OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS December 27, 2011

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.
- * Alternate Reservoir Applications (ORS 537.409)
 Applications for storage permits for small ponds filed under a simplified review process.
- * Applications for Extensions of Time to Perfect Water Right Permits

 New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- * Extension of Time Checkpoint Progress Reports filed pursuant to OAR 690-315

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

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 "Kim.R.French-Gorski@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.

<u>Initial Review Stage (IR in the "Stage" column of the permit listing)</u>

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 26, 2012. 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, February 10, 2012.

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:

App#	Basin	Source	Township/Range	County	Priority	Quantity	Stage Status
G-15693	•	JOHN PO BOX 123 EUGENE OR 971 A WELL > SPRING CR IR	23 16.00s 03.00w 19 NESW	Lane	01/29/2002	0.3700 C	IR 3

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)

	Sl		

1. North Coast

2. Willamette

3. Sandy

4. Hood

5. Deschutes

6. John Day

7. Umatilla

8. Grande Ronde

9. Powder

10. Malheur

11. Owyhee

12. Malheur L.

13. Goose/Summer L.

14. Klamath

15. Rogue

16. Umpqua 17. S. Coast

18. Mid-Coast

19. Columbia

20. Snake

(for definitions, consult Oregon Administrative Rules 690-300):

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

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Commonly used "Type of Use" abbreviations

App# Ba	sin Source	Township/Range	County Priority	Quantity Stage Status
S-87659	GEORGE, CARL PO BOX 2701 LEBANON,	OR 97355 GEORGE, MARY JOAN	PO BOX 2701 LEBANON, OF	R 97355 PFO 2
Uses: HC	17 TENMILE LAKE > TENMILE CREEK	23.00S 12.00W 9 SWNW	Coos 10/07/2010	0.005C
<u>s-87499</u>	ADLER, JERENE F. 2058 OLIVE ST EUG	GENE, OR 87405-2836 FAULHAB	ER, DUANE 2190 LAW LANE	EUGENE, PFO 2
Uses: HC	SALT CREEK > MIDDLE FORK WILLAMETTE	RIVER 21.00S 3.00E 23 SWNW RIVER 21.00S 3.00E 23 SWNW RIVER 21.00S 3.00E 23 SWNW	Lane 09/11/2009 Lane 09/11/2009 Lane 09/11/2009 Lane 09/11/2009 Lane 09/11/2009	0.002C (est) 0.002C (est) 0.002C (est) 0.002C (est) 0.002C (est)
G-17470	HILAND WATER CORP. 61375 BARGER RI	O SAINT HELENS, OR 97051 OL	SON, MELVIN 61375 BARGER	R RD SAI PFO 2
Uses: QM	2 A WELL > HARVEY CREEK	3.00s 3.00w 23 NENE	Yamhill 06/16/2011	0.22C

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.

Application Basin County Priority		Priority	Company Name	FO Date	
	G-16099	2 CLAC	09/29/2003	ED KRAEMER	12/15/2011
	R-87708	2 CLAC	03/23/2011	AL JUBITZ	12/15/2011
	S-87736	12 HARN	07/07/2011	JOHN ATKINSON	12/15/2011

Alternate Reservoir Applications (ORS 537.409)

For alternate reservoir applications filed under ORS 537.409, the public is invited to comment within 60 days of this notice. The law provides that within 60 days after the Department provides public notice of the application, any person may submit detailed, legally obtained information in writing, requesting the Department to deny the application for a permit on the basis that the reservoir:

- (A) Would result in injury to an existing water right; or
- (B) Would pose a significant detrimental impact to existing fishery resources as determined on the basis of information submitted by the State Department of Fish and Wildlife.

Such comments must be submitted on or before February 25, 2012.

R-87773
WELLMAN, SCOTT D.
3510 NE HENDERSOSN RD
CORBETT, OR 97019
POD: 1 UNNAMED STREAM > LATOURELL CREEK
SW 1/4 SE 1/4 Section 21T 1.00N R 5.00E WM
Multnomah County
6.82 AF for MULTIPLE PURPOSE

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 January 26, 2012. Following the comment period, the Department will prepare and issue a proposed final order. Individuals who would like a copy of the proposed final order may request copies by sending a request and \$20 (the charge required by law). Please indicate the file number. Copies of the proposed final order may be viewed at the Department and/or self copied. Individuals wishing to obtain a copy of the extension application should contact the Department by phone or in person.

