

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
March 18, 2014

*This notice is also available on our web page at the following address:
http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21*

This publication lists agency activities requiring public notice. It also describes public comment processes and deadlines. Types of water use requests in this week's Public Notice include:

- * **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- * **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.
- * **Emergency Water Use Permit Applications**
Final Orders issued approving applications for temporary water use permits during a drought declared under ORS 536.740.
- * **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.
- * **Proposed Mitigation Bank Charter Applicants**
Requests by an individual or entity to establish a mitigation bank pursuant to OAR Chapter 690, Division 521 (ORS 537.746) in the Deschutes Basin.
- * **Establishment of Mitigation Credits in the Deschutes Basin pursuant to OAR Chapter 690, Division 521 (ORS 537.746)**
- * **Transfer Applications: Regular**
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.

- * **Transfer Preliminary Determinations**
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- * **Transfer Applications: Permit Amendments**
Requests to amend permits.
- * **District Permanent Transfers (ORS 540.580)**
Petitions requesting transfers in place of use within a district's boundaries.
- * **Ground Water Registration Modifications**
Applications requesting Department recognition of changes in point of appropriation, place of use and character of use under a ground water certificate of registration.
- * **Certificate Issuance**
Included in this section is a listing of recently issued water right certificates.
- * **Water Management and Conservation Plans**
Water management and conservation plans submitted by municipalities and agricultural water suppliers under provisions of OAR Chapter 690, Division 86.
- * **Application to Develop Hydroelectric Use as Part of an Existing Certificated Water Right**
- * **Notice of Public Hearing for Application for a Major Hydroelectric Project**

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@wrdd.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, April 17, 2014. 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, May 02, 2014.

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.

How to Read the Listing

Applications on the next page are sorted by application number in the following format:

| App# | Basin | Source | Township/Range | County | Priority | Quantity | Stage | Status |
|---------|-----------------------|-----------------|-----------------------|--------|------------|----------|-------|--------|
| G-15693 | DOE, JOHN PO BOX 123 | EUGENE OR 97123 | 16.00S 03.00W 19 NESW | Lane | 01/29/2002 | 0.3700 C | IR | 3 |
| | 02 A WELL > SPRING CR | | | | | | | |
| | Uses: IR | | | | | | | |

FIRST LINE:

- * Application number:
G: groundwater
R: reservoir
S: surface water
I: instream
- * Applicant name & address
- * Stage of review:
IR: Initial Review
PFO: Proposed Final Order
- * Decision status codes
1: permit may be issued as requested
2: permit may be issued with conditions
3: permit unlikely to be issued

SECOND LINE:

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

THIRD LINE:

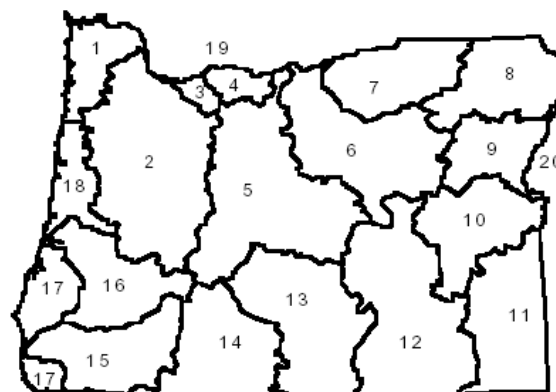
- * Type of use (see abbreviations below)

BASINS:

