

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

## PUBLIC NOTICE OF WATER USE REQUESTS September 17, 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](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.
- \* **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.
- \* **Application for Instream Lease**  
Application by water right holder to lease existing water rights to instream use.
- \* **Transfer Applications: Regular**  
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- \* **Transfer Preliminary Determinations**  
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- \* **District Permanent Transfers (ORS 540.580)**  
Petitions requesting transfers in place of use within a district's boundaries.
- \* **Notice of Applications for Allocation of Conserved Water**
- \* **Surface Water Registration 167 Amendment**

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, October 17, 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 \$25. (Any person paying \$25 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, November 01, 2013.**

The protest filing fee is \$350 for the applicants and \$700 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 \$200 to retain the ability to participate in future proceedings relating to an application. Before participation is allowed, an additional \$500 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:

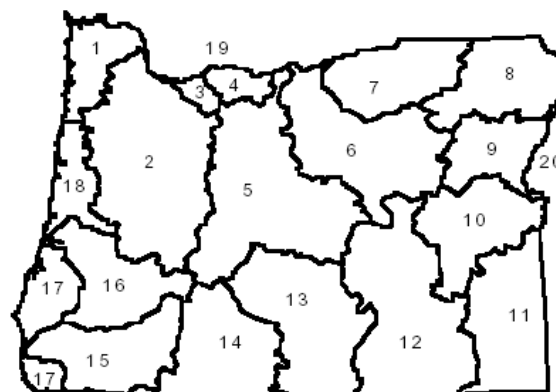
- \* Type of use (see abbreviations below)

### 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



App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
<a href="#">G-17651</a>	MCCREARY, KIM 1272 HWY 20-26 VALE, OR 97918	RISE AND SHINE LLC 1626 RAY COURT FERNLEY, NV 8					IR 2
	10 A WELL > MALHEUR RIVER	18.00S 45.00E 23 SENE	Malheur	04/15/2013	1.626C		
	10 A WELL > MALHEUR RIVER	18.00S 45.00E 24 NWNW	Malheur	04/15/2013	0.2C		
Uses:	IR IS						
<a href="#">G-17637</a>	DE LINT, MARCUS W. 64154 CASE RD COVE, OR 97824						IR 2
	8 A WELL > GRAND RONDE RIVER	2.00S 39.00E 8 NWSE	Union	03/15/2013	2.67C		
Uses:	IR						
<a href="#">G-17657</a>	BRUMFIELD, MARGARET L. 6161 HWY 26 IRONSIDE, OR 97908						IR 2
	10 A WELL > SOUTH WILLOW CREEK	14.00S 39.00E 28 NWSE	Malheur	04/26/2013	0.04C		
Uses:	IR						
<a href="#">G-17626</a>	CACEU, BOGDAN 6722 SE REED COLLEGE PLACE PORTLAND, OR 97202						IR 2
	2 A WELL > NORTH FORK ASH CREEK	8.00S 5.00W 6 SENW	Polk	02/06/2013	0.006C (est)		
	2 A WELL > NORTH FORK ASH CREEK	8.00S 5.00W 6 SENW	Polk	02/06/2013	0.006C (est)		
	2 A WELL > NORTH FORK ASH CREEK	8.00S 5.00W 6 SENE	Polk	02/06/2013	0.006C (est)		
Uses:	IR						
<a href="#">G-17686</a>	FITZGERALD RANCH INC. 27493 PLUSH-ADEL RD PLUSH, OR 97637						IR 2
	13 A WELL > WARNER LAKES	36.00S 24.00E 17 SENE	Lake	06/19/2013	0.426C (est)		
	13 A WELL > WARNER LAKES	36.00S 24.00E 17 SENE	Lake	06/19/2013	0.426C (est)		
Uses:	IR						
<a href="#">G-17641</a>	TEUTSCH, FRED E. 70112 N NEWTON RD BURNS, OR 97720						IR 2
	12 A WELL > MALHEUR SLOUGH	23.00S 32.50E 13 SWNW	Harney	03/26/2013	1.0C		
Uses:	IR						
<a href="#">S-87886</a>	RUPP, RANDY 176 KRANICHWOOD ST RICHLAND, WA 99352						IR 2
	7 COLUMBIA RIVER > PACIFIC OCEAN	5.00N 30.00E 8 NWSW	Umatilla	04/04/2013	15.625C		
Uses:	IR						