Extension file information is included in the following format:

- (a) Application Number;
- (b) Permit number;
- (c) Applicant name and address;
- (d) County of application;
- (e) Common name of water source(s) listed in the permit;
- (f) Amount of water use permitted in gallons per minute (gpm), cubic feet per second (cfs) or acre feet (af) of storage;
- (g) Use allowed in the permit;
- (h) Proposed extended date of completion as requested by the extension applicant;

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Application Number: S-85722
Permit Number: S-54079
ISOLA, JOHNNIE R.
1027 S RAINBOW BLVD 274
LAS VEGAS, NV 89145
Jackson County
LOST CREEK RESERVOIR > ROGUE RIVER
222.75 AF
IRRIGATION ON 38.5 ACRES AND SUPPLEMENTAL IRRIGATION ON 11.0 ACRES
October 1, 2012
Application Number: G-14830
Permit Number: G-13650
NELSON, ROBERT
48521 HWY 101
BANDON, OR 97411
Coos County
SUMP WELL > TWO MILE CREEK
0.122 CFS
CRANBERRY USES ON 5.0 ACRES AND SUPPLEMENTAL CRANBERRY USE ON 10.5 ACRES
October 1, 2017
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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 February 10, 2012. 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: S-80803 Permit Number: S-52692

Applicant: NEUSCHWANDER, JOEL Address: 6097 S WHISKEY HILL RD HUBBARD, OR 97032

NORTHWEST FARM CREDIT SERVICES FLCA PO BOX 13309 650 HAWTHORNE AVE SE

SALEM, OR 97309-9831

River Basin: Willamette Basin

Water Source: RESERVOIR > PUDDING RIVER Authorized Use of Water: IRRIGATION ON 48.1 Acres

Maximum Diversion/

Appropriation Rate: 165.75 AF

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1998 to October 1, 2016; and grant an extension of time to apply water to full beneficial use from October 1, 1999 to October 1, 2016

County of Use: Clackamas Application File Number: R-80804 Permit Number: R-11955

Applicant: NEUSCHWANDER, JOEL Address: 6097 S WHISKEY HILL RD HUBBARD, OR 97032

NORTHWEST FARM CREDIT SERVICES FLCA PO BOX 13309 650 HAWTHORNE AVE SE

SALEM, OR 97309-9831

River Basin: Willamette Basin
Water Source: RUNOFF > ROCK CREEK

Authorized Use of Water: STORAGE

Maximum Diversion/

Appropriation Rate: 165.75 AF

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 1998 to October 1, 2016; and grant an extension of time to apply water to full beneficial use from October 1, 1999 to October 1, 2016

County of Use:

Application File Number:

Permit Number:

Applicant:

Gilliam

G-14840

G-13748

HIATT, GARY

Address: 64771 UPPER ROCK CREEK RD

ARLINGTON, OR 97812

River Basin: John Day Basin
Water Source: A WELL > ROCK CREEK

Authorized Use of Water: IRRIGATION ON 187.6 Acres

Maximum Diversion/

Appropriation Rate: 2.34 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, 2016.

County of Use: Union Application File Number: G-14578 Permit Number: G-13820

Applicant: GREGORY, JOHN J. AND VERLA C.

Address: 805 B AVE

LA GRANDE, OR 97850

R D OFFUTT CO. NORTHWEST, AN OREGON CORP.

75906 THREEMILE RD BOARDMAN, OR 97818

River Basin: Grande Ronde Basin

Water Source: TWO WELLS > GRANDE RONDE RIVER Authorized Use of Water: IRRIGATION ON 626.7 Acres

Maximum Diversion/

Appropriation Rate: 3.99 CFS

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 2004 to October 1, 2014.

County of Use: Jackson
Application File Number: R-24210
Permit Number: R-1118

Applicant: CITY OF MEDFORD Address: 200 IVY ST ROOM 177 MEDFORD, OR 97501

River Basin: Roque Basin

Water Source: WILLOW CREEK > SOUTH FORK BIG BUTTE CREEK

FOURBIT CREEK > BIG BUTTE CREEK

Authorized Use of Water: MUNICIPAL PURPOSES

Maximum Diversion/

Appropriation Rate: 10,000 AF

Recommendation: The department proposes to grant an extension of time to apply water to full beneficial user from October 1, 1998 to October 1, 2008.