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

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

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



| App# | Basin Source | Township/Range | County | Priority | Quantity | Stage | Status |
|-------------------------|--|--|-----------|------------|----------|-------|--------|
| G-17741 | CITY OF BAKER CITY PO BOX 650 BAKER CITY, OR 97814 | SCHWIN, DOUGLAS P. PO BOX 650 BAKER CITY | | | | | IR 2 |
| | 9 A WELL > OLD SETTLERS SLOUGH | 9.00S 40.00E 18 SESW | Baker | 12/06/2013 | 1.115C | (est) | |
| | 9 A WELL > OLD SETTLERS SLOUGH | 9.00S 40.00E 18 SESE | Baker | 12/06/2013 | 1.115C | (est) | |
| Uses: | MU | | | | | | |
| G-17732 | SHINE BROTHERS RANCHES LLC 921SW VANTAGE POINT WAY BEND, OR 97702 | | | | | | IR 3 |
| | 13 A WELL > MUDDY CREEK | 39.00S 19.00E 6 SESE | Lake | 11/04/2013 | 1.825C | | |
| Uses: | IS | | | | | | |
| G-17708 | OREGON DEPARTMENT OF STATE LANDS 1645 NE FORBES RD SUITE 112 BEND, OR 97701 | | | | | | IR 2 |
| | 12 A WELL > MALHEUR LAKE | 25.00S 31.00E 4 NESE | Harney | 07/19/2013 | 0.89C | (est) | |
| | 12 A WELL > MALHEUR LAKE | 25.00S 31.00E 4 SENE | Harney | 07/19/2013 | 0.89C | (est) | |
| Uses: | IR | | | | | | |
| G-17707 | OREGON DEPARTMENT OF STATE LANDS 1645 NE FORBES RD SUITE 112 BEND, OR 97701 | | | | | | IR 2 |
| | 12 A WELL > MALHEUR LAKE | 24.00S 32.00E 25 SESE | Harney | 07/19/2013 | 0.89C | (est) | |
| | 12 A WELL > MALHEUR LAKE | 24.00S 32.00E 25 SENW | Harney | 07/19/2013 | 0.89C | (est) | |
| Uses: | IR | | | | | | |
| G-17706 | OREGON DEPARTMENT OF STATE LANDS 1645 NE FORBES RD SUITE 112 BEND, OR 97701 | | | | | | IR 2 |
| | 12 A WELL > MALHEUR LAKE | 23.00S 33.00E 29 NWNE | Harney | 07/19/2013 | 0.445C | (est) | |
| | 12 A WELL > MALHEUR LAKE | 23.00S 33.00E 29 NWNW | Harney | 07/19/2013 | 0.445C | (est) | |
| | 12 A WELL > MALHEUR LAKE | 23.00S 33.00E 30 NWNW | Harney | 07/19/2013 | 0.445C | (est) | |
| | 12 A WELL > MALHEUR LAKE | 23.00S 33.00E 30 NWNW | Harney | 07/19/2013 | 0.445C | (est) | |
| Uses: | IR | | | | | | |
| G-17694 | METOLIUS MEADOWS PROPERTY OWNERS ASSOCIATION INC. PO BOX 120 CAMP SHERMAN, OR 97730-0120 | | | | | | IR 3 |
| | 5 A WELL > CACHE CREEK | 13.00S 9.00E 16 SESE | Jefferson | 07/01/2013 | 0.445C | (est) | |
| | 5 A WELL > CACHE CREEK | 13.00S 9.00E 16 SESW | Jefferson | 07/01/2013 | 0.445C | (est) | |
| Uses: | QM | | | | | | |

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 |
|-------------------------|-------|--------|------------|---|--------------------|------------|
| G-17365 | 12 | HARN | 04/26/2010 | | ANDY ROOT | 03/06/2014 |
| S-67934 | 1 | TILL | 11/07/1989 | STATE OF OREGON; DEPARTMENT OF FORESTRY | | 03/06/2014 |
| S-87916 | 16 | DOUG | 06/28/2013 | | MAX PERRY | 03/06/2014 |
| G-17165 | 13 | LAKE | 01/20/2009 | TOWN OF LAKEVIEW | | 03/07/2014 |
| S-87330 | 2 | LANE | 11/05/2008 | WILLAMETTE WATER CO. | JEFF DEMERS | 03/07/2014 |
| G-17657 | 10 | MALH | 04/26/2013 | | MARGARET BRUMFIELD | 03/12/2014 |
| G-17640 | 7 | UMAT | 03/25/2013 | CUNNINGHAM SHEEP COMPANY | | 03/13/2014 |
| G-17652 | 9 | UNIO | 04/12/2013 | SSD LANDS LLC | SHARON DERUYTER | 03/13/2014 |
| G-17653 | 2 | YAMH | 04/22/2013 | CARLTON NURSERY CO. LLC | | 03/13/2014 |
| G-17782 | 10 | MALH | 03/05/2014 | | GEORGE RODRIGUEZ | 03/13/2014 |
| R-87860 | 2 | WASH | 01/22/2013 | | WILLIAM SEARS | 03/13/2014 |
| R-87937 | 15 | JOSE | 10/25/2013 | | JOHN MACCONOCHIE | 03/13/2014 |
| S-86443 | 17 | CURR | 10/17/2005 | | STERLING GARDNER | 03/13/2014 |