App#	Basin Source	Township/Range	County	Priority	Quantity	Stage	Status
<a href="#">S-87920</a>	LNG DEVELOPMENT CO. LLC DBA OREGON LNG	8100 NE PARKWAY DR SUITE 165 VANCOUVER, WA 98662					IR 2
Uses: 1	IM COLUMBIA RIVER > PACIFIC OCEAN		Clatsop	07/30/2013	31.192C		
<a href="#">S-87921</a>	LNG DEVELOPMENT CO. LLC DBA OREGON LNG	8100 NE PARKWAY DR SUITE 165 VANCOUVER, WA 98662					IR 2
Uses: 1	FP SKIPANON RIVER > COLUMBIA RIVER	8.00N 10.00W 15 SWNE	Clatsop	08/23/2013	45.12C		
<a href="#">G-17669</a>	HUSSEY, JEFF PO BOX 224 81850 OTIS VALLEY RD DREWSEY, OR 97904	HUSSEY, SHERRI PO BOX 224 81					IR 2
Uses: 10	IR A WELL > OTIS CREEK	19.00S 35.00E 36 NWSW	Harney	05/06/2013	2.94C		
<a href="#">G-17649</a>	PEILA III, JOHN M. PO BOX 537 HINES, OR 97738						IR 2
Uses: 12	IR A WELL > SAGE HEN CREEK	24.00S 30.00E 36 SENW	Harney	04/12/2013	1.3C		

## 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 \$25.00 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
<a href="#">LL-1499</a>	2	BENT	09/11/2013	NW NATURAL		09/12/2013

**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 17, 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 \$25 (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-8400

Permit Number: G-7611  
CHARLES JONES ESTATE PO BOX 311 LEXINGTON, OR 97839 JONES, KEN PO BOX 311  
LEXINGTON, OR 97839  
Morrow County  
A WELL > WILLOW CREEK  
0.78 CFS  
IRRIGATION AND SUPPLEMENTAL IRRIGATION ON 62.6 ACRES  
October 1, 2015

Application Number: G-15256

Permit Number: G-15206  
BOWYER PECK RANCHES LLC PO BOX 415 TROUT LAKE, WA 98650  
Harney County  
A WELL > MALHEUR LAKE  
1.67C  
IRRIGATION ON 133.6 ACRES  
October 1, 2016

Application Number: R-87242

Permit Number: R-14661  
NEUSCHWANDER, A JOEL 6097 S WHISKEY HILL RD HUBBARD, OR 97032  
Marion County  
UNNAMED STREAM > BEAR CREEK  
84.15 AF  
MULTIPLE PURPOSE  
October 1, 2016

Application Number: G-16796

Permit Number: G-16417

MARKMAN, WILLIAM 4800 EIGHTMILE RD THE DALLES, OR 97058

Wasco County

WELL 1, 2, & 3 > FIFTEENMILE CREEK

4.46 CFS

IRRIGATION USE ON 819.0 ACRES

October 1, 2023



## **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 \$25. (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 November 01, 2013.** There is no fee for submission of comments. The protest filing fee is \$350 for the applicant and \$700 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:	R-85993
Permit Number:	R-14033
Applicant:	SPIRES, DIANNE AND OLIVER
Address:	318 NORTH F ST LAKEVIEW, OR 97630
River Basin:	Goose & Summer Lake Basin
Water Source:	RUNOFF > CROOKED CREEK A SPRING > CROOKED CREEK
Authorized Use of Water:	MULTIPLE PURPOSE
Maximum Diversion/ Appropriation Rate:	9.0 AF

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2012 to October 1, 2014.