Extensions of Time Progress Checkpoint Progress Reports filed pursuant to OAR 690-315

Consistent with OAR 690-315-0050(6), the Department will accept public comment on the following Extension of time Checkpoint Progress Reports until January 26, 2012. Comments must be in writing and must indicate the application file and permit numbers. Following the comment period, the Department shall review evidence to determine whether or not the permit holder has been diligent in developing and perfecting the water use permit and has complied with all terms and conditions of the permit and/or extension of time. Additionally, the Department will provide notice of its determination to anyone who has submitted comments.

Extension file information is included in the following format:

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

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BARLOW WATER DISTRICT
APPLICATION NUMBER: G-11127 PERMIT NUMBER: G-10507
WASCO COUNTY
A WELL IN WHITE RIVER BASIN
GROUP DOMESTIC SUPPLIES FOR 75 FAMILIES INCLUDING IRRIGATION OF
LAWNS AND GARDENS NOT TO EXCEED 1/2 ACRE PER FAMILY
BARLOW WATER DISTRICT
APPLICATION NUMBER: G-8953 PERMIT NUMBER: G-8323
WASCO COUNTY
A WELL IN WHITE RIVER BASIN
DOMESTIC USE FOR 40 FAMILIES AND IRRIGATION
OAKWOOD WATER SYSTEMS, INC.
APPLICATION NUMBER: G-12256 PERMIT NUMBER: G-11218
LINN COUNTY
TWO WELLS IN TRUAX CREEK BASIN
GROUPDOMESTIC USE FOR 25 FAMILIES INCLUDING IRRIGATION OF LAWN AND
NON-COMMERCIAL GARDEN NOT TO EXCEED ONE-HALF ACRE FOR EACH
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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 January 26, 2012. 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: BAKER Transfer: 11332

Transfer: 11332
Water Right: CERT 75362
Priority Date: JULY 22, 1909
Name: DAVIS RANCH
Address: 41754 DRY GULCH RD, RICHLAND OR 97870
Change: POU

Change: Source:

County: LAKE
Transfer: 11334
Water Right: CERT 82685
Priority Date: JUNE 18, 1984

Name: GOLDEN RULE FARMS, INC
Address: PO BOX 255, CHRISTMAS VALLEY, OR 97641
Change: POU, APOA
Source: A WELL

County: LAKE
Transfer: 11335
Water Right: CERT 52640, 81517

Priority Date: 1982, 1980

Name: GOLDEN RULE FARMS, INC
Address: PO BOX 255, CHRISTMAS VALLEY, OR 97641
Change: POU, APOA
Source: TWO WELLS

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 ½ 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 26, 2012, 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-11141 filed by KURT BOWMAN, 67495 HWY 237, LA GRANDE, OR 97850, proposes changes in point of diversion and, place of use, and partial cancellation of a water right under Certificate 50172. The right allows the use of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated (priority date 1883 from the GRANDE RONDE RIVER and 1869 from GEKELER SLOUGH) for IRRIGATION in Sec. 16. The applicant proposes to move the point of diversion from the Grande Ronde River approximately 120 feet upstream in Sec. 31, T 2 S, R 38 E, W.M.), to change the place of use to Sec. 34, T 2 S, R 38 E, W.M. and to cancel use of water from Gekeler Slough under the transferred portion of the right. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

District Permanent Transfers (ORS 540.580)

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

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

The Department seeks public comment on recently filed district transfer applications listed below. The deadline for comments or protests to the transfer application must be received by the Department on or before January 26, 2012. 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.)

CROOK, DESCHUTES, JEFFERSON County:

Transfer: 11331
Water Right: CERT 76714, 83571
Priority Date: 1913, 1900

Name: CENTRAL OREGON IRRIGATION DISTRICT Address: 1055 SW LAKE COURT, REDMOND OR 97756

Change: POU

CRANE PRAIRIE RESERVOIR, DESCHUTES RIVER Source:

County: JACKSON
Transfer: 11333
Water Right: CERT 85288, 85876, 85877, 80575, 80576, 80577,

83729

Priority Date: 1909, 1910, 1913, 1915, 1916

ROGUE RIVER VALLEY IRRIGATION DISTRICT 3139 MERRIMAN RD, MEDFORD OR 97501 Name: Address:

Change: POU

Source: LITTLE BUTTE CREEK, ROGUE RIVER, DRY CREEK, BEAR

CREEK, JENNY CREEK

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Ste A Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

December 27, 2011

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	Mail me the order
(e.g. "Permit Application G-12345" or "Transfer T-1234"): enclosed)*	(payment
	r 1
	LJ
	[]
	[]
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.)