| Application | Basin | County | Priority | Company | Name | FO Date |
|-------------------------|-------|--------|------------|-----------------------------------|-------------------|------------|
| S-87900 | 2 | MARI | 05/17/2013 | | CHAD HAFNER | 03/13/2014 |
| G-17476 | 14 | KLAM | 07/08/2011 | | DONALD KIRKPATRIC | 03/14/2014 |
| LL-1504 | 15 | JOSE | | SUNNY VALLEY SAND AND GRAVEL INC. | ANDREAS BLECH | 03/14/2014 |

Emergency Water Use Permit Applications

Under OAR 690-19-040, after the Governor declares that a severe, continuing drought exists, the Director may accept applications for emergency use permits.

The Director shall approve an application for emergency water use upon findings that the proposed use will not cause injury to existing water rights and will not impair or be detrimental to the public interest. In evaluating whether the proposed use will impair or be detrimental to the public interest, the Director shall consider the factors described in OAR 690-310-0120 and 690-310-0130; and

- a) The need for water because of the drought emergency; and
- b) The short-term nature of the proposed emergency use.

An emergency use permit may be issued upon approval by the Director. No hearing under ORS 537.170 is required. The Director will consider all comments received concerning the use, or proposed use, under the emergency use permit throughout the life of the permit. Use of water under a emergency use permit may be regulated at any time in accordance with the terms and conditions of the permit. If use of water under a emergency use permit causes injury to an existing water right, the permit shall be revoked unless the injury is mitigated to the satisfaction of the injured water right holder. Any use of water under an emergency use permit shall not exceed the term of the Governor's declared drought or one year.

| Application | Basin | County | Date Filed | Name | Final Order Date |
|-------------------------|-------|---------|------------|---|------------------|
| G-17782 | 10 | Malheur | 03/05/2014 | RODRIGUEZ, GEORGE 213 BOAT LANDING RD ONTARIO, OR 97914 | 3/13/2014 |

**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 April 17, 2014. 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-16853](#)

Permit Number: G-16299

WALKER, JAN AND WILLIAM PO BOX 830 MERRILL, OR 97633

Klamath County

FIVE WELLS > EASY CREEK

1.15 CFS

SUPPLEMENTAL IRRIGATION

October 1, 2019

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 May 02, 2014. 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: | G-13313 |
| Permit Number: | G-11880 |
| Applicant: | SPARROWK, JACK |
| Address: | PO BOX 657; 18780 HWY 88 CLEMENTS, OR 95227 |
| River Basin: | Goose & Summer Lake Basin |
| Water Source: | TWO WELLS > DREWS CREEK |
| Authorized Use of Water: | IRRIGATION ON 135.02 Acres SUPPLEMENTAL IRRIGATION ON 506.94 Acres |
| Maximum Diversion/ Appropriation Rate: | 8.025 CFS, BENING 1.56 CFS FOR PRIMARY IRRIGATION AND 2.649 FOR SUPPLEMENTAL IRRIGATION FROM WELL 1 AND 3.698 FOR SUPPLEMENTAL IRRIGATION FROM WELL 2 |

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1997 to October 1, 2018; and grant an extension of time to apply water to full beneficial use from October 1, 1997 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 April 01, 2014, 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-1508
SURPRISE VALLEY ELECTRIFICATION CORP
C/O CULP, LYNN
516 US HWY 395E ALTURAS, CA 96101
POD: 1 LITTLE HOT WELL > CHEWAUCAN R
SE 1/4 NE 1/4 Section 23T 33.00S R 18.00E WM
Lake County
146 GPM for GEO-THERMAL (ENERGY PRODUCTION)

