

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
January 11, 2022

*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 Allocation Of Conserved Water**
Applications made by a water user who conserves water to use a portion of the conserved water on additional lands, lease or sell the water, or dedicate the water to instream use.
- * **Applications for Limited Licenses**
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- * **Transfer Applications: District Permanent for Non-Use - ORS 540.574**
Petitions requesting permanent changes in place(s) of use within a district's boundary for Non-Use over a period of four successive irrigation seasons.
- * **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 Plans**
Water management and conservation plans submitted by municipalities and agricultural water suppliers under provisions of OAR Chapter 690, Division 86.

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.

* **Certificate Issuance**

Included in this section is a listing of recently issued water right certificates.

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.

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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

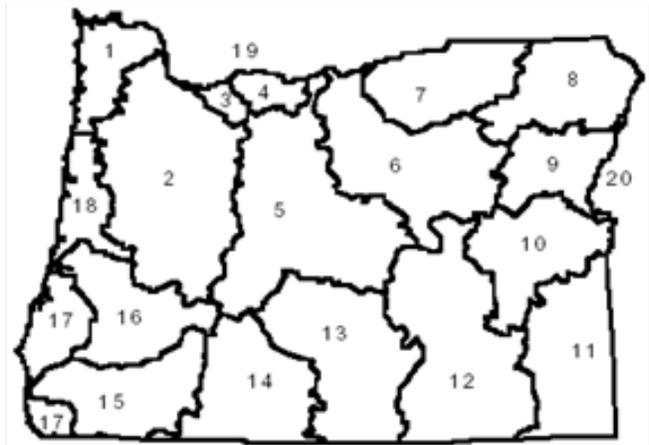
Unit of measure:

- 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, February 10, 2022. 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, February 25, 2022.

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# [G-19015](#)
County/Basin Lane / Willamette (2)
Applicant Name ABOUMRAD SR, MICHAEL & SHERY LYNN
83404 RODGERS RD
CRESWELL, OR 97426
Sources/TRSQ40Q160 A WELL > BEAR CREEK BASIN / 19.00S 2.00W 7 SESE
Use/Quantity NURSERY USES / 0.340 CFS
Priority Date 08/26/2020
Stage/Status PFO / PROPOSE TO APPROVE

App# [S-88854](#)
County/Basin Jackson / Rogue (15)
Applicant Name SARIS, CHARLES & ELLEN
306 PARK DR
SHADY COVE, OR 97539
Sources/TRSQ40Q160 ROGUE RIVER > PACIFIC OCEAN / 34.00S 1.00W 16 NESE
Use/Quantity HUMAN CONSUMPTION / 0.005 CFS
Priority Date 07/29/2020
Stage/Status IR / PROPOSE TO DENY

App# [G-19014](#)
County/Basin Lane / Willamette (2)
Applicant Name HAASE, FREDRICK & LINDA
89258 GREEN HILL RD
EUGENE, OR 97402
Sources/TRSQ40Q160 A WELL > AMAZON CREEK / 17.00S 4.00W 19 NENE
Use/Quantity LIVESTOCK / 0.333 CFS
Priority Date 08/25/2020
Stage/Status IR / PROPOSE TO APPROVE

App# [G-19021](#)
County/Basin Multnomah / Willamette (2)
Applicant Name GRAFF, BRAD
13610 NW SKYLINE BLVD
PORTLAND, OR 97231
Sources/TRSQ40Q160 A WELL > MCCARTHY CREEK / 2.00N 2.00W 25 SESE
Use/Quantity POND MAINTENANCE / 0.033 CFS
Priority Date 09/08/2020
Stage/Status IR / PROPOSE TO APPROVE

App# [G-19036](#)
County/Basin Clackamas / Willamette (2)
Applicant Name RUPP, CHUCK & GAIL
32930 SW LADD HILL RD
WILSONVILLE, OR 97070
Sources/TRSQ40Q160 A WELL > WILLAMETTE RIVER / 3.00S 1.00W 30 SWNE
Use/Quantity IRRIGATION / 0.022 CFS
Stage/Status IR / PROPOSE TO DENY

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App# [S-89102](#)
County/Basin Lane / Willamette (2)
Applicant Name TEMPLE, JAMES
89100 HALE RD
NOTI, OR 97461
Sources/TRSQ40Q160 A SPRING > POODLE CREEK / 17.00S 6.00W 20 NESW
Use/Quantity DOMESTIC EXPANDED / 0.010 CFS
Priority Date 05/03/2021
Stage/Status IR / PROPOSE TO DENY

