

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
November 24, 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.
- * **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 Applications: Regular**
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- * **Transfer Preliminary Determinations**
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.

- * **Transfer Applications: Permit Amendments**
Requests to amend permits.

- * **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 "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, December 24, 2009. Although we cannot respond individually to all comments, each will be considered as the agency makes its permit decision.

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

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

The protest deadline for proposed final orders appearing in this public notice is 5pm, Friday, January 08, 2010.

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 Fridays: October 16, 2009; November 27, 2009; March 19, 2010; April 16, 2010; June 18, 2010; August 20, 2010; September 17, 2010; November 26, 2010; March 18, 2011; and May 20, 2011.

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:

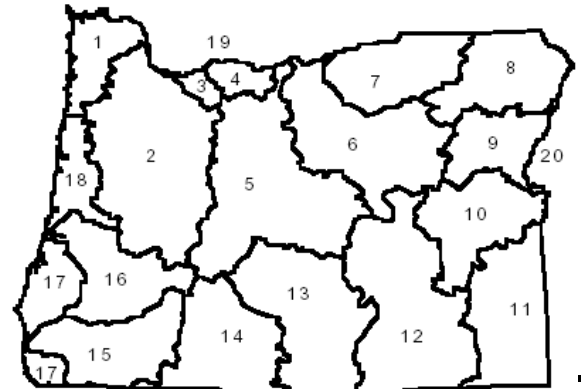
- * Basin number (see map below right)
 - * Source > what it flows into
 - (in the case of wells, this describes the basin in which the well is located)
 - * General legal description
 - * County & Priority date
 - * Amount
 - * Unit of measure:
 - C: cubic feet per second
 - G: gallons per minute
 - 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



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
G-17229	HUSSEY, JEFF PO BOX 224 DREWSEY OR	97904					IR 3
10	A WELL > COTTONWOOD CREEK	20.00S 36.00E 5 NENE	Harney	05/29/2009	1.76C		
Uses: IS							
G-17238	LONGFELLOW, CLYDE 80765 N OTT RD HERMISTON OR	97838					IR 2
7	A WELL > HAT ROCK DRAIN	5.00N 29.00E 31 NWSW	Umatilla	06/22/2009	0.037C		
Uses: IR							
G-17243	CANNADY, BARBARA J. PO BOX 7 HINES OR	97738					IR 2
10	A WELL > SOUTH FORK MALHEUR RIVER	27.00S 34.00E 12 SWNW	Harney	06/29/2009	2.0C		
Uses: IR							
G-17252	TOLL, LARRY TENNESON ENGINEERING CORP. 3313 W 2ND ST SUITE 100 THE DALLES OR	97058					IR 2
5	A WELL > ROCK CREEK	4.00S 12.00E 28 SWSE	Wasco	08/13/2009	1.0C		
Uses: IR							
S-87508	OLSON, STEPHEN E. PO BOX 715 HINES OR	97738					IR 2
12	A SPRING > SOUTH WARM SPRINGS CREEK	27.00S 29.00E 6 NESE	Harney	08/03/2009	2.4C		
12	A SPRING > SOUTH WARM SPRINGS CREEK	27.00S 29.00E 5 SWNE	Harney	08/03/2009	1.0C		
Uses: IR							
G-17248	ELLIOTT, ALLAN CARLTON NURSERY CO. LLC PO BOX 398 DAYTON OR	97114					IR 2
2	A WELL > WILLAMETTE RIVER	5.00S 3.00W 28 SWSE	Yamhill	07/21/2009	0.31C		
Uses: NU							
G-17270	HENDRICKS, SCOTT PO BOX 293 MILTON FREEWATER OR	97862					IR 3
7	A WELL > LITTLE MUD CREEK	6.00N 35.00E 20 SENE	Umatilla	10/07/2009	0.46C		
Uses: IS							

