

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
November 20, 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.
- * **Application for Instream Lease**
Application by water right holder to lease existing water rights to instream use.
- * **Transfer Applications: Regular**
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- * **Transfer Preliminary Determinations**
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- * **District Permanent Transfers (ORS 540.580)**
Petitions requesting transfers in place of use within a district's boundaries.

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@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, December 20, 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, January 04, 2013.

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)

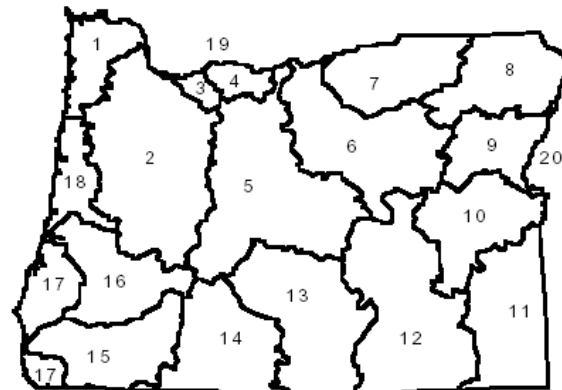
| BASINS: | |
|-----------------|---------------------|
| 1. North Coast | 11. Owyhee |
| 2. Willamette | 12. Malheur L. |
| 3. Sandy | 13. Goose/Summer L. |
| 4. Hood | 14. Klamath |
| 5. Deschutes | 15. Rogue |
| 6. John Day | 16. Umpqua |
| 7. Umatilla | 17. S. Coast |
| 8. Grande Ronde | 18. Mid-Coast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

- 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 |
|-------------------------|---|---|-----------|------------|----------|-------|--------|
| G-17571 | JUNIPER BASIN RANCH LLC PO BOX 491942 | REDDING, CA 96049-1942 | | | | | IR |
| 12 | A WELL > MALHEUR LAKE | 25.00S 31.00E 19 NENW | Harney | 07/18/2012 | 0.49C | (est) | |
| 12 | A WELL > MALHEUR LAKE | 25.00S 31.00E 18 SESW | Harney | 07/18/2012 | 0.49C | (est) | |
| Uses: IR | | | | | | | |
| G-17582 | ROCK CREEK RANCH INC. 33123 ROCK CREEK LANE | FRENCHGLEN, OR 97736 | | | | | IR |
| 12 | A WELL > SOLOMON CANYON | 32.00S 32.00E 30 NWSW | Harney | 09/04/2012 | 2.7C | (est) | |
| 12 | A WELL > SOLOMON CANYON | 32.00S 32.00E 30 NWNW | Harney | 09/04/2012 | 2.7C | (est) | |
| Uses: IR | | | | | | | |
| G-17565 | LEE, FRANCIS DUANE PO BOX 1657 15665 | TRAPPER POINT RD SISTERS, OR 97759-1657 | | | | | IR |
| 5 | A WELL > WHYCHUS CREEK | 15.00S 10.00E 4 NWSW | Deschutes | 06/26/2012 | 0.024C | | |
| 5 | A RESERVOIR > WHYCHUS CREEK | 15.00S 10.00E 4 NWSW | Deschutes | 06/26/2012 | 0.012C | (est) | |
| Uses: IR ST | | | | | | | |
| G-17583 | RANEY, RICHARD 67337 SILVER CREEK RD | RILEY, OR 97760 | | | | | IR |
| 12 | A WELL > MILLER CANYON | 23.00S 27.00E 7 NWSE | Harney | 09/06/2012 | 2.4C | | |
| Uses: IR | | | | | | | |
| G-17401 | MCKAY, JOE PO BOX 187 JUNTURA, OR 97911 | MCKAY, JOYCE PO BOX 187 JUNTURA, OR 97911 | | | | | PFO |
| 10 | A WELL > GRANITE CREEK | 23.00S 39.00E 20 SWSE | Malheur | 06/21/2010 | 295.0A | (est) | |
| 10 | A WELL > GRANITE CREEK | 23.00S 39.00E 30 NWSW | Malheur | 06/21/2010 | 295.0A | (est) | |
| Uses: IS ST | | | | | | | |

