

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
August 26, 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.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **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.
- * **Recommendation to Consent to Injury**
A recommendation from the agency that requested establishment of an instream water right for the Department to consent to injury of the instream water right resulting from a transfer.
- * **Certificate Issuance**
Included in this section is a listing of recently issued water right certificates.

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, September 25, 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, October 10, 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	02	DOE, JOHN PO BOX 123 EUGENE OR 97123 A WELL > SPRING CR	16S 03W 19 NESW	Lane	01/29/2002	0.37 CFS	IR	3

Uses: IR

FIRST LINE:

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

SECOND LINE:

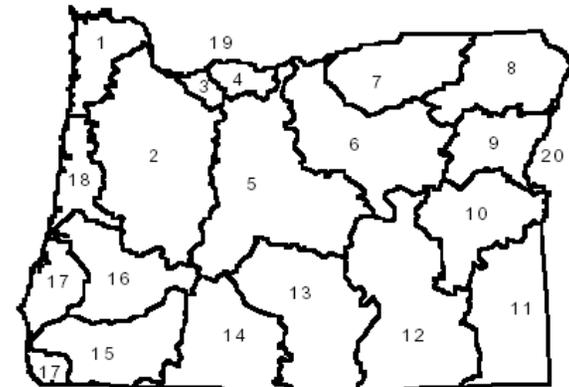
- * Basin number (see map below right)
 - * Source > what it flows into
(in the case of wells, this describes the basin in which the well is located)
 - * General legal description
 - * County & Priority date
 - * Amount
 - * Unit of measure:
 - C: cubic feet per second
 - G: gallons per minute
 - A: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

BASINS:

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

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-17863	BGE PROPERTIES LLC PO BOX 3187 CENTRAL POINT, OR 97502 A WELL > DAISY CREEK	37S 2W 33 SWSE	Jackson	05/19/2014	0.06 CFS	PFO	2
Uses:	IR						
G-17840	FREE, DIANE L. AND JONATHAN E. PO BOX 224 NORTH POWDER, OR 97867 A WELL > JIMMY CREEK	5S 39E 24 SWSW	Union	04/17/2014	2.5 CFS	PFO	2
Uses:	IR IS						
G-17843	KERR, MARY E. AND ROBERT O. 94688 ALEXANDER DR COOS BAY, OR 97420 A WELL > CATCHING SLOUGH	26S 12W 29 NWSW	Coos	04/18/2014	0.009 CFS	PFO	2
Uses:	DO IR						
G-17814	CANNON, CAL C/O SHOTGUN RANCH LLC 2730 NW NIGHTFALL CIRCLE BEND, OR 97701 A WELL > CROOKED RIVER	17S 19E 2 NWNW	Crook	03/27/2014	0.38 CFS	PFO	2
Uses:	IR						
G-17284	RICKMAN, KRISTI L. AND STEVE 69705 OLD EXPERIMENT RD BURNS, OR 97720 A WELL > POISON CREEK SLOUGH	23S 32E 18 SENE	Harney	11/06/2009	1.6 CFS	PFO	2
Uses:	IR IS						

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.

<u>Application</u>	<u>Basin</u>	<u>County</u>	<u>Priority</u>	<u>Company</u>	<u>Name</u>	<u>FO Date</u>
G-16674	5	JEFF	05/18/2006	PONDEROSA LAND AND CATTLE CO. LLC	BRUCE THORN	08/21/2014
G-17636	7	UMAT	03/13/2013		DALE PETERS	08/21/2014
G-17709	9	BAKE	08/01/2013		JOHN DUNLAP	08/21/2014
G-17712	9	BAKE	08/13/2013		DON MCGINN	08/21/2014
G-17758	9	BAKE	02/10/2014		MIKE MCGINNIS	08/21/2014
R-87195	15	JOSE	06/12/2008	COPELAND PAVING INC		08/21/2014
S-87866	16	DOUG	02/19/2013	NORRIS FARMS LLC		08/21/2014
S-87887	1	TILL	04/10/2013		BRYAN GIBSON	08/21/2014
S-87952	2	YAMH	01/24/2014	DANDREW WINE LLC		08/21/2014
S-87988	16	DOUG	06/20/2014		WILLIAM CHAPIN	08/21/2014

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 **September 25, 2014**. 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 redirection point(s).

