

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
September 1, 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.
- * **Alternate Reservoir Applications (ORS 537.409)**
Applications for storage permits for small ponds filed under a simplified review process.
- * **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.
- * **Municipal permit extension applications referred to Oregon Department of Fish and Wildlife for review under provisions of OAR 690- 315-0080.**
- * **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 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.
- * **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.

* **Establishment of Mitigation Credits in the Deschutes Basin pursuant to OAR Chapter 690, Division 521 (ORS 537.746)**

* **Application for Reauthorization of A Major Hydroelectric Project**

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, October 01, 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 16, 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-17203	CROSSETT, DAVID S. ELIZABETH JEANNE BURRIS TRUST PO BOX 2593	CHICAGO IL	60690-2593				IR 2
2	A WELL > MUDDY CREEK	16.00S 3.00W 36 NWSE	Lane	04/14/2009	0.039C		
Uses:	DN IR						
G-17182	FELZIEN, PETE MCKINSTRY CO. LLC 16790 NE MASON ST SUITE 100	PORTLAND OR	97230-7398				PFO 2
2	A WELL > COLUMBIA SLOUGH	1.00N 3.00E 19 SWNE	Multnomah	02/26/2009	0.335C (est)		
2	A WELL > COLUMBIA SLOUGH	1.00N 3.00E 19 SWNW	Multnomah	02/26/2009	0.335C (est)		
Uses:	AH						
R-87497	SULLIVAN, ALTON E. PO BOX 2118 LEBANON OR	97355					IR 2
2	RUNOFF > ONEHORSE SLOUGH	12.00S 1.00W 4 SWSE	Linn	07/31/2009	31.0A		
2	RUNOFF > ONEHORSE SLOUGH	12.00S 1.00W 9 NWNE	Linn	07/31/2009	4.5A		
2	RUNOFF > ONEHORSE SLOUGH	12.00S 1.00W 5 SENE	Linn	07/31/2009	62.0A		
Uses:	MP						
G-17244	PIERCE, JAMES DENNIS 30690 FERNWOOD RD NEWBERG OR	97132					IR 2
2	A WELL > SPRING BROOK	3.00S 2.00W 22 NWSE	Yamhill	06/30/2009	0.04C		
Uses:	IR						
G-17239	CACEU, BOGDAN 6722 SE REED COLLEGE PLACE PORTLAND OR	97202					IR 3
2	A WELL > NORTH FORK ASH CREEK	8.00S 5.00W 6 SENW	Polk	06/25/2009	0.045C		
Uses:	IR						
G-17209	MALLEN, THOMAS P. MALLEN FAMILY TRUST UTD 28170 SW FARMINGTON RD HILLSBORO OR	97123					IR 3
2	A WELL > TUALATIN RIFER	1.00S 2.00W 29 SWSW	Washington	05/05/2009	0.03C		
Uses:	NU						

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-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
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

Application	Basin	County	Priority	Company	Name	FO Date
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
G-17090	12	HARN	08/04/2008		THAD GEER	08/27/2009
G-17139	12	HARN	11/04/2008		MIKE PEILA	08/27/2009
G-17205	7	MORR	04/22/2009	TURNER RANCH INC.	MELISSA LINDSAY	08/27/2009
R-87015	7	UMAT	10/19/2007	J R SIMPLOT CO.		08/27/2009
R-87379	2	WASH	01/20/2009	CITY OF HILLSBORO	MARY ORDAL	08/27/2009
R-87380	2	WASH	01/20/2009	CITY OF HILLSBORO	MARY ORDAL	08/27/2009
R-87423	8	UNIO	03/26/2009	.S. FOREST SERVICE; WALLOWA WHITMAN NATIONAL FORE		08/27/2009
R-87424	8	UNIO	03/26/2009	.S. FOREST SERVICE; WALLOWA WHITMAN NATIONAL FORE		08/27/2009
R-87425	8	UNIO	03/26/2009		ARIC JOHNSON	08/27/2009
R-87426	8	UNIO	03/26/2009	.S. FOREST SERVICE; WALLOWA WHITMAN NATIONAL FORE		08/27/2009
R-87427	8	UNIO	03/26/2009		ARIC JOHNSON	08/27/2009
R-87428	8	UNIO	03/26/2009	.S. FOREST SERVICE; WALLOWA WHITMAN NATIONAL FORE		08/27/2009
R-87429	8	UNIO	03/26/2009		ARIC JOHNSON	08/27/2009
R-87437	18	LANE	04/14/2009		STEVEN WILLIAMS	08/27/2009
S-86621	17	COOS	06/19/2006		WINONA FLOYD	08/27/2009
S-87035	2	BENT	12/07/2007	GREENBERRY IRRIGATION DISTRICT	DAN OBRIEN	08/27/2009

