

STATE OF OREGON

COUNTY OF DOUGLAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DOUGLAS COUNTY PUBLIC WORKS DEPARTMENT  
NATURAL RESOURCES DIVISION  
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-74270

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

PURPOSE OR USE: IRRIGATION OF 121.9 ACRES, SUPPLEMENTAL IRRIGATION OF  
25.34 ACRES, AND INDUSTRIAL USE

MAXIMUM RATE/VOLUME ALLOWED: 2.03 CUBIC FEET PER SECOND (CFS), BEING  
0.01 CFS FROM COW CREEK AND 2.02 CFS FROM SOUTH UMPQUA RIVER, AND 306.2  
ACRE-FEET OF STORED WATER

PERIOD OF USE: IRRIGATION FROM NATURAL FLOW - MARCH 1 THROUGH APRIL 30;  
IRRIGATION FROM STORED WATER - MARCH 1 THROUGH OCTOBER 31 OR AS FURTHER  
LIMITED BY CONTRACT; INDUSTRIAL USE FROM NATURAL FLOW - JANUARY 1  
THROUGH APRIL 30; INDUSTRIAL USE FROM STORED WATER - YEAR ROUND OR AS  
FURTHER LIMITED BY CONTRACT

DATE OF PRIORITY: JUNE 27, 1994

POINT OF DIVERSION LOCATION:

GALESVILLE RESERVOIR: SW 1/4 NE 1/4, SECTION 28, T31S, R4W, W.M.;  
2920 FEET NORTH AND 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-93-1: NE 1/4 NW 1/4, SECTION 33, T30S, R6W, W.M.; 960  
FEET SOUTH AND 820 FEET WEST FROM THE N 1/4 CORNER OF SECTION 33

CONTRACT I-94-1: NW 1/4 SE 1/4, SECTION 33, T31S, R4W, W.M.; 225  
FEET SOUTH AND 450 FEET EAST FROM THE CENTER OF SECTION 33

**SOUTH UMPQUA RIVER DIVERSIONS**

CONTRACT U&I-94-1: NW 1/4 SW 1/4, SECTION 36, T27S, R6W, 36 W.M.; 3000 FEET SOUTH AND 4200 FEET WEST FROM THE NE CORNER OF SECTION 36

CONTRACT I-94-2 #1: NE 1/4 NW 1/4, SECTION 4, T27S, R6W, W.M.; 810 FEET SOUTH AND 2990 FEET WEST FROM THE NE CORNER OF SECTION 4

CONTRACT I-94-2 #2: SW 1/4 NE 1/4, SECTION 4, T27S, R6W, W.M.; 1890 FEET SOUTH AND 2410 FEET WEST FROM THE NE CORNER OF SECTION 4

CONTRACT I-94-3: NE 1/4 NE 1/4, SECTION 3, T29S, R6W, W.M.; 600 FEET SOUTH AND 160 FEET WEST FROM THE NE CORNER OF SECTION 3

CONTRACT I-94-4: SE 1/4 SW 1/4, SECTION 21, T28S, R6W, W.M.; 4880 FEET SOUTH AND 1810 FEET EAST FROM THE NW CORNER OF SECTION 21

CONTRACT I-94-5: SE 1/4 SW 1/4, SECTION 21, T28S, R6W, W.M.; 4880 FEET SOUTH AND 1810 FEET EAST FROM THE NW CORNER OF SECTION 21

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-93-1	SE 1/4 NW 1/4	0.6 ACRE	2.24 ACRE
	SECTION 33		
	TOWNSHIP 30 SOUTH, RANGE 6 WEST, W.M.		
I-94-1	NE 1/4 SW 1/4		2.2 ACRES
	SE 1/4 SW 1/4		1.1 ACRES
	NW 1/4 SE 1/4		12.0 ACRES
	SW 1/4 SE 1/4		2.5 ACRES
	SECTION 33		
	TOWNSHIP 31 SOUTH, RANGE 4 WEST, W.M.		

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**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-94-2	NE 1/4 SE 1/4 7.3 ACRE NW 1/4 SE 1/4 0.7 ACRE SW 1/4 SE 1/4 7.4 ACRES SE 1/4 SE 1/4 41.9 ACRES SECTION 33	
	SW 1/4 SW 1/4 26.4 ACRES SECTION 34	
	TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.	
	NW 1/4 NW 1/4 20.8 ACRES SECTION 3	
	NE 1/4 NE 1/4 16.8 ACRES SECTION 4	
	TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	
I-94-3	NW 1/4 NW 1/4 SECTION 2	2.8 ACRES
	NE 1/4 NE 1/4 SECTION 3	0.5 ACRE
	TOWNSHIP 29 SOUTH, RANGE 6 WEST, W.M.	
I-94-4	SE 1/4 SW 1/4 SECTION 21	1.53 ACRE
	TOWNSHIP 28 SOUTH, RANGE 6 WEST, W.M.	
I-94-5	SE 1/4 SW 1/4 SECTION 21	0.47 ACRE
	TOWNSHIP 28 SOUTH, RANGE 6 WEST, W.M.	
	<u>INDUSTRIAL USE</u>	
U&I-94-1	SW 1/4 NW 1/4 SE 1/4 NW 1/4 NE 1/4 SW 1/4 NW 1/4 SW 1/4 SW 1/4 SW 1/4 SE 1/4 SW 1/4 SECTION 36	
	TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.	

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## 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-93-1, U & I-94-1, I-94-1, I-94-2, I-94-3, I-94-4, and I-94-51 (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.

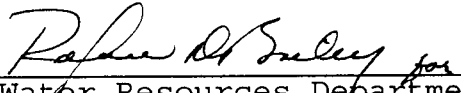
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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.

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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 20, 1996

  
Water Resources Department  
Director