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 Limited Licenses**
  Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if an use is found to injure other water right holders.

* **Application for Instream Lease**
  Application by water right holder to lease existing water rights to instream use.

* **Transfer 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.

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”.

This notice is also available on our web page at the following address:
http://www1.wrd.state.or.us/cgi-bin/notices.pl?water_rights
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, January 14, 2010. 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 $20. (Any person paying $20 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, January 29, 2010.

The protest filing fee is $300 for the applicants and $600 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 $150 to retain the ability to participate in future proceedings relating to an application. Before participation is allowed, an additional $300 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>
</tr>
</thead>
<tbody>
<tr>
<td>G-15693</td>
<td>DOE, JOHN PO BOX 123 EUGENE OR 97123</td>
<td>02 A WELL &gt; SPRING CR</td>
<td>16.00S 03.00W 19 NESW Lane</td>
<td>01/29/2002</td>
<td>0.3700</td>
<td>C</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:**
- **Use:** IR
- **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):

<table>
<thead>
<tr>
<th>AG</th>
<th>Agriculture</th>
<th>GR</th>
<th>Groundwater recharge</th>
<th>MU</th>
<th>Municipal</th>
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<tbody>
<tr>
<td>CF,CH,CL, CR</td>
<td>Cranberry uses</td>
<td>GT</td>
<td>Geothermal</td>
<td>NU</td>
<td>Nursery use</td>
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<tr>
<td>CM</td>
<td>Commercial</td>
<td>IC</td>
<td>Irrigation, primary &amp; supplemental</td>
<td>PA</td>
<td>Pollution abatement</td>
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<td>CS</td>
<td>Campground</td>
<td>ID</td>
<td>Irrigation with domestic</td>
<td>PW</td>
<td>Power</td>
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<td>DI, DN</td>
<td>Domestic including non-commercial lawn &amp; garden</td>
<td>IL</td>
<td>Irrigation with livestock</td>
<td>QM</td>
<td>Quasi-municipal</td>
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<tr>
<td>DO</td>
<td>Domestic</td>
<td>IM</td>
<td>Industrial or manufacturing</td>
<td>RC</td>
<td>Recreation</td>
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<td>DS</td>
<td>Domestic &amp; stock</td>
<td>IR</td>
<td>Irrigation</td>
<td>RW</td>
<td>Road construction</td>
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<td>Fish</td>
<td>IS</td>
<td>Irrigation, supplemental</td>
<td>ST</td>
<td>Storage</td>
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<td>LV</td>
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<td>SW</td>
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<td>LW</td>
<td>Livestock &amp; wildlife</td>
<td>TC</td>
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<td>GD</td>
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<td>MI</td>
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Public Notice date December 15, 2009, Page 3
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# 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.

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<tr>
<th>Application</th>
<th>Basin</th>
<th>County</th>
<th>Priority</th>
<th>Company</th>
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<td>JAMES HATLEY</td>
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Public Notice date December 15, 2009, Page 7
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 December 29, 2009, upon finding that the proposed water use will not impair or be detrimental to the public interest (OAR 690-340-030). The public is invited to provide comments that will assist the Director in determining whether the use would impair or be detrimental to the public interest.

LL-1268
RUBY PIPELINE LLC
GREDVIG, DAN
RM 518, PO BOX 1087
COLORADO SPRINGS CO 80944
AND ...
ADAM SUSSMAN
1600 WESTERN BLVD, SUITE 240
CORVALLIS OR 97333
   POD: A WELL > KLAMATH BASIN
       NE ¼ NE ¼ SECTION 35 T 40.00S R 13.00E WM
       Klamath County
       2230 GPM For GENERAL CONSTRUCTION
       (Not to exceed 3.4 mg annually)