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 April 08, 2014. 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 Lanaya Blakely 503-986-0898 or Lanaya.F.Blakely@wrд.state.or.us

County: Deschutes
Instream Lease Number: IL 622

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

** Lessor **
THOMAS ACQUISITIONS, LLC; ATTN: MATTHEW THOMAS
P.O. BOX 5519
BEND, OR 97701

** Applicant **
HUBERT, GENEVIEVE
DESCHUTES RIVER CONSERVANCY
700 NW HILL ST
BEND, OR 97701

| Reach: | PROTECTED FROM THE SWALLEY MAIN CANAL TO LAKE BILLY CHINOOK | | | | | | | |
|--------|---|----------|-----|------------|------------|-------------|--------------|-------|
| Cert# | Permit | Priority | Use | Rate (cfs) | Duty (acf) | Source | Tributary to | Acres |
| 74145 | CF RR * | 9/1/1899 | F4 | 0.133 | 43.26 | DESCHUTES R | COLUMBIA R | 7.8 |

County: Deschutes
Instream Lease Number: IL 837

** Lessor **

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

** Applicant **

WIGLE, TREVOR
65456 SWALLEY RD
BEND, OR 97701

** Applicant **

WIGLE, KRISTEN
65456 SWALLEY RD
BEND, OR 97701

** Applicant **

HUBERT, GENEVIEVE
DESCHUTES RIVER CONSERVANCY
700 NW HILL ST
BEND, OR 97701

| Cert# | Permit | Priority | Use | Rate (cfs) | Duty (acf) | Source | Tributary to | Acres |
|-------|----------|----------|-----|------------|------------|-------------|--------------|-------|
| 74145 | CF RR CN | 9/1/1899 | F4 | 0.038 | 12.33 | DESCHUTES R | COLUMBIA R | 2.25 |

County: Benton
Instream Lease Number: IL 989

** Lessor **
SCHWARTZ, ERIC
THOMAS PAINE FARMS
PO BOX 1465
PHILOMATH, OR 97370

| Reach: | POD TO MOUTH OF LUCKIAMUTE RIVER | | | | | | | | |
|--------|----------------------------------|------------|-----|-----------|-----------|------------------|------------------|-------|--|
| Cert# | Permit | Priority | Use | Rate(cfs) | Duty(acf) | Source | Tributary to | Acres | |
| 54648 | S 39639 | 10/18/1974 | IR | 0.29 | 58.5 | LUCKIAMUTE RIVER | WILLAMETTE RIVER | 23.4 | |

| Reach: | POD TO MOUTH OF LUCKIAMUTE RIVER | | | | | | | | |
|--------|----------------------------------|-----------|-----|-----------|-----------|------------------|------------------|-------|--|
| Cert# | Permit | Priority | Use | Rate(cfs) | Duty(acf) | Source | Tributary to | Acres | |
| 28041 | S 21121 | 7/23/1951 | IR | 1.41 | 281.75 | LUCKIAMUTE RIVER | WILLAMETTE RIVER | 112.7 | |

County: Deschutes
Instream Lease Number: IL 1013

** Lessor **
LAFKY, SUZANNE
CRAMER FARMS
PO BOX 5908
BEND, OR 97708

** Lessee **
HUBERT, GENEVIEVE
DESCHUTES RIVER CONSERVANCY
700 NW HILL ST
BEND, OR 97701

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

| PROTECTED FROM THE SWALLEY MAIN CANAL TO MOUTH OF DESCHUTES RIVER | | | | | | | | |
|---|---------|----------|-----|------------|------------|-------------|--------------|-------|
| Cert# | Permit | Priority | Use | Rate (cfs) | Duty (acf) | Source | Tributary to | Acres |
| 74145 | CF RR * | 9/1/1899 | IR | 0.072 | 23.4 | DESCHUTES R | COLUMBIA R | 4.2 |

Proposed Mitigation Bank Charter Applicant in the Deschutes Basin

ORS 537.746 (OAR Chapter 690, Division 521) authorizes the Department to recognize the establishment of Mitigation Banks in the Deschutes Basin. Mitigation Banks may be established to facilitate mitigation credit transactions in the Deschutes Basin.

