

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
February 26, 2013

*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.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **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.
- * **Extension of Time Checkpoint Progress Reports filed pursuant to OAR 690-315**
Documents the progress made toward development of the water use project since approval of the last permit extension and/or the last progress report checkpoint. (OAR 690-315 pertains to permit extension applications filed on or after July 1, 2001.)
- * **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.
- * **Application for a Minor Hydroelectric Project**
- * **Application for Instream Lease**
Application by water right holder to lease existing water rights to instream use.
- * **Establishment of Mitigation Credits in the Deschutes Basin pursuant to OAR Chapter 690, Division 521 (ORS 537.746)**

- * **Transfer Applications: Regular**
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.

- * **Transfer Preliminary Determinations**
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.

- * **Transfer Applications: Temporary Transfers**
Requests to temporarily change place of use and, if necessary to convey the water to the new place of use, to temporarily change the point of diversion or appropriation.

- * **Certificate Issuance**
Included in this section is a listing of recently issued water right certificates.

The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to "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, March 28, 2013. 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, April 12, 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

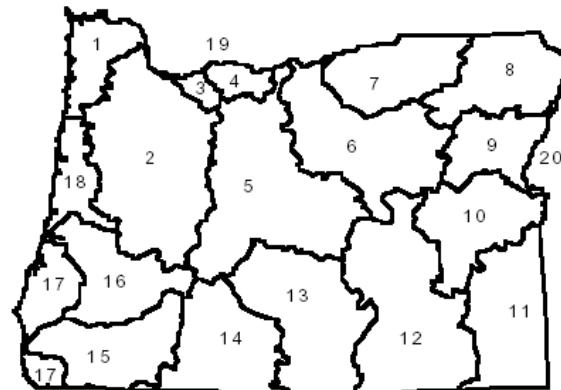
THIRD LINE:

- * 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

Commonly used "Type of Use" abbreviations (for definitions, consult Oregon Administrative Rules 690-300):

AG: Agriculture	GR: Groundwater recharge	MU: Municipal
CF,CH,CL, CR: Cranberry uses	GT: Geothermal	NU: Nursery use
CM: Commercial	IC: Irrigation, primary & supplemental	PA: Pollution abatement
CS: Campground	ID: Irrigation with domestic	PW: Power
DI, DN: Domestic including non-commercial lawn & garden	IL: Irrigation with livestock	QM: Quasi-municipal
DO: Domestic	IM: Industrial or manufacturing	RC: Recreation
DS: Domestic & stock	IR: Irrigation	RW: Road construction
FI: Fish	IS: Irrigation, supplemental	ST: Storage
FP: Fire protection	LV: Livestock	SW: Swimming
FW: Fish & wildlife	LW: Livestock & wildlife	TC: Temperature control
GD: Group domestic	MI: Mining	WI: Wildlife



Final Orders - Permit & License Applications

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-17500	11	MALH	11/03/2011		BROCK OBENDORF	02/14/2013
LL-1444	2	CLAC	01/24/2013	WILLAMETTE EGG FARM	GORDON SATRUM	02/14/2013
LL-1445	15	CURR	01/24/2013	RED FLAT NICKEL CORP	JOHN MAGLIANA, JR	02/14/2013

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 April 27, 2013.

R-87860

SEARS, WILLIAM
71190 NEER CITY RD
RAINIER, OR 97048

POD: 1 EAST FORK MCKAY CREEK > MCKAY CREEK
NE 1/4 NE 1/4 Section 4 T 2.00N R 2.00W WM
Washington County
9.2 AF for MULTIPLE PURPOSE

Expedited Secondary Applications Under HB 2178 (2005)

For expedited secondary applications to use exclusively stored water filed under HB 2178, the public is invited to comment within 30 days of this notice, by **March 28, 2013**. The expedited secondary applications listed below have been filed recently. Any person may raise public interest issues regarding these applications. If public interest issues are raised, the Department may move the application to the standard process and review the application pursuant to ORS 537.153, and issue a Proposed Final Order. If no public issues are raised, the Department may issue a final order and permit without further prior notice.

Comments must identify the specific public interest under ORS 537.170(8) that would be impaired or detrimentally affected by the proposed use, and specifically how the identified public interest would be affected.

POD 1 is the location of the stored water. POD 2 and any additional points are the rediversion point(s).

