents the agency's decision through specific findings. If appropriate, it includes a draft permit specifying any conditions or restrictions on the use. Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of \$20. (Any person paying \$20 to receive a PFO by mail will also receive a copy of the Final Order when it is issued.) PFO's may be viewed for free at the Department's Salem Office or at the district watermaster office nearest the proposed use. Those disagreeing with the Department's decision as expressed in the PFO have 45 days to file a protest.

The protest deadline for proposed final orders appearing in this public notice is 5pm, Friday, October 09, 2009.

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. 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 \$350 will be required at the time of the proceeding.

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)

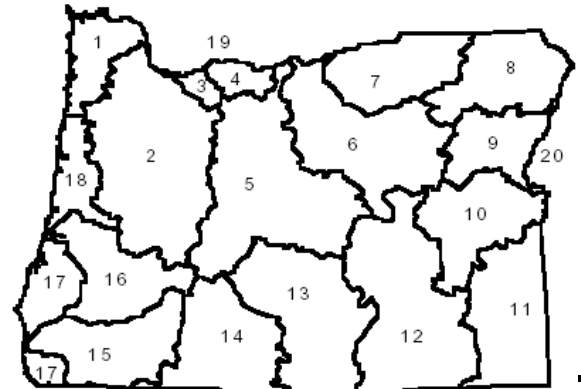
BASINS:

- | | |
|-----------------|---------------------|
| 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 |

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

Commonly used “Type



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
G-16839	FESSLER, THOMAS T AND D LAND LLC 14025	DOMINIC RD NE MOUNT ANGEL OR		97362			PFO 3
2	A WELL > PUDDING RIVER	5.00S 2.00W 25 SWNE	Marion	04/27/2007	1.995C	(est)	
2	A WELL > PUDDING RIVER	5.00S 2.00W 25 NWSW	Marion	04/27/2007	1.995C	(est)	
Uses: NU							
S-87212	GRAHAM, KENNETH F. PO BOX 910 BEND OR	97709					PFO 3
5	CRESCENT LAKE > CRESCENT CREEK	24.00S 6.00E 15 NESE	Klamath	06/27/2008	0.026C		
Uses: DO							
S-87452	CITY OF DETROIT CITY OF DETROIT PO BOX 589	DETROIT OR		97342			PFO 2
2	MACKEY CREEK > NORTH SANTIAM RIVER	10.00S 5.00E 1 SENE	Marion	05/05/2009	1.0C		
Uses: MU							
S-87381	CITY OF HILLSBORO CITY OF HILLSBORO 4400 NW 229TH AVE	HILLSBORO OR		97124			PFO 2
2	A RESERVOIR > TUALATIN RIVER	1.00S 2.00W 9 SESE	Washington	01/20/2009	6.3A		
Uses: AS							

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-16293	8	UNIO	08/09/2004	R D MAC INC.	JAY COLEMAN	08/17/2009
G-16704	3	MULT	08/03/2006	SESTER FARMS INC.		08/17/2009
G-17080	12	HARN	07/14/2008		RICHARD WILLEFORD	08/17/2009
G-17087	2	MULT	07/30/2008		HENRY PELFREY	08/17/2009
G-17131	12	HARN	10/29/2008		DAVE MILLER	08/17/2009
G-17141	2	CLAC	11/14/2008	EAGLE FERN CAMP		08/17/2009
S-87136	16	DOUG	03/26/2008	HEARD FAMILY LLC		08/17/2009
R-87397	2	LINN	02/20/2009		ALTON SULLIVAN	08/18/2009
S-85918	2	POLK	01/22/2004	JENKS OLSEN FARMS INC.		08/18/2009
S-86417	1	TILL	09/13/2005		SCOTT ERNST	08/18/2009
S-87299	16	DOUG	09/29/2008	UMPQUA BASIN WATER ASSOCIATION INC.		08/18/2009
G-17143	12	HARN	11/17/2008		JOSEPH WILLIAMS I	08/20/2009
G-17149	2	LANE	12/04/2008	SENECA SAWMILL CO.	MONICA JELDEN	08/20/2009
G-17158	2	CLAC	12/31/2008	BIRKEMEIER FARMS INC.		08/20/2009
G-17161	7	UMAT	01/02/2009	MEDELEZ TRUCKING LLC		08/20/2009
G-17170	8	MALH	01/26/2009	ORP. OF THE PRESIDING BISHOP OF THE CHURCH OF JES		08/20/2009