The public is invited to comment on proposed applications for mitigation bank charters. Written comments must be received within 21 days of the date of this public notice.

Pursuant to OAR Chapter 690, Division 521, Mitigation Bank Charters are approved or denied by the Water Resources Commission following a public notice and an opportunity to comment. As part of Water Resources Commission meeting announcements and agendas, the Department will also provide notice of any proposed mitigation bank charters to be considered by the Commission. Final proposed mitigation bank charters will be available for review upon mailing of the Commission meeting packet. At the Commission meeting, the Commission will take additional public comments on the proposed mitigation bank charter.

MB #4

Project Applicant: Deschutes Basin Board of Control (DBBC)
Service Area: Deschutes Ground Water Study Area
Mitigation Credits: May develop and use various types of mitigation projects to generate mitigation credits, including instream leases, permanent instream transfers, time-limited instream transfers, allocations of conserved water, stored water releases, aquifer recharge, and other potential projects.
Anticipated Clients: Will serve qualifying customers needing to satisfy a mitigation obligation or interested in holding mitigation credits. Will also provide services to landowners with the member irrigation districts, subject to any limitations of a mitigation bank branch.
Contact: Laura Wilke, Phone: (503) 986-0884

(note: MB = Deschutes Mitigation Bank)

Establishment of Mitigation Credits in the Deschutes Basin

ORS 537.746 authorizes the Department to award mitigation credits in the Deschutes Basin to approved mitigation projects. Mitigation credits may be used in the Deschutes Basin, specifically the Deschutes Ground Water Study Area, to mitigate for the impacts of ground water use on surface water flows. Pursuant to OAR Chapter 690, Division 521, upon receipt of notification of a mitigation project, the Department shall give public notice of the intent to establish mitigation credits.

The public is invited to comment on establishment of mitigation credits for the project(s) described below. Comments must be received within 21 days of the date of this public notice. Comments should address the award of mitigation credits to the proposed project and its use for mitigation purposes. Included in this public notice is a preliminary determination as to the amount of mitigation credits that may be available from the proposed project.

Klamath County

Mitigation Project #: MP-37

Project Applicant: Deschutes River Conservancy Mitigation Bank, Swalley Irrigation District, and Thomas Acquisitions

Mitigation Project

And Process: Instream Lease Application IL-622 (renewal) for Certificate 74145 (Also see Transfer Leases of the March 18, 2014, public notice for application details)

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

Amount of Water: Proposed Instream: up to 0.133 CFS with a
Maximum Seasonal Volume – 43.263 AF

Current Use: 7.8 acres of Irrigation

Credits Assigned to: Deschutes River Conservancy Mitigation Bank

Preliminary Mitigation

Credit Determination: up to 14.0 Mitigation Credits

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

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

Transfer Applications: Regular

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

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before April 17, 2014. 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: DESCHUTES
Transfer: 11754
Water Right: CERT 80627
Priority Date: DECEMBER 17, 1990
Name: ROGER JOHNSON
14828 SCHOONER SISTERS, OR 97759
Change: point of appropriation; place of use
Source: A WELL

County: MORROW
Transfer: 11755
Water Right: CERT 56159; 56160
Priority Date: FEBRUARY 12, 1976; DECEMBER 23, 1976
Name: STIFFLER LLC
33896 E WALLS RD HERMISTON, OR 97838
Change: place of use
Source: WELL #2

County: JOSEPHINE
Transfer: 11757
Water Right: CERT 32854, 32858, 32863; 61962
Priority Date: 1902; MAY 30, 1980
Name: APPLGATE VALLEY INVESTMENTS LLC
7350 NEW HOPE ROAD GRANTS PASS, OR 97527
Change: additional point of diversion; place of use
Source: APPLGATE RIVER