App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
G-17164	ABTIN, VICKI R. 12853 NW LORRAIN DR PORTLAND OR	97229					PFO 2
2	A WELL > BURRIS CREEK	2.00S 3.00W 11 NWNW	Washington	01/20/2009	0.055C	(est)	
2	A WELL > BURRIS CREEK	2.00S 3.00W 11 NWNW	Washington	01/20/2009	0.055C	(est)	
Uses:	IR						
G-17203	BURRIS, ELIZABETH JEANNE ELIZABETH JEANNE BURRIS TRUST PO BOX 2593 CHICAGO IL	60690-2593					PFO 2
2	A WELL > MUDDY CREEK	16.00S 3.00W 36 NWSE	Lane	04/14/2009	0.4C		
Uses:	DN IR						
S-87507	ROSE, ED ROSELAWN SEED INC. 17236 BUTTEVILLE RD NE WOODBURN OR	97071-8426					PFO 3
2	A RESERVOIR > ROCK CREEK	5.00S 1.00E 20 NENW	Clackamas	08/05/2009	160.0A		
Uses:	IR						
G-17095	SHEPHERD, JAMES C. 476 N KOA BURNS OR	97720					PFO 2
12	A WELL > WILLOW CREEK	24.00S 30.00E 7 SENW	Harney	08/19/2008	0.7C		
Uses:	IR						
G-17244	PIERCE, JAMES DENNIS 30690 FERNWOOD RD NEWBERG OR	97132					PFO 2
2	A WELL > SPRING BROOK	3.00S 2.00W 22 NWSE	Yamhill	06/30/2009	0.04C		
Uses:	NU						
G-17269	MERRITT, ROBERT 3225 SW CASCADE AVE CORVALLIS OR	97333					IR 3
2	A WELL > WILLAMETTE RIVER	11.00S 4.00W 1 NWSW	Benton	10/05/2009	0.062C		
Uses:	IR						
G-17241	SIMEONOV, GEORGE 1420 COMMERCE WAY WOODBURN OR	97071					IR 3
2	A WELL > BRUSH CREEK	7.00S 1.00W 3 NWSE	Marion	06/29/2009	0.32C		
Uses:	IR						

App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
G-17227	CORRINGTON, KAREN CITY OF SODAVILLE	30723 SODAVILLE RD	LEBANON OR	97355			IR 2
2	A WELL > VAIL CREEK	12.00S 1.00W 31 SWNW	Linn	05/29/2009	0.078C		
2	A WELL > OAK CREEK	12.00S 2.00W 36 SENE	Linn	05/29/2009	0.078C		
2	A WELL > OAK CREEK	12.00S 2.00W 36 SENE	Linn	05/29/2009	0.078C		
Uses:	MU						
S-87544	MCCOY, MICHAEL 9624 S BANK DR	ROSEBURG OR	97470				IR 2
16	NORTH UMPQUA RIVER > UMPQUA RIVER	26.00S 4.00W 19 NWNE	Douglas	11/03/2009	0.01C		
Uses:	DN						
G-17214	GIORGI, JOHN PO BOX 116	GAZELLE CA	96034				IR 2
5	A WELL > ALKALI CREEK	17.00S 23.00E 2 NESE	Crook	05/11/2009	1.09C		
Uses:	IR						
G-17273	BEAN, WAYNE 78624 EASTREGAARD RD	BOARDMAN OR	97818				IR 2
7	A WELL > COLUMBIA RIVER	4.00N 25.00E 15 SESE	Morrow	10/19/2009	0.122C		
Uses:	DO IR						
G-17268	JOHNSTON, BARBARA CITY OF MONROE	PO BOX 486 MONROE OR	97456				IR 2
2	A WELL > LONG TOM RIVER	14.00S 5.00W 33 NESE	Benton	10/05/2009	0.3342C		
Uses:	MU						
S-87226	RISSBERGER, ROBERT 1240 QUINCE DR	JUNCTION CITY OR	97448				PFO 2
5	LITTLE CREEK > ODELL LAKE	23.00S 6.00E 14 SWNW	Klamath	07/15/2008	0.005C		
Uses:	HC						
G-17235	RUTHERFORD, TONY RUTHERFORD FAMILY RANCHES	36997 SANDHILL LANE	BURNS OR	97720			IR 2
12	A WELL > NINEMILE SLOUGH	24.00S 32.50E 7 SESW	Harney	06/10/2009	1.35C (est)		
12	A WELL > NINEMILE SLOUGH	24.00S 32.50E 7 SENW	Harney	06/10/2009	1.35C (est)		
Uses:	IR						