S-88003

HAZEN, BERNEE

75-5498 KONA BAY DR KONA, HI 96740

POD: 1 ROGUE RIVER > PACIFIC OCEAN
SW 1/4 SE 1/4 Section 20 T 36S R 4W WM
Jackson County
0.0 AF for IRRIGATION (est.)

POD: 2 LOST CREEK RESERVOIR > ROGUE RIVER
SE 1/4 NW 1/4 Section 26 T 33S R 1E WM
Jackson County
12.0 AF for IRRIGATION (est.)

S-88004

HAZENBERG, BRAD: HAZENBURG DAIRY

5828 CHAMPOEG RD NE SAINT PAUL, OR 97137

POD: 1 WILLAMETTE RIVER > COLUMBIA RIVER
NE 1/4 NE 1/4 Section 32 T 3S R 2W WM
Marion County
0.0 AF for IRRIGATION (est.)
0.0 AF for SUPPLEMENTAL IRRIGATION (est.)

POD: 2 DETROIT RESERVOIR > NORTH SANTIAM RIVER
SW 1/4 NW 1/4 Section 7 T 10S R 5E WM
Marion County
20.0 AF for IRRIGATION (est.)
20.0 AF for SUPPLEMENTAL IRRIGATION (est.)

POD: 3 GREEN PETER RESERVOIR > MIDDLE SANTIAM RIVER
NW 1/4 SE 1/4 Section 10 T 13S R 2E WM
Marion County
20.0 AF for IRRIGATION (est.)
20.0 AF for SUPPLEMENTAL IRRIGATION (est.)

POD: 4 BLUE RIVER RESERVOIR > BLUE RIVER
SE 1/4 SE 1/4 Section 16 T 16S R 4E WM
Marion County
20.0 AF for IRRIGATION (est.)
20.0 AF for SUPPLEMENTAL IRRIGATION (est.)

POD: 5 COUGAR RESERVOIR > SOUTH FORK MCKENZIE RIVER
SE 1/4 SE 1/4 Section 31 T 16S R 5E WM
Marion County
20.0 AF for IRRIGATION (est.)
20.0 AF for SUPPLEMENTAL IRRIGATION (est.)

POD: 6 HILLS CREEK RESERVOIR > MIDDLE FORK WILLAMETTE RIVER
SE 1/4 SW 1/4 Section 26 T 21S R 3E WM
Marion County
20.0 AF for IRRIGATION (est.)
20.0 AF for SUPPLEMENTAL IRRIGATION (est.)

POD: 7 LOOKOUT POINT RESERVOIR > MIDDLE FORK WILLAMETTE RIVER
NW 1/4 SE 1/4 Section 13 T 19S R 1W WM
Marion County
20.0 AF for IRRIGATION (est.)
20.0 AF for SUPPLEMENTAL IRRIGATION (est.)

POD: 8 FALL CREEK RESERVOIR > FALL CREEK
NE 1/4 SW 1/4 Section 1 T 19S R 1W WM
Marion County
20.0 AF for IRRIGATION (est.)
20.0 AF for SUPPLEMENTAL IRRIGATION (est.)

POD: 9 DORENA RESERVOIR > ROW RIVER
NW 1/4 SE 1/4 Section 32 T 20S R 2W WM
Marion County
20.0 AF for IRRIGATION (est.)
20.0 AF for SUPPLEMENTAL IRRIGATION (est.)

POD: 10 COTTAGE GROVE RESERVOIR > SOUTH FORK MCKENZIE RIVER
SE 1/4 NE 1/4 Section 28 T 21S R 3W WM
Marion County
20.0 AF for IRRIGATION (est.)
20.0 AF for SUPPLEMENTAL IRRIGATION (est.)

POD: 11 FERN RIDGE RESERVOIR > LONG TOM RIVER
NE 1/4 SW 1/4 Section 4 T 17S R 5W WM
Marion County
20.0 AF for IRRIGATION (est.)
20.0 AF for SUPPLEMENTAL IRRIGATION (est.)

S-88005

POLAK, KAREN AND TONY
19742 PROVIDENCE LANE HUNTINGTON BEACH, CA 92646

POD: 1 ROUGE RIVER > PACIFIC OCEAN
NW 1/4 SE 1/4 Section 5T 35S R 1W WM
Jackson County
6.75 AF for IRRIGATION (est.)