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-17487 | 6 | GRAN | 09/08/2011 | | DIANE HOLTHOUSE | 11/08/2012 |
| G-17519 | 5 | DESC | 12/19/2011 | | DAVID ROTH | 11/08/2012 |
| G-17531 | 12 | HARN | 02/09/2012 | | DON NIENKE | 11/08/2012 |
| R-87513 | 2 | CLAC | 08/17/2009 | | JOHN CHILDS | 11/08/2012 |
| R-87763 | 5 | WASC | 11/03/2011 | | IRL DAVIS | 11/08/2012 |
| R-87802 | 8 | UNIO | 04/23/2012 | | ARIC JOHNSON | 11/08/2012 |
| S-87023 | 17 | CURR | 10/31/2007 | COVENTRY FARMS LLC | | 11/08/2012 |

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 January 19, 2013.

R-87846

GRUZENSKY, ALETHA L.

1020 S COLLEGE AVE COLLEGE PLACE, WA 99324

LEEN, KELLI AND LENNY

77369 COLD SPRINGS LOOP WESTON, OR 97886

LEEN, LARRY

77385 COLD SPRINGS LOOP WESTON, OR 97886

STREDWICK, JOHN AND SANDRA

73027 N GROSSCUP RD WEST RICHLAND, WA 99353

WARNER, BARBARA AND MARK

84991 HAWTHORNE LANE MILTON FREEWATER, OR 97862

POD: 1 A SPRING > PINE CREEK

NW 1/4 NE 1/4 Section 33T 4.00N R 37.00E WM

Umatilla County

1.0 AF for MULTIPLE PURPOSE

R-87849

CONFLUENCE ESTATE LLC

525 FAIRWAY ESTATES DR SUTHERLIN, OR 97479

POD: 1 UMPQUA RIVER > PACIFIC OCEAN

NW 1/4 NE 1/4 Section 25T 25.00S R 7.00W WM

Douglas County

7.5 AF for MULTIPLE PURPOSE (est.)

POD: 2 UMPQUA RIVER > PACIFIC OCEAN

SE 1/4 NE 1/4 Section 25T 25.00S R 7.00W WM

Douglas County

7.5 AF for MULTIPLE PURPOSE (est.)

R-87851

WINTON, JULIE AND MARK

25328 KEATING GRANGE LANE BAKER CITY, OR 97814

POD: 1 A SPRING > POWDER RIVER

NE 1/4 SE 1/4 Section 22T 8.00S R 42.00E WM

Baker County

3.7 AF for MULTIPLE PURPOSE (est.)

POD: 2 RUNOFF > POWDER RIVER

NE 1/4 SE 1/4 Section 22T 8.00S R 42.00E WM

Baker County

3.7 AF for MULTIPLE PURPOSE (est.)

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 December 11, 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: Washington
Instream Lease Number: IL 809

** Lessor **
U.S. FISH AND WILDLIFE SERVICE
911 NE 11TH AVENUE,
PORTLAND, OR 97232

Contact: KODY THURGOOD at 503-986-0892

Reach: AT THE POD

| Cert# | Permit | Priority | Use | Rate (cfs) | Duty (acf) | Source | Tributary to | Acres |
|-----------------|---------|----------|-----|------------|------------|------------|----------------|-------|
| Cert:20149 OR * | S 20134 | 3/2/1951 | IR | 0.34 | 67.44 | ROCK CREEK | TUALATIN RIVER | 27.2 |

County: Washington
Instream Lease Number: IL 867

** Lessor **
U.S. FISH AND WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND, OR 97232-4181

Contact: KODY THURGOOD at 503-986-0892

Reach: AT THE POD

| Cert# | Permit | Priority | Use | Rate (cfs) | Duty (acf) | Source | Tributary to | Acres |
|-----------|-------------|-----------|-----|------------|------------|------------|----------------|-------|
| Cert:8117 | OR * S 8840 | 12/5/1928 | IR | 0.19 | | ROCK CREEK | TUALATIN RIVER | 30.0 |