County: CLACKAMAS
Transfer: 11759
Water Right: CERT 77016
Priority Date: APRIL 29, 1986, OCTOBER 10, 1986
Name: POLEHN HEIGHTS WATER ASSOCIATION INC.
PO BOX 1434 OREGON CITY, OR 97045
Change: additional point of appropriation
Source: A WELL

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 April 17, 2014, 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-11488 filed by L. Wayne Judd, P.O. Box 2955, La Pine, OR 97739 and Michelle Y. Judd, P.O. Box 1525, La Pine, OR 97739, proposes an additional point of appropriation under Certificate 64253. The right allows the use of 0.056 cfs from a well in Sec. 35, T 22 S, R 9 E, WM for irrigation in Sec. 35. The applicant proposes an additional point of appropriation within Sec. 35, T 22 S, R 9 E, WM. 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-11498 filed by McNulty Water People's Utility District, Andy Tinkess, General Manager, PO Box 260, St. Helens, OR, 97051, proposes an additional point of appropriation under Certificate 65072. The right allows the use of 0.6 cfs from Well No. 1 in Sec. 12, T4N, R2W, WM for quasi municipal use in Sects. 7, 8, 17, and 18, T4N, R1W. WM, Sects. 1, 2, 12 and 13, T4N, R2W., Sec. 31, T5N, R1W, WM, and Sects. 6, 25, 26, 35 and 36, T5N, R2W, WM. The applicant proposes an additional point of appropriation within Sec. 12, T4N.R2W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11519 filed by Dutch Pacific Properties Inc., PO Box 3500, Sisters, OR 97759, proposes a change in point of appropriation and place of use under Certificate 85693. The right allows the use of 0.034 cfs from a well in Sec. 4, T15S, R10E, WM for irrigation in Sec. 4. The applicant proposes to move the point of appropriation to Sec. 15, T15S, R10E, WM and to change the place of use to Sec. 15, T15S, R10E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11520 filed by Dutch Pacific Properties Inc., PO Box 3500, Sisters, OR 97759, proposes a change in point of appropriation and place of use under Certificate 85693. The right allows the use of 0.22 cfs from a well in Sec. 4, T15S, R10E, WM for irrigation in Sec. 4. The applicant proposes to move the point of appropriation and change the place of use to Sec. 34, T14S, R10E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-11633 filed by Robert M. Skinner, Skinner Ranches Inc. 3280 Skinner Rd, Jordan Valley, OR 97910, proposes a place of use change under Certificate 35808. The right allows the use of 38.35 cfs from Jordan Creek in Sec. 24, T30S, R24E, WM for irrigation in Sec. 24. The applicant proposes to change the place of use within Sec. 24, T30S, R44E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Transfer Applications: Permit Amendments

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

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

County: LAKE
Transfer: 11758
Water Right: PERMIT G 12903
Priority Date: NOVEMBER 25, 1991, FEBRUARY 4, 1994
Name: CHAYLON D. SHUFFIELD
PO BOX 85 SUMMER LAKE, OR 97640
Change: additional point of appropriation
Source: A WELL

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 April 17, 2014. 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-2014-003
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: 0.70
Authorized POU: T17S R13E 33
Proposed POU: T17S R13E 33

Transfer Applications: Ground Water Registration Modification

The holder of a ground water certificate of registration may request that the Department recognize a change in point of appropriation, place of use or character of use under the ground water registration. Modifications of ground water registrations are authorized under ORS 537.610(4) and OAR Chapter 382.

The Department seeks public comment on the recently-filed applications for recognition of modifications in ground water registrations listed below. Any person may comment on an application for a ground water registration modification. Comments must be received by the Department on or before April 17, 2014. 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 recognized 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: LINN
Transfer: 11752
Water Right: CERT GR 917
Priority Date: JANUARY 31, 1947
Name: KAREN M. AND THOMAS E AVINELIS
38615 DENSMORE RD JEFFERSON, OR 97352-9307
Change: point of appropriation
Source: WELL 1

Water Management and Conservation Plans

The Department is required to give notice and to invite public review and comment on Water Management and Conservation Plans submitted pursuant to OAR Chapter 690, Division 086. The Department will consider all public comments in its review of the draft plan and will report the results of the review to the water supplier 90 days from the time the plan was submitted.