County of Use:	Crook
Application File Number:	G-16483
Permit Number:	G-16159
Applicant:	CALCOTE, JUDY AND ROBERT
Address:	20004 NE 48TH CIRCLE VANCOUVER, WA 98682
River Basin:	Deschutes Basin
Water Source:	A WELL > DRY RIVER
Authorized Use of Water:	IRRIGATION ON 5.00 Acres
Maximum Diversion/ Appropriation Rate:	0.06 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2011 to October 1, 2017.

County of Use: Wallowa  
Application File Number: G-16744  
Permit Number: G-16254  
Applicant: SMEJKAL, JAMES A.  
Address: PO BOX 513 BANKS, OR 97106-0513  
River Basin: Grande Ronde Basin  
Water Source: WELL A, B, C > PINE TREE GULCH  
Authorized Use of Water: IRRIGATION ON 75.00 Acres  
Maximum Diversion/  
Appropriation Rate: 0.2 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2012 to October 1, 2022.

County of Use: Harney  
Application File Number: G-16741  
Permit Number: G-16367  
Applicant: JORDAN, KRISTY  
Address: 31144 ENGSTROM LANE BURNS, OR 97720  
River Basin: Malheur Lake Basin  
Water Source: WELL 1 & 2 > SAGE HEN CREEK  
Authorized Use of Water: IRRIGATION ON 150.00 Acres  
Maximum Diversion/  
Appropriation Rate: 1.88 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2012 to October 1, 2015.

County of Use: Wasco  
Application File Number: G-16492  
Permit Number: G-16127  
Applicant: A AND K RANCHES  
Address: 3633 WASHINGTON ST SAN FRANCISCO, CA 94118  
River Basin: Deschutes Basin  
Water Source: A WELL > DEAD DOG CANYON  
Authorized Use of Water: IRRIGATION ON 125.70 Acres  
POND MAINTENANCE  
Maximum Diversion/  
Appropriation Rate: 0.22 CFS  
0.11 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2011 to October 1, 2021.

County of Use: Yamhill  
Application File Number: R-84602  
Permit Number: R-13204  
Applicant: JYN INC.  
Address: 6135 SW MILL ST PORTLAND, OR 97221  
River Basin: Willamette Basin  
Water Source: UNNAMED STREAM > CHEHALEM CREEK  
Authorized Use of Water: STORAGE  
Maximum Diversion/  
Appropriation Rate: 4.80 AF

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2006 to October 1, 2018.

County of Use: Yamhill  
Application File Number: S-84603  
Permit Number: S-53783  
Applicant: HUMPHREY, ANDY  
Address: 6135 SW MILL ST PORTLAND, OR 97221  
River Basin: Willamette Basin  
Water Source: A RESERVOIR > CHEHALEM CREEK  
Authorized Use of Water: AGRICULTURE USES  
SUPPLEMENTAL IRRIGATION ON 70.00 Acres  
Maximum Diversion/  
Appropriation Rate: 4.8 AF

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2006 to October 1, 2018.

## 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 October 01, 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-1499

NW NATURAL C/O MICHAEL HAYWARD 220 NW SECOND AVE PORTLAND, OR 97209

POD: 1 MARY'S R > WILLAMETTE R

NW 1/4 SW 1/4 Section 2 T 12.00S R 5.00W WM

Benton County

0.445 CFS for INDUSTRIAL/MANUFACTURING USES

## Applications for Instream Lease

ORS 537.348 authorizes a water right holder to lease their existing water right(s) to instream use for a limited time. For the term of the lease, the water right holder agrees to suspend use of water under the original right. The state is the trustee for water rights leased for instream use. OAR 690-077-0077 requires that the Department public notice the lease applications.