LL-1269
RUBY PIPELINE LLC
GREDVIG, DAN
RM 518, PO BOX 1087
COLORADO SPRINGS CO 80944
AND ...
ADAM SUSSMAN
1600 WESTERN BLVD, SUITE 240
CORVALLIS OR 97333
   POD: A WELL > KLAMATH BASIN
       SW ¼ NW ¼ SECTION 21 T 41.00S R 17.00E WM
       Lake County
       2230 GPM For GENERAL CONSTRUCTION AND HYRDO TESTING
       (Not to exceed 7.3 mg annually, being 1.7 mg for
general construction 5.6 mg hydro testing)
Proposed Final Orders Regarding Applications for Extensions of Time for Water Right Permits

ORS 537.230, 537.248, 537.630 and 539.010 authorize the Water Resources Department to extend time limits contained in water right permits for completing construction of water development projects and applying water to full beneficial use. Procedures for permit holders to apply for extensions and for the Department to evaluate and determine whether or not to approve extensions of time are contained in OAR 690-320-0010 for extensions filed before July 1, 2001, and in OAR 690-315-0010 for extensions filed on or after July 1, 2001.

Proposed Final Orders (PFO's) are the Department’s preliminary decision on extension requests. They document the agency’s decision through specific findings. Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of $20. (Any person paying to receive a PFO by mail will also receive a copy of the Final Order when it is issued). PFO’s may be viewed for free at the Department’s Salem Office or at the appropriate district watermaster office.

Extension of Time Public Notice and Comment Procedures
Written comments on or written protests against a PFO must be submitted on or before January 29, 2010. There is no fee for submission of comments. The protest filing fee is $300 for the applicant and $600 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

1.) OAR-690-315

County of Use: Clackamas
Application File Number: G-12656
Permit Number: G-11768
Applicant: PRESTON, CHRISTIANE
Address: 6921 S ZIMMERMAN
          AURORA OR 97002
River Basin: Willamette Basin
Water Source: A WELL > BEAR CREEK
Authorized Use of Water: AGRICULTURE USES
IRRIGATION ON 18.0 Acres
Maximum Diversion/ Appropriation Rate: 0.45 CFS, BEING 0.45 CFS FOR AGRICULTURAL USE AND 0.23 CFS FOR IRRIGATION PROVIDED THE TOTAL QUANTITY OF WATER DIVERTED DOES NOT EXCEED 0.45 CFS.

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1996 to October 1, 2011; and grant an extension of time to apply water to full beneficial use from October 1, 1997 to October 1, 2011.
County of Use:               Baker
Application File Number:     G-15976
Permit Number:               G-15732
Applicant:                   JASON WILLIAMS HAY INC.
Address:                     48857 HWY 30
                            NORTH POWDER OR 97867
River Basin:                 Powder Basin
Water Source:                TWO WELLS > POWDER RIVER
Authorized Use of Water:     SUPPLEMENTAL IRRIGATION ON 273.4000 Acres
Maximum Diversion/Appropriation Rate:          3.34 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2008 to October 1, 2013.
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 January 05, 2010. 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.

County: Polk
Instream Lease Number: IL 134

Lessor:
MARION COUNTY PUBLIC WORKS - ENVIRONMENTAL SERVICES
555 COURT STREET NE
PO BOX 14500
SALEM OR 97309

Contact: KODY THURGOOD at 503-986-0892

Reach: FROM POD #2 TO CONFLUENCE WITH YAMHILL RIVER

Cert# Permit Priority Use Rate(cfs) Duty(acf) Source Tributary to Acres
66484 OR * S 41836 03/17/1977 IR,IS 0.39 78.5 WILLAMETTE RESERVOIR WILLAMETTE RIVER 31.4

Reach: FROM THE POD TO THE CONFLUENCE WITH THE YAMHILL RIVER

Cert# Permit Priority Use Rate(cfs) Duty(acf) Source Tributary to Acres
24642 OR * S 20101 02/06/1951 IR 0.41 81.5 WILLAMETTE RIVER COLUMBIA RIVER 32.6

County: Benton

Public Notice date December 15, 2009, Page 11
Instream Lease Number: IL 1028

Lessor:
PARKER, LEE; LINDA PARKER
PO BOX 69
ALSEA OR 97324

Contact:  KODY THURGOOD at 503-986-0892
Reach:  POD TO MOUTH OF BUMMER CR

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<th>Duty(acf)</th>
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Reach:  FROM POD TO MOUTH OF BUMMER CR