POD: 2 LOST CREEK RESERVOIR > ROGUE RIVER
SE 1/4 NW 1/4 Section 26 T 33S R 1E WM
Jackson County
6.75 AF for IRRIGATION (est.)

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 October 10, 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:	Multnomah
Application File Number:	G-13525
Permit Number:	G-12331
Applicant:	SMITH, MICHAEL VERN
Address:	20300 NW WATSON RD SCAPPOOSE, OR 97056
River Basin:	Willamette Basin
Water Source:	A WELL > JOY CREEK
Authorized Use of Water:	AGRICULTURE USES
Maximum Diversion/ Appropriation Rate:	IRRIGATION ON 20.0 Acres 0.09 CFS

Recommendation: The Department proposes to grant an extension of time to complete construction and apply water to full beneficial use from October 1, 1999 to October 1, 2019.

County of Use:	Jackson
Application File Number:	S-86647
Permit Number:	S-54428
Applicant:	NISTLER, TRENT
Address:	121 GENESSEE ST MEDFORD, OR 97504
River Basin:	Rogue Basin
Water Source:	A RESERVOIR > ROCK CREEK
Authorized Use of Water:	IRRIGATION ON 8.0 Acres
Maximum Diversion/ Appropriation Rate:	SUPPLEMENTAL IRRIGATION ON 7.2 Acres 9.0 AF

Recommendation: The Department proposes to grant an extension of time for complete construction and apply water to full beneficial use from October 1, 2012 to October 1, 2016.

County of Use: Lane
Application File Number: S-28213
Permit Number: S-22200
Applicant: SPRINGFIELD UTILITY BOARD
Address: PO BOX 300 SPRINGFIELD, OR 97477
River Basin: Willamette Basin
Water Source: MIDDLE FORK WILLAMETTE RIVER > WILLAMETTE RIVER
Authorized Use of Water: MUNICIPAL USES
Maximum Diversion/
Appropriation Rate: 20.0 CFS

Recommendation: The Department proposes to grant an extension of time to complete construction and apply water to full beneficial use from October 1, 2001 to October 1, 2030.

County of Use: Tillamook
Application File Number: S-72306
Permit Number: S-51578
Applicant: NE-AH-KAH-NIE WATER DISTRICT
Address: 9155 NEHALEM ROAD NEHALEM, OR 97131
River Basin: North Coast Basin
Water Source: THREE SPRINGS > PACIFIC OCEAN
Authorized Use of Water: MUNICIPAL USES
Maximum Diversion/
Appropriation Rate: 0.32 CFS

Recommendation: The Department proposes to grant an extension of time to complete construction and apply water to full beneficial use from October 1, 1998 to October 1, 2023.

County of Use: Tillamook
Application File Number: S-45629
Permit Number: S-34032
Applicant: NE-AH-KAH-NIE WATER DISTRICT
Address: 9155 NEHALEM ROAD NEHALEM, OR 97131
River Basin: North Coast Basin
Water Source: PIRATE SPRINGS > PACIFIC OCEAN
Authorized Use of Water: MUNICIPAL USES
Maximum Diversion/
Appropriation Rate: 0.45 CFS

Recommendation: The department proposes to grant an extension of time to complete construction and apply water to full beneficial use from October 1, 1998 to October 1, 2023.

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 September 16, 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 Amy Bueno 503-986-0898 or Amy.L.Bueno@ wrd.state.or.us

County: Polk
Instream Lease Number: IL 267

** Lessor **
SMITH, BARBARA A.
7530 GOLD CREEK
WILLAMINA, OR 97396

** Lessor **
SMITH, RONALD G.
7530 GOLD CREEK
WILLAMINA, OR 97396

Cert#	Priority	Source	Tributary to
39447 OR *	6/10/1968	S YAMHILL R	YAMHILL R

County: Morrow
Instream Lease Number: IL 1431

** Lessor **
NEIFFER, DUANE
67795 MCNAB LANE
IONE, OR 97843

Cert#	Priority	Source	Tributary to
87715 RR *	12/31/1890	WILLOW CREEK	COLUMBIA RIVER