Application	Basin	County	Priority	Company	Name	FO Date
S-87494	2	POLK	07/09/2009		NANCY SULLIVAN	08/27/2009
S-87394	17	CURR	02/17/2009		TEAL FLEMING	08/31/2009
G-17033	7	UMAT	04/09/2008		KENT BEEBE	09/01/2009

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 October 31, 2009.

R-87513
CHILDS, JOHN
2825 E FOURTH PLAIN BLVD
VANCOUVER WA 98661
POD: 1 UNNAMED STREAM > BEAVER CREEK
NW 1/4 SE 1/4 Section 27T 3.00S R 2.00E WM
Clackamas County
16.0 A for MULTIPLE PURPOSE

R-87515
TAYLOR, CANDACE
425 PERRYDALE RD
DALLAS OR 97338

TAYLOR, SCOTT
425 PERRYDALE RD
DALLAS OR 97338
POD: 1 UNNAMED STREAM > BASKETT SLOUGH
NW 1/4 NW 1/4 Section 28T 7.00S R 5.00W WM
Polk County
6.0 A for MULTIPLE PURPOSE

R-87516
ENSIGN, CRAIG
55409 PAUL CREEK LANE
LONG CREEK OR 97856
POD: 1 PAUL CREEK > LONG CREEK
SE 1/4 NE 1/4 Section 7 T 10.00S R 30.00E WM
Grant County
6.0 A for MULTIPLE PURPOSE

R-87517
ENSIGN, CRAIG
55409 PAUL CREEK LANE
LONG CREEK OR 97856
POD: 1 PAUL CREEK > LONG CREEK
SW 1/4 NW 1/4 Section 8 T 10.00S R 30.00E WM
Grant County
0.25 A for MULTIPLE PURPOSE

R-87518
ENSIGN, MICHAEL
16 BURNING TREE COURT
LAS VEGAS NV 89113
POD: 1 A SPRING > PAUL CREEK
SE 1/4 SE 1/4 Section 12T 10.00S R 29.00E WM
Grant County
1.66 A for MULTIPLE PURPOSE (est.)

POD: 2 A SPRING > PAUL CREEK
SE 1/4 SE 1/4 Section 12T 10.00S R 29.00E WM
Grant County
1.66 A for MULTIPLE PURPOSE (est.)

POD: 3 RUNOFF > PAUL CREEK
SW 1/4 SW 1/4 Section 7 T 10.00S R 30.00E WM
Grant County
1.66 A for MULTIPLE PURPOSE (est.)

R-87519
ENSIGN, MICHAEL
16 BURNING TREE COURT
LAS VEGAS NV 89113
POD: 1 UNNAMED STREAM > PAUL CREEK
NE 1/4 NW 1/4 Section 6 T 10.00S R 30.00E WM
Grant County
1.8 A for MULTIPLE PURPOSE

R-87520
ENSIGN, MICHAEL
16 BURNING TREE COURT
LAS VEGAS NV 89113
POD: 1 UNNAMED STREAM > PAUL CREEK
SW 1/4 SE 1/4 Section 6 T 10.00S R 30.00E WM
Grant County
0.6 A for MULTIPLE PURPOSE

R-87521
ENSIGN, MICHAEL
16 BURNING TREE COURT
LAS VEGAS NV 89113
POD: 1 UNNAMED STREAM > PAUL CREEK
SW 1/4 SE 1/4 Section 6 T 10.00S R 30.00E WM
Grant County
0.5 A for MULTIPLE PURPOSE

R-87522
ENSIGN, MICHAEL
16 BURNING TREE COURT
LAS VEGAS NV 89113
POD: 1 UNNAMED STREAM > PAUL CREEK
SE 1/4 SE 1/4 Section 6 T 10.00S R 30.00E WM
Grant County
0.4 A for MULTIPLE PURPOSE

