

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
November 9, 2021

*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.
- * **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: Permit Amendments**
Requests to amend permits.

The Public Notice is published each week on the Department's web site at www.oregon.gov/OWRD. 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

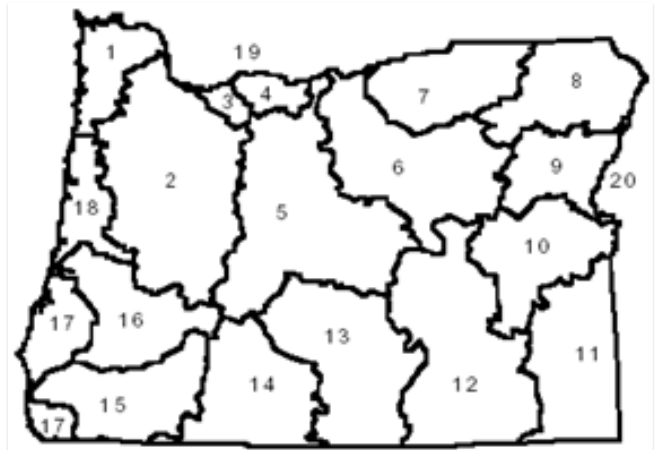
Unit of measure:

- 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 municipal | IL: Irrigation with livestock | PW: Power |
| | IM: Industrial or manufacturing | QM: Quasi- |
| DO: Domestic | IR: Irrigation | RC: Recreation |
| DS: Domestic & stock construction | IS: Irrigation, supplemental | RW: Road |
| FI: Fish control | LV: Livestock | TC: Temperature |
| FP: Fire protection | LW: Livestock & wildlife | WI: Wildlife |
| FW: Fish & wildlife | MI: Mining | |
| GD: Group domestic | | |

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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, December 09, 2021.** 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 \$35. (Any person paying \$35 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, December 24, 2021.

The protest filing fee is \$480 for the applicants and \$950 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 \$270 to retain the ability to participate in future proceedings relating to an application. Before participation in a hearing is allowed, an additional \$680 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#	S-89169
County/Basin	Baker / Powder (9)
Applicant Name	STATEN, CHARLES & NANCY 41952 ATWOOD RD BAKER CITY, OR 97814
Sources/TRSQ40Q160	SPRINGS > BALDOCK SLOUGH / 9.00S 40.00E 16 NESE A RESERVOIR > BALDOCK SLOUGH / 9.00S 40.00E 10 SESW
Use/Quantity	IRRIGATION / 0.080 CFS IRRIGATION / 0.960 AF
Priority Date	10/14/2021
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 \$35 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-18922
County/Basin	Josephine / Rogue (15)
Applicant Name	MUIR, KAREN & WILLIAM 965 TETHEROW RD WILLIAMS, OR 97544
Priority Date	03/02/2020
Issue Date	11/05/2021
Status	WITHDRAWN
App#	LL-1883
County/Basin	Lane / Willamette (2)
Applicant Name	DUCKETT FAMILLY REVOCABLE TRUST 81767 LOST CREEK RD DEXTER, OR 97431
Issue Date	11/03/2021
Status	APPROVED
App#	LL-1900
County/Basin	Lane / Willamette (2)
Applicant Name	KOSLOFSKY, ADAM 10250 SW GREENBURY RD SUITE 111 PORTLAND, OR 97223
Issue Date	11/11/2021
Status	APPROVED
App#	LL-1901
County/Basin	Klamath / Klamath (14)
Applicant Name	OREGON DEPARTMENT OF FISH AND WILDLIFE 1850 MILLER ISLAND ROAD W. KLAMATH FALLS, OR 97603
Issue Date	11/01/2021
Status	APPROVED
App#	S-89144
County/Basin	Jackson / Rogue (15)
Applicant Name	TOOTHAKER, RICK 3737 HIGHWAY 238 JACKSONVILLE, OR 97530
Priority Date	06/21/2021
Issue Date	11/05/2021
Status	APPROVED

