

STATE OF OREGON

COUNTY OF DOUGLAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DOUGLAS COUNTY PUBLIC WORKS
ROOM 306 COURTHOUSE
ROSEBURG, OREGON 97470

(541) 440-4255

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: S-70716

SOURCE OF WATER: SOUTH UMPQUA RIVER, COW CREEK, AND GALESVILLE RESERVOIR, CONSTRUCTED UNDER PERMIT R-9964, TRIBUTARIES OF UMPQUA RIVER

PURPOSE OR USE: IRRIGATION OF 91.02 ACRES AND SUPPLEMENTAL IRRIGATION OF 206.22 ACRES

MAXIMUM RATE/VOLUME ALLOWED: 1.19 CUBIC FEET PER SECOND (CFS), BEING 0.69 CFS FROM SOUTH UMPQUA RIVER AND 0.5 CFS FROM COW CREEK AND 437.21 ACRE-FEET OF STORED WATER

PERIOD OF USE: APRIL 1 THROUGH APRIL 30 FROM NATURAL FLOW FROM COW CREEK, MARCH 1 THROUGH APRIL 30 FROM NATURAL FLOW FROM SOUTH UMPQUA RIVER, APRIL 1 THROUGH OCTOBER 1 FROM STORED WATER IN THE COW CREEK SUBBASIN, AND MARCH 1 THROUGH OCTOBER 31 FROM STORED WATER IN THE SOUTH UMPQUA SUBBASIN (EXCLUDING THE COW CREEK SUBBASIN)

DATE OF PRIORITY: SEPTEMBER 26, 1990

POINT OF DIVERSION LOCATION:

GALESVILLE RESERVOIR: SW 1/4 NE 1/4, SECTION 28, T31S, R4W, W.M.
2920 FEET NORTH & 2060 FEET WEST FROM THE SE CORNER OF SECTION 28

POINTS OF DIVERSION OF LIVE FLOW AND WITHDRAWAL OF STORED WATER:

COW CREEK DIVERSIONS

CONTRACT I-88-8: NW 1/4 NE 1/4, SECTION 7, T32S, R4W, W.M.; 360 FEET SOUTH AND 790 FEET WEST FROM THE NE CORNER OF NW 1/4 OF NE 1/4

CONTRACT I-88-11: SW 1/4 SW 1/4, SECTION 35, T32S, R6W, W.M.; 1300 FEET NORTH AND 620 FEET EAST FROM THE SW CORNER OF SECTION 35

CONTRACT I-88-12: NW 1/4 NW 1/4, SECTION 33, T30S, R6W, W.M.; 1575 FEET NORTH AND 1235 FEET EAST FROM THE W 1/4 CORNER OF SECTION 33

CONTRACT I-88-18: SW 1/4 SE 1/4, SECTION 33, T31S, R4W, W.M.; 316 FEET NORTH AND 16 FEET EAST FROM THE S 1/4 CORNER OF SECTION 33

CONTRACT I-88-20: NE 1/4 NW 1/4, SECTION 7, T32S, R4W, W.M.; 900 FEET SOUTH AND 400 FEET WEST FROM THE N 1/4 CORNER OF SECTION 7

CONTRACT I-89-4: NE 1/4 SW 1/4, SECTION 32, T32S, R6W, W.M.; 910 FEET SOUTH AND 920 FEET WEST FROM THE CENTER OF SECTION 32

CONTRACT I-89-5: NE 1/4 NW 1/4, SECTION 4, T33S, R6W, W.M.; 30 FEET SOUTH AND 1160 FEET WEST FROM THE N 1/4 CORNER OF SECTION 4

CONTRACT I-90-2: NE 1/4 NW 1/4, SECTION 23, T32S, R5W, W.M.; 1100 FEET SOUTH AND 1770 FEET EAST FROM THE NW CORNER OF SECTION 23

CONTRACT I-90-3: SE 1/4 SE 1/4, SECTION 6, T32S, R4W, W.M.; 1220 FEET NORTH AND 1000 FEET WEST FROM THE SE CORNER OF SECTION 6

