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.

* **Expedited Secondary Applications to Use Stored Water**
  Applications to use stored water exclusively, filed under a simplified review process.

* **Applications for Extensions of Time to Perfect Water Right Permits**
  New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.

* **Extension of TimeCheckpoint Progress Reports filed pursuant to OAR 690-320**
  Documents the progress made toward development of the water use project since approval of the last permit extension and/or the last progress report checkpoint. (OAR 690-320 pertains to permit extension applications filed before July 1, 2001.)

* **Extension of TimeCheckpoint Progress Reports filed pursuant to OAR 690-315**
  Documents the progress made toward development of the water use project since approval of the last permit extension and/or the last progress report checkpoint. (OAR 690-315 pertains to permit extension applications filed on or after July 1, 2001.)

* **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.

* Hydroelectric Fee Review Panel

The Public Notice is published each week on the Department’s web site at http://www.wrd.state.or.us/. If you would like to receive a free weekly notification when it is published, please send your request to “Jonnine.L.SKAUG@wrd.state.or.us”.
Permit Application Initial Reviews and Proposed Final Orders

The following pages of this notice list permit applications that the Oregon Water Resources Department is evaluating for compliance with state water laws and regulations. Public participation and comment is encouraged. Opportunities for public involvement vary according to the stage of the permit evaluation.

Ground water permit applications in the Deschutes Basin (basin 5) may seek to provide mitigation pursuant to the Deschutes Ground Water Mitigation Rules by implementing a mitigation project or by obtaining mitigation credits made available by a completed mitigation project. Surface water and/or reservoir permit applications in the Deschutes Basin may be proposed ground water mitigation projects.

Initial Review Stage (IR in the "Stage" column of the permit listing)

The Department has given the applicant the results of an initial review of water use restrictions, water availability and other limits that affect the agency’s decision on whether to issue a permit. The applicant has asked the agency to proceed to the next stage of evaluation. The Department welcomes comments from interested persons, agencies and organizations on the proposed water use.

The comment deadline for initial reviews appearing in this public notice is 5pm, Thursday, October 15, 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 30, 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.

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:

<table>
<thead>
<tr>
<th>App#</th>
<th>Basin</th>
<th>Source</th>
<th>Township/Range</th>
<th>County</th>
<th>Priority</th>
<th>Quantity</th>
<th>Stage Status</th>
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<tr>
<td>G-15693</td>
<td>DOE, JOHN</td>
<td>PO BOX 123 EUGENE OR 97123</td>
<td>16.00S 03.00W 19 NESW Lane</td>
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**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)

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

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

**BASINS:**
1. North Coast
2. Willamette
3. Sandy
4. Hood
5. Deschutes
6. John Day
7. Umatilla
8. Grande Ronde
9. Powder
10. Malheur
11. Owyhee
12. Malheur L.
13. Goose/Summer L.
14. Klamath
15. Rogue
16. Umpqua
17. S. Coast
18. Mid-Coast
19. Columbia
20. Snake

Public Notice date September 15, 2009, Page 4
<table>
<thead>
<tr>
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The Oregon Water Resources Department’s September 8, 2009 Public Notice of Water Use Requests erroneously noted that the Proposed Final Orders (PFO’s) were issued with the status of “permit unlikely to be issued” for Applications G-17210 (Collin Crocker) and G-16808 (Susan Ross, County of Deschutes). We are re-noticing Application G-17210 and G-16808 to reflect the correct status of “permit may be issued with conditions”. The comment deadline for these PFO’s will now be 5 pm Friday, October 30, 2009.

<table>
<thead>
<tr>
<th>App#</th>
<th>Basin Source</th>
<th>Township/Range</th>
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<th>Quantity Stage</th>
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| G-16808| ROSS, SUSAN COUNTY OF DESCHUTES; PROPERTY AND FACILITIES DEPARTMENT 1300 NW WALL ST SUITE 20 |                      |          | PFO 2    |                |        |
|        | 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                          |                     |          |          |                |        |
# 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.

<table>
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<tr>
<th>Application</th>
<th>Basin</th>
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Public Notice date September 15, 2009, Page 8
**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 15, 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 rediversion point(s).