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App# [S-89148](#)
County/Basin Josephine / Rogue (15)
Applicant Name MOAK, TERESA & TIM
13456 WILLIAMS HWY
GRANTS PASS, OR 97527
Priority Date 07/19/2021
Issue Date 11/05/2021
Status APPROVED

App# [S-89151](#)
County/Basin Douglas / Umpqua (16)
Applicant Name MOORE, CAROL & FORREST
1311 WEAVER RD
MYRTLE CREEK, OR 97457
ROSS, ERNEST, KAYLEE AND RICHARD
1307 WEAVER RD
MYRTLE CREEK, OR 97454
Priority Date 07/26/2021
Issue Date 11/05/2021
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 January 08, 2022.

App# [R-89176](#)
County/Basin Columbia / North Coast (1)
Applicant Name DROSMAN, RICHARD
86 S 22ND ST
SAINT HELENS, OR 97051
Sources/TRSQ40Q160 A SPRING > BEAVER CREEK / 7.00N 4.00W 3 SWSE
Use/Quantity MULTIPLE PURPOSE / 2.200 AF
Priority Date 10/21/2021

App# [R-89175](#)
County/Basin Columbia / North Coast (1)
Applicant Name DROSMAN, RICHARD
86 S 22ND ST
SAINT HELENS, OR 97051
Sources/TRSQ40Q160 A SPRING > BEAVER CREEK / 7.00N 4.00W 3 SWSE
Use/Quantity MULTIPLE PURPOSE / 1.300 AF
Priority Date 10/21/2021

App# [R-89174](#)
County/Basin Columbia / North Coast (1)
Applicant Name DROSMAN, RICHARD
86 S 22ND ST
SAINT HELENS, OR 97051
Sources/TRSQ40Q160 A SPRING > BEAVER CREEK / 7.00N 4.00W 3 SWSE
Use/Quantity MULTIPLE PURPOSE / 6.000 AF
Priority Date 10/21/2021

App# [R-89173](#)
County/Basin Columbia / North Coast (1)
Applicant Name DROSMAN, RICHARD
86 S 22ND ST
SAINT HELENS, OR 97051
Sources/TRSQ40Q160 A SPRING > BEAVER CREEK / 7.00N 4.00W 10 NWNE
Use/Quantity MULTIPLE PURPOSE / 7.000 AF
Priority Date 10/21/2021

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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 \$35. (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 watermaster district office.

Extension of Time Public Notice and Comment Procedures

Written comments on or written protests against a PFO must be submitted on or before December 24, 2021. There is no fee for submission of comments. The protest filing fee is \$480 for the applicant and \$950 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

App#	G-11916
Permit#	G-11165
County/Basin	Clackamas / Sandy (3)
Applicant Name	TIMBERLINE RIM WATER CO. 65091 E MTN MEADOW LN RHODODENDRON, OR 97049
Sources/TRSQ40Q160	WELL 1 > SANDY RIVER / 2.00S 7.00E 30 NESW WELL 2 > SANDY RIVER / 2.00S 7.00E 30 NWNE
Use/Quantity	QUASI-MUNICIPAL USES / 0.820 CFS
App#	R-87590
Permit#	R-14913
County/Basin	Polk / Willamette (2)
Applicant Name	GARTH AND SUSAN MULKEY TRUST 13535 DEARMOND RD MONMOUTH, OR 97361
Sources/TRSQ40Q160	NORTHWEST FARM CREDIT SERVICES FLCA 650 HAWTHORNE AVE SE SUITE 210 SALEM, OR 97301 RUNOFF > BERRY CREEK / 9.00S 5.00W 35 SESW BERRY CREEK > SOAP CREEK / 10.00S 5.00W 2 NESW
Use/Quantity	STORAGE / 51.500 AF