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County:  Marion

Instream Lease Number: IL 1029

Lessor:
SPURGEN, GENE; SARAH SPURGEN
39044 SHELBURN DR.
SCIO OR 97374

Contact:  KODY THURGOOD at 503-986-0892
Reach:  FROM POD TO MOUTH OF BEAR BRANCH

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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 January 14, 2010, 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-9868 filed by LYNDA E. STROM, 29391 S MERIDIAN RD, HUBBARD OR 97032, proposes a change in place of use under Certificates 16648 and 64511. Certificate 16648 allows the use of 0.667 CUBIC FOOT PER SECOND (priority date APRIL 4, 1939) from the PUDDING RIVER in Sec. 36, T 4 S, R 1 W, W.M. for IRRIGATION in Sec. 36, T 4 S, R 1 W, W.M. Certificate 64511 allows the use of 0.320 CUBIC FOOT PER SECOND (priority date JANUARY 23, 1979) from the PUDDING RIVER in Sec. 36, T 4 S, R 1 W, W.M. for IRRIGATION in Sec. 36, T 4 S, R 1 W, W.M. The applicant proposes to change the place of use to Sec. 25 and 36, T 4 S, R 1 W, W.M. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

T-10687 filed by NORTH CLACKAMAS SCHOOL DISTRICT #12, 4950 SE Roethe Rd., Milwaukie, OR 97267, proposes additional points of appropriation and a change in character of use under Certificate 35291. The right allows the use of 0.67 cfs (priority date SEPTEMBER 10, 1962) from a well in Sec. 18, T2S, R2E, W.M. (Willamette Basin) for AIR CONDITIONING AND IRRIGATION in Sec. 18. The applicant proposes to add three points of appropriation within 1/4 mile of the original well in Sec. 18, T2S, R2E, W.M. and to change the character of use of
a portion of the right from air conditioning to commercial use. 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-10895 filed by David Neal (10035 Fairview Rd, Tillamook, OR 97141)
proposes a change in place of use and a change in character of use
under Certificate 7693. The right allows the use of 0.01 Cubic Foot
per Second (CFS) (priority date June 27, 1927) from Long Creek, tributary to the Middle Fork John Day River, in T10S, R31E, Sec 21, W.M., for Irrigation in T10S, R31E, Sec 21, W.M. The applicant proposes to create an instream use in Long Creek at the point of diversion, at a maximum rate of 0.01 CFS. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540, OAR 690-380-5000, and OAR 690-077-0075.
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 January 14, 2010. 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 # T-2009-028
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/CRANE PRAIRIE RES
ACRES: 1.50
AUTHORIZED POU: T18S R14E 7
PROPOSED POU: T18S R14E 7,8

COUNTY: DESCHUTES
NOTICE OF DISTRICT
PERMANENT TRANSFER: NOTICE # T-2009-037
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/CRANE PRAIRIE RES
ACRES: 0.85
AUTHORIZED POU: T17S R12E 13

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PROPOSED POU: T17S R12E 13

COUNTY: DESCHUTES
NOTICE OF DISTRICT PERMANENT TRANSFER: NOTICE # T-2009-044
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/CRANE PRAIRIE RES
ACRES: 0.40
AUTHORIZED POU: T17S R13E 18
PROPOSED POU: T17S R13E 18

COUNTY: DESCHUTES
NOTICE OF DISTRICT PERMANENT TRANSFER: NOTICE # T-2009-046
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/CRANE PRAIRIE RES
ACRES: 2.0
AUTHORIZED POU: T15S R13E 9,31
T14S R13E 33
PROPOSED POU: T16S R12E 14

COUNTY: DESCHUTES
NOTICE OF DISTRICT PERMANENT TRANSFER: NOTICE # T-2009-049
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/CRANE PRAIRIE RES
ACRES: 5.60
AUTHORIZED POU: T17S R13E 20
T17S R12E 14
T17S R14E 2
PROPOSED POU: T17S R14E 2
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"): 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 $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.)