

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
September 8, 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.
- * **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.
- * **Applications for Limited Licenses**
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- * **Transfer Applications: Regular**
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- * **Transfer Preliminary Determinations**
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.

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

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@wrđ.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 08, 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 \$10. (Any person paying \$10 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 23, 2009.

The protest filing fee is \$350 for everyone except the applicant. 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 \$100 to retain the ability to participate in future proceedings relating to an application. Before participation is allowed, an additional \$250 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 02 A WELL > SPRING CR	EUGENE OR 97123	16.00S 03.00W 19 NESW	Lane	01/29/2002	0.3700 C	IR	3
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)

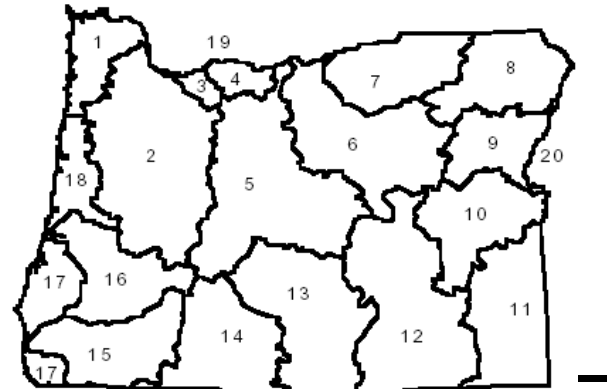
BASINS:

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

“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

Commonly used



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
G-16734	PAYNE, MAURY MAURY DEVELOPMENT INC.	491 NW CLAYPOOL ST PRINEVILLE OR	97754				PFO 2
5	A WELL > DRY CREEK	16.00S 16.00E 14 NWNE	Crook	10/12/2006	0.186C	(est)	
5	A WELL > DRY CREEK	16.00S 16.00E 14 NENW	Crook	10/12/2006	0.186C	(est)	
5	A WELL > DRY CREEK	16.00S 16.00E 14 NENW	Crook	10/12/2006	0.186C	(est)	
Uses:	QM						
G-17215	MOORE, JULIE	4152 WINNETKA RD WHITE CITY OR	97503				IR 2
15	A WELL > CONSTANCE CREEK	35.00S 2.00W 13 NENW	Jackson	05/08/2009	0.024C		
Uses:	IR						
S-87269	BRUN, CHRIS CONFEDERATED TRIBES OF THE WARM SPRINGS RESERVATION OF OREGON; HOOD RIVER PRODUC						PFO 2
4	WEST FORK HOOD RIVER > HOOD RIVER	1.00N 9.00E 14 NESW	Hood River	09/19/2008	5.0C		
Uses:	F8						
G-16808	ROSS, SUSAN COUNTY OF DESCHUTES; PROPERTY AND FACILITIES DEPARTMENT	1300 NW WALL ST SUITE 20					PFO 3
5	A WELL > DESCHUTES RIVER	18.00S 12.00E 14 NESW	Deschutes	03/14/2007	0.4238C	(est)	
5	A WELL > DESCHUTES RIVER	18.00S 12.00E 14 SENW	Deschutes	03/14/2007	0.4238C	(est)	
5	A WELL > DESCHUTES RIVER	18.00S 12.00E 14 NWSE	Deschutes	03/14/2007	0.4238C	(est)	
5	A WELL > DESCHUTES RIVER	18.00S 12.00E 14 NESW	Deschutes	03/14/2007	0.4238C	(est)	
Uses:	IM IR						
G-17153	CAMPBELL, ADAM ELK COVE VINEYARDS INC.	27751 NW OLSON RD GASTON OR	97119				PFO 2
2	A WELL > ROWLAND CREEK	2.00S 4.00W 29 NESW	Yamhill	12/15/2008	0.04C	(est)	
2	A WELL > ROWLAND CREEK	2.00S 4.00W 29 NESW	Yamhill	12/15/2008	0.04C	(est)	
Uses:	IS						
G-17210	CROCKER, COLLIN	26011 OLD RIVER RD MONROE OR	97456				PFO 3
2	A WELL > WILLAMETTE RIVER	14.00S 5.00W 12 SESW	Benton	05/07/2009	0.33C	(est)	
2	A WELL > WILLAMETTE RIVER	14.00S 5.00W 12 SESW	Benton	05/07/2009	0.33C	(est)	
Uses:	IR						

