

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
September 8, 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.
- * **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: District Permanent for Place of Use - ORS 540.580**
Petitions requesting permanent changes in place(s) of use within a district's boundary.
- * **Water Management and Conservation Plan Progress Reports**
Water management and conservation plan progress reports submitted by municipalities under provisions of OAR Chapter 690, Division 86.
- * **Certificate Issuance**
Included in this section is a listing of recently issued water right certificates.
- * **Notice of Application to Split a Permit**
Request to assign all or part of a water right permit for irrigation, nursery, temperature control, stock watering, or agricultural water use and to issue replacement permit(s) to reflect an assignment from the current permit holder to one or more additional permit holders.

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

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.

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

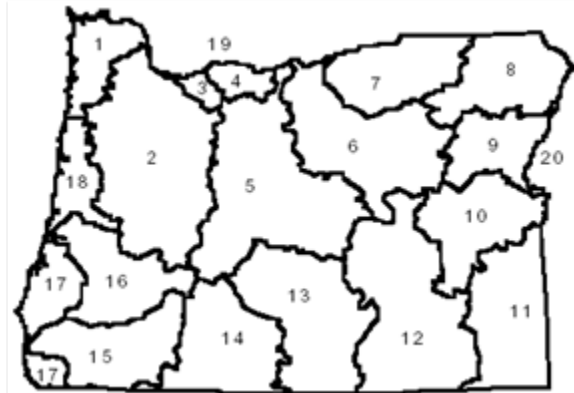
Unit of measure:

- 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, October 08, 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, October 23, 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-18973](#)
County/Basin Josephine / Rogue (15)
Applicant Name HENRY, NOLAN J.
728 NE ELIDA DR
GRANTS PASS, OR 97526
Sources/TRSQ40Q160 A WELL > SKAG CREEK / 40.00S 8.00W 11 SESW
Use/Quantity IRRIGATION / 0.107 CFS
Priority Date 05/11/2020
Stage/Status IR / PROPOSE TO DENY

App# [G-18946](#)
County/Basin Marion / Willamette (2)
Applicant Name WEYERHAEUER NR COMPANY
16014 PLETZER RD SE
TURNER, OR 97392
Sources/TRSQ40Q160 A WELL > NORTH SANTIAM RIVER / 10.00S 2.00W 9 NENW
Use/Quantity TEMPERATURE CONTROL / 4.2999 CFS
Priority Date 03/25/2020
Stage/Status IR / PROPOSE TO APPROVE

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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-18925](#)
County/Basin Jackson / Rogue (15)
Applicant Name VAN HORN, LAVERNE R.
745 ROCKY ROAD DR UNIT A
MEDFORD, OR 97504
Priority Date 03/02/2020
Issue Date 09/10/2020
Status WITHDRAWN

App# [G-19011](#)
County/Basin Klamath / Klamath (14)
Applicant Name MCKOEN, JIM
PO BOX 391
MALIN, OR 97632
Priority Date 08/10/2020
Issue Date 09/03/2020
Status APPROVED

App# [LL-1825](#)
County/Basin Crook / Deschutes (5)
Applicant Name CITY OF PRINEVILLE
ATTN: ERIC KLANN
387 NE 3RD ST
PRINEVILLE, OR 97754
Priority Date 04/20/2020
Issue Date 08/28/2020
Status APPROVED

App# [LL-1832](#)
County/Basin Sherman / Deschutes (5)
Applicant Name BARNETT ESTATE
PO BOX 206
WASCO, OR 97065
Priority Date 05/13/2020
Issue Date 08/28/2020
Status APPROVED

App# [LL-1837](#)
County/Basin Linn / Willamette (2)
Applicant Name KNIFE RIVER CORPORATION - NORTHWEST
ATTN: JEFF STEYAERT
32260 OLD HWY 34
TANGENT, OR 97389
Priority Date 06/22/2020
Issue Date 09/03/2020
Status APPROVED

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App# [LL-1842](#)
County/Basin Grant / John Day (6)
Applicant Name SORENSEN, DALE
PO BOX 66
SCIO, OR 97374
Priority Date 07/07/2020
Issue Date 08/28/2020
Status APPROVED

App# [S-88518](#)
County/Basin Morrow / Umatilla (7)
Applicant Name WILLOW CREEK DISTRICT IMPROVEMENT COMPANY
THOMPSON, BRIAN
55805 HWY 74
HEPPNER, OR 97836
Priority Date 03/09/2018
Issue Date 09/08/2020
Status APPROVED

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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; 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 October 08, 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-13511](#)
Water Right Cert: 25865
County/Basin Grant / John Day (6)
Applicant Name OREGON DEPARTMENT OF FISH AND WILDLIFE
PO BOX 93
DAYVILLE, OR 97825
Proposed Change POINT OF DIVERSION
Sources/TRSQ40Q160 FLAT CREEK > JOHN DAY RIVER / 13.00S 27.00E 13 NWSE
Use/Quantity IRRIGATION, LIVESTOCK AND DOMESTIC / 1.198 CFS
Priority Date 12/31/1897