S-87861

PERDUE, GREG

7833 LOWER RIVER RD

GRANTS PASS, OR 97526

POD: 1 ROGUE RIVER > PACIFIC OCEAN

NE 1/4 SE 1/4 Section 13T 36.00S R 7.00W WM

Josephine County

0.0 AFT for IRRIGATION (est.)

POD: 2 LOST CREEK RESERVOIR > ROGUE RIVER

SE 1/4 NW 1/4 Section 26T 33.00S R 1.00E WM

Josephine County

90.0 AFT for IRRIGATION (est.)

**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 March 28, 2013. 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-15610
Permit Number: G-17007
NICHOLAS, W D.
22222 SW NICHOLAS VIEW DR
SHERWOOD, OR 97140
Washington County
A WELL > CEDAR CREEK BASIN
0.74 CFS
IRRIGATION OF 59.55 ACRES
October 1, 2018

Application Number: S-84823
Permit Number: S-53838
JACOBSON FAMILY PROPERTIES LP
1130 E MISSOURI STE 400
PHOENIX, AZ 85014
Multnomah County
A-1 CANAL > MARQUAM DRY LAKE CHANNEL
4.9 CFS
IRRIGATION FOR 689.4 ACRES AND WILDLIFE USE ON 11.1 ACRES
October 1, 2023

Extensions of Time Progress
Checkpoint Progress Reports filed pursuant to OAR 690-315

Consistent with OAR 690-315-0050(6), the Department will accept public comment on the following Extension of time Checkpoint Progress Reports until March 28, 2013. Comments must be in writing and must indicate the application file and permit numbers. Following the comment period, the Department shall review evidence to determine whether or not the permit holder has been diligent in developing and perfecting the water use permit and has complied with all terms and conditions of the permit and/or extension of time. Additionally, the Department will provide notice of its determination to anyone who has submitted comments.

Extension file information is included in the following format:

- (a) Permit holder's name and address;
- (b) Application file number / permit number
- (c) County of use
- (d) Common name of water source(s) listed in the permit;
- (e) Use of water allowed under the permit;

PRONGHORN RECREATION, LLC
APPLICATION NUMBER: G-15927 PERMIT NUMBER: G-15521
WASCO COUNTY
2 POINTS OF DIVERSION ON ANTELOPE CREEK BASIN
IRRIGATION

Applications for Limited Licenses

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

Licenseses must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after March 12, 2013, 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-1451

PRINEVILLE RANCH LLC

ZIMMERLEE, RICHARD

PO BOX 7878

BEND, OR 97708

POD: 1 WELL 1 > CROOKED R

SW 1/4 SE 1/4 Section 33T 19.00S R 20.00E WM

Crook County

POD: 2 WELL > CROOKED R

SE 1/4 SE 1/4 Section 33T 19.00S R 20.00E WM

Crook County

POD: 3 WELL > CROOKED R

NW 1/4 NW 1/4 Section 3 T 20.00S R 20.00E WM

Crook County

POD: 5 WELL > CROOKED R

SE 1/4 SE 1/4 Section 33T 19.00S R 20.00E WM

Crook County

POD: 6 WELL > CROOKED R

NW 1/4 NW 1/4 Section 3 T 20.00S R 20.00E WM

Crook County

POD: 12 WELL > CROOKED R

NE 1/4 SE 1/4 Section 33 T 19.00S R 20.00E WM

Crook County

POD: 13 WELL > CROOKED R

NW 1/4 SE 1/4 Section 33T 19.00S R 20.00E WM

Crook County

Application For A Minor Hydroelectric Project

The Department seeks public comment on the following application for a new minor hydroelectric project. Comments must be submitted within 30 days of publication of the notice. The application and supporting documents can be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the application please contact Mary Grainey (503) 986-0833. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Application: HE 600
Applicant: Gary Yeakle
Address: 25705 Jeans Rd, Veneta, OR 97487
Amount of water: 0.67 cubic feet per second
Source of water: Hucka Creek, a tributary of Fall Creek, in Willamette basin
Location of the
Point of Diversion: Tax lot 105, NE ¼ NW ¼ of Section 33, Township 18 South, Range 1 East, W.M., Lane County
Place of Use: Tax lot 105, NE ¼ NW ¼ of Section 33, Township 18 South, Range 1 East, W.M., Lane County
Purpose: Electricity production for home use
Power developed: Up to 6 Theoretical horsepower

Comments are Due April 2, 2013

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 March 19, 2013. Parties to the lease, including the Department, will review any such claims before the lease is finalized. The lease files are available for viewing at the Salem office of the Water Resources Department.