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App# S-87691
Permit# [S-54710](#)
County/Basin Polk / Willamette (2)
Applicant Name GARTH AND SUSAN MULKEY TRUST
13535 DEARMOND RD
MONMOUTH, OR 97361

SOURCES NORTHWEST FARM CREDIT SERVICES FLCA
650 HAWTHORNE AVE SE SUITE 210
SALEM, OR 97301
Sources/TRSQ40Q160 A RESERVOIR > BERRY CREEK / 9.00S 5.00W 35 SWSW
Use/Quantity IRRIGATION / 103.000 AF

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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 December 09, 2021. 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-13851](#)
Water Right Cert: 91208
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name ALBERTSON, JOHN D.
14377 ALBERTSON RD
LAKEVIEW, OR 97630
Proposed Change USE
Sources/TRSQ40Q160 A RESERVOIR > MILL CREEK BASIN / 40.00S 19.00E 29 SESE
A RESERVOIR > MILL CREEK BASIN / 40.00S 19.00E 32 NENE
A RESERVOIR > MILL CREEK BASIN / 40.00S 19.00E 28 SESW
A WELL > MILL CREEK BASIN / 40.00S 19.00E 29 NWSE
Use/Quantity POND MAINTENANCE / 2.850 CFS
Priority Date 11/25/2002

Transfer [T-13853](#)
Water Right Cert: 29894, 29896, 32584, 40150
County/Basin Clackamas, Multnomah / Sandy (3)
Applicant Name SESTER, TED
SESTER FARMS INC.
33205 SE OXBOW DR
GRESHAM, OR 97080
Proposed Change PLACE OF USE
Sources/TRSQ40Q160 A RESERVOIR > BEAVER CREEK / 1.00S 4.00E 16 NESE
A RESERVOIR > BEAVER CREEK / 1.00S 4.00E 16 NWSE
A RESERVOIR > SANDY RIVER / 1.00S 4.00E 16 NWSE
UNNAMED STREAM > BEAVER CREEK / 1.00S 4.00E 16 NESE
Use/Quantity SUPPLEMENTAL IRRIGATION / 23.500 AF
Priority Date 05/12/1958, 01/26/1959, 01/26/1959, 03/31/1967

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Transfer [T-13854](#)
Water Right Cert: 53093, 66607 (T-3625)
County/Basin Yamhill / Willamette (2)
Applicant Name SARBAN AND ENTERPRISES LLC
786 RD 188
DELANO, CA 93215
Proposed Change POINT OF DIVERSION, ADDITIONAL POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160 SOUTH YAMHILL RIVER > YAMHILL RIVER / 5.00S 5.00W 35 SENW
SOUTH YAMHILL RIVER > YAMHILL RIVER / 5.00S 5.00W 35 SWSW
Use/Quantity IRRIGATION / 0.540 CFS
Priority Date 12/14/1981, 07/23/1945

Transfer [T-13855](#)
Water Right Cert: 9704 CN
County/Basin Jackson / Rogue (15)
Applicant Name CITY OF GOLD HILL
PO BOX 308
GOLD HILL, OR 97525
Proposed Change POINT OF DIVERSION
Sources/TRSQ40Q160 ROGUE RIVER > PACIFIC OCEAN / 36.00S 3.00W 15 NESW
ROGUE RIVER > PACIFIC OCEAN / 36.00S 3.00W 15 NENW
Use/Quantity MUNICIPAL USES / 3.000 CFS
Priority Date 07/12/1924

Transfer [T-13856](#)
Water Right Cert: 58072, 58074
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name MICHAEL J PLECHATY & JOYCE Y PLECHATY REVOCABLE TRUST
12964 DUMILIEU RD
LAKEVIEW, OR 97630
Proposed Change PLACE OF USE
Sources/TRSQ40Q160 A WELL > GOOSE LAKE / 41.00S 18.00E 13 NWNE
Use/Quantity IRRIGATION / 0.990 CFS
Priority Date 05/01/1978, 06/26/1981