Any person may review and comment on a draft plan on or before April 17, 2014. The plans are available for viewing at the Salem office of the Water Resources Department. Comments should focus on elements in the draft that do not meet the requirements of OAR Chapter 690, Division 086 and should include suggestions on how to bring the draft into compliance with the rules.

Plans have been submitted by the following agricultural and municipal water suppliers:

McMinneville Water and Light (Municipal)

To review any of the above plans or to provide comments on the plans, contact Lisa Jaramillo at 503-986-0880 or lisa.j.jaramillo@wrd.state.or.us.

Application to Develop Hydroelectric Use as Part of an Existing Certificated Water Right

The Department seeks public comment on the following application to develop hydroelectric use as part of an existing certificated water right. Comments must be submitted within 30 days of publication of the notice. The application and supporting documents can be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the application please contact Craig Kohanek (503) 986-0823. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

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|--|---|
| Application: | PC 901 |
| Applicant: | City of Corvallis |
| Address: | PO Box 1086, Corvallis OR 97339 |
| Certificate: | 33339 |
| Amount of water: | 4.7 cubic feet per second |
| Source of water: | North Fork Reservoir, a tributary to Mary's River, in the Willamette Basin |
| Location of the Point of Diversion: | Tax lot 200, SE ¼ SE ¼ of Section 19, Township 12 South, Range 6 West, W.M., Benton County |
| Place of Use: | Tax lot 200, SE ¼ SE ¼ of Section 19, Township 12 South, Range 6 West, W.M., Benton County |
| Purpose: | Electricity production up to 25 kW eligible for net metering agreement with Consumer Power Inc.; additional power sold at avoided cost rate. |
| Power developed: | Up to 58.75 Theoretical horsepower |

Comments are by the close of business April 17, 2013

Notice of Open Comment Period
COUNTY OF BAKER
Mason Dam Hydroelectric Project

Public Hearing
April 7, 2014, 1:00 p.m.
Baker County Courthouse
1995 Third Street, Baker City, OR

Comments on this application for a new hydroelectric project are requested from interested citizens, organizations, governmental entities, and other parties. Comments are requested on whether the impacts of this project are such that they might be cumulative with other proposed or existing projects in the Powder River basin. Requests for additional studies related to project impacts may also be submitted.

The application and supporting documents may be viewed at the Water Resources Department, 725 Summer Street NE, Salem, Oregon 97301. The project is also filed with the Federal Energy Regulatory Commission (FERC) as docket p-12686, and an application for a Section 401 Water Quality Certification has been filed with the Oregon Department of Environmental Quality.

Comments and/or requests for additional information or studies may be submitted at the public hearing or in writing to the Oregon Water Resources Department, 725 Summer Street NE, Salem, Oregon 97301 by May 19, 2014.

Application for a Major Hydroelectric Project in Baker County.

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|------------------|---|
| Application #: | HE 605 |
| Applicant: | County of Baker |
| Address: | 1995 Third Street, Baker City, OR 97814 |
| Amount of water: | 300 Cubic Feet per Second |
| Source of water: | Powder River and Phillips Reservoir at Mason Dam |
| Location: | SW ¼ SE ¼ Section 24, Township 10 South, Range 38 East, W.M. |
| Purpose: | Hydroelectric power production at existing reservoir owned by the U.S. Bureau of Reclamation for irrigation purposes. |
| Plant Capacity: | 3.4 MW |

For Further Information Contact: Mary Grainey 503-986-0833.

Application for a 401 Water Quality Certification from the Oregon Department of Environmental Quality.

DEQ has completed draft 401 water quality certification conditions for the proposed hydroelectric project to ensure that the project will not cause violations of water quality standards. Comments regarding the draft water quality certification may be given at the public hearing or in writing to the Department of Environmental Quality, 800 SE Emigrant, Suite 330, Pendleton, OR 97801 by **April 15, 2014**.

For Further information contact: John Dadoly at 541-278-4616

Note: The services, programs and activities of the Water Resources Department and Department of Environmental Quality 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 Graine at (503) 986-0833, at least 48 hours prior to the hearing.