Transfer [T-13512](#)
Water Right Cert: 90098
County/Basin Benton, Linn / Willamette (2)
Applicant Name GILMOUR, LEE
30427 STELLMACHER DRIVE
ALBANY, OR 97321
Proposed Change POINT OF DIVERSION
Sources/TRSQ40Q160 BLUE RIVER LAKE > BLUE RIVER / 16.00S 4.00E 16 SESE
COTTAGE GROVE LAKE > COAST FORK WILLAMETTE RIVER / 21.00S 3.00W 28 SENE
COUGAR RESERVOIR > SOUTH FORK MCKENZIE RIVER / 16.00S 5.00E 31 SESE
DORENA RESERVOIR > ROW RIVER / 20.00S 2.00W 32 NWSE
FALL CREEK LAKE > FALL CREEK / 19.00S 1.00W 1 NESW
FERN RIDGE LAKE > LONG TOM RIVER / 17.00S 5.00W 4 NESW
HILLS CREEK LAKE > WILLAMETTE RIVER / 21.00S 3.00E 35 NENW
HORSESHOE LAKE > WILLAMETTE RIVER / 11.00S 4.00W 15 SWSW
LOOKOUT POINT RESERVOIR > MIDDLE FORK WILLAMETTE RIVER / 19.00S 1.00W 13
NWSE
Use/Quantity IRRIGATION / 150. AF
Priority Date 05/06/1991

Transfer [T-13513](#)
Water Right Cert: 68433 (T-6900)
County/Basin Baker / Powder (9)
Applicant Name DETHLOFF, ARLENE M.
8855 SW 82ND
PORTLAND, OR 97223
Proposed Change ADDITIONAL POINT OF DIVERSION
Sources/TRSQ40Q160 ROCK CREEK > POWDER RIVER /
Use/Quantity IRRIGATION / 14.000 CFS
Priority Date 12/31/1872, 12/31/1879

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Transfer [T-13515](#)
Water Right Cert: 16530, 16533
County/Basin Josephine / Rogue (15)
Applicant Name GOLDEN RULE FARM INC
PO BOX 255
CHRISTMAS VALLEY, OR 97641
Proposed Change POINT OF DIVERSION
Sources/TRSQ40Q160 GRAVE CREEK > ROGUE RIVER / 34.00S 6.00W 12 NESW
Use/Quantity IRRIGATION / 1.090 CFS
IRRIGATION / 2.390 CFS
Priority Date 12/31/1891, 06/30/1873, 12/31/1891

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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 October 08, 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-13366](#) filed by VFO Independence, LLC, 8930 Suver Rd, Monmouth, OR 97361, proposes a change of place of use under Certificate 52339. The right allows the use of 0.08 cubic foot per second from a well in Sec. 31, T12S, R5W, WM for irrigation in Sec. 31, T12S, R5W, WM. The applicant proposes to change the place of use of 7.5 acres within Sec. 31, T12S, R5W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-12798](#) filed by Carlton Nursery Co. LLC, c/o Allan Elliott, PO Box 398, Dayton, OR 97114, proposes a change in place of use under Certificate 19875, an additional point of diversion under Certificates 64748 and 89032, and an additional point of diversion and a change in place of use under Certificate 87769. Certificate 19875 allows the use of 0.562 cubic foot per second (cfs) from Palmer Creek in Sec. 5, T5S, R3W, WM for irrigation in Sects. 5 and 8, T5S, R3W, WM. The applicant proposes to change the place of use within Sects. 5 and 8, T5S, R3W, WM. Certificate 64748 allows the use of 4.43 cfs from the Willamette River in Sec. 4, T6S, R3W, WM for primary and supplemental irrigation in Sects. 4, 5, and 9, T5S, R3W, WM. The applicant proposes an additional point of diversion in Sec. 10, T5S, R3W, WM. Certificate 87769 allows the use of 1.6 cfs from the Willamette River in Sec. 4, T6S, R3W, WM for primary irrigation in Sec. 5, T5S, R3W, WM, and supplemental irrigation in Sects. 5 and 8, T5S, R3W, WM. The applicant proposes an additional point of diversion in Sec. 10, T5S, R3W, WM. Certificate 89032 allows the use of 400.0 acre-feet from the Willamette Basin Project Reservoirs in Sec. 4, T6S, R3W, WM for supplemental irrigation in Sects. 4 and 9, T5S, R3W, WM. The applicant proposes an additional point of diversion in Sec. 10, T5S, R3W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13080](#) filed by B. Davidson Farms, LLC, c/o Bruce and Shannon Davidson, 549 Turnberry Ave, Woodburn, OR 97101, proposes an additional point of appropriation and modification in place of use under Groundwater Registration Application GR-3467 (Certificate of Registration GR-3207). The registration allows the use of 350 gallons per minute from a well in Sec. 28, T4S, R2W, WM for irrigation in Sec. 28, T4S, R2W, WM. The applicant proposes an additional point of appropriation in Sec. 28, T4S, R2W, WM and to modify the place of use to Sects. 28 and 29, T4S, R2W, WM. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

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Applications for District Permanent Transfer for Place of Use

A district may request to permanently change the place of use within district boundaries pursuant to ORS 540.580. A petition (application) for a district permanent water right transfer may be submitted subsequent to (specific noticing requirements apply) or prior to the change in place of use, but no later than the end of the calendar year in which the change occurs. The petition may include an unlimited number of place of use transfers within the same petition. Any recently filed Application for District Permanent Water Right Transfer for Place of Use is listed below.