County: Washington
Instream Lease Number: IL 868

** Lessor **

U.S. FISH AND WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND, OR 97232-4181

Contact: KODY THURGOOD at 503-986-0892

Reach: AT THE POD

| Cert# | Permit | Priority | Use | Rate (cfs) | Duty (acf) | Source | Tributary to | Acres |
|------------|--------------|-----------|-----|------------|------------|----------------|------------------|-------|
| Cert:22918 | OR * S 19576 | 6/16/1950 | IR | 0.1167 | 70.0 | TUALATIN RIVER | WILLAMETTE RIVER | 28.0 |

County: Washington
Instream Lease Number: IL 869

** Lessor **

U.S. FISH AND WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND, OR 97232-4181

Contact: KODY THURGOOD at 503-986-0892

Reach: AT THE POD

| Cert# | Permit | Priority | Use | Rate (cfs) | Duty (acf) | Source | Tributary to | Acres |
|------------|--------|----------|-----|------------|------------|------------|----------------|-------|
| Cert:29185 | OR * | 1890 | IR | 0.1 | 20.0 | ROCK CREEK | TUALATIN RIVER | 8.0 |

County: Washington
Instream Lease Number: IL 870

** Lessor **

U.S. FISH AND WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND, OR 97232-4181

Contact: KODY THURGOOD at 503-986-0892

Reach: ROCK CREEK AND UNNAMED DITCHES TRIBUTARY TO TUALATIN RIVER

| Cert# | Permit | Priority | Use | Rate (cfs) | Duty (acf) | Source | Tributary to | Acres |
|------------|--------|----------|-----|------------|------------|------------|----------------|-------|
| Cert:29186 | OR * | 1890 | IR | 0.3376 | 66.96 | ROCK CREEK | TUALATIN RIVER | 27.0 |

County: Washington
Instream Lease Number: IL 871

** Lessor **

U.S. FISH AND WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND, OR 97232-4181

Contact: KODY THURGOOD at 503-986-0892

Reach: AT THE POD

| Cert# | Permit | Priority | Use | Rate (cfs) | Duty (acf) | Source | Tributary to | Acres |
|------------|--------|----------|-----|------------|------------|------------|----------------|-------|
| Cert:29191 | OR * | 1890 | IR | 0.044 | 8.73 | ROCK CREEK | TUALATIN RIVER | 3.4 |

County: Washington
Instream Lease Number: IL 872

** Lessor **

U.S. FISH AND WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND, OR 97232-4181

Contact: KODY THURGOOD at 503-986-0892

Reach: AT THE POD

| Cert# | Permit | Priority | Use | Rate (cfs) | Duty (acf) | Source | Tributary to | Acres |
|------------|--------|----------|-----|------------|------------|------------|----------------|-------|
| Cert:29192 | OR * | 1890 | IR | 0.0368 | 7.3 | ROCK CREEK | TUALATIN RIVER | 2.6 |

County: Washington
 Instream Lease Number: IL 873

** Lessor **

U.S. FISH AND WILDLIFE SERVICE
 911 NE 11TH AVE
 PORTLAND, OR 97232-4181

Contact: KODY THURGOOD at 503-986-0892

Reach: AT THE POD

| Cert# | Permit | Priority | Use | Rate (cfs) | Duty (acf) | Source | Tributary to | Acres |
|------------|--------|----------|-----|------------|------------|------------|----------------|-------|
| Cert:29193 | OR * | 1890 | IR | 0.1 | 20.0 | ROCK CREEK | TUALATIN RIVER | 8.0 |

County: Washington
 Instream Lease Number: IL 874

** Lessor **

U.S. FISH AND WILDLIFE SERVICE
 911 NE 11TH AVE
 PORTLAND, OR 97232-4181

Contact: KODY THURGOOD at 503-986-0892

Reach: AT THE POD

| Cert# | Permit | Priority | Use | Rate (cfs) | Duty (acf) | Source | Tributary to | Acres |
|------------|--------|----------|-----|------------|------------|---------|--------------|-------|
| Cert:29195 | OR * | 1890 | IR | 0.0439 | 8.71 | SPRINGS | ROCK CREEK | 3.29 |