**The deadline for submitting claims of injury to existing water rights or enlargement of the original right against a lease application is October 08, 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. If you have questions or comments please contact Joan Smith 503-986-0898 or [Joan.M.SMITH@wrд.state.or.us](mailto:Joan.M.SMITH@wrд.state.or.us)

County: Polk  
Instream Lease Number: IL 565

\*\* Lessor \*\*  
FINEGAN, JOYCE A.  
17940 FALL CITY ROAD  
DALLAS, OR 97338

Reach:	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to
Cert#							
Acres							
Cert:14246 OR * S	13968	8/11/1939	IR	0.03	6.25	LITTLE LUCKIAMUTE RIVER	LUCKIAMUTE RIVER
2.5							

Reach:	Permit	Priority	Use	Rate (cfs)	Duty (acf)	Source	Tributary to
Cert#							
Acres							
Cert:13447 OR * S	9895	9/30/1930	IR	0.03	7.0	LITTLE LUCKIAMUTE RIVER	LUCKIAMUTE RIVER
2.8							

County: Polk  
Instream Lease Number: IL 566

\*\* Lessor \*\*

FINEGAN, TOM  
18650 FALL CITY ROAD  
DALLAS, OR 97338  
Contact: LAURA WILKE at (503) 986-0884

Reach: POD (SESW, SECTION 22, T 8S, R 6W,W.M.) TO MOUTH OF LITTLE LUCKIAMUTE RIVER.  
Cert# Permit Priority Use Rate(cfs) Duty(acf) Source Tributary to  
Acres  
Cert:26557 OR \* S 19801 8/25/1950 IR 0.03 7.5 LITTLE LUCKIAMUTE RIVER LUCKIAMUTE RIVER  
3.0

Reach: POD (SESW, SECTION 22, T8S, R6W,W.M.) TO MOUTH OF LITTLE LUCKIAMUTE RIVER.  
Cert# Permit Priority Use Rate(cfs) Duty(acf) Source Tributary to  
Acres  
Cert:11898 OR \* S 10969 8/3/1933 IR 0.03 7.5 LITTLE LUCKIAMUTE RIVER LUCKIAMUTE RIVER  
3.0

Reach: POD (SESW, SECTION 22, T8S, R6W,W.M.) TO MOUTH OF LITTLE LUCKIAMUTE RIVER.  
Cert# Permit Priority Use Rate(cfs) Duty(acf) Source Tributary to  
Acres  
Cert:26556 OR \* S 18496 9/21/1948 IR 0.06 12.5 LITTLE LUCKIAMUTE RIVER LUCKIAMUTE RIVER  
5.0

## Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before October 17, 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: GILLIAM  
Transfer: 11661  
Water Right: CERT 25357  
Priority Date: DECEMBER 31, 1880  
Name: LONEROCK RANCH INC  
26733 CAMPBELL LANE CONDON, OR 97823  
Change: place of use  
Source: LONE ROCK CREEK

County: COOS  
Transfer: 11662  
Water Right: CERT 6424  
Priority Date: JANUARY 15, 1915  
Name: STEVEN HEBERT  
14982 HWY 42 MYRTLE POINT, OR 97458-9834  
Change: point of diversion  
Source: SPRING 1

## **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 \$700 protest fee for non-applicant and \$350.00 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 17, 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-11568 filed by Jeff A. Zeeb, 1935 Silverton Rd. NE, Salem, OR 97305, proposes changes in point of appropriation, place of use and character of use under Registration Application GR-1455 (Certificate of Registration GR-1404). The registration allows the use of 32 gpm (19.2 acre-feet per year) from a well in Sec. 18, T8S, R3W, W.M. for irrigation in Sec. 17 and 18. The applicant proposes to move the point of appropriation to a well in Sec. 18, and to change the character of use and place of use, to reservoir maintenance in a reservoir in Sec. 18. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

T-11638 filed by the City of Lafayette, PO Box 55, Lafayette, OR 97127, proposes a point of diversion change under Certificate 35699. The right allows the use of 0.08 cubic foot per second (cfs) from Lafayette Spring and 0.08 cfs from Doug Nelson Spring in Sec. 5, T 4S, R 3W, W.M. for municipal use in Secs. 6 and 7, T 4S, R 3W, and Secs. 1 and 12, T 4S, R 4W. The applicant proposes to change the point of diversion for 0.08 cfs from Doug Nelson Spring to Lafayette Spring. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.