App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
S-87485	USDA FOREST SERVICE	USDA FOREST SERVICE	1230 NE 3RD ST SUITE A 262 BEND OR	97701			PFO 2
5	ELK LAKE > LAVA LAKE	18.00S 8.00E 29 SESW	Deschutes	06/29/2009	0.001C	(est)	
5	ELK LAKE > LAVA LAKE	18.00S 8.00E 29 SESW	Deschutes	06/29/2009	0.001C	(est)	
5	ELK LAKE > LAVA LAKE	18.00S 8.00E 29 SESW	Deschutes	06/29/2009	0.001C	(est)	
5	ELK LAKE > LAVA LAKE	18.00S 8.00E 32 NENW	Deschutes	06/29/2009	0.001C	(est)	
5	ELK LAKE > LAVA LAKE	18.00S 8.00E 32 NWSW	Deschutes	06/29/2009	0.001C	(est)	
Uses:	HC						

Permit Application Final Orders

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

Application	Basin	County	Priority	Company	Name	FO Date
G-16839	2	MARI	04/27/2007	T AND D LAND LLC	THOMAS FESSLER	11/12/2009
G-16913	3	MULT	08/07/2007	.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE; COL		11/12/2009
G-17168	12	HARN	01/23/2009	FIVE GUYS GOOSE CLUB		11/12/2009
R-87258	15	JOSE	08/18/2008		JOHN HORNE	11/12/2009
R-87262	6	GILL	08/20/2008		MARK HANNA	11/12/2009
R-87435	2	BENT	04/09/2009		ROGER KING	11/12/2009
R-87484	8	UNIO	06/26/2009		SCOTTY HINDMAN	11/12/2009
S-86686	1	COLU	09/25/2006	MORSE BROS INC.		11/12/2009
R-87486	2	YAMH	06/29/2009		ROSALBA GOFFENA	11/13/2009
G-17100	12	HARN	09/12/2008		BOB KERBY	11/17/2009
R-87196	6	WHEE	06/12/2008		ADRIAN FISHER	11/17/2009
R-87445	16	DOUG	04/22/2009		THOMAS HANSCH	11/17/2009
R-87461	15	JOSE	05/29/2009		BRYAN HALL	11/17/2009
R-87478	2	POLK	06/25/2009		BOGDAN CACEU	11/17/2009
R-87479	2	POLK	06/25/2009		BOGDAN CACEU	11/17/2009
R-87192	16	DOUG	06/10/2008	COW CREEK BAND OF UMPQUA TRIBE OF INDIANS		11/18/2009

Application	Basin	County	Priority	Company	Name	FO Date
S-87193	16	DOUG	06/10/2008	COW CREEK BAND OF UMPQUA TRIBE OF INDIANS		11/18/2009
G-17088	2	MULT	07/30/2008	FIVE STAR STORAGE CO.		11/19/2009
G-17182	2	MULT	02/26/2009	MCKINSTRY CO. LLC	PETE FELZIEN	11/19/2009
R-87421	2	YAMH	03/17/2009		SUZANNE KREDER	11/19/2009
S-87189	5	KLAM	06/03/2008		DON BOND	11/19/2009
S-87212	5	DESC	06/27/2008		KENNETH GRAHAM	11/19/2009
G-14908	5	DESC	01/13/1999	CITY OF REDMOND		11/20/2009
G-16758	14	KLAM	12/01/2006		RITA CORYELL	11/20/2009
R-87474	4	WASC	06/18/2009		DAVID WEHRLY	11/20/2009
S-87506	15	JOSE	08/03/2009		DANIEL RODRIGUEZ	11/20/2009
R-87274	2	CLAC	08/25/2008		GLEN LOHR	11/23/2009
R-87279	6	WHEE	08/27/2008		JAMES KEMMER	11/23/2009
R-87280	6	WHEE	08/27/2008		JAMES KEMMER	11/23/2009

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 January 23, 2010.