SOUTH UMPQUA RIVER DIVERSIONS

CONTRACT I-88-7: NW 1/4 NW 1/4, SECTION 19, T27S, R5W, W.M.; 40 FEET NORTH AND 20 FEET EAST FROM THE NW CORNER OF ROSE DLC 39

CONTRACT I-88-9: SE 1/4 NE 1/4, SECTION 9, T27S R6W, W.M.; 740 FEET NORTH AND 1230 FEET WEST FROM THE E 1/4 CORNER OF SECTION 9

CONTRACT I-88-10: NW 1/4 NW 1/4, SECTION 19, T27S, R5W, W.M.; 15 FEET WEST FROM THE NW CORNER OF ROSE DLC 39

CONTRACT I-88-13: SW 1/4 NE 1/4, SECTION 16, T27S, R6W, W.M.; 1330 FEET SOUTH AND 1670 FEET WEST FROM THE NE CORNER OF SECTION 16

CONTRACT I-88-14: NE 1/4 SW 1/4, SECTION 14, T27S, R6W, W.M.; 167 FEET NORTH AND 294 FEET EAST FROM THE SOUTHERN MOST CORNER LOT 2, BLOCK 1, GLENN ACRES SUBDIVISION

CONTRACT I-88-15: NE 1/4 SW 1/4, SECTION 14, T27S R6W, W.M.; 27 FEET NORTH AND 424 FEET EAST FROM THE SOUTHERN MOST CORNER LOT 2, BLOCK 1, GLENN ACRES SUBDIVISION

CONTRACT I-88-16: NE 1/4 SW 1/4, SECTION 14, T27S, R6W, W.M.; 260 FEET NORTH AND 251 FEET EAST FROM THE SOUTHERN MOST CORNER LOT 2, BLOCK 1, GLENN ACRES SUBDIVISION

CONTRACT I-88-17: SW 1/4 SE 1/4, SECTION 16, T27S, R6W, W.M.; 179 FEET NORTH AND 21 FEET EAST FROM THE NORTHERN MOST CORNER, LOT 4, BLOCK 2, SHORT ACRES SUBDIVISION

CONTRACT I-88-19: NE 1/4 SW 1/4, T27S, R6W, SECTION 25, W.M.; 580 FEET SOUTH AND 870 FEET WEST FROM THE CENTER OF SECTION 25

CONTRACT I-88-22: SW 1/4 NW 1/4, SECTION 14, T27S, R6W, W.M.; 2429 FEET SOUTH AND 1073 FEET EAST FROM THE NW CORNER OF SECTION 14

CONTRACT I-89-1: NE 1/4 SW 1/4, SECTION 14, T27S, R6W, W.M.; 325 FEET NORTH AND 155 FEET EAST FROM THE SOUTHERN MOST CORNER LOT 2, BLOCK 1, GLENN ACRES SUBDIVISION

CONTRACT I-89-2: NE 1/4 SW 1/4, SECTION 13, T27S, R6W, W.M.; 2670 FEET SOUTH AND 210 FEET EAST FROM THE NW CORNER OF DLC 56

CONTRACT I-89-3: NW 1/4 NE 1/4, SECTION 5, T30S, R5W, W.M.; 680 FEET SOUTH AND 2210 FEET WEST FROM THE NE CORNER OF SECTION 5

CONTRACT I-89-6: SE 1/4 NW 1/4, SECTION 14, T27S, R6W, W.M.; 2710 FEET NORTH AND 1360 FEET EAST FROM THE SW CORNER OF SECTION 14

CONTRACT I-89-7: NE 1/4 NE 1/4, SECTION 5, T27S, R6W, W.M.; 600 FEET SOUTH AND 1180 FEET WEST FROM THE NE CORNER OF SECTION 5