## **District Permanent Transfers (ORS 540.580)**

A district may request to permanently change the place of use within district boundaries. A district may provide notice to the Department of a change before it is made, and shall submit a district permanent application prior to the end of the calendar year in which the change occurs. The Department shall approve the transfer application provided it does not cause injury to existing water rights or expand the water use. The final order approving the permanent transfer is subject to protest.

This public notice also includes district notices of proposed changes. The Department will accept comments on injury and enlargement of changes in place of use associated with the notice and use those comments in the review of the proposed change.

The Department seeks public comment on recently filed district transfer applications listed below. The deadline for comments or protests to the transfer application must be received by the Department on or before October 17, 2013. The Department will hold a contested case hearing if: 1) a protest and \$700 protest fee for non-applicant and \$350.00 protest fee for applicant are received within the time allowed; or 2) the Department finds a hearing is needed to determine whether the proposed changes would result in injury to existing rights. (If a water user believes that a proposed change could injure a water delivery within a district's boundaries, the matter will be resolved directly between the district and the water user.)

Notice of District

County: DESCHUTES  
Permanent Transfer: NOTICE #T-2012-006  
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  
Acres: 1.05  
Authorized POU: T18S R12E 02, T18S R12E 03, T18S R12E 08  
Proposed POU: T18S R13E 05, T18S R13E 08

**Notice of Applications for  
Allocation of Conserved Water  
CW-80**

CW-80 filed by Confluence Estate, 525 Fairway Estates Drive, Sutherlin, OR 97479, proposes to conserve a total 0.88 cubic foot per second (CFS), 198.5 acre feet (AF) under Certificate 79749 (0.35 CFS, 91.5 AF, priority 4/2/1952) and Certificate 53700 (0.53 CFS, 107.0 AF, priority 3/29/1974). The applicant proposes to conserve water by moving the point of diversion for Certificate 79749 downstream approximately 2970 feet, and changing from a standard pipe and impact sprinkler system irrigating 158.8 acres to a 10 HP centrifugal pump with a 3" mainline and 2" lateral lines and ¾" drip line with 1 gph emitters. The change accommodates the conversion of pasture land to a grape vineyard. The rights allow the use of 1.88 CFS from the UMPQUA RIVER. The applicant proposes to protect 25% (0.22 CFS) of the conserved water instream. The project appears to be consistent with the requirements under ORS 537.470.

Any interested person may submit written comments for the applications. Comments must be received within 20 days from the date of publication. Comments should be sent to the attention of the ACW Program, Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301.

## Surface Water Registration 167 Amendment

**File #:** SWR 167

**Filed by:** Paul Davis; Tom Davis Livestock, Inc. - Alvord Ranch

**Sources:** Four unnamed springs, tributary to Mosquito Creek  
Two unnamed springs, tributary to Cottonwood Creek  
Twenty-one unnamed springs, tributary to Big Alvord Creek  
Four unnamed springs, tributary to Little Alvord Creek  
Eleven unnamed springs, tributary to the Alvord Desert  
An unnamed spring, tributary to Pike Creek  
Three unnamed springs, tributary to Dry Creek  
Four unnamed springs, tributary to Indian Creek  
An unnamed spring, tributary to Tuffy Creek  
Unnamed streams, tributary to Cottonwood Creek  
Unnamed streams, tributary to Little Alvord Creek  
Unnamed streams, tributary to the Alvord Desert  
An unnamed stream, tributary to Dry Creek  
Unnamed streams, tributary to Mosquito Creek  
Unnamed streams, tributary to Willow Creek  
An unnamed stream, tributary to the Alvord Desert  
Tuffy Creek, tributary to the Alvord Desert  
Big Alvord Creek, tributary to the Alvord Desert  
Dry Creek, tributary to the Alvord Desert  
Indian Creek, tributary to the Alvord Desert  
Mosquito Creek, tributary to the Alvord Desert  
Willow Creek, tributary to the Alvord Desert  
Little Willow Creek, tributary to the Alvord Desert  
Pike Creek, tributary to the Alvord Desert  
Little Alvord Creek, tributary to the Alvord Desert  
Cottonwood Creek, tributary to the Alvord Desert  
Mosquito Creek, tributary to the Alvord Desert

**Basin:** Malheur Lake Basin, District 10

**Locations:** Sections 11, 13, 14, 22 - 27, 34 - 36, Township 33 South, Range 34 East, W.M.  
  
Sections 19, 30 - 32, Township 33 South, Range 35 East, W.M.  
  