R-87523
ENSIGN, MICHAEL
16 BURNING TREE COURT
LAS VEGAS NV 89113
POD: 1 UNNAMED STREAM > PAUL CREEK
SE 1/4 SE 1/4 Section 6 T 10.00S R 30.00E WM
Grant County
0.3 A for MULTIPLE PURPOSE

R-87524
 ENSIGN, MICHAEL
 16 BURNING TREE COURT
 LAS VEGAS NV 89113
 POD: 1 UNNAMED STREAM > PAUL CREEK
 SW 1/4 SW 1/4 Section 7 T 10.00S R 30.00E WM
 Grant County
 0.75 A for MULTIPLE PURPOSE

R-87525
 ENSIGN, MICHAEL
 16 BURNING TREE COURT
 LAS VEGAS NV 89113
 POD: 1 UNNAMED STREAM > PAUL CREEK
 SE 1/4 SW 1/4 Section 7 T 10.00S R 30.00E WM
 Grant County
 5.0 A for MULTIPLE PURPOSE

R-87526
 ENSIGN, MICHAEL
 16 BURNING TREE COURT
 LAS VEGAS NV 89113
 POD: 1 RUNOFF > PAUL CREEK
 SE 1/4 NW 1/4 Section 13T 10.00S R 29.00E WM
 Grant County
 2.5 A for MULTIPLE PURPOSE

R-87527
 ENSIGN, MICHAEL
 16 BURNING TREE COURT
 LAS VEGAS NV 89113
 POD: 1 RUNOFF > PAUL CREEK
 NW 1/4 NE 1/4 Section 13T 10.00S R 29.00E WM
 Grant County
 1.875 A for MULTIPLE PURPOSE (est.)

POD: 2 PAUL CREEK > LONG CREEK
 NW 1/4 NE 1/4 Section 13T 10.00S R 29.00E WM
 Grant County
 1.875 A for MULTIPLE PURPOSE (est.)

R-87528
 ENSIGN, MICHAEL
 16 BURNING TREE COURT
 LAS VEGAS NV 89113
 POD: 1 RUNOFF > PAUL CREEK
 SW 1/4 SE 1/4 Section 12T 10.00S R 29.00E WM
 Grant County
 2.25 A for MULTIPLE PURPOSE (est.)

POD: 1 PAUL CREEK > LONG CREEK
 SW 1/4 SE 1/4 Section 12T 10.00S R 29.00E WM
 Grant County
 2.25 A for MULTIPLE PURPOSE (est.)

R-87529
ENSIGN, MICHAEL
16 BURNING TREE COURT
LAS VEGAS NV 89113
POD: 1 RUNOFF > PAUL CREEK
NW 1/4 NE 1/4 Section 13T 10.00S R 29.00E WM
Grant County
2.375 A for MULTIPLE PURPOSE (est.)

POD: 2 PAUL CREEK > LONG CREEK
NW 1/4 NE 1/4 Section 13T 10.00S R 29.00E WM
Grant County
2.375 A for MULTIPLE PURPOSE (est.)

**Pending Municipal Permit Extension Applications Sent to Oregon
Department of Fish and Wildlife for Review**

Consistent with OAR 690-315-0080 the Department must notify Oregon Department of Fish and Wildlife of certain pending municipal water use extension applications. If applicable under OAR 690-315-0080 any undeveloped portion of a municipal permit must be conditioned to maintain the persistence of listed fish species in the portions of waterways affected by water use under the permit. The following applications were referred to the Oregon Department of Fish and Wildlife on August 20, 2009.

Application File Number: G-12526

Permit Number: G-12666

Applicant: City of Cascade Locks

Water Source: Herman Creek, a Tributary of Columbia River

Authorized Use of Water Under Permit: Municipal

Application File Number: S-22996

Permit Number: S-18134

Applicant: City of Cascade Locks

Water Source: Dry Creek, a Tributary of Columbia River

Authorized Use of Water Under Permit: Municipal

**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 16, 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:	Union
Application File Number:	G-16328
Permit Number:	G-15875 (MODIFIED BY PERMIT AMENDMENT T-10776)
Applicant:	BINGAMAN, SHAWN
Address:	PO BOX 143 IMBLER OR 97841
River Basin:	Grande Ronde Basin
Water Source:	A WELL > PIERCE SLOUGH
Authorized Use of Water:	IRRIGATION ON 154.7 Acres
Maximum Diversion/ Appropriation Rate:	1.93 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2009 to October 1, 2014.