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 |
|---|--------------|--------|---------------|------------|---------------------------------|
| Xfer: T 9142 Cert#-89010 | 7 | MORR | 09/09/1968 | 03/14/2014 | BEAMER, MARY BEAMER RANCH |
| Xfer: T 5634 Cert#-89042 | 16 | DOUG | 10/07/1920 | 03/14/2014 | CAMPBELL, CLARENCE W. |
| App: S 84013 Cert#-89049 | 15 | JACK | 12/07/1998 | 03/14/2014 | DODSON, ERNIE THORNALLY, LEE |
| App: S 73091 Cert#-89124 | 2 | LINN | 12/13/1992 | 03/14/2014 | FLEISHMEN, JIM |
| App: S 71135 Cert#-89000 | 14 | KLAM | 01/18/1991 | 03/14/2014 | JH HERSCHER FAMILY PARTNERSHIP |
| Xfer: T 8308 Cert#-89044 | 7 | UMAT | 05/14/1956 | 03/14/2014 | KENTCH, JACKY KENTCH, ROBERT |
| Xfer: T 10046 Cert#-88818 | 8 | UNIO | 07/02/1965 | 03/14/2014 | LA GRANDE COUNTRY CLUB |
| Xfer: T 7801 Cert#-88961 | 17 | COOS | 02/28/1949 | 03/14/2014 | MOYA, JOE L. |

MOYA, SALLY

| File Number | Basin Number | County | Priority Date | Issue Date | Name |
|--|--------------|--------|---------------|------------|---|
| App: G 16460 Cert#-89122 | 12 | HARN | 05/16/2005 | 03/12/2014 | RATTLESNAKE CREEK LAND AND CATTLE CO. LLC |
| App: G 16626 Cert#-89123 | 12 | HARN | 02/21/2006 | 03/12/2014 | RATTLESNAKE CREEK LAND AND CATTLE CO. LLC |
| Xfer: T 6709 Cert#-89043 | 16 | DOUG | 03/09/1960 | 03/14/2014 | ROSEBURG FOREST PRODUCTS |
| Xfer: T 6588 Cert#-89087 | 7 | UMAT | 12/31/1892 | 03/13/2014 | TAYLOR, VIVIAN TAYLOR, WARREN |
| Xfer: T 6588 Cert#-89086 | 7 | UMAT | 10/31/1902 | 03/13/2014 | TAYLOR, WARREN TAYLOR, VIVIAN |
| Xfer: T 6588 Cert#-89088 | 7 | UMAT | 05/31/1909 | 03/13/2014 | TAYLOR, WARREN TAYLOR, VIVIAN |
| Xfer: T 7414 Cert#-89045 | 2 | WASH | 06/26/1931 | 03/14/2014 | THE WETLANDS CONSERVANCY INC. |
| App: R 80616 Cert#-89046 | 2 | WASH | 08/29/1995 | 03/14/2014 | TRI COUNTY METROPOLITAN TRANSFER DISTRICT |
| Xfer: T 6588 Cert#-89089 | 7 | UMAT | 07/01/1924 | 03/13/2014 | U.S. BUREAU OF RECLAMATION; PACIFIC NORTHWEST REGION |
| Xfer: T 6138 Cert#-89008 | 14 | KLAM | 12/31/1892 | 03/14/2014 | WOOD, JACOB D. |
| Xfer: T 6138 Cert#-89009 | 14 | KLAM | 06/25/1927 | 03/14/2014 | WOOD, JACOB D. |

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
March 18, 2014

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

Alternatively, you may use our new Public Comment tool available on our website. Go to our website: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>, and enter identifying information about the application. On the Water Rights Information Query Results page, use the "Submit a Public Comment" link, or under 'View all Scanned Documents' use the "Submit a Public Comment" link.

Water Use Request Type & File Number

(e.g. "Permit Application G-12345" or "Transfer T-1234"):

Mail me the order
(payment enclosed)*

[]
[]
[]

Your Name, Address, and Phone Number:

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