Sections 1 - 5, 9 - 16, 19 - 23, 28 - 30, 32, 33, Township 34 South, Range 34 East, W.M.  
  
Sections 5, 6, 7, 18, Township 34 South, Range 35 East, W.M.  
  
Harney County, Oregon

**Priority:** August 1, 1870

**Uses:** Irrigation of 11,635.6 acres; Livestock Watering; Domestic; Bathing

**Nature of Amendment:**

**(A) Four Additional Points of Diversion for Irrigation as follows:**

ADDITIONAL POINTS OF DIVERSION						
Source	Tributary	Township	Range, W.M.	Section	¼ ¼ Section	Measured Distances
Pike Creek	Alvord Desert	34 S	34 E	20	SENE	2430 FEET SOUTH & 840 FEET WEST FROM NE CORNER, SECTION 20
Little Alvord Creek	Alvord Desert	34 S	34 E	16	NWNE	20 FEET SOUTH & 105 FEET EAST FROM N¼ CORNER, SECTION 16
Cottonwood Creek	Alvord Desert	33 S	34 E	27	NWNW	300 FEET SOUTH & 20 FEET WEST FROM NW CORNER, SECTION 27
Mosquito Creek	Alvord Desert	33 S	34 E	10	NESE	20 FEET SOUTH & 500 FEET WEST FROM E¼ CORNER, SECTION 10

**(B) Change in Place of Use for 200.0 Acres of Irrigation as follows:**

**From:**

T34S R34E Sec. 13 SESE 23.3  
 T34S R35E Sec. 7 NESW 7.5  
 T34S R35E Sec. 7 SESW 34.2  
 T34S R35E Sec. 7 SWSE 1.9  
 T34S R35E Sec. 18 NENE 3.3  
 T34S R35E Sec. 18 NWNE 30.7  
 T34S R35E Sec. 18 SENE 23.2  
 T34S R35E Sec. 18 SWSW 30.0  
 T34S R35E Sec. 18 SESW 22.7  
 T34S R35E Sec. 18 NWSE 16.5  
 T34S R35E Sec. 18 SWSE 6.7

**Total Acres 200.0**

**To:**

T33S R34E Sec. 34 SENE 1.2  
 T33S R34E Sec. 34 NESE 18.0  
 T33S R34E Sec. 34 SESE 17.7  
 T33S R34E Sec. 34 SESE 0.8  
 T33S R34E Sec. 35 SWNW 29.7  
 T33S R34E Sec. 35 SENW 1.1  
 T33S R34E Sec. 35 NESW 2.8  
 T33S R34E Sec. 35 NWSW 39.1  
 T33S R34E Sec. 35 SWSW 11.7  
 T33S R34E Sec. 35 SWSW 16.6  
 T34S R34E Sec. 2 NWNW 22.3  
 T34S R34E Sec. 2 SWNW 4.3  
 T34S R34E Sec. 3 NENE 15.2  
 T34S R34E Sec. 3 SENE 7.7  
 T34S R34E Sec. 10 NESW 0.2  
 T34S R34E Sec. 10 SWSW 7.5  
 T34S R34E Sec. 10 SESW 3.0  
 T34S R34E Sec. 15 NWNW 1.1