County of Use: Coos
Application File Number: S-69654
Permit Number: S-53703
Applicant: WINDHURST ROAD WATER CORPORATION
Address: PO BOX 503
BANDON OR 97411
River Basin: South Coast Basin
Water Source: BILL CREEK > BEAR CREEK (STORED WATER
UNDER PERMIT R-12928)
Authorized Use of Water: CRANBERRY OPERATIONS ON 162.4 ACRES,
AGRICULTURAL USE ON 27.7 ACRES, AND SUPPLEMENTAL
CRANBERRY OPERATIONS ON 18.1 ACRES
Maximum Diversion/
Appropriation Rate: 614 AF STORED WATER

Recommendation: The department proposes to grant an extension of time to
apply water to full beneficial user from October 1, 2005 to October 1, 2014.

County of Use: Coos
Application File Number: R-69708
Permit Number: R-12928
Applicant: WINDHURST ROAD WATERING CORP.
Address: PO BOX 503
BANDON OR 97411
River Basin: South Coast Basin
Water Source: BILL CREEK > BEAR CREEK
Authorized Use of Water: STORED WATER TO BE APPROPRIATED UNDER
PERMIT S-53703
Maximum Diversion/
Appropriation Rate: 614 AF

Recommendation: The department proposes to grant an extension of time to
apply water to full beneficial user from October 1, 2005 to October 1, 2014.

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 15, 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-1242
PERRYDALE DOMESTIC WATER ASSOCIATION
HOBSON, RAY
11475 W PERRYDALE RD
AMITY OR 97101
POD: 1 A WELL > WILLAMETTE R
NW 1/4 SE 1/4 Section 29 T 6.00S R 3.00W WM
Polk AND Yamhill County
0.59 C for QUASI-MUNICIPAL USES

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 September 22, 2009. 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: Yamhill

Instream Lease Number: IL 232

Lessor:
BANKE, RUTH
21500 S.W. CALEB PAYNE ROAD
MCMINNVILLE OR 97128

Lessor:
BANKE, VICTOR
21500 S.W. CALEB PAYNE ROAD
MCMINNVILLE OR 97128

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM POD TO BELLVUE HIGHWAY (T5S, R5W, SEC 28)

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
22520	OR * S 20907	12/12/1951	IR	0.38	75.0	DEER CREEK	SOUTH YAMHILL RIVER	30.0

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 October 1, 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-9916 filed by Ron Hostetler, 1967 NE 19th Ave., Canby, OR 97013, proposes a change in point of appropriation under Certificate 83665.

The right allows the use of 0.255 CFS (priority date February 22, 1993) from a well in Sec. 6, T. 4S, R. 1E, W.M. (Pudding River Basin) for irrigation of 20.4 acres in Sec. 6. The applicant proposes to move the point of appropriation approximately 46 feet southeast to a well within Sec 6. 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-10430 filed by John and Barbara LeFore, and then assigned to The Vintage Group, LLC, of 500 East Broadway, Suite 110, Vancouver, Wa, 98660, proposes a change in place of use under a portion of Certificate 13240. The right allows the use of One and a half miner's inches (priority 1880) from a diversion on the Little Walla Walla River located within the SW1/4 SE1/4, T6N, R35E, WM., for Irrigation in Sec. 35. The applicant proposes to change the place of use to a different location within Sec. 35, T6N, R35E, 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-10448 filed by Timothy P. Larson, 69995 Camp Polk Rd., Sisters, OR 97759 proposes a change in point of appropriation under Certificate 83142. The right allows the use of 0.13 CFS (priority date January 16, 1985) from a well in Sec. 35, T. 14S, R. 10E, W.M. (Deschutes River Basin) for irrigation of 10.56 acres in Sec. 35. The applicant proposes to move the point of appropriation approximately 344 feet southeast to a well within Sec. 35. 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-10449 filed by Don Jacobson, PO Box 1720, Sisters, OR 97759, proposes a change in point of appropriation under Certificates 82717 and 82718. Certificate 82717 allows the use of 0.07 CFS (priority date January 16, 1985) from a well in Sec. 35, T. 14S, R. 10E, W.M. (Deschutes Basin) for irrigation of 5.34 acres in Sec. 35. Certificate 82718 allows the use of 0.12 CFS (priority date January 16, 1985) from a well in Sec. 35, T. 14S, R. 10E, W.M. (Deschutes Basin) for irrigation of 10.0 acres in Sec. 35. The applicant proposes to move the point of appropriation for both water rights approximately 18 feet south and 344 feet east within Sec. 35, T. 14S, R. 10E, 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-10718 filed by Pine Valley Land LLC, proposes a change in change in character of use under Certificates 68736 and 68737. The right allows the use of 140.0 ACRE FEET for Certificate 68736 and 51.0 ACRE FEET for Certificate 68737 (priority date April 21, 1914 and SEPTEMBER 20, 1950) from DEER GULCH in Sec. 31 T 8 S, R 47 E, W.M. and Sec 6, T 9 S R 47 E , W.M. for LIVESTOCK, WILDLIFE USE. The applicant proposes to change the character of use to MULTIPURPOSE USE. 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-10888 filed by KWI CHUN AND HONG MIN PARK, 1210 E. 9TH STREET, NEWBERG OR 97132, proposes a change in point of appropriation and an additional point of appropriation under Certificate 53095. The right allows the use of 0.10 CUBIC FOOT PER SECOND (priority date FEBRUARY 20, 1979) from a well in Sec. 16, T 5 S, R 3 W, W.M. (Willamette Basin) for IRRIGATION in Sec. 16. The applicant proposes to move the point of appropriation and add another point of appropriation approximately 3/8 miles west (Sec. 16, T 5 S, R 3 W, 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.