R-87546
WASHBURN, PHILIP J.
845 BECKEN RD
ROSEBURG OR 97471
POD: 1 RUNOFF > ELGAROSE CREEK
NW 1/4 NW 1/4 Section 34T 26.00S R 7.00W WM
Douglas County
5.0 A for MULTIPLE PURPOSE

R-87547
WASHBURN, PHILIP J.
845 BECKEN RD
ROSEBURG OR 97471
POD: 1 RUNOFF > ELGAROSE CREEK
NW 1/4 NW 1/4 Section 34T 26.00S R 7.00W WM
Douglas County
5.0 A for MULTIPLE PURPOSE

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 December 8, 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-1265

SHORE TERMINALS LLC-PORTLAND TERMINAL

A NUSTAR ENERGY, LP CO

POIRIER, MICHAEL J

2368 MARITIME DR

ELK GROVE CA 95758

POD: WILLAMETTE R > PACIFIC OCEAN

NW ¼ NE ¼ SECTION 11 T 01.00N R 01.00W WM

Multnomah County

8.21 C For HYDROSTATIC TESTING OF STORAGE TANKS

**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 December 24, 2009. Following the comment period, the Department will prepare and issue a proposed final order. Individuals who would like a copy of the proposed final order may request copies by sending a request and \$20 (the charge required by law). Please indicate the file number. Copies of the proposed final order may be viewed at the Department and/or self copied. Individuals wishing to obtain a copy of the extension application should contact the Department by phone or in person.

Extension file information is included in the following format:

- (a) Application Number;
- (b) Permit number;
- (c) Applicant name and address;
- (d) County of application;
- (e) Common name of water source(s) listed in the permit;
- (f) Amount of water use permitted in gallons per minute (gpm), cubic feet per second (cfs) or acre feet (af) of storage;
- (g) Use allowed in the permit;
- (h) Proposed extended date of completion as requested by the extension applicant;

Application Number: G-15341
Permit Number: G-15396
CLEAVER, ALAN
PO BOX 1191
HERMISTON OR 97838
Morrow County
NOT TO EXCEED A MAXIMUM CUMCLATIVE TOTAL OF 12.5 CFS
EIGHT WELLS > COLUMBIA RIVER
October 1, 2011

Application Number: G-15844
Permit Number: G-15486
U.S. PUBLIC HEALTH SERVICE; KLAMATH TRIBES OF OR
PO BOX 436
CHILOQUIN OR 97624
Klamath County
A WELL > WILLIAMSON RIVER
0.03 CFS
DOMESTIC USE FOR 25 HOUSEHOLDS
October 1, 2019

Application Number: G-15908
Permit Number: G-15464
TURNER RANCH INC
TURNER, MELISSA
65708 SAND HOLLOW RD
HEPPNER OR 97836
Morrow County
TWO WELLS > SAND HOLLOW
2.0 CFS, BEING 1.0 CFS FROM WELL 1 AND 1.0 CFS FROM WELL 2
IRRIGATION USE ON 141.5 ACRES, SUPPLEMENTAL IRRIGATION USE ON 18.5 ACRES
October 1, 2013

Application Number: G-16207
Permit Number: G-15816
BOWEN, JUSTIN; STEPHANIE BOWEN
55288 HWY 78
BURNS OR 97720
Harney County
SIX WELLS > MALHEUR LAKE
5.07 CFS
IRRIGATION ON 405.4 ACRES
October 1, 2015

Application Number: G-16215
Permit Number: G-15832
NORTHWEST FARM CREDIT SERVICES FLCA
PO BOX 279
378 W IDAHO AVE
ONTARIO OR 97914
AND ...
WIGGINS, MATHEW F.; BRANDI L. WIGGINS
2377 9TH AVE W
VALE OR 97918
Malheur County
TWO WELLS > WILLOW CREEK
2.86 CFS
SUPPLEMENTAL IRRIGATION ON 229.0 ACRES
October 1, 2012