Application	Basin	County	Priority	Company	Name	FO Date
R-87340	2	LANE	11/17/2008		JON TEXTER	08/20/2009
G-16789	14	KLAM	01/30/2007	WATTS RANCH	JAMES WATTS	08/21/2009
G-17031	6	GRAN	04/02/2008		ROBERT CHOUINARD	08/21/2009
R-86378	1	TILL	07/14/2005	PORT OF TILLAMOOK BAY		08/21/2009
R-87120	2	POLK	03/14/2008	FERN CREEK VINEYARDS LLC		08/21/2009
R-87363	2	YAMH	12/12/2008		KENNY UNGER	08/21/2009
S-87121	2	POLK	03/14/2008	FERN CREEK VINEYARDS LLC		08/21/2009
S-87252	1	TILL	08/06/2008		THOMAS SWANSON	08/21/2009
S-87448	16	DOUG	05/14/2009		TOMMY PRESTIANNI	08/21/2009
S-87470	16	DOUG	06/12/2009	PAULETTO RANCH LLC	MARY ANNE PAULETT	08/21/2009
S-86379	1	TILL	07/14/2005	PORT OF TILLAMOOK BAY		08/24/2009
G-16377	2	LANE	01/27/2005		DAN KINTIGH	08/25/2009

Applications for Allocation Of Conserved Water

The following applications for allocation of conserved water have been received pursuant to ORS 537.455 to 537.500 and OAR Chapter 690, Division 18. In reviewing the applications, the Department 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.

On August 6, 2009 Martha Pagel, an attorney representing St. Hilaire Brothers Hermiston Farm, LLC, filed an Application for Allocation of Conserved Water under ORS 537.470. The Department designated the application as CW-62. The Applicants propose to conserve water by replacing portions of their existing irrigation system with a new state of the art irrigation system with new center pivot, low pressure sprinklers and drop tubes, wireless radio controlled, variable speed pumps and an infrared leak detection system. The application includes system changes that were made within the past five years, as permitted under the statutes.

The project is expected to yield approximately 22.3 cfs and 3,761 acre-feet of conserved water from the Columbia River under Certificates 53117 and 53118 with priority dates of August 18, 1970 and August 17, 1972. It is proposed that 25% or 5.58 cfs and 940 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 at a place to be determined after completion of the project.

Any interested person may comment in writing, on CW-62. Comments must be received by October 4, 2009 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@ wrd.state.or.us.

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

Consistent with OAR 690-315-0050, the Department will accept public comment on the following extension applications until September 24, 2009. 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-15552
Permit Number: G-15353
KUEHLING, DONALD J.
KUEHLING, HAZEL W.
111 W HILLIARD LANE
EUGENE OR 97404
Lane County
A WELL > FLAT CREEK
0.233 CFS
IRRIGATION ON 18.6 ACRES
October 1, 2012

Application Number: G-15780
Permit Number: G-15409
ROTH, MATT
4551 HOWELL PRAIRIE RD NE
SILVERTON OR 97381
Marion County
A WELL > LITTLE PUDDING RIVER
0.838 CFS
IRRIGATION ON 67.0 ACRES
October 1, 2009

**Proposed Final Orders Regarding
Applications for Extensions of Time for Water Right Permits**

ORS 537.230, 537.248, 537.630 and 539.010 authorize the Water Resources Department to extend time limits contained in water right permits for completing construction of water development projects and applying water to full beneficial use. Procedures for permit holders to apply for extensions and for the Department to evaluate and determine whether or not to approve extensions of time are contained in OAR 690-320-0010 for extensions filed before July 1, 2001, and in OAR 690-315-0010 for extensions filed on or after July 1, 2001.

Proposed Final Orders (PFO's) are the Department's preliminary decision on extension requests. They document the agency's decision through specific findings. Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of \$20. (Any person paying to receive a PFO by mail will also receive a copy of the Final Order when it is issued). PFO's may be viewed for free at the Department's Salem Office or at the appropriate district watermaster office.

Extension of Time Public Notice and Comment Procedures

Written comments on or written protests against a PFO must be submitted on or before October 09, 2009. There is no fee for submission of comments. The protest filing fee is \$300 for the applicant and \$600 for non-applicant. Detailed requirements for filing a protest will be sent with copies of the PFO.

1.) OAR-690-315

County of Use:	Linn
Application File Number:	G-14008
Permit Number:	G-12557
Applicant:	WARD, AL; GLENNA WARD
Address:	PO BOX 17 MILL CITY OR 97346
River Basin:	Willamette Basin
Water Source:	A WELL > NORTH SANTIAM RIVER
Authorized Use of Water:	IRRIGATION ON 10.0 Acres
Maximum Diversion/ Appropriation Rate:	0.13 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1998 to October 1, 2001; and grant an extension of time to apply water to full beneficial use from October 1, 1999 to October 1, 2001.

County of Use: Marion
Application File Number: G-15491
Permit Number: G-15026 (PERMIT AMENDMENT T-9148)
Applicant: EDER, CHUCK
Address: 11580 HOOK ROAD NE
MT ANGEL OR 97362
River Basin: Willamette Basin
Water Source: TWO WELLS > PUDDING RIVER
Authorized Use of Water: NURSERY USES ON 92.0 Acres
Maximum Diversion/
Appropriation Rate: 3.0 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2006 to October 1, 2021.