App# [G-19145](#)
County/Basin Curry / South Coast (17)
Applicant Name O'DONNELL, CHARLES
93141 FLORAS LAKE RD
LANGLOIS, OR 97450
Sources/TRSQ40Q160 A WELL > FLORAS CREEK / 31.00S 15.00W 9 SWNW
Use/Quantity CRANBERRY / 0.140 CFS
Priority Date 06/08/2021
Stage/Status IR / PROPOSE TO DENY

App# [G-19171](#)
County/Basin Josephine / Rogue (15)
Applicant Name HENSON, BRANDON D.
2950 QUARTZ CREEK RD
MERLIN, OR 97532
Sources/TRSQ40Q160 A WELL > QUARTZ CREEK / 35.00S 6.00W 8 NWNW
Stage/Status IR / PROPOSE TO DENY

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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# [S-88458](#)
County/Basin Umatilla / Umatilla (7)
Applicant Name ST HILAIRE BROTHERS HERMISTON FARM LLC
ST HILAIRE, CARL
84186 HIGHWAY 37
HERMISTON, OR 97838
Priority Date 09/08/2017
Issue Date 01/07/2022
Status APPROVED

App# [S-88785](#)
County/Basin Morrow, Umatilla / Umatilla (7)
Applicant Name COLD SPRING CANYON LLC
31056 E WALLS RD
HERMISTON, OR 97838
Priority Date 12/09/2019
Issue Date 01/07/2022
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 March 12, 2022.

App#	R-89191
County/Basin	Yamhill / Willamette (2)
Applicant Name	SARBANAND ENTERPRISES LLC ATTN: MATT HOEZEE 786 RD 188 DELANO, CA 93215
Sources/TRSQ40Q160	RUNOFF > SOUTH YAMHILL RIVER / 5.00S 5.00W 35 NESW
Use/Quantity	MULTIPLE PURPOSE / 112.000 AF
Priority Date	12/10/2021

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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 **February 10, 2022**. 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 rediversion point(s).

App# [S-89193](#)
County/Basin Jackson / Rogue (15)
Applicant Name WHITE, RONALD
5333 ROGUE RIVER DR
EAGLE POINT, OR 97524
Sources/TRSQ40Q160 A RESERVOIR > ROGUE RIVER / 34.00S 1.00W 20 SESE
Use/Quantity NURSERY USES / 4.000 AF
Priority Date 12/20/2021

App# [S-89189](#)
County/Basin Douglas / Umpqua (16)
Applicant Name COUNCIL GROVE FARM
MADISON, DAVID & CLAUDIA
1916 MADISON RD
OAKLAND, OR 97462
Sources/TRSQ40Q160 UMPQUA RIVER > PACIFIC OCEAN / 23.00S 7.00W 19 SWSE
A RESERVOIR > COW CREEK / 31.00S 4.00W 28 SWNE
Use/Quantity IRRIGATION / 82.510 AF
Priority Date 12/01/2021

App# [S-89145](#)
County/Basin Douglas / Umpqua (16)
Applicant Name HEARD, DALLAS
13595 OLD HWY 99 S
MYRTLE CREEK, OR 97457
Sources/TRSQ40Q160 A RESERVOIR > COW CREEK / 31.00S 4.00W 28 SWNE
SOUTH UMPQUA RIVER > UMPQUA RIVER / 29.00S 6.00W 2 NENE
Use/Quantity IRRIGATION / 10.000 AF
Priority Date 07/06/2021

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Applications for Allocation of Conserved Water

The following applications for allocation of conserved water have been received pursuant to ORS 537.455 to 537.500 and OAR Chapter 690, Division 18. In reviewing the applications, the Department will consider whether the diversion for the uses allowed under the original water right will be reduced by the conservation project, whether existing water rights will be protected from injury, and whether the project is in compliance with local comprehensive land use plans.

On November 28, 2021, Grimmway Enterprises, Inc., Attn: Matt Vickery, PO Box 81498, Bakersfield, CA 93380, submitted an application for Allocation of Conserved Water under ORS 537.470. Certificate 53731 is for a total of 62.8 cubic feet per second (cfs) from the Columbia River, tributary to the Pacific Ocean, for irrigation of 2971.3 acres, with a priority date of April 2, 1973. The conservation project involves converting from center pivot nozzles to high efficiency (low pressure, low flow) spray nozzles on the center pivots. The project proposes to conserve approx. 12.15 cfs/ 2374.5 AF. The applicant proposes to protect 25% (3.04 CFS, 593.62 AF) of the conserved water instream with 9.11 CFS to be applied to new lands. The project appears to be consistent with the requirements under ORS 537.470. Any party may provide written comments directly related to CW-126 within 20 days of the last date of publication of this notice, by 5:00 pm on January 27, 2022. Comments should be sent to ACW Program, Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301-1266. WRD will review all comments received when determining whether to approve the proposed conservation project.

