

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
July 28, 2020

*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.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **Applications for Extensions of Time to Perfect Water Right Permits**
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- * **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: Drought Temporary Transfers**
Requests to temporarily change character of use, place of use or point of diversion during a drought declared under ORS 536.740.

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified.

* **Transfer Applications: Permit Amendments**

Requests to amend permits.

* **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.

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 Tonya.L.Miller@oregon.gov

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How to Read the Listing

App#:

- G: Groundwater
- R: Reservoir
- S: Surface water
- I: Instream
- T: Transfer
- LL: Limited License

County/Basin (See Map)

Applicant Name

Applicant Address

Sources/TRSQ40Q160

Use/Quantity

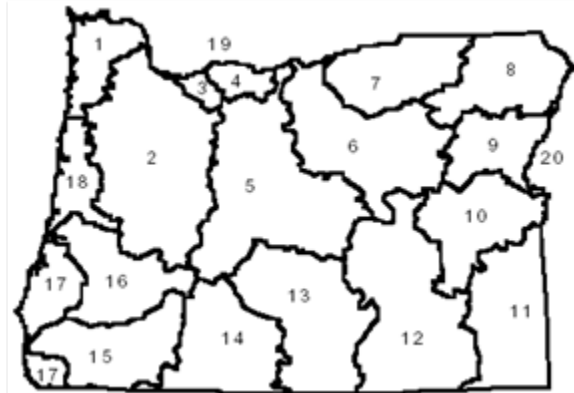
Unit of measure:

- CFS: Cubic feet per second
- GPM: Gallons per minute
- AF: Acre-feet

Priority Date

Stage/ Status

- IR: Initial Review
- PFO: Proposed Final Order



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

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

AG: Agriculture	GR: Groundwater recharge	MU: Municipal
CR: Cranberry uses	GT: Geothermal	NU: Nursery use
CM: Commercial	ID: Irrigation with domestic	PA: Pollution abatement
DI, DN: Domestic including non-commercial lawn & garden	IL: Irrigation with livestock	PW: Power
DO: Domestic	IM: Industrial or manufacturing	QM: Quasi-municipal
DS: Domestic & stock	IR: Irrigation	RC: Recreation
FI: Fish	IS: Irrigation, supplemental	RW: Road construction
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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Initial Review and Proposed Final Orders

The following pages of this notice list permit applications that the Department is evaluating for compliance with state water law. 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.

Initial Review Stage (IR)

The Department has given the applicant an initial review of water-use restrictions, water availability and other limitations 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, August 27, 2020. Although we cannot respond individually to all comments, each will be considered as the agency makes its decision regarding proposed allocations.

Proposed Final Order Stage (PFO)

The proposed final order is the Department's penultimate decision on the water use request. The PFO documents the agency's decision through specific findings, including review of comments received. 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 \$30. (Any person paying \$30 to receive a PFO by mail will also receive a copy of the Final Order when it is issued.) PFO's may be viewed free of charge online at: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>. 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, September 11, 2020.

The protest filing fee is \$410 for the applicants and \$810 for non-applicants. Detailed requirements for filing a protest are included in the PFO. Persons who support the PFO may file a "standing" fee of \$230 to retain the ability to participate in future proceedings relating to an application. Before participation in a hearing is allowed, an additional \$580 will be required to request to participate as a party or limited party.

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.

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Initial Review and Proposed Final Orders

App# [G-18804](#)
County/Basin Marion / Willamette (2)
Applicant Name GARCIA, ARTURO AND KIM A.
12020 WALDO HILLS DR SE
SALEM, OR 97317
Sources/TRSQ40Q160 A WELL > SOUTH FORK PUDDING RIVER BASIN / 8.00S 1.00W 4 NESW
Use/Quantity IRRIGATION / 0.018 CFS
Priority Date 03/21/2019
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18861](#)
County/Basin Benton / Willamette (2)
Applicant Name MERRITT HOLDINGS LLC
27949 EUREKA RD
CORVALLIS, OR 97333
Sources/TRSQ40Q160 A WELL > MARTINS LAKE BASIN / 14.00S 5.00W 14 SWNW
A WELL > MARTINS LAKE BASIN / 14.00S 5.00W 14 NWSW
Use/Quantity IRRIGATION / 0.180 CFS
Priority Date 09/11/2019
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18893](#)
County/Basin Benton / Willamette (2)
Applicant Name BENTON LANE WINERY LLC;
HUNEEUS VINTNERS LLC
PO BOX 99
MONROE, OR 97456
Sources/TRSQ40Q160 A WELL > LONG TOM RIVER BASIN / 15.00S 5.00W 9 NWNW
Use/Quantity INDUSTRIAL/MANUFACTURING USES / 0.130 CFS
Priority Date 12/12/2019
Stage/Status PFO / PROPOSE TO APPROVE