CONTRACT I-89-8: NE 1/4 SW 1/4, SECTION 14, T27S, R6W, W.M.; 1710 FEET NORTH AND 1940 FEET EAST FROM THE SW CORNER OF SECTION 14

CONTRACT I-89-9: SW 1/4 SW 1/4, SECTION 7, T30S, R5W, W.M.; 840 FEET NORTH AND 250 FEET EAST FROM THE SW CORNER OF SECTION 7

CONTRACT I-90-1: SW 1/4 NE 1/4, SECTION 2, T28S, R6W, W.M.; 3710 FEET NORTH AND 2710 FEET EAST FROM THE SW CORNER OF SECTION 2

CONTRACT I-90-4: SW 1/4 SW 1/4, SECTION 35, T27S, R6W, W.M.; 350 FEET NORTH AND 180 FEET EAST FROM THE SW CORNER OF SECTION 35

CONTRACT I-90-5: SE 1/4 SE 1/4, SECTION 32, T26S, R6W, W.M.; 110 FEET NORTH AND 490 FEET WEST FROM THE SE CORNER OF SECTION 32

CONTRACT I-90-6 POD #1: NW 1/4 NE 1/4, SECTION 4, T29S, R6W, W.M.; 70 FEET SOUTH AND 20 FEET EAST FROM THE N 1/4 CORNER OF SECTION 4

CONTRACT I-90-6 POD #2: SW 1/4 SE 1/4, SECTION 4, T29S, R6W, W.M.; 75 FEET NORTH AND 120 FEET EAST FROM THE N 1/4 CORNER OF SECTION 4

CONTRACT I-90-7: NE 1/4 SW 1/4, SECTION 13, T27S, R6W, W.M.; 2030 FEET NORTH AND 580 FEET WEST FROM THE SW CORNER OF HUNTLEY DLC 56

CONTRACT I-90-8: SE 1/4 NW 1/4, SECTION 4, T27S, R6W, W.M.; 4330 FEET NORTH AND 300 FEET EAST FROM THE INTERIOR CORNER ON THE WEST BOUNDARY OF MCKINNEY DLC 50

CONTRACT I-90-9: NE 1/4 NE 1/4, SECTION 4, T29S, R6W, W.M.; 450 FEET SOUTH AND 1580 FEET EAST FROM THE N 1/4 CORNER OF SECTION 4

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-SEVENTIETH of one cubic foot per second (or its equivalent) and 3.5 acre-feet from within the Cow Creek subbasin and ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet within the South Umpqua basin for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

**PRIMARY IRRIGATION FROM COW CREEK AND
SUPPLEMENTAL IRRIGATION FROM GALESVILLE RESERVOIR
WITHIN THE COW CREEK SUBBASIN:**

<u>CONTRACT</u>	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
I-88-8	SW 1/4 SE 1/4 SE 1/4 SE 1/4 SECTION 6	0.7 ACRE 0.1 ACRE
	NE 1/4 NE 1/4 NW 1/4 NE 1/4 SECTION 7	0.2 ACRES 13.2 ACRE
	TOWNSHIP 32 SOUTH, RANGE 4 WEST, W.M.	
I-88-11	NW 1/4 SW 1/4 1.4 ACRES SW 1/4 SW 1/4 17.1 ACRES SECTION 35	1.4 ACRES 17.1 ACRES
	TOWNSHIP 32 SOUTH, RANGE 6 WEST, W.M.	
I-88-12	NW 1/4 NW 1/4 0.75 ACRE SW 1/4 NW 1/4 0.75 ACRE SECTION 33	0.75 ACRE 0.75 ACRE
	TOWNSHIP 30 SOUTH, RANGE 6 WEST, W.M.	
I-88-18	SE 1/4 SW 1/4 1.0 ACRE SECTION 33	1.0 ACRE
	TOWNSHIP 31 SOUTH, RANGE 4 WEST, W.M.	
I-88-20	NE 1/4 NW 1/4 SECTION 7	2.5 ACRES
	TOWNSHIP 32 SOUTH, RANGE 4 WEST, W.M.	
I-89-4	SE 1/4 NW 1/4 1.40 ACRES NE 1/4 SW 1/4 10.60 ACRES SECTION 32	
	TOWNSHIP 32 SOUTH, RANGE 6 WEST, W.M.	
I-89-5	NE 1/4 NW 1/4 0.75 ACRE SECTION 4	
	TOWNSHIP 33 SOUTH, RANGE 6 WEST, W.M.	