Application Number: G-16381
Permit Number: G-15986
BRADACH, CHAD R.
PO BOX 353
BURNS OR 97720
Harney County
FOUR WELLS > MALHEUR SLOUGH
3.0 CFS
IRRIGATION USE ON 242.0 ACRES
October 1, 2015

**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 January 08, 2010. There is no fee for submission of comments. The protest filing fee is \$300 for the applicant and \$600 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

1.) OAR-690-315

County of Use:	Lake
Application File Number:	G-14611
Permit Number:	G-13505
Applicant:	JR SIMPLOT SELF-DECLARATION OF REVOCABLE TRUST CONRAD, VIC
Address:	PO BOX 27 BOISE ID 83707
River Basin:	Goose & Summer Lake Basin
Water Source:	TWO WELLS > CHEWAUCAN RIVER
Authorized Use of Water:	IRRIGATION ON 321.7 Acres
Maximum Diversion/ Appropriation Rate:	4.0 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2002 to October 1, 2005.

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 15, 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: Douglas

Instream Lease Number: IL 634

Lessor:
MENSCH, JERRY
1673 KENDALL ST
ROSEBURG OR 97471

Contact: KODY THURGOOD at 503-986-0892

Reach: POD TO MOUTH OF SOUTH UMPQUA RIVER

Cert#	Permit	Priority	Use	Rate(cfs)	Duty(acf)	Source	Tributary to	Acres
31858 OR	* S 28416	10/02/1962	IR	0.01	1.25	SOUTH UMPQUA RIVER	UMPQUA RIVER	0.5

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 24, 2009. Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

County: POLK
Transfer: 10977
Water Right: CERT 83204
Priority Date: 1976
Name: DERA EVE FAMILY LLC, ED DERA EVE
RON AND JAMIE LEWIS
Address: PO BOX 3, MCMINNVILLE OR 97218
Change: POU/POD
Source: ASH SWALE
Authorized POD: T6S R4W 7
Proposed POD: T5S R4W 29
Authorized POU: T6S R4W 7,18
Proposed POU: T5S R4W 28,29

County: JACKSON
Transfer: 10978
Water Right: CERT 16201
Priority Date: 1859,1885
Name: KELLOGG KIN INC
Address: 2312 SARDINE CREEK RD GOLD HILL OR 97525
Change: USE/POU
Source: SARDINE CREEK
Authorized POU: T36S R3W 4
Proposed POU: BEGINNING AT THE POD FOR THE MIDDLE DITCH 360
FEET NORTH AND 490 FEET EAST OF THE WEST 1/4
OF SEC 33 FOR A DISTANCE OF 7800 FEET, POD IS
ON THE RIGHT FORK OF SARDINE CREEK
Authorized USE: IRRIGATION/MINING
Proposed USE: INSTREAM

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 24, 2009, or within 30 days of the last date of publication in a newspaper, whichever is later. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

T 10564 and T-10565 filed by Gary and Goldie Burton, 4980 Matney Road, Monmouth, Oregon 97361, proposes to modify the points of appropriation under Registration Application GR-2960 (Certificate of Registration GR-2777) and Registration Application GR-2961 (Certificate of Registration GR-2778). Registration Application GR-2960 claims the use of 140 gallons per minute (tentative priority date May, 1948 from a well in Sec. 8, T 10 S, R 3 W, W.M. (Willamette Basin) for irrigation in Sec. 8. Registration Application GR-2961 claims the use of 230 gallons per minute (tentative priority date 1955 from a well in Sec. 8, T 10 S, R 3 W, W.M. (Willamette Basin) for irrigation in Sec. 8. The applicant proposes to modify the location of the original points of appropriation between approximately 550 feet to 1200 feet north within Sec. 8, T 10 S, R 3 W, W.M. The Water Resources Department has concluded that the proposed modification appears to be consistent with the requirements of ORS Chapter 537, ORS Chapter 540 and OAR 690-382-1000.