App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
S-87507	ROSE, ED ROSELAWN SEED INC. 17236	BUTTEVILLE RD NE WOODBURN OR	97071-8426				IR 3
2	A RESERVOIR > ROCK CREEK	5.00S 1.00E 20 NENW	Clackamas	08/05/2009	160.0A		
Uses:	IR						
G-17212	CLARK, DENA 10257 S KRAXBERGER RD CANBY OR	97013-9319					PFO 2
2	A WELL > MOLALLA RIVER	4.00S 1.00E 10 SWNE	Clackamas	05/05/2009	0.06C		
Uses:	FI NU						
G-17200	WARD, MARK R. 19271 HUGHES LANE BAKER CITY OR	97814					IR 2
9	A WELL > WASHINGTON GULCH	9.00S 39.00E 12 NESE	Baker	04/02/2009	0.557C (est)		
9	A WELL > WASHINGTON GULCH	9.00S 39.00E 12 NESE	Baker	04/02/2009	0.557C (est)		
9	A WELL > WASHINGTON GULCH	9.00S 39.00E 12 NESE	Baker	04/02/2009	0.557C (est)		
Uses:	IR IS						
R-86923	STEVENS, JACK E. WHITE RIVER RANCH LLC 56100	SMOCK RD WAMIC OR	97063				PFO 2
No Basin Info	UNNAMED STREAM > WHITE RIVER	5.00S 12.00E 4 NESE	No County Info	06/27/2007	381.9A		
Uses:	MP						
S-86924	STEVENS, JACK E. WHITE RIVER RANCH LLC 56100	SMOCK RD WAMIC OR	97063				PFO 2
5	A RESERVOIR > WHITE RIVER	5.00S 12.00E 4 NESE	Wasco	06/27/2007	381.9A		
Uses:	IR						

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-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

Application	Basin	County	Priority	Company	Name	FO Date
S-87035	2	BENT	12/07/2007	GREENBERRY IRRIGATION DISTRICT	DAN OBRIEN	08/27/2009
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
G-17150	10	MALH	12/08/2008		SAM MCDANIEL	09/02/2009
G-17179	7	UMAT	02/13/2009		GERALD STILLER	09/02/2009
G-17107	12	HARN	09/17/2008		ANDY ROOT	09/03/2009
G-17121	9	BAKE	10/09/2008		ELMER HILL	09/03/2009
G-17126	6	GRAN	10/22/2008		MARK BROWN	09/03/2009
G-17191	2	CLAC	03/18/2009		EVADNE HILANDS	09/03/2009
R-87210	15	JOSE	06/27/2008		STEVEN KNIGHT	09/03/2009
R-87213	6	WHEE	06/30/2008	GIOTTONINI FAMILY TRUST	LOU GIOTTONINI	09/03/2009
R-87233	6	GRAN	07/17/2008		JOHN STINER	09/03/2009
R-87237	6	WHEE	07/18/2008		MARVIN HALSTEAD	09/03/2009
R-87255	15	JOSE	08/14/2008		JOEL BASKIN	09/03/2009
R-87256	15	JOSE	08/14/2008		JOEL BASKIN	09/03/2009
R-87259	8	UNIO	08/18/2008		CARL HOPP JR	09/03/2009
R-87267	15	JOSE	09/18/2008		JERALINE FUHRMEIS	09/03/2009
R-87268	15	JOSE	09/18/2008		JERALINE FUHRMEIS	09/03/2009
R-87359	15	JOSE	12/03/2008		MELINDA MANTHEY	09/03/2009

Application	Basin	County	Priority	Company	Name	FO Date
R-87404	10	MALH	02/26/2009		TIM TERZIAN	09/03/2009
R-87418	16	DOUG	03/10/2009		GEORGE SEONBUCHNE	09/03/2009
R-87419	16	DOUG	03/10/2009		GEORGE SEONBUCHNE	09/03/2009
R-87465	2	MARI	06/04/2009		WESLEY STUCKER	09/03/2009
S-87175	2	YAMH	05/14/2008		KENTON GREGORY	09/03/2009
S-87386	16	DOUG	02/02/2009		LORI ADAMS	09/03/2009
S-87473	16	DOUG	06/17/2009		SHAWN MARTINSON	09/03/2009
S-84436	2	BENT	05/18/2000	GREENBERRY IRRIGATION DISTRICT		09/08/2009

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 November 07, 2009.