<u>CONTRACT</u>	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
I-90-2	NE 1/4 NW 1/4 1.0 ACRE	1.0 ACRE
	SECTION 23	
	TOWNSHIP 32 SOUTH, RANGE 5 WEST, W.M.	
I-90-3	SE 1/4 SE 1/4 0.51 ACRE	0.51 ACRE
	SECTION 6	
	TOWNSHIP 32 SOUTH, RANGE 4 WEST, W.M.	

**PRIMARY IRRIGATION FROM SOUTH UMPQUA RIVER AND
SUPPLEMENTAL IRRIGATION FROM GALESVILLE RESERVOIR
WITHIN THE SOUTH UMPQUA RIVER SUBBASIN:**

<u>CONTRACT</u>	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
I-88-14	NE 1/4 SW 1/4 0.9 ACRE	0.9 ACRE
	SECTION 14	
	TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	
I-88-15	NE 1/4 SW 1/4 1.0 ACRE	1.0 ACRE
	SECTION 14	
	TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	
I-88-16	NE 1/4 SW 1/4 0.8 ACRE	0.8 ACRE
	SECTION 14	
	TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	
I-88-17	SW 1/4 SE 1/4 1.0 ACRE	1.0 ACRE
	SECTION 16	
	TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	
I-88-22	SW 1/4 NW 1/4 0.35 ACRE	
	SECTION 14	
	TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	
I-89-1	NE 1/4 SW 1/4 0.8 ACRE	
	NW 1/4 SW 1/4 0.2 ACRE	
	SECTION 14	
	TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	
I-89-2	SW 1/4 SW 1/4 0.5 ACRE	
	SE 1/4 SW 1/4 0.1 ACRE	
	SECTION 12	
	NE 1/4 NW 1/4 7.0 ACRES	
	NW 1/4 NW 1/4 3.85 ACRES	
	SE 1/4 NW 1/4 0.4 ACRE	
	SECTION 13	
	TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	

<u>CONTRACT</u>	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
I-89-3	NW 1/4 NE 1/4 0.25 ACRE SECTION 5 TOWNSHIP 30 SOUTH, RANGE 5 WEST, W.M.	
I-89-6	SE 1/4 NW 1/4 1.0 ACRE SECTION 14 TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	
I-89-7	NE 1/4 NE 1/4 10.6 ACRES SE 1/4 NE 1/4 18.2 ACRES NE 1/4 SE 1/4 SE 1/4 SE 1/4 SECTION 5	10.6 ACRES 18.2 ACRES 18.2 ACRES 18.2 ACRES
	NE 1/4 NE 1/4 SECTION 8 TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	1.4 ACRES
I-89-8	NE 1/4 SW 1/4 1.0 ACRE SECTION 14 TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	
I-89-9	SE 1/4 SW 1/4 7.0 ACRES SECTION 7 TOWNSHIP 30 SOUTH, RANGE 5 WEST, W.M.	
I-90-1	SW 1/4 NE 1/4 0.41 ACRE SECTION 2 TOWNSHIP 28 SOUTH, RANGE 6 WEST, W.M.	0.41 ACRE
I-88-7	NW 1/4 NW 1/4 SECTION 19 TOWNSHIP 27 SOUTH, RANGE 5 WEST, W.M.	0.4 ACRE
I-88-9	SW 1/4 NE 1/4 SE 1/4 NW 1/4 SECTION 9 TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	22.2 ACRES 4.2 ACRES
I-88-10	NW 1/4 NW 1/4 SECTION 19 TOWNSHIP 27 SOUTH, RANGE 5 WEST, W.M.	0.3 ACRE
I-88-13	NW 1/4 NE 1/4 SW 1/4 NE 1/4 SECTION 16 TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	0.45 ACRE 0.55 ACRE
I-88-19	NE 1/4 SW 1/4 SECTION 25 TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	1.0 ACRE