T-10683 filed by METRO, 600 NE GRAND AVE, PORTLAND OR 97232, proposes a change in place of use under Determination of Satisfactory Proof for Permit 35792 in the name of the United States of America - Bureau of Reclamation (Spec. Order Vol. 67, Pages 627-662). The right allows the use of 0.05 CUBIC FEET PER SECOND (priority date FEBRUARY 20, 1963) from the TUALATIN RIVER in Sec. 35, T 1 N, R 3 W, W.M. for IRRIGATION in Sec. 35, T 1 N, R 3 W, W.M. The applicant proposes to change the place of use to Sec. 35, T 1 N, 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.

T-10873 filed by Michael D. Kaiser, P.O. Box 1567, Sandy, Oregon 97055, proposes a change in character of use under Certificate 73461. The right allows the storage of 7.81 acre feet (priority date January 1, 1993) from Whiskey Creek within nine reservoirs in Sec. 19, T 2 S, R 6 E, W.M. for aesthetics, fish culture, and recreation. The applicant proposes to change the character of use to multi-purpose. 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-10874 filed by MICHAEL D. KAISER, P.O. BOX 1567, SANDY OR 97055 proposes a change in place of use under Certificate 854080. The right allows the use of 0.75 CUBIC FOOT PER SECOND (priority date SEPTEMBER 9, 1932) from WHISKEY CREEK and 5 WELLS in Section 19, T2S, R6E, W.M. for ARTIFICIAL LAKE in Sec. 19. The applicant proposes to change the place of use to ten artificial lakes in Section 19, T2S, R6E, 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-10917 filed by DANIEL H. MICKE, 87754 HWY 140 W, LAKEVIEW OR 97630 proposes a change in place of use under Certificate 83529. The right allows the use of 0.04 CUBIC FOOT PER SECOND (priority date MAY 22, 1990) from WASTE WATER in Sec. 1, T 41 S, R 18 E, W.M for IRRIGATION in Sec. 31, T 40 S, R 19 E, W.M. The applicant proposes to change the place of use to Sec. 31, T 40 S, R 19 E, W.M. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-10921 filed by LAWRENCE DOWNING, 5200 NE MILL CREEK ROAD, PRINEVILLE OR 97754, proposes an additional point of diversion under Certificate 80751. The right allows the use of 0.47 CUBIC FOOT PER SECOND (priority date 1870) from MILL CREEK, tributary of CROOKED RIVER in Sec 15, T 14 S, R 17 E, W.M. for IRRIGATION and LIVESTOCK in Sec. 22 and 23, T 14 S, R 17 E, W.M. The applicant proposes an additional point of diversion approximately 1400 feet downstream in Sec 22, T 14 S, R 17 E, W.M. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-10958 filed by Seneca Sawmill Co., Attn: Monica Jelden, P.O. Box 851, Eugene, Oregon 97440 proposes a change in point of appropriation under Certificate 34373. The right allows the use of 0.45 cubic foot per second (priority date August 8, 1961) from a well in Sec. 4, T 17 S, R 4 W, W.M. (Willamette Basin) for maintenance of log pond and fire protection in Sects. 4 and 9. The applicant proposes to move the point of appropriation approximately 50 feet south (Sec. 4, T 17 S, R 4 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.

Transfer Applications: Permit Amendments

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU) pursuant to ORS 537.211 (4).

Notice is given that the following applications for Permit Amendments have been received by the Department. If the proposed change in point of diversion or appropriation is for a distance greater than 1/4 mile or includes intervening diversion points, notice also will be published in a local newspaper.

County: DESCHUTES
Transfer: 10973
Water Right: PERMIT G-16873
Priority Date: 2007
Name: BEND TRAP CLUB
Address: PO BOX 7774 BEND OR 97708
Change: POU/POA
Source: WELL
Authorized POA: T20S R16E 5
Proposed POA: T20S R16E 5
Authorized POU: T20S R16E 5
Proposed POU: T20S R16E 5,6

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 24, 2009. 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.)