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 October 01, 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:

Running Y Inc., (Municipal)

To review any of the above plans or to provide comments on the plans, contact name at 503-986-0887 or william.h.fujii@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-126

Project Applicant: Deschutes River Conservancy and Central Oregon
Irrigation District

Mitigation Project

And Process: Instream Transfer Application T-10826 for Certificate
83571 (Also see Transfer Section of the April 7, 2009
public notice for application details)

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

Amount of Water: Proposed Instream: up to 2.29 CFS
Maximum Seasonal Volume –
735.38 AF

Current Use: Irrigation of 134.92 acres

Credits Assigned to: Deschutes River Conservancy and Central Oregon
Irrigation District

Preliminary Mitigation

Credit Determination: 242.9 Mitigation Credits

May be available for use in the Middle Deschutes and
General Zones of Impact

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

Deschutes County

Mitigation Project #: MP-129

Project Applicant: Deschutes River Conservancy and Central Oregon
Irrigation District

Mitigation Project
And Process: Instream Transfer Application T-10845 for Certificate
83571 (Also see Transfer Section of the April 28, 2009
public notice for application details)

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

Amount of Water: Proposed Instream: up to 1.34 CFS
Maximum Seasonal Volume –
431.57 AF

Current Use: Irrigation of 79.18 acres

Credits Assigned to: Deschutes River Conservancy and Central Oregon
Irrigation District

Preliminary Mitigation

Credit Determination: 142.5 Mitigation Credits
May be available for use in the Middle Deschutes and
General Zones of Impact

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

Application for Reauthorization of A Major Hydroelectric Project

The Department seeks public comment on the following application for the reauthorization of a major, greater than 100 theoretical horsepower, hydroelectric project. Comments must be submitted within 45 days of publication of this 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 or would like to obtain future notices and participate in the reauthorization process please contact R. Craig Kohanek at (503) 986-0823 or by mail at the address provided above. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Application:	HE 451
Applicant:	James & Sharon Jans; Odell Creek Hydro
Address:	4025 Summit Road; Hood River, OR 97031
Amount of water:	45 cubic feet per second year-round
Source of water:	Odell Creek, a tributary of the Hood River
Location of the Point of Diversion:	Tax lot 2500 SW 1/4 SW 1/4 of Section 14, Township 2 North, Range 10 East, W.M., Hood River County
Place of Use:	Tax lot 2500, NE 1/4 SW 1/4 of Section 14, Township 2 North, Range 10 East, W.M., hood River County
Purpose:	Sale to a private utility
Power developed:	225 Theoretical horsepower

Comments are Due October 15, 2009

OREGON WATER RESOURCES DEPARTMENT



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

PUBLIC NOTICE OF WATER USE REQUESTS
September 1, 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 proposed final order and final order are also available for viewing—at no charge—at our Salem office or at the local watermaster office.)