R-87551
WEISENSEE, MARK
WEISENSEE LIVING TRUST
PO BOX 1244
DALLAS OR 97338

WEISENSEE, ELIZABETH
WEISENSEE LIVING TRUST
PO BOX 1244
DALLAS OR 97338
POD: 1 RUNOFF > SALT CREEK
SE 1/4 NE 1/4 Section 9 T 7.00S R 5.00W WM
Polk County
9.1 A for MULTIPLE PURPOSE

R-87552
LIND, KEN
22226 S LOWER HIGHLAND RD
BEAVERCREEK OR 97004

LIND, LINDA
22226 S LOWER HIGHLAND RD
BEAVERCREEK OR 97004
POD: 1 LITTLE CLEAR CREEK > CLEAR CREEK
SW 1/4 NW 1/4 Section 2 T 4.00S R 3.00E WM
Clackamas County
1.0 A 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 **October 08, 2009**. 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 diversion point(s).

S-87550
MARX, CAROL
4150 N OAK GROVE RD
RICKREALL OR 97371
POD: 1 A RESERVOIR > ASH SWALE
SE 1/4 NE 1/4 Section 33T 6.00S R 4.00W WM
Polk County
176.2 AFT for IRRIGATION

**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 October 08, 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-15622
Permit Number: G-15248
BAYLISS, MICHAEL
BAYLISS, DRENDA
12220 NE BAYLISS RD
CARLTON OR 97111
Yamhill County
A WELL > HAWN CREEK
IRRIGATION OF 50.02 ACRES AND AGRICULTURAL USE
October 1, 2020

**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 23, 2009. 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:	Deschutes
Application File Number:	G-7017
Permit Number:	G-6796
Applicant:	BLACK BUTTE RANCH ASSOC.
Address:	PO BOX 8000 BLACK BUTTE OR 97759
River Basin:	Deschutes Basin
Water Source:	BLCK BUTTE RNCH WE 2 > INDIAN FORD CREEK
Authorized Use of Water:	DOMESTIC USE
Maximum Diversion/ Appropriation Rate:	2.9 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2010 to October 1, 2015; and grant an extension of time to apply water to full beneficial use from October 1, 2010 to October 1, 2015.

County of Use: Klamath
Application File Number: G-8112
Permit Number: G-7494
Applicant: GOSS, JERRY; GOSS, BEATRICE
Address: 19109 E LANGELL VLY RD
BONANZA OR 97623
River Basin: Klamath Basin
Water Source: A WELL > LOST RIVER
Authorized Use of Water: IRRIGATION ON 96.0 Acres
Maximum Diversion/
Appropriation Rate: 1.2 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1978 to October 1, 2007; and grant an extension of time to apply water to full beneficial use from October 1, 1978 to October 1, 2007.

County of Use: Marion
Application File Number: G-13528
Permit Number: G-11868
Applicant: KAUFMAN, MELVIN
Address: 11155 KAUFMAN RD NE
SILVERTON OR 97317
River Basin: Willamette Basin
Water Source: A WELL > LITTLE PUDDING RIVER
Authorized Use of Water: IRRIGATION ON 3.1 Acres
Maximum Diversion/
Appropriation Rate: 0.04 CFS

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1996 to October 1, 1999; and grant an extension of time to apply water to full beneficial use from October 1, 1997 to October 1, 1999.

County of Use: Marion
Application File Number: S-70576
Permit Number: S-53344
Applicant: SIDNEY IRRIGATION COOPERATIVE
Address: PO BOX 736
JEFFERSON OR 97352
River Basin: Willamette Basin
Water Source: NORTH SANTIAM RIVER > SANTIAM RIVER
DETROIT RESERVOIR > NORTH SANTIAM RIVER
Authorized Use of Water: IRRIGATION ON 2003.6 Acres
SUPPLEMENTAL IRRIGATION ON 230.0 Acres
Maximum Diversion/
Appropriation Rate: 27.92 CFS FROM LIVE FLOW AND NOT MORE THAN
2233.60 AF PER YEAR FROM STORED WATER, PER
WATER STORAGE CONTRACT

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2002 to October 1, 2013.

County of Use: Lake
Application File Number: R-72059
Permit Number: R-12119
Applicant: TAYLOR (C/O), CORNELIUS
Address: 21732 HWY 395
LAKEVIEW OR 97630
River Basin: Goose & Summer Lake Basin
Water Source: UNNAMED STREAM > COX CREEK
NORTH FORK COX CREEK > COX CREEK
Authorized Use of Water: STORAGE
Maximum Diversion/
Appropriation Rate: 409.0 AF

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1998 to October 1, 2010; and grant an extension of time to apply water to full beneficial use from October 1, 1999 to October 1, 2010.