**Total Acres 200.0**

## 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 \$700. (ORS 536.050(1)(j)(A)).

File Number	Basin Number	County	Priority Date	Issue Date	Name
<a href="#">Xfer: T 6637 Cert#-88428</a>	15	JACK	11/02/1917	09/13/2013	ANDERSON, RON
<a href="#">Xfer: T 6637 Cert#-88429</a>	15	JACK	09/13/1923	09/09/9999	ANDERSON, RON
<a href="#">App: R 87066 Cert#-88437</a>	16	DOUG	01/14/2008	09/13/2013	BRADY, MARIE
<a href="#">App: S 61833 Cert#-88869</a>	1	TILL	06/24/1981	09/12/2013	CITY OF ROCKAWAY
<a href="#">Xfer: T 9081 Cert#-88457</a>	7	MORR	12/17/1964	09/13/2013	COELHO, ALICE C. COELHO, LOUIS L.
<a href="#">Xfer: T 9081 Cert#-88456</a>	7	MORR	12/31/1892	09/13/2013	COELHO, LOUIS L. COELHO, ALICE C.
<a href="#">App: R 86035 Cert#-88449</a>	16	DOUG	06/21/2004	09/13/2013	ESTES, HOWELL M. ESTES, TRUDY L.
<a href="#">App: R 87612 Cert#-88405</a>	2	LANE	05/14/2010	09/13/2013	FOX, VINCENT J.

File Number	Basin Number	County	Priority Date	Issue Date	Name
<a href="#">App: R 87495 Cert#-88401</a>	2	BENT	07/09/2009	09/13/2013	J2E TREE FARM LLC
<a href="#">App: R 80801 Cert#-88399</a>	8	WALL	01/02/1996	09/13/2013	KREBS, HENRY R. KREBS, SKYE H.
<a href="#">Xfer: T 10685 Cert#-88451</a>	16	DOUG	05/10/1950	09/13/2013	LIDO LLC LEONARD, DAVID
<a href="#">App: R 87007 Cert#-88442</a>	4	HOOD	10/05/2007	09/13/2013	MCCARTHY, MICHAEL
<a href="#">Xfer: T 9961 Cert#-88433</a>	2	YAMH	09/23/1975	09/13/2013	MILLER, WADE MILLER, PATRICIA
<a href="#">Xfer: T 9961 Cert#-88434</a>	2	YAMH	06/25/1946	09/13/2013	MILLER, WADE MILLER, PATRICIA
<a href="#">Xfer: T 9961 Cert#-88435</a>	2	YAMH	03/19/1947	09/13/2013	MILLER, WADE MILLER, PATRICIA
<a href="#">Xfer: T 7851 Cert#-88416</a>	13	LAKE	08/23/1954	09/13/2013	NEWMAN, JERRY L.
<a href="#">Xfer: T 7851 Cert#-88417</a>	13	LAKE	03/27/1981	09/13/2013	NEWMAN, JERRY L.
<a href="#">Xfer: T 7851 Cert#-88418</a>	13	LAKE	12/08/1986	09/13/2013	NEWMAN, JERRY L.
<a href="#">App: S 73133 Cert#-88870</a>	16	DOUG	01/06/1993	09/17/2013	PATSTON, DONALD C.

File Number	Basin Number	County	Priority Date	Issue Date	Name
<a href="#">Xfer: T 9589 Cert#-88409</a>	9	BAKE	12/01/1899	09/13/2013	PAUL, RONALD PAUL, BRENDA
<a href="#">Xfer: T 8542 Cert#-88450</a>	2	MARI	12/05/1962	09/13/2013	RYAN, JEAN RYAN, MIKE
<a href="#">App: R 81590 Cert#-88398</a>	15	JOSE	10/04/1996	09/13/2013	SEPOLPO, ANTHONY J. SEPOLPO, PAULA J.
<a href="#">Xfer: T 6865 Cert#-88431</a>	2	MARI	05/04/1953	09/13/2013	SINN BROTHERS
<a href="#">Xfer: T 6865 Cert#-88432</a>	2	MARI	06/17/1924	09/13/2013	SINN BROTHERS
<a href="#">App: R 87275 Cert#-88444</a>	6	GRAN	08/25/2008	09/13/2013	SMITH, NORBERT R.
<a href="#">Xfer: T 7219 Cert#-88446</a>	2	CLAC	03/18/1968	09/13/2013	STOLLER, EARL EXIT 282A DEVELOPMENT CO. LLC

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
September 17, 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:**

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\* We are required by law to charge a fee of \$25 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 \$25 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.)