App# [G-18851](#)
County/Basin Klamath / Klamath (14)
Applicant Name FIVE MILE RANCH LLC
3827 MARSHALL AVE
CARMICHAEL, CA 95608
Sources/TRSQ40Q160 A WELL > FIVE MILE CREEK / 35.00S 13.00E 28 NWSE
A WELL > FIVE MILE CREEK / 35.00S 13.00E 28 NESE
Use/Quantity IRRIGATION / 3.946 CFS
Priority Date 08/08/2019
Stage/Status IR / PROPOSE TO DENY

App# [G-18852](#)
County/Basin Klamath / Klamath (14)
Applicant Name FIVE MILE RANCH LLC
3827 MARSHALL AVE
CARMICHAEL, CA 95608
Sources/TRSQ40Q160 A WELL > MILL CREEK / 35.00S 13.00E 29 SESW
Use/Quantity LIVESTOCK / 0.250 CFS
Priority Date 08/08/2019
Stage/Status IR / PROPOSE TO DENY

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App# [G-18958](#)
County/Basin Washington / Willamette (2)
Applicant Name BIENVENU, KATHY
425 CRESS ST
LAGUNA BEACH, CA 92651

CAPPOEN ROAD VINEYARD LLC
19820 SW COPPOEN ROAD
SHERWOOD, OR 97140
Sources/TRSQ40Q160 A WELL > CHICKEN CREEK / 2.00S 2.00W 23 SWSE
Use/Quantity IRRIGATION / 0.100 CFS
Priority Date 04/08/2020
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18993](#)
County/Basin Baker / Powder (9)
Applicant Name DUNNING, PATRICIA
43190 BROWN RD
BAKER CITY, OR 97814
Sources/TRSQ40Q160 A WELL > MILL CREEK / 8.00S 39.00E 32 SESE
Use/Quantity SUPPLEMENTAL IRRIGATION / 0.833 CFS
Priority Date 06/08/2020
Stage/Status IR / PROPOSE TO DENY

App# [G-18843](#)
County/Basin Yamhill / Willamette (2)
Applicant Name WAG HOLDINGS LLC
BRYAN, CHRISTOPHER
18505 NE JAQUINTH RD
NEWBERG, OR 97132
Sources/TRSQ40Q160 A WELL > UNNAMED STREAM / 2.00S 2.00W 31 SESE
Use/Quantity IRRIGATION USE / 0.019 CFS
Priority Date 10/21/2019
Stage/Status IR / PROPOSE TO APPROVE

Note: the above application G-18843, is being re-noticed to correct the status of the application. The Department is proposing to approve the application for irrigation use. If you submitted comments on this application by the first public comment deadline of Thursday, July 16, 2020, it is not necessary to re-submit those comments.

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Final Orders - Permit & Limited License Applications

Following is a list of applications for new appropriations that have had final orders issued recently. If you would like a hard copy of an order mailed to you, send a request with \$30.00 for each order to the Water Rights Section, Oregon Water Resources Department, 725 Summer Street NE Suite A, Salem OR 97301. If you have any questions, please contact the Department's customer service staff by dialing 503-986-0801.