County: Deschutes
Instream Lease Number: IL 625

** Lessee **
DESCHUTES WATER EXCHANGE MITIGATION BANK
PO BOX 1560
BEND, OR 97709

** Lessor **
BUTTERFIELD, SUZANNE
SWALLEY IRRIGATION DISTRICT
64672 COOK AVE SUITE 1
BEND, OR 97701

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM THE POD (SWALLEY MAIN CANAL) TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:74145	CF RR	9/1/1899	IR	0.336	107.63	DESCHUTES R	COLUMBIA R	19.71

County: Crook
Instream Lease Number: IL 1197

** Lessor **
OCHOCO LUMBER COMPANY

P.O. BOX 668
PRINEVILLE, OR 97754

** Lessor **

OCHOCO IRRIGATION DISTRICT
1001 NW DEER ST
PRINEVILLE, OR 97754

** Lessee **

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

Reach: FROM THE POD TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:82248	CF RR * S 49824	9/2/1986	IM	0.779	259.41	OCHOCO RESERVOIR	OCHOCO CREEK	86.5

County: Crook
Instream Lease Number: IL 1198

** Lessor **

OCHOCO IRRIGATION DISTRICT
1001 NW DEER ST
PRINEVILLE, OR 97754

** Lessee **

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

Contact: LAURA WILKE at (503) 986-0884

Reach: FROM THE POD TO THE CONFLUENCE WITH THE CROOKED RIVER AND INTO THE CROOKED RIVER TO LAKE BILLY CHINOOK

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
Cert:82246	CF RR * S 5426	8/10/1917	IM,IR	0.18	60.0	OCHOCO CREEK	CROOKED RIVER	20.0

** Contact - Additional **
SUSSMAN, ADAM
GSI WATER SOLUTIONS INC.
1600 SW WESTERN BLVD SUITE 240
CORVALLIS, OR 97333

** Lessor **
JOINT WATER COMMISSION
150 E MAIN STREET
HILLSBORO, OR 97123
Contact: JOAN SMITH at 503-986-0864

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

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to
Cert:38894 OR * R	4618	7/20/1965	IR,LV		8.85	UNNAMED STREAM/N RS	TUALATIN RIVER

County: Washington
Instream Lease Number: IL 1263

** Lessor **
JOINT WATER COMMISSION
150 E MAIN STREET
HILLSBORO, OR 97123

** Contact - Additional **
SUSSMAN, ADAM
GSI WATER SOLUTIONS INC.
1600 SW WESTERN BLVD SUITE 240
CORVALLIS, OR 97333

Contact: JOAN SMITH at 503-986-0898

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

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
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Cert:22505 OR * S 20099 2/6/1951 IR 0.11 22.25 TUALATIN RIVER WILLAMETTE RIVER 8.9

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

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:22468	OR * S 18722	4/14/1949	IR	0.23	45.0	TUALATIN RIVER	WILLAMETTE RIVER	18.0

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

Cert#	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to	Acres
Cert:29915	OR * S 18292	10/30/1947	IR	1.65	534.0	TUALATIN RIVER	WILLAMETTE RIVER	213.6

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-40 (renewal)

Project Applicant: Anthony Aceti, Swalley Irrigation District, and the Deschutes River Conservancy Mitigation Bank

Mitigation Project

And Process: Instream Lease Application IL-625 for Certificate 74145 (Also see Instream Leases Section of the February 26, 2013 public notice for application details)

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

Amount of Water: Proposed Instream: up to 0.336 CFS with a
Maximum Seasonal Volume – 107.63 AF

Current Use: 19.71 acres of Irrigation Use

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: up to 35.5 Mitigation Credits

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

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

Crook County

Mitigation Project #: MP-163 (renewal)

Project Applicant: Ochoco Lumber Company, Ochoco Irrigation District, and the Deschutes River Conservancy Mitigation Bank

Mitigation Project

And Process: Instream Lease Application IL-1197 for Certificate 82248 (Also see Instream Leases Section of the February 26, 2013 public notice for application details)

Subbasin/Source: Crooked River Subbasin – Ochoco Creek and Ochoco Reservoir, tributary to the Crooked River

Amount of Water: Proposed Instream: up to 0.78 CFS with a
Maximum Seasonal Volume – 259.5 AF
Current Use: 86.5 acres equivalent of Industrial Use
Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: up to 129.8 Mitigation Credits
May be available for use in the Crooked River and General Zones of
Impact

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

Crook County

Mitigation Project #: MP-164 (renewal)

Project Applicant: Ochoco Irrigation District and the Deschutes River Conservancy
Mitigation Bank

Mitigation Project

And Process: Instream Lease Application IL-1198 for Certificate 82246 (Also see
Instream Leases Section of the February 26, 2013 public notice for
application details)

Subbasin/Source: Crooked River Subbasin – Ochoco Creek and Ochoco Reservoir,
tributary to the Crooked River

Amount of Water: Proposed Instream: up to 0.18 CFS with a
Maximum Seasonal Volume – 60.0 AF