<u>CONTRACT</u>	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
I-90-4	NE 1/4 NW 1/4	0.2 ACRE
	NW 1/4 NW 1/4	13.0 ACRES
	SW 1/4 NW 1/4	0.1 ACRE
	SE 1/4 NW 1/4	0.1 ACRE
	SECTION 2	
	NE 1/4 NE 1/4	7.4 ACRES
	SECTION 3	
	TOWNSHIP 28 SOUTH, RANGE 6 WEST, W.M.	
I-90-5	SE 1/4 SE 1/4	0.4 ACRE
	SECTION 32	
	TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.	
	NE 1/4 NE 1/4	13.2 ACRES
	SE 1/4 NE 1/4	8.8 ACRES
	SECTION 5	
	TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	
I-90-6	NW 1/4 NE 1/4	1.0 ACRE
	SECTION 4	
	TOWNSHIP 29 SOUTH, RANGE 6 WEST, W.M.	
I-90-7	NE 1/4 SW 1/4	0.1 ACRE
	SE 1/4 SW 1/4	0.6 ACRE
	SECTION 13	
	TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	
I-90-8	NE 1/4 NW 1/4	0.1 ACRE
	SE 1/4 NW 1/4	7.5 ACRES
	NE 1/4 SW 1/4	8.4 ACRES
	SE 1/4 SW 1/4	2.5 ACRES
	SECTION 4	
	TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	
I-90-9	NE 1/4 NE 1/4	3.8 ACRES
	SECTION 4	
	TOWNSHIP 29 SOUTH, RANGE 6 WEST, W.M.	

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
- D. For the authorized points of diversion on Cow Creek and the South Umpqua River and the points of withdrawal for water released from Galesville Reservoir, where the amount of water authorized for diversion (withdrawal) is less than 0.10 cfs a measuring device shall not be required at this time.

For those points of withdrawal for water released from Galesville Reservoir where the water is being used as a supplemental supply on existing rights of record, a measuring device shall not be required at this time.

The Director may, in the future, require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

The use of water under this right is subject to the terms and conditions of contract No.s I-88-7, I-88-8, I-88-9, I-88-10, I-88-11, I-88-12, I-88-13, I-88-14, I-88-15, I-88-16, I-88-17, I-88-18, I-88-19, I-88-20, I-88-22, I-89-1, I-89-2, I-89-3, I-89-4, I-89-5, I-89-6, I-89-7, I-89-8, I-89-9, I-90-1, I-90-2, I-90-3, I-90-4, I-90-5, I-90-6, I-90-7, I-90-8, and I-90-9 (or satisfactory replacements) between Douglas County and individual water users, and copies of which are on file in the records of the Water Resources Department.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

At the points of diversion on Cow Creek and the South Umpqua River and at the points of withdrawal for water released from Galesville Reservoir the permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject streams without providing a fishway to ensure adequate upstream and downstream passage for fish. The permittee is hereby directed to contact the Oregon Department of Fish and Wildlife Fish Passage Coordinator, Portland, Oregon before beginning construction of any in-channel obstruction.

STANDARD CONDITIONS

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

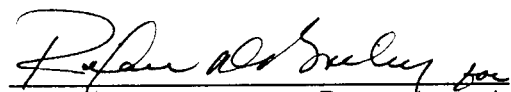
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued October 30, 1996


Water Resources Department
Director

Application S-70716 Water Resources Department
Basin 16 Volume 4A COW CREEK AND MISC.
 Volume 3 SOUTH UMPQUA RIVER AND MISC.
 MGMT CODES 1BF, 1BW

PERMIT 52930
District 15