Public comments may be submitted by any person (please follow the instructions on the last page of this public notice). A protest may be filed by any potentially affected holder of an existing water right, either jointly or severally with other persons, provided the protest is not by a user within a district alleging injury to the delivery of water by the district. Each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing. Protests must be accompanied by a \$810 protest fee for non-applicants and a \$410 protest fee for the applicant, and filed in accordance with OAR Chapter 690, Division 2. **Comments or protests must be received by the Department on or before October 08, 2020.**

Pursuant to ORS 540.580(8), if a water user within the district files a protest claiming injury to a water right delivery by the district, no contested case hearing shall be required, but the district shall resolve the matter directly with the water user.

To view the permanent transfer application, click on the link below.

Transfer	T-13514
County	Deschutes
Certificate	94956, 76714
Priority Date	10/31/1900; 12/2/1907; 2/28/1913
Name	CENTRAL OREGON IRRIGATION DISTRICT
Address	1055 S.W. LAKE CT REDMOND, OR 97756
Use	IRRIGATION; SUPPLEMENTAL IRRIGATION
Source	DESCHUTES R > COLUMBIA R CRANE PRAIRIE RES > DESCHUTES

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Water Management and Conservation Plan Progress Reports

Pursuant to OAR 690-086-0120(4) and (5), the Department is required to give notice of progress reports on Water Management and Conservation Plans.

Any person may review and comment on these progress reports. The Department requests that comments be submitted no later than 30 days after the date of this notice.

Progress reports have been submitted by the following municipal supplier(s):

City of Wallowa (Municipal)

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

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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.

Cert# [95214](#)
Xfer: T-6811
County/Basin Baker / Powder (9)
Applicant Name DENSON DRY CREEK LLC
Priority Date 12/31/1881
Issue Date 09/03/2020

Cert# [95254](#)
Xfer: T-12211
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name DOUBLE J RANCH LLC
Priority Date 03/17/1980
Issue Date 09/03/2020

Cert# [95255](#)
Xfer: T-12211
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name DOUBLE J RANCH LLC
Priority Date 08/07/1980
Issue Date 09/03/2020

Cert# [95229](#)
Xfer: T-13077
County/Basin Linn / Willamette (2)
Applicant Name OREGON DEPARTMENT OF TRANSPORTATION
Priority Date 09/10/1965
Issue Date 09/03/2020

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Notice of Application to Split a Permit

Applications of a landowner of record holding a water right permit for irrigation, nursery, temperature control, stock watering or agricultural water use, to assign all or part of the water right permit and to request issuance of a replacement permit to reflect an assignment from the current permit holder to one or more additional permit holders. The Department welcomes comments from interested persons, agencies, and organizations. **The comment deadline for notice of the application appearing in this public notice is 5:00 pm, October 08, 2020.** Although we cannot respond individually to all comments, each will be considered as the agency makes its decision regarding the proposed splitting of a permit.

The application may be viewed free of charge online at: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>. Persons interested in receiving a copy of a Proposed Final Order 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.

Transfer	T-13310
Permit	G-15252
County/Basin	Harney / Malheur Lake (#9)
Applicant	CLW Farms, LLC PO Box 9324 Salt Lake City, UT 84109
Source/TRSQ40Q160	WELL1 > MALHEUR LAKE BASIN/ T24S R33W SEC26 NENW WELL2 > MALHEUR LAKE BASIN/ T24S R33W SEC26 NENE WELL3 > MALHEUR LAKE BASIN/ T24S R33W SEC25 NENW WELL4 > MALHEUR LAKE BASIN/ T24S R33W SEC26 NESW WELL5 > MALHEUR LAKE BASIN/ T24S R33W SEC26 NESE WELL6 > MALHEUR LAKE BASIN/ T24S R33W SEC25 NESW WELL7 > MALHEUR LAKE BASIN/ T24S R33W SEC35 NENW WELL8 > MALHEUR LAKE BASIN/ T24S R33W SEC36 NENW WELL9 > MALHEUR LAKE BASIN/ T24S R33W SEC36 NESW WELL13bh1 > MALHEUR LAKE BASIN/ T24S R33W SEC25 NENW WELL16bh1 > MALHEUR LAKE BASIN/ T24S R33W SEC25 NENW
Priority Date	JANUARY 3, 2002
Use/Quantity	IRRIGATION / 19.96 CFS
Limit	1/80 TH CFS PER ACRE/ 3.0 AF PER ACRE IRRIGATED DURING THE IRRIGATION SEASON OF EACH YEAR
Applicant's Use/Quantity	7.98 CFS
Permit Completion Date	10/01/2037
Stage/Status	PFO / PROPOSE TO APPROVE

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OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
September 8, 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 \$30 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 \$30 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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