Cert#	Priority	Source	Tributary to
185 OR *	4/30/1890	WILLOW CREEK	COLUMBIA RIVER

Cert#	Priority	Source	Tributary to
26160 OR *	3/24/1955	WILLOW CREEK	COLUMBIA RIVER

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 September 25, 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:	KLAMATH
Transfer:	11877
Water Right:	CERT 67564
Priority Date:	MAY 26, 1981
Name:	NICHOLAS B. TEMPLE 6320 DECHARDIN LANE RENO, NV 89511
Change:	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 September 25, 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-11742 filed by Seneca Noti, LLC, PO Box 851, Eugene, OR 97440, proposes a point of diversion, place of use, and character of use change under Certificate 5013. The right allows the use of 1.0 cfs from Elk Creek and a Reservoir in Sec. 25, T17S, R7W, WM for log pond and fluming timber in Sec. 25, T17S, R7W, WM, and Sec. 30 T17S, R6W, WM. The applicant proposes to move the point of diversion to Sec. 31, T17S, R6W, WM, to change the place of use to Sects. 29, 30, 31 and 32, T17S, R6W, WM, and to change the character of use to general industrial. 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 September 25, 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-2014-001
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: 0.17
Authorized POU: T17S R12E 29
Proposed POU: T17S R12E 29

Recommendation to Consent to Injury

Pursuant to ORS 540.530(1)(c) and OAR 690-380-5050, the state agency that requested establishment of an instream water right has recommended that the Water Resources Department consent to the injury of the instream water right resulting from a proposed change in point of diversion. Copies of the transfer documents and the state agency's recommendation are available for viewing at the Salem office of the Water Resources Department.

Any person may review the recommendation and submit written comments or may submit a written request for a public meeting to review the recommendation. The comments or request for a meeting must be received on or before September 25, 2014. To review the recommendation, contact the Water Resources Department Transfers Section. Written comments and requests for a public meeting should be mailed to Transfers Section, Water Resources Department, 725 Summer St NE, Suite A, Salem, OR 97301-1271 or faxed to 503-986-0903.

Notice of Receipt of Recommendation to Consent to Injury for Water Right Transfer T-11648

T-11648 filed by Dillon Irrigation Co, 31466 Andrews Rd, Echo, OR 97826, proposes a point of diversion change under the Umatilla River Decree Vol. 3 Page 127 and Vol. 15 Page 378. The right allows the use of 23.71 cfs from the Umatilla River for irrigation, livestock and domestic uses in Sec.1, T3N, R28E; Sec. 6, T 3N R 29E; Sects. 34, 35, and 36, T 4N, R 28E; Sec. 31, T 4N R 29E, W.M. The applicant proposes to move the point of diversion to Sec. 21, T 3N, R 29E, W.M. The Water Resources Department proposed to deny the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000, due to injury of an instream water right, Certificate 59837. The Department sought recommendation from Oregon Department of Fish and Wildlife (ODFW) under OAR 690-380-5050.

The ODFW concluded that the transfer would result in net benefits to the resource due to the removal of a dam, thereby eliminating a barrier to fish passage and elimination of streambed disturbance caused by annual dam construction. ODFW recommended the following conditions: The dam must be removed during the recommended in-water work period; and the water user shall maintain the current approved fish screen at the new point of diversion. The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards.

Copies of WRD's Preliminary Determination proposing denial of the transfer and ODFW's recommendation are available for viewing at the Salem office of the Water Resources Department. Any person may review the recommendation and submit written comments or may submit a written request for a public meeting to review the recommendations. The comments or request for a meeting must be received by WRD on or before September 12, 2014.

WRD will provide copies of any comments submitted in response to this notice to ODFW. If a meeting is requested, WRD will schedule a joint public meeting with ODFW to review the recommendations.

To review the recommendation, contact Kelly Starnes at 503-986-0886 or e-mail Patrick.K.Starnes@wrdd.state.or.us. Written comments and requests for a public meeting should be mailed to Attn: Kelly Starnes, Water Resources Department, 725 Summer St NE, Suite A, Salem, OR 97301-1266 or faxed to 503-986-0901.

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 7586 Cert#-89450	2	CLAC	03/05/1934	08/21/2014	NEUSCHWANDER, JOEL; BEAN, WARREN

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
August 26, 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)*

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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.)