App# [G-19005](#)
County/Basin Klamath / Klamath (14)
Applicant Name CARLAND FAMILY TRUST
CARLAND, DALE
PO BOX 64
MIDLAND, OR 97634
Priority Date 07/06/2020
Issue Date 07/21/2020
Status APPROVED

App# [LL-1818](#)
County/Basin Morrow / Umatilla (7)
Applicant Name HAGUEWOOD, KEVEN
64396 MCNAB LANE
IONE, OR 97843
Priority Date 02/27/2020
Issue Date 07/27/2020
Status WITHDRAWN

App# [LL-1821](#)
County/Basin Umatilla / Umatilla (7)
Applicant Name UNION PACIFIC RAILROAD KEVIN RICE
1400 DOUGLAS ST. STOP 0910
OMAHA, NE 68179
Priority Date 03/23/2020
Issue Date 07/20/2020
Status APPROVED

App# [LL-1836](#)
County/Basin Washington / Willamette (2)
Applicant Name RLK SMITH ORCHARDS
47500 NW STROHMAYER RD
FOREST GROVE, OR 97116
Priority Date 06/10/2020
Issue Date 07/23/2020
Status APPROVED

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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 September 26, 2020.

App# [R-88840](#)
County/Basin Lane / Willamette (2)
Applicant Name CHRISTENSEN, HARVEY
37036 HWY 58
PLEASANT HILL, OR 97455
Sources/TRSQ40Q160 DRAINAGE > MIDDLE FORK WILLAMETTE RIVER / 19.00S 2.00W 2 NWNE
Use/Quantity MULTIPLE PURPOSE / 1.000 AF
Priority Date 06/22/2020

App# [R-88845](#)
County/Basin Douglas / Umpqua (16)
Applicant Name GREEN, TERENCE
2336 RICHARDSONS RD
MYRTLE CREEK, OR 97457
Sources/TRSQ40Q160 RUNOFF > SOUTH UMPQUA RIVER / 28.00S 5.00W 33 SWSW
Use/Quantity MULTIPLE PURPOSE / 8.000 AF
Priority Date 07/17/2020

App# [R-88847](#)
County/Basin Yamhill / Willamette (2)
Applicant Name WYFFELS, TERRY E.
8000 NW PIKE RD
YAMHILL, OR 97148
Sources/TRSQ40Q160 ROWLAND CREEK > NORTH YAMHILL CREEK / 2.00S 4.00W 32 NESE
Use/Quantity MULTIPLE PURPOSE / 200.000 AF
Priority Date 07/20/2020

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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 **August 27, 2020**. 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).

App#	S-88850
County/Basin	Yamhill / Willamette (2)
Applicant Name	WYFFELS, TERRY E. 8000 NW PIKE RD YAMHILL, OR 97148
Sources/TRSQ40Q160	A RESERVOIR > ROWLAND CREEK / 2.00S 4.00W 32 NESE
Use/Quantity	IRRIGATION / 200.000 AF
Priority Date	07/20/2020

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**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 August 27, 2020. 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 \$30 (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.

App# [S-86071](#)
Permit Number S-54145
County/Basin Douglas / Umpqua (16)
Applicant Name STUMPE, BRANISLAVA AND LEIGHTON W.
287 BAILEY DR
ROSEBURG, OR 97470
Sources/TRSQ40Q160 A RESERVOIR > SOUTH UMPQUA RIVER / 28.00S 6.00W 3 SENW
Use/Quantity IRRIGATION / 2.230 AF
Proposed Completion Date 10/16/2016

App# [G-15011](#)
Permit Number G-13843
County/Basin Umatilla / Umatilla (7)
Applicant Name ADAMS, WESLIE F. AND KAREN
30875 KLAUS RD
HERMISTON, OR 97838

CARR, ROBERT S. AND JOANN
PO BOX 1133
UMATILLA, OR 97882

WILLIAMS, KIM A.
5950 NW SIMNASHO DR
PORTLAND, OR 97229
Sources/TRSQ40Q160 A WELL > UMATILLA DRAIN / 5.00N 28.00E 27 SENE
Use/Quantity IRRIGATION / 0.483 CFS
Proposed Completion Date 10/01/2023

App# [G-17990](#)
Permit Number G-17547
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name CNC HOMES LLC
61345 WARD RD
BEND, OR 97702
Sources/TRSQ40Q160 A WELL > LOST CREEK VALLEY BASIN / 24.00S 22.00E 27 NENW
A WELL > LOST CREEK VALLEY BASIN / 24.00S 22.00E 22 SESW
A WELL > LOST CREEK VALLEY BASIN / 24.00S 22.00E 21 SESE
A WELL > LOST CREEK VALLEY BASIN / 24.00S 22.00E 21 SESW
Use/Quantity IRRIGATION / 6.750 CFS
Proposed Completion Date 10/01/2025

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified.