County of Use: Umatilla
Application File Number: G-15602
Permit Number: G-15188
Applicant: WHITMORE, JIM
Address: 85625 TROLLEY LN
MILTON FREEWATER OR 97862
River Basin: Umatilla Basin
Water Source: A WELL > WEST LTTL WALLA WALLA RIVER
Authorized Use of Water: PRIMARY IRRIGATION OF 21.0 ACRES, SUPPLEMENTAL IRRIGATION OF 17.5 ACRES AND DOMESTIC USE
Maximum Diversion/
Appropriation Rate: 0.47 CFS, BEING 0.46 CFS FOR IRRIGATION AND 0.01 CFS FOR DOMESTIC USE

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2006 to October 1, 2012.

County of Use: Umatilla
Application File Number: G-16095
Permit Number: G-15704 (PERMIT AMENDMENT T-10129)
Applicant: ZERBA, CECIL; MARILYN ZERBA
Address: PO BOX 682
MILTON-FREEWATER 97862
AND ...
BANK OF WHITMAN
PO BOX 270
COLFAX WA 99111
River Basin: Umatilla Basin
Water Source: TWO WELLS > BIRCH CREEK
Authorized Use of Water: IRRIGATION ON 180.0 Acres
Maximum Diversion/
Appropriation Rate: 2.23 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2008 to October 1, 2018.

County of Use: Crook
Application File Number: S-49681
Permit Number: S-42778
Applicant: OCHOCO WEST WATER DISTRICT
Address: 5488 NW PRINE RD
PRINEVILLE OR 97754
River Basin: Deschutes Basin
Water Source: TWO UNNAMED SPRINGS > LYTTLE CR
Authorized Use of Water: GROUP DOMESTIC
Maximum Diversion/
Appropriation Rate: 0.5 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1991 to October 1, 2041; and grant an extension of time to apply water to full beneficial use from October 1, 1991 to October 1, 2041.

County of Use: Polk
Application File Number: R-72623
Permit Number: R-11489
Applicant: MAGEE, FREDERICK; MAGEE, MASAKO
Address: 27 ULULANI ST
KULA MAUI HI 967908930
River Basin: Willamette Basin
Water Source: UNNAMED STREAM/RESERVOIR A > CROWLEY CREEK
Authorized Use of Water: STORED WATER IN FOUR RESERVOIRS FOR IRRIGATION
LIVESTOCK AND RECREATION
Maximum Diversion/
Appropriation Rate: 36.4 AF, BEING 9.1 AF IN RESERVOIR A, B, C AND D

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2005 to October 1, 2019; and grant an extension of time to apply water to full beneficial use from October 1, 2006 to October 1, 2020.

County of Use: Polk
Application File Number: S-72927
Permit Number: S-51613
Applicant: TARPLY, TIM
Address: 13935 HWY 22
DALLAS OR 97338
AND ...
CHAEY, DONG KUEN
2647 PERRYDALE RD
DALLAS OR 97338
River Basin: Willamette Basin
Water Source: UNNAMED STREAM > SALT CREEK
Authorized Use of Water: IRRIGATION OF 79.3 ACRES AND RECREATION
Maximum Diversion/
Appropriation Rate: 1.0 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2005 to October 1, 2015; and grant an extension of time to apply water to full beneficial use from October 1, 2006 to October 1, 2016.

Applications for Limited Licenses

A limited license allows the right to use or store water for no more than 5 consecutive years. Use of water under a limited license is subordinate to all other authorized uses and may be shut-off at any time to satisfy those other uses. In addition, the Department may revoke a limited license if its use causes injury to any other water right or minimum perennial streamflow.

Licensees must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after September 08, 2009, 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-1241
UMPQUA INDIAN DEVELOPMENT CORP
HILL, TRAVIS
146 CHIEF MIWALETA LN
CANYONVILLE OR 97417
POD: 1 GALESVILLE RES > COW CR
NE 1/4 SW 1/4 Section 7 T 29.00S R 5.00W WM
Douglas County
5.0 A for R v PARK

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 September 24, 2009. 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: DESCHUTES/WASCO
Transfer: 10936
Water Right: CERT 77733,76769,76970
Priority Date: 1915,1950
Name: BARBARA AMBROSE
Address: 78901 VICTORY RD, MAUPIN, OR 97037
Change: POU
Source: A RES/CLEAR LAKE RES/SPRING/UNNAMED STREAM
Authorized POU: T5S R13E 20,21
Proposed POU: T5S R12E 12,13
T5S R13E 20