County: Washington
 Instream Lease Number: IL 875

** Lessor **

U.S. FISH AND WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND, OR 97232-4181

Contact: KODY THURGOOD at 503-986-0892

Reach: AT THE POD

| Cert# | Permit | Priority | Use | Rate (cfs) | Duty (acf) | Source | Tributary to | Acres |
|-----------------|--------|----------|-----|------------|------------|---------|----------------|-------|
| Cert:29202 OR * | | 1890 | IR | 0.231 | 45.82 | A DITCH | TUALATIN RIVER | 18.5 |

County: Washington
Instream Lease Number: IL 876

** Lessor **

U.S. FISH AND WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND, OR 97232-4181

Contact: KODY THURGOOD at 503-986-0892

Reach: AT THE POD

| Cert# | Permit | Priority | Use | Rate (cfs) | Duty (acf) | Source | Tributary to | Acres |
|-----------------|--------|----------|-----|------------|------------|------------|----------------|-------|
| Cert:29282 OR * | | 1890 | IR | 0.0625 | 12.4 | ROCK CREEK | TUALATIN RIVER | 5.0 |

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 December 20, 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: DESCHUTES
Transfer: 11488
Water Right: CERT 64253
Priority Date: SEPTEMBER 13, 1983
Name: L. WAYNE AND MICHELLE JUDD
50186 COLLAR RD
PO BOX 1525
LA PINE, OR 97739
Change: ADDITIONAL POINT OF APPROPRIATION
Source: A WELL

County: MARION
Transfer: 11489
Water Right: CERT 40020
Priority Date: MARCH 2, 1970
Name: JULIANNA KUSCHNICK
9866 72ND AVE NE
SALEM, OR 97305
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 December 20, 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-6947 filed by Kraemer Farms, 13318 Dominic Road NE, Mount Angel, Oregon 97362, proposes changes in points of diversion and changes in place of use under Certificates 42316, 81537, 42318, and 87357. Certificate 42316 allows the use of 0.84 cubic foot per second (cfs) from Zollner Creek in Sec. 3, T 6 S, R 1 W, W.M. for irrigation in Sec. 3. The applicant proposes to move the point of diversion within Sec. 3, T 6 S, R 1 W, W.M. and to change the place of use to Sec. 34, T 5 S, R 1 W, W.M. and Sec. 3, T 6 S, R 1 W, W.M. Certificate 81537 allows the use of 0.16 cubic foot per second (cfs) from Kraemer Well, Rody Well, and Kraemer Well No. 2 in Sects. 2 and 3, T 6 S, R 1 W, W.M. for supplemental irrigation in Sec. 3. The applicant proposes to change the place of use to Sec. 34, T 5 S, R 1 W, W.M. and Sec. 3, T 6 S, R 1 W, W.M.. Certificate 42318 allows the use of 0.38 cubic foot per second (cfs) from Zollner Creek in Sec. 2, T 6 S, R 1 W, W.M. for irrigation in Sec. 2. The applicant proposes to move the point of diversion within Sec. 3, T 6 S, R 1 W, W.M. and to change the place of use to and Sec. 3, T 6 S, R 1 W, W.M. Certificate 87357 allows the use of 0.118 cubic foot per second (cfs) from Zollner Creek in Sec. 3, T 6 S, R 1 W, W.M. for irrigation in Sec. 3. The applicant proposes to change the place of use to Sects. 2 and 3, T 6 S, R 1 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-11316 filed by Meduri Farms, P.O. Box 636, Dallas, Oregon 97338, proposes an additional point of appropriation and changes in points of appropriation under Certificates 87141, 87142, 87143, and 87144. Certificate 87141 allows the use of 0.43 cubic foot per second from Upstaad Well 3 in Sec. 8, T 10 S, R 2 W, W.M. for irrigation in Sec. 8. The applicant proposes to move the point of appropriation within Sec. 8, T 10 S, R 2 W, W.M. Certificate 87142 allows the use of 0.63 cubic foot per second from Upstaad Well 5 in Sec. 8, T 10 S, R 2 W, W.M. for irrigation