Transfer [T-13858](#)
Water Right Cert: 29406, 40438, 46907, 56269, 89385
County/Basin Marion / Willamette (2)
Applicant Name STAUFFER FARMS INC.
C/O SHERYL STAUFFER
13851 STAUFFER ROAD NE
HUBBARD, OR 97032
Proposed Change POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160 A WELL > PUDDING RIVER / 4.00S 1.00W 27 SWSE
A WELL > PUDDING RIVER / 4.00S 1.00W 26 SESW
A WELL > PUDDING RIVER / 4.00S 1.00W 26 NWSW
A WELL > PUDDING RIVER / 4.00S 1.00W 26 SWNW
Use/Quantity IRRIGATION / 0.220 CFS
SUPPLEMENTAL IRRIGATION / 0.530 CFS
Priority Date 11/24/1959, 11/14/1966, 01/07/1974, 04/28/1978, 04/28/1978

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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 \$950 protest fee for non-applicant and \$480.00 protest fee for applicant. Call (503) 986-0815 to obtain additional information. Protests must be received by the Department on or before December 09, 2021, 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-13359](#) filed by Mike and Lori Chitwood, 64595 Fort Rock Rd., Fort Rock, OR 97735, proposes a change in point of appropriation and place of use under Certificate 94851. The right allows the use of 0.375 cubic foot per second from a well in Sec. 27, T25S, R15E, WM for irrigation in Sec. 27, T25S, R15E, WM. The applicant proposes to move the point of appropriation to Sec. 16, T25S, R14E, WM, and to change the place of use to Sec. 16, T25S, R14E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13517](#) filed by Todd Titus, 43613 Rodeo Lane, Burns, OR 97720, proposes a change of point of appropriation, additional point of appropriation and change in place of use under Certificates 49447 and 53049. Certificate 49447 allows the use of 0.05 cubic foot per second (cfs) from a well in Sec. 6, T26S, R34E, WM for irrigation in Sec. 6, T26S, R34E, WM. The applicant proposes to move the point of appropriation and an additional point of appropriation in Sec. 5, T26S, R34E, WM and to change the place of use to Sec. 32, T26S, R34E, WM. Certificate 53049 allows the use of 0.34 cfs from Well 3 in Sec. 5, T26S, R34E, WM for irrigation in Sec. 6, T26S, R34E, WM. The applicant proposes an additional point of appropriation in Sec. 5, T26S, R34E, WM and to change the place of use to Sec. 32, T26S, R34E, 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: 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-13852](#)
Water Right Permit: G-15758
County/Basin Multnomah / Sandy (3)
Applicant Name SESTER, TED
SESTER FARMS INC.
33205 SE OXBOW DR
GRESHAM, OR 97080
Proposed Change POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160 A WELL > NORTH FORK BEAVER CREEK / 1.00S 4.00E 16 NWSE
A WELL > NORTH FORK BEAVER CREEK / 1.00S 4.00E 16 NESE
A WELL > NORTH FORK BEAVER CREEK / 1.00S 4.00E 16 SESE
A WELL > NORTH FORK BEAVER CREEK / 1.00S 4.00E 16 SWNE
Use/Quantity IRRIGATION / 1.110 CFS
Priority Date 05/21/2003

Transfer [T-13859](#)
Water Right Permit: G-18537
County/Basin Marion / Willamette (2)
Applicant Name STAUFFER FARMS INC.
C/O SHERYL STAUFFER
13851 STAUFFER ROAD NE
HUBBARD, OR 97032
Proposed Change ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160 A WELL > PUDDING RIVER BASIN / 4.00S 1.00W 35 NWNW
Use/Quantity IRRIGATION / 0.673 CFS
Priority Date 03/04/2020

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OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

November 9, 2021

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 \$35 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 \$35 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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