Current Use: 20.0 acres equivalent of Industrial Use (floating)

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: up to 60.0 Mitigation Credits
May be available for use in the Crooked River and General Zones of
Impact

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

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 March 28, 2013. 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: KLAMATH
Transfer: 11013
Water Right: CERT 65355; 41246
Priority Date: 1981; MAY 17, 1963
Name: OREGON INSTITUTE OF TECHNOLOGY
Address: 3201 CAMPUS DRIVE, KLAMATH FALLS, OR 97601
Change: USE
Source: WELLS

County: BENTON
Transfer: 11495
Water Right: CERT 42989
Priority Date: JUNE 28, 1973
Name: WESKE-WINDFLOWER REVOCABLE LIVING TRUST
PO BOX 218
30724 BOTKIN RD
PHILOMATH, OR 97370
Change: point of diversion; place of use
Source: GREASY CREEK

County: KLAMATH
Transfer: 11535
Water Right: CERT 20315
Priority Date: OCTOBER 3, 1949
Name: NICK MOXLEY; SAM MOXLEY
5303 BLISS RD
BONANZA, OR 97623
Change: PLACE OF USE
Source: A WELL

County: COOS
Transfer: 11536
Water Right: CERT 33905
Priority Date: FEBRUARY 3, 1964
Name: DAVE AND CINDY BROWN
59009 FAIRVIEW RD
COQUILLE, OR 97423
Change: ADDITIONAL POINT OF DIVERSION
Source: NORTH FORK COQUILLE RIVER

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 March 28, 2013, 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-11345 filed by John Peila, of Peila Ranch, Inc., PO Box 697, Burns, OR, 97720, proposes a change in place of use change in point of appropriation under Certificates 35868 and 48154. Certificate 35868 allows the use of 1.82 cfs from two wells within Sec. 20, T27S, R23 E, W.M., for irrigation in Sec. 20. Certificate 48154 allows the use of 0.9 cfs from a well in Sec. 17, T27S, R23 E, W.M., for irrigation in Section 17. The applicant proposes to add a well in Sec. 17 and change the places of use to Sec. 17 and 20. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Transfer Applications: Temporary Transfer

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation. The Department shall approve the request provided it does not cause injury to existing water rights or expand the water use. If after the change is approved, it is found to cause injury, the approved change may be revoked. The use of water reverts to the authorized place of use upon expiration of the temporary change.

Notice is given that the following applications for Temporary Transfers have been received by the Department:

County: LAKE
Transfer: 11534
Water Right: CERT 28570; 48610; 63583
Priority Date: AUGUST 23, 1954; JUNE 4, 1976; APRIL 5, 1979
Name: SCOTT TOBIASSON; JOSE TOBIASSON
PO BOX 93
FORT ROCK, OR 97735
Change: POINT OF APPROPRIATION; PLACE OF USE
Source: SEVERAL WELLS

County: UNION
Transfer: 11537
Water Right: CERT 87023
Priority Date: JULY 7, 1966
Name: THREEMILE CANYON FARMS LLC
75906 THREEMILE RD
BOARDMAN, OR 97818
Change: PLACE OF USE
Source: A WELL

County: BAKER
Transfer: 11538
Water Right: CERT 68434; 83236
Priority Date: 1866, 1867, 1875, 1880, 1898
Name: SSI LAND & CATTLE COMPANY
42874 OLD WINGVILLE ROAD
BAKER CITY, OR 97814
Change: PLACE OF USE
Source: SEVERAL

Certificate Issuance

Following is a list of certificates that have been recently issued. If you are viewing this electronically then you should be able to view the certificate by clicking on the underlined blue text. Appeal rights are provided on each certificate document.

If under the file number the “App:” abbreviation for application is provided then any person owning an application, permit or water right certificate subsequent in priority to a certificate listed here may file a protest within three months of issuance of the certificate. See Oregon Revised Statutes 537.260. Rules governing protests are in Oregon Administrative Rules Chapter 690 division 002. Any protest must be accompanied by a protest fee of \$600. (ORS 536.050(1)(j)(A)).

File Number	Basin Number	County	Priority Date	Issue Date	Name
Xfer: T 6020 Cert#-87925	16	DOUG	03/07/1950	02/22/2013	MAXWELL DAIRY
Xfer: T 6020 Cert#-87926	16	DOUG	12/17/1958	02/22/2013	MAXWELL DAIRY
Xfer: T 6300, T 6020 Cert#-87924	16	DOUG	12/17/1958	02/22/2013	THE MAXWELL DAIRY

OREGON WATER RESOURCES DEPARTMENT



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

PUBLIC NOTICE OF WATER USE REQUESTS
February 26, 2013

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.)