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Applications for Limited Licenses

A limited license allows the right to use or store water for no more than 5 consecutive years. Use of water under a limited license is subordinate to all other authorized uses and may be shut-off at any time to satisfy those other uses. In addition, the Department may revoke a limited license if its use causes injury to any other water right or minimum perennial streamflow.

Licensees must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after January 25, 2022, upon finding that the proposed water use will not impair or be detrimental to the public interest (OAR 690-340-030).** The public is invited to provide comments that will assist the Director in determining whether the use would impair or be detrimental to the public interest. If the applicant applies for a use that is not one of the standard uses listed in OAR 690-300, the Department may, for the purposes of this notice, assign a named use that is reasonably close to the use actually requested. The public may examine the actual application by clicking the associated hyperlink and then choosing "LL Application" under "Scanned Documents."

App#	LL-1913
County/Basin	Jefferson / Deschutes (5)
Applicant Name	NORTH UNIT IRRIGATION DISTRICT 2024 NW BEECH ST MADRAS, OR 97741
Sources/TRSQ40Q160 Use/Quantity	A RESERVOIR > DESCHUTES RIVER / 14.00S 13.00E 13 SWNE IRRIGATION / 120.000 CFS

App#	LL-1914
County/Basin	Josephine / Rogue (15)
Applicant Name	BLECH, ANDREAS & CAROLE 1867 WILLIAMS HWY #260 GRANTS PASS, OR 97527
Sources/TRSQ40Q160 Use/Quantity	GRAVE CREEK > ROGUE RIVER / 34.00S 5.00W 8 NWSE MINING / 0.810 CFS

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Application for District Permanent Transfer for Non-Use

Pursuant to ORS 540.574, a district which is implementing a conservation plan approved by the Department, has a full-time manager, and has complied with the requirements of ORS 540.572 to 540.580 may request to permanently change the place of use for land within the district boundary no longer irrigated or susceptible of irrigation over a period of four successive irrigation seasons. The application must be submitted no later than the end of the calendar year of the fifth year of Non-Use. Any recently filed Application for District Permanent Water Right Transfer for Non-Use is listed below.

Prior to submitting to the Department an Application for District Permanent Water Right Transfer for Non-Use, the district shall provide written notice meeting the requirements of OAR 690-385-5100 to the user and any security interest holders of record in the land to which the water right is appurtenant.

Upon submitting to the Department an Application for District Permanent Water Right Transfer for Non-Use, the district shall provide notice meeting the requirements of OAR 690-385-5400 to the users of affected lands that a district permanent transfer application was submitted to the Department. The user has the right to protest the application to the Department as described in OAR 690-385-5700 within 60 days of the mailing of the notice. Any user may submit a protest. 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 \$950 protest fee for non-applicants and a \$480 protest fee for the applicant, and filed in accordance with OAR Chapter 690, Division 2.

The Department is requesting public comments to the Application(s) for District Permanent Water Right Transfer for Non-Use listed below. Comments may be submitted by any person (please follow the instructions on the last page of this public notice). **Comments must be received by the Department on or before February 10, 2022.**

To view the District Permanent Transfer Application for Non-Use, click on the link below.

Transfer	T-13883
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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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 \$950 protest fee for non-applicants and a \$480 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 February 10, 2022.**

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-13882
County	Deschutes
Certificate	74145
Priority Date	09/01/1899
Name	SWALLEY IRRIGATION DISTRICT
Address	64672 COOK AVE, SUITE 1 BEND, OR 97703
Use	IRRIGATION
Source	DESCHUTES R > COLUMBIA R

Transfer	T-13884
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 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 February 10, 2022.

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:

City of Veneta (Municipal)

City of Lexington (Municipal)

To review any of the above plan(s) or to provide comments on the plan(s), contact Kerri Cope at 503-979-9544 or Kerri.H.Cope@water.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#	96098
Xfer:	T-12046
County/Basin	Marion / Willamette (2)
Applicant Name	CITY OF AUMSVILLE
Priority Date	08/01/1958
Issue Date	01/11/2022

Cert#	96097
App:	G-10926
County/Basin	Marion / Willamette (2)
Applicant Name	CITY OF AUMSVILLE
Priority Date	04/14/1983
Issue Date	01/11/2022

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OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

January 11, 2022

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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