in Sec. 8. The applicant proposes to move the point of appropriation within Sec. 8, T 10 S, R 2 W, W.M. Certificate 87143 allows the use of 0.64 cubic foot per second from Well 6 in Sec. 8, T 10 S, R 2 W, W.M. for irrigation and supplemental irrigation in Sec. 8. The applicant proposes to move the point of appropriation within Sec. 8, T 10 S, R 2 W, W.M. Certificate 87144 allows the use of 0.43 cubic foot per second from Upstaad Well 4 in Sec. 8, T 10 S, R 2 W, W.M. for irrigation in Sec. 8. The applicant proposes an additional point of appropriation within Sec. 8, T 10 S, R 2 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-11368 filed by Jon Gambill, 789 Cherokee Ave, Roseburg, OR 97470, proposes point of diversion and place of use changes under Certificate 86184. The right allows the use of 0.038 cubic foot per second from the NORTH UMPQUA RIVER in Sec. 27, T26S, R6W, W.M. for irrigation in Sec. 27. The applicant proposes to move the point of diversion downstream to 6 points of diversion within Sec. 27 and to change the place of use within Sec. 27. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11468 filed by Clean Water Services, 16060 SW 85th Ave, Tigard, OR 97224, proposes place of use and type of use changes under Certificate 22048. The right allows the use of 0.03 cubic foot per second from the Tualatin River in Sec. 8 T 1 S, R 3 W, W.M. for irrigation in Sec. 9. The applicant proposes to change the character of use to instream use and the place of use to the Tualatin River from the authorized point of diversion to the mouth. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11472 filed by Dennis and Ava Grauer and Travis and Laycee Grauer, 23230 SW Dejong Road, Sheridan, OR 97378, proposes a change in point of diversion and place of use under Certificate 39370. The right allows the use of 0.04 cubic foot per second from the South Yamhill River, in Sec. 32, T 5 S, R 5 W, W.M., for irrigation within Sec. 32. The applicant proposes to change the point of diversion and place of use within Sec. 32. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

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 December 20, 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.)

Notice of District

County: JACKSON
Permanent Transfer: NOTICE #T-12-03
Certificate: 85288; 85876; 85877; 80576
Priority Date: JULY 23, 1909; MARCH 31, 1910; JUNE 24, 1913;
SEPTEMBER 6, 1915
Name: ROGUE RIVER VALLEY IRRIGATION DISTRICT
Address: 3139 MERRIMAN RD MEDFORD OR 97502
Change: POU
Source: N FORK LITTLE BUTTE CREEK; S FORK LITTLE BUTTE CREEK;
FOUR MILE RES; FISH LAKE RES; AGATE RES
Acres: 5.0
Authorized POU: T36S R2W 35; T36S R2W 23
Proposed POU: T36S R2W 23

Notice of District

County: JACKSON
Permanent Transfer: NOTICE #T-12-04
Certificate: 85288; 85876; 85877; 80576
Priority Date: JULY 23, 1909; MARCH 31, 1910; JUNE 24, 1913;
SEPTEMBER 6, 1915
Name: ROGUE RIVER VALLEY IRRIGATION DISTRICT
Address: 3139 MERRIMAN RD MEDFORD OR 97502
Change: POU
Source: N FORK LITTLE BUTTE CREEK; S FORK LITTLE BUTTE CREEK;
FOUR MILE RES; FISH LAKE RES; AGATE RES
Acres: 1.0
Authorized POU: T36S R2W 23
Proposed POU: T36S R1W 31

OREGON WATER RESOURCES DEPARTMENT



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

PUBLIC NOTICE OF WATER USE REQUESTS

October 9, 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 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.

Alternatively, you may use our new Public Comment tool available on our website. Go to our website: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>, and enter identifying information about the application. On the Water Rights Information Query Results page, use the "Submit a Public Comment" link, or under "View all Scanned Documents" use the "Submit a Public Comment" link.

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 proposed and final orders on a pending permit or permit extension applications 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 proposed and final orders are also available for viewing – at no charge – at our Salem office or at the local watermaster office or online.)