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; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

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 August 27, 2020. 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.

Transfer	T-13491
Water Right	Cert: 50297
County/Basin	Lane / Willamette (2)
Applicant Name	FOX, DUSTIN 33975 SEAVEY LOOP RD EUGENE, OR 97405
Proposed Change	POINT OF DIVERSION, POINT OF DIVERSION, SURFACE WATER TO GROUND WATER
Sources/TRSQ40Q160	A SUMP > COAST FORK WILLAMETTE RIVER / 18.00S 3.00W 11 NWSE
Use/Quantity	IRRIGATION / 0.120 CFS
Priority Date	04/21/1978

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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 \$810 protest fee for non-applicant and \$410.00 protest fee for applicant. Call (503) 986-0815 to obtain additional information. Protests must be received by the Department on or before August 27, 2020, 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-13355](#) filed by Rodney R. and Marie M. Lyon, 20302 Paygr Road, Malin, Or., 97632, proposes an additional point of appropriation and a change in place of use under Certificate 67582 and proposes a change in place of use under Certificate 91653. Certificate 67582 allows the use of 3.48 cubic feet per second from a well in Sec. 35, T40S, R12E, WM for irrigation in Sec. 2, T41S, R12E, WM and Sects. 34 and 35, T40S, R12E, WM. The applicant proposes an additional point of appropriation in Sec. 35, T40S, R12E, WM and to change the place of use to Sects. 34 and 35, T40S, R12E, WM, and Sects. 2 and 3, T41S, R12E, WM. Certificate 91653 allows the use of 0.94 cubic foot per second from wells in Sec. 35, T40S, R12E, WM for irrigation in Sec. 2. The applicant proposes a change in place of use to Sects. 2 and 3, T41S, R12E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

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Transfer Applications: Drought Temporary Transfer

During the effective time period of a drought declaration under ORS 536.740, the Commission or the Director may: (1) Allow a temporary transfer of a water right without complying with the notice and waiting requirements of ORS 540.520; (2) Allow a temporary exchange of water without giving notice as required under ORS 540.535; and (3) Use an expedited notice and waiting requirement for the substitution of a supplemental ground water right for a primary water right.

Notice is given that the following applications for Drought Temporary Transfers have been received by the Department. Consistent with the drought emergency, an order approving or denying the drought transfer will be issued as soon as the Department is able to process the application.

Transfer	T-13489
Water Right	Cert: 66876
County/Basin	Jackson / Klamath (14)
Applicant Name	DUBIEL, STEFAN NATIONAL CITY, CA 91950
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A SPRING > FALL CREEK / 41.00S 4.00E 2 SENW UNNAMED STREAM > FALL CREEK / 41.00S 4.00E 2 SENW
Use/Quantity	IRRIGATION / 0.500 CFS
Priority Date	07/07/1975

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Transfer Applications: Permit Amendments

The holder of a water right permit may apply to change a point of diversion or appropriation or to change the place of use 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.

Transfer	T-13490
Water Right	Permit: G-17670
County/Basin	Deschutes, Jefferson / Deschutes (5)
Applicant Name	CROOKED RIVER RANCH WATER CO. 13845 SW COMMERCIAL LOOP PO BOX 2319 TERREBONNE, OR 97760
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > CROOKED RIVER BASIN / 13.00S 12.00E 24 NWNW A WELL > CROOKED RIVER BASIN / 13.00S 12.00E 16 NWSE A WELL > CROOKED RIVER BASIN / 13.00S 12.00E 16 NESE
Use/Quantity	QUASI-MUNICIPAL USES / 5.000 CFS
Priority Date	06/18/1991

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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 August 27, 2020.

The plans may be viewed electronically at [WMCP Public Notice](#). 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:

Farmers Irrigation District (Agricultural)

To review any of the above plan(s) or to provide comments on the plan(s), contact Kerri H. Cope at 503-986-0919 or Kerri.H.Cope@oregon.gov.

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OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
July 28, 2020

Use 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, at the local watermaster office, or online.

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