S-87514
KAISER, MICHAEL D.
52560 E SYLVAN DR
SANDY OR 97055

POD: 1 A RESERVOIR > WHISKEY CREEK
SW 1/4 SW 1/4 Section 19T 2.00S R 6.00E WM
Clackamas County
28.5 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 15, 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-14101
Permit Number: G-12761
HERMRECK AT THE Y RANCH LLC
PO BOX 72
NIPOMO CA  93444
Crook County
WELL 12 > ALKALI CREEK
0.31 CFS
IRRIGATION OF 25 ACRES
October 1, 2010
Extensions of Time Progress
Checkpoint Progress Reports filed pursuant to OAR 690-320

Consistent with OAR 690-320-0010(10), the Department will accept public comment on the following Extension of time Checkpoint Progress Reports until October 15, 2009. Comments must be in writing and must indicate the application file and permit numbers. Following the comment period, the Department shall review evidence to determine whether or not the permit holder has been diligent in developing and perfecting the water use permit and has complied with all terms and conditions of the permit and/or extension of time. Additionally, the Department will provide notice of its determination to anyone who has submitted comments.

Extension file information is included in the following format:
(a) Permit holder's name and address;
(b) Application file number / permit number
(c) County of use
(d) Quantity of permitted water use in gallons per minute (gpm), cubic feet per second (cfs) or acre feet (af);
(e) Common name of water source(s) listed in the permit;
(f) Use of water allowed under the permit;
(g) Current authorized extension date ("C" date)

STAR SATELLITE IMPROVEMENT DIST
WILLIAM SCHELL
14060 NW GRANDVIEW PLACE
BANKS OR 97106
Application Number: G-7812 Permit Number: G-7903
WASHINGTON COUNTY
0.69 CFS
WELLS 1 & 2 IN THE WEST FORK DAIRY CREEK BASIN
QUASI-MUNICIPAL USE
OCTOBER 1, 2019

ICE FOUNTAIN WATER DIST
1185 TUCKER RD
HOOD RIVER OR 97301
Application Number: S-68132 Permit Number: S-48876
HOOD RIVER COUNTY
3.0 CFS
ICE FOUNTAIN SPRINGS, A TRIBUTARY OF THE MIDDLE FORK HOOD RIVER
MUNICIPAL USE
OCTOBER 1, 2029

Public Notice date September 15, 2009, Page 11
HAT ROCK WATER COMPANY, INC
82608 C STREET
HERMISTON OR 97838
Application Number: S-71575 Permit Number: S-52968
UMATILLA COUNTY
0.19 CFS
UNNAMED SPRING A TRIBUTARY OF THE COLUMBIA RIVER
GROUP DOMESTIC USE EXPANDED FOR 62 HOMES
OCTOBER 1, 2024
Extensions of Time Progress
Checkpoint Progress Reports filed pursuant to OAR 690-315

Consistent with OAR 690-315-0050(6), the Department will accept public comment on the following Extension of time Checkpoint Progress Reports until October 15, 2009. Comments must be in writing and must indicate the application file and permit numbers. Following the comment period, the Department shall review evidence to determine whether or not the permit holder has been diligent in developing and perfecting the water use permit and has complied with all terms and conditions of the permit and/or extension of time. Additionally, the Department will provide notice of its determination to anyone who has submitted comments.

Extension file information is included in the following format:
(a) Permit holder's name and address;
(b) Application file number / permit number
(c) County of use
(d) Quantity of permitted water use in gallons per minute (gpm), cubic feet per second (cfs) or acre feet (af);
(e) Common name of water source(s) listed in the permit;
(f) Use of water allowed under the permit;
(g) Current authorized extension date ("C" date)

SEA CREST HOMEOWNERS ASSOC
GEORGE FOSMIRE
107 SEA CREST CT
OTTER ROCK OR 97369
Application Number: S-73348 Permit Number: S-51552
LINCOLN COUNTY
0.6 CFS
ONE SPRING AND AN UNNAMED STREAM
SUPPLEMENTAL DOMESTIC EXPANDED FOR 60 HOMES
OCTOBER 1, 2025