COUNTY: DESCHUTES
NOTICE OF DISTRICT
PERMANENT TRANSFER: NOTICE # T-2009-038
CERTIFICATE: 83571,76714
PRIORITY DATE: 1900,1907,1913
NAME: CENTRAL OREGON IRRIGATION DISTRICT
ADDRESS: 1055 SW LAKE COURT REDMOND OR 97756
CHANGE: POU
SOURCE: DESCHUTES RIVER/CRANE PRAIRIE RES
ACRES: 0.30
AUTHORIZED POU: T17S R13E 19
PROPOSED POU: T17S R13E 19

COUNTY: DESCHUTES
NOTICE OF DISTRICT
PERMANENT TRANSFER: NOTICE # T-2009-045
CERTIFICATE: 83571,76714
PRIORITY DATE: 1900,1907,1913
NAME: CENTRAL OREGON IRRIGATION DISTRICT
ADDRESS: 1055 SW LAKE COURT REDMOND OR 97756
CHANGE: POU
SOURCE: DESCHUTES RIVER/CRANE PRAIRIE RES
ACRES: 0.300.20
AUTHORIZED POU: T15S R13E 31

PROPOSED POU: T15S R13E 31

COUNTY: JACKSON
NOTICE OF DISTRICT
PERMANENT TRANSFER: NOTICE #09-01
CERTIFICATE: 80569
PRIORITY DATE: 1909
NAME: ROGUE RIVER VALLEY IRRIGATION DISTRICT
ADDRESS: 3139 MERRIMAN RD MEDFORD OR 97501
CHANGE: POU
SOURCE: N AND S LITTLE BUTTE CREEK/BRADSHAW DROP
ACRES: 4.1
AUTHORIZED POU: T36S R1W 31
PROPOSED POU: T36S R1W 31

COUNTY: JACKSON
NOTICE OF DISTRICT
PERMANENT TRANSFER: NOTICE #09-04
CERTIFICATE: 80569
PRIORITY DATE: 1909
NAME: ROGUE RIVER VALLEY IRRIGATION DISTRICT
ADDRESS: 3139 MERRIMAN RD MEDFORD OR 97501
CHANGE: POU
SOURCE: N AND S LITTLE BUTTE CREEK/BRADSHAW DROP
ACRES: 1.5
AUTHORIZED POU: T36S R1W 32
PROPOSED POU: T36S R1W 29

COUNTY: JACKSON
NOTICE OF DISTRICT
PERMANENT TRANSFER: NOTICE #09-05
CERTIFICATE: 80569
PRIORITY DATE: 1909
NAME: ROGUE RIVER VALLEY IRRIGATION DISTRICT
ADDRESS: 3139 MERRIMAN RD MEDFORD OR 97501
CHANGE: POU
SOURCE: N AND S LITTLE BUTTE CREEK/BRADSHAW DROP
ACRES: 3.0
AUTHORIZED POU: T36S R1W 31,32
PROPOSED POU: T36S R1W 24

County: HOOD RIVER
Transfer: 10972
Water Right: CERT 81340
Priority Date: 1895
Name: EAST FORK IRRIGATION DISTRICT
Address: PO BOX 162 ODELL OR 97044
Change: POU
Source: EAST FORK HOOD RIVER
Authorized POU: T2N R10E 25
T1N R10E 15
Proposed POU: T2N R10E 25
T1N R10E 15

County: DESCHUTES
Transfer: 10975
Water Right: CERT 74146,74147,76106
Priority Date: 1900,1907,1913,1961
Name: TUMALO IRRIGATION DISTRICT
Address: 64697 COOK AVENUE BEND OR 97701
Change: POU
Source: TUMALO CREEK
Authorized POU: T16S R11E 12,22,24
T16S R12E 8,17,19,18
T17S R11E 12
Proposed POU: T16S R12E 8,9,17,19
T16S R11E 12,22
T17S R11E 13

**OREGON
WATER
RESOURCES
DEPARTMENT**



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

November 24, 2009

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

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

Mail me the order
(payment

Your Name, Address, and Phone Number:

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