County: POLK
Transfer: 10935
Water Right: CERT 45798
Priority Date: 1972
Name: PERRYDALE DOMESTIC WATER ASSOCIATION
Address: 14175 W PERRYDALE RD AMITY OR 97101
Change: USE/POU
Source: WELLS
Authorized POU: T6S R4W 25,36
Proposed POU: T6S R3W 29,30,32
T5S R4W 30,31,32,33
T6S R4W 4,5,6,7,8,9,16,17,18,19,20,21,22
23,25,26,27,28,29,30,31,32,33
T7S R4W 3,4,5,6,7,8,9,10,15,16,17,18
T5S R5W 25,26,27,28,29,30,31,32,33,34,35,36
T6S R5W 1-36
T7S R5W 1,2,3,4,5,6,7,8,9,10,11,12,15
16,17,18,19
T5S R6W 36
T6S R6W 1,2,3,4,9,10,11,12,13,14,15,16
21,22,23,24,25,26,27,28,33,34,35,36
T7S R6W 1,2,3,4,11,12,13,14,23,24
Authorized USE: IRRIGATION
Proposed USE: QUASI-MUNICIPAL

Transfer Preliminary Determinations

A Preliminary Determination provides the Department's conclusion as to whether a proposed change in place of use, point of diversion or appropriation, or character of use of an existing water right should be approved. Changes of water rights may be proposed in an application for transfer (including instream, historic POD, exchange, substitution or ground water registration modification).

The Department has issued preliminary determinations on the transfer applications listed below. In addition to this notice, the Department is complying with ORS 540.520(2) that requires publication of notice in a local newspaper for all transfers except those proposing a change in place of use only or a change in point of diversion of less than ¼ mile where there are no intervening diversion points.

Any person may protest the application and preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-0900, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by a \$600 protest fee for non-applicant and \$300.00 protest fee for applicant. A Water Right Transfer Protest Form is available at <http://www.oregon.gov/OWRD/PUBS/forms.shtml> or by calling 503-986-0888. Protests must be received by the Department on or before September 24, 2009, 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-10606 filed by TIM CLEMENS, 235 HWY. 20 N., HINES OR 97738, proposes a change in points of appropriation, and additional points of appropriation under Certificates 51197 and 55575. Certificate 51197 allows the use of 3.09 CUBIC FEET PER SECOND (priority date August 26, 1948) from a well in the SW¼ SW¼ Sec. 1, T 23 S, R 31 E, W.M. (Malheur Lake Basin) Certificate 55575 allows the use of 1.46 CUBIC FEET PER SECOND (priority date MARCH 10, 1977) from a well in the NENW Sec. 1, T 23 S, R 31 E, W.M. (Malheur Lake Basin) for IRRIGATION AND SUPPLEMENTAL IRRIGATION in Sec. 1. The applicant proposes to move the points of appropriation approximately 0.75 mile north to NE¼ NW¼ Sec. 1, T 23 S, R 31 E, 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.

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:	DESCHUTES
Transfer:	10941
Water Right:	PERMIT G 8565, G 4435
Priority Date:	1978, 1968
Name:	CITY OF BEND, PATRICK GRIFFITHS
Address:	62975 BOYD ACRES RD, BEND, OR 97701
Change:	POU/APOA
Source:	WELLS
Authorized POA:	T18S R12E 7 T18S R11E 27,28 T17S R12E 33 T17S R11E 34
Proposed APOA:	T17S R12E 33 T18S R12E 16,20
Authorized POU:	T18S R11E 1,2,11,12,13 T18S R12E 3,4,5,6,7,8,9,16 T17S R11E 13,23,24,25,26,35,36 T17S R12E 7,8,10,16,17,18,19,20,21,22,23, 26,27,28,29,30,31,32,33,34,35
Proposed POU:	T17S R11E 23,25,25,26,35,36 T17S R12E 9,14,15,16,17,18,19,20,21,22,23, 26,27,28,29,30,31,32,33,34,35 T18S R11E 1,2,11,12,13 T18S R12E 2,3,4,5,6,7,8,9,10,15,16,17,20,21

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 September 24, 2009. 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:

The Joint Water Commission, (Municipal)

Note: This WMCP was originally noticed on August, 18, 2009 under the name of the City of Hillsboro. It should have been identified as the Joint Water Commission.

To review any of the above plans or to provide comments on the plans, contact name at 503-986-0887 or william.h.fujii@wrdd.state.or.us.

**OREGON
WATER
RESOURCES
DEPARTMENT**



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

August 25, 2009

Use the back of this form to offer comments on water use requests or other items in this notice or to order copies of proposed final and final orders. You are welcome to submit comments on a separate sheet, but please be sure to include your name and address and reference the specific request or document that concerns you. Please mail your comments to the address listed above.

Water Use Request Type & File Number
(e.g. "Permit Application G-12345" or "Transfer T-1234"):
enclosed)*

Mail me the order
(payment

Your Name, Address, and Phone Number:

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