WHALESHEAD BEACH RESORT
DON MCNEELY
19921 WHALESHEAD RD
BROOKINGS OR 97415
Application Number: S-84230 Permit Number: S-53701
CURRY COUNTY
0.002 CFS
THREE UNNAMED SPRINGS TRIBUTARY OF WHALESHEAD CREEK
COMMERCIAL USE IN AN RV PARK
OCTOBER 1, 2012
**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 15, 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-10837 filed by Jason Williams Hay, Inc., 48857 Hwy 30, North Powder, OR, 97867, proposes additional points of appropriation, under Certificates 53299 and 74070. The rights allow the use of 2.22 and 5.30 CUBIC FEET PER SECOND respectively. The dates of priority are APRIL 9, 1971 for Certificate 53299 and MAY 20, 1964 for Certificate 74070. The wells are located in NW1/4 NE1/4 Section 3, T 7 S, R 39 E, and NE1/4 NE1/4 and NW1/4 NE1/4, Section 33, T 6 S, R 39 E, WM) in the Powder Basin for SUPPLEMENTAL IRRIGATION within Sections 34 & 35, T 6 S, R 39 E and Sections 2 & 3, T 7 S, R 39 E, W.M.. The applicant proposes additional points of appropriation approximately 1 mile southeast from the authorized wells. 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-10792 filed by TED DOLE, 262 OBENCHAIN RD, EAGLE POINT OR 97524, proposes a change in point of diversion under Certificate 50149. The right allows the use of 0.40 CUBIC FOOT PER SECOND (priority date DECEMBER 31, 1874) from LITTLE BUTTE CREEK in Sec.11, T 36S, R1E, W.M. for IRRIGATION in Sec. 4, T 36S, R1E. The applicant proposes to move the point of diversion approximately 2 miles downstream to Sec. 4, T 36S, R1E. 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.
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 15, 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 #N09.014
CERTIFICATE: 74146
PRIORITY DATE: 1900
NAME: TUMALO IRRIGATION DISTRICT
ADDRESS: 64697 COOK AVE, BEND OR 97701
CHANGE: POU
SOURCE: TUMALO CREEK
ACRES: 1.17
AUTHORIZED POU: T16S R12E 19
PROPOSED POU: T16S R12E 19

COUNTY: DESCHUTES
NOTICE OF DISTRICT PERMANENT TRANSFER: NOTICE #N09.013
CERTIFICATE: 74146
PRIORITY DATE: 1900
NAME: TUMALO IRRIGATION DISTRICT
ADDRESS: 64697 COOK AVE, BEND OR 97701
CHANGE: POU
SOURCE: TUMALO CREEK
ACRES: 4.00
AUTHORIZED POU: T16S R12E 18
PROPOSED POU: T16S R12E 19
COUNTY:               MORROW
NOTICE OF DISTRICT   PERMANENT TRANSFER: NOTICE #2009-5
CERTIFICATE:         79924, 79926, 79928, 79929
PRIORITY DATE:       1893, 1909, 1968
NAME:                WEST EXTENSION IRRIGATION DISTRICT
ADDRESS:             PO BOX 100, IRRIGON OR 97844
CHANGE:              POU
SOURCE:              UMATILLA RIVER/COLUMBIA RIVER
ACRES:               73.0
AUTHORIZED POU:      T5N R26E 24, 25
                     T5N R27E 19, 20
                     T5N R28E 17, 18
                     T4N R25E 13, 14, 17, 20, 22
PROPOSED POU:        T5N R26E 25
                     T4N R25E 13
NOTICE

Hydroelectric Fee Review Panel

Tuesday, November 17, 2009
1:00 p.m.

Rogue River Conference Room
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR
Call in Number 218-844-3366
password 69042781#

The Oregon Water Resources Department is required by ORS 543.085 to convene a hydroelectric fee review panel.

All fee payers are provided an opportunity to submit comments to the review panel.

Comments may be sent to Mary Grainey at Mary.S.Grainey@wrd.state.or.us, or at Oregon Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301 before November 16, 2009.

Any person may attend the meeting in Salem or call-in on the telephone conference line as listed above.

For more information please contact:
Mary S. Grainey
Hydroelectric Program Coordinator
503-986-0833.

Note: The services, programs and activities of the Water Resources Department are covered by the Americans with Disabilities Act (ADA). The ADA prohibits discrimination against persons with disabilities. The Department intends to comply with the ADA. If you are interested and need special accommodations to participate in the public hearing, please contact Mary Grainey at (503) 986-0833, at least 48 hours prior to the hearing.
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"): (payment enclosed)*

[ ]
[ ]
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**Your Name, Address, and Phone Number:**

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
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* 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.)