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 22, 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-1243
CENTRAL OREGON IRRIGATION DISTRICT
PENHOLLOW, CARY D.
1055 SW LAKE COURT
REDMOND OR 97756

POD: 1 CRANE PRAIRIE RES > DESCHUTES R
SW 1/4 NW 1/4 Section 16T 21.00S R 8.00E WM
Deschutes County
750.0 A for IRRIGATION

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 October 08, 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: UMATILLA
Transfer: 10948
Water Right: CERT 83483,80564
Priority Date: 1945
Name: B & G RESOURCES, KENNETH GUSTAFSON
Address: 5200 SW MACADAM AVE STE 470; PORTLAND OR 97239
Change: POU/POD
Source: UMATILLA RIVER/MCKAY RES
Authorized POD: T2N R30E 12
Proposed POD: T2N R30E 12
Authorized POU: T2N R30E 1
T2N R31E 7
Proposed POU: T2N R30E 1,12

County: LAKE
Transfer: 10949
Water Right: CERT 47618,52623
Priority Date: 1975,1977
Name: RON LAFRANCHI
Address: 580 NORTH CENTRAL, COQUILL OR 97423
Change: POU/APOA
Source: WELL
Authorized POA: T25S R14E 34
Proposed APOA: T26S R15E 21,22
Authorized POU: T25S R14E 34
Proposed POU: T26S R15E 21,23

County: JACKSON
Transfer: 10947
Water Right: CERT 16035
Priority Date: 1864
Name: ASHLAND FLOWER SHOP & GREEN HOUSES INC.
Address: 744 HELMAN STREET, ASHLAND, OR 97520
Change: POU/POD
Source: ASHLAND CREEK
Authorized POD: T39S R1E 4
Proposed POD: T39S R1E 9
Authorized POU: T39S R1E 4
Proposed POU: T39S R1E 4

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 08, 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-10583 filed by STEPPING STONES LAND LLC, PO BOX 961, CANBY OR 97013-0961 proposes a change in points of appropriation under Certificates 51909 and 66615. The Certificate 51909 allows the use of 0.21cfs (priority date FEBRUARY 26, 1979) from two wells in Sec. 19, T 5S, R 1E, W.M. (Willamette Basin) for IRRIGATION in Sec. 19. The applicant proposes to move the point of appropriation approximately 2,300 feet south to Sec.19, T 5 S, R 1 E , W.M. The right 66615 allows the use of 0.09cfs (priority date JANUARY 30 AND 31, 1985) from two wells in Sec. 19, T 5 S, R 1 E, W.M. for IRRIGATION in Sec. 19. The applicant proposes to move the point of appropriation approximately 2,300 feet south to Sec. 19, T 5 S, R 1 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-10640 filed by Paul L. and Mary A. Zehr, 1206 Jacquelyn St., Milton-Freewater, OR 97862, proposes to modify the point of appropriation under Registration Application GR-1137 (Certificate of Registration GR-1097). The groundwater registration claims the use of 200 gallons per minute (tentative priority date of 1911) from a well in Sec. 34, T 6 N, R 35 E, W.M. (Little Walla Walla River Basin) for irrigation within Sec. 34. The applicants propose an additional point of appropriation located in Sec. 34, T 6 N, R 35 E, W.M. The Water Resources Department has concluded that the proposed modification appears to be consistent with the requirements of ORS Chapter 537, 540 and OAR 690-382-1000.

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: LANE
Transfer: 10943
Water Right: CERT 827
Priority Date: 1910
Name: JOE BREWER
Address: 28305 GOWDYVILLE RD; LORANE OR 97451
Change: POU
Source: KELLY CREEK
Authorized POU: T20S R4W 30
Proposed POU: T20S R4W 30,31

County: GRANT
Transfer: 10944
Water Right: CERT 26025,24921,24922,24923,77607
Priority Date: 1895,1860,1865,1872,1882,1916
Name: LARRY LASSEN
Address: PO BOX 3338, SALEM, OR 97302
Change: POU
Source: MOON CREEK/JOHN DAY RIVER/DUSTIN CR/PICNIC CR
Authorized POU: T13S R29E 20,29
Proposed POU: T13S R29E 20,29

County: LAKE
Transfer: 10946
Water Right: CERT 46780
Priority Date: 1972
Name: THERESA CLIFF
Address: PO BOX 97; LAPINE OR 97739
Change: POU
Source: WELL
Authorized POU: T28S R14E 9,10,15,16
Proposed POU: T28S R14E 10,15

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:	UMATILLA
Transfer:	10945
Water Right:	PERMIT R-13006
Priority Date:	1999
Name:	LLOYD & LOIS PIERCY
Address:	PO BOX 249, ECHO, OR 97826
Change:	POU
Source:	UMATILLA RIVER/RES
Authorized POU:	T3N R29E 28
Proposed POU:	T3N R29E 28

**OREGON
WATER
RESOURCES
DEPARTMENT**



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

September 8, 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.)