

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (*check and complete one of the following*):

☒ Certificated Right	<u>7787</u>	<u>S-6822</u>
	Certificate Number	Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right	<u></u>	<u></u>
	Name of Decree	Page Number
☐ Permit for which Proof has been Approved	<u></u>	<u></u>
	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	<u></u>	<u></u>
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: City of Cottage Grove
- County: Lane
- Authorized Use(s) to be Affected by Transfer: Municipal
- Priority Date(s): April 28, 1925

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: Dinner Creek

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Tributary to: Layng Creek, Row River, and Coast Fork Willamette River

*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☐ Yes ☐ No ☒ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers?

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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■ Certificate Number or other identifying number: 7787

The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Dinner Creek April 28, 1925	21 S	1 E	WM	29	NW SE		*63.6 chains N 56 degrees 44 minutes E of the SW corner of section 29, T 21 S, R 1 E, WM
						NW/SE 29 30 per No coord.		*Location according to permit application map.

- Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A									

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▪ Certificate Number or other identifying number: 7787

Will the ENTIRE water right be affected by this transfer? ☒ Yes ☐ No

If "Yes", the remainder of this page does not need to be completed. Go on to the next page.

If "No", the following information **must be provided only** for those places of use that are involved in the transfer (i.e., list only the portion of the water right to be affected by the change.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
N/A							

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3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

(NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Dinner Cr. (diverted from Row River)	20 S	3 W	WM	35	NW NW		1000' S and 1050' E from NW Corner of Section 35, T20S R3W W.M.

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▪ Certificate Number or other identifying number: 7787

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☒ N/A - No proposed wells listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A										

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands)

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
N/A							

Remarks: _____

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Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 2385

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☒ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead</u> of the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☐ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (*check and complete one of the following*):

☒ Certificated Right	2385 Certificate Number	S-30 Permit Number or Dec
☐ Adjudicated, Non-certificated Right	Name of Decree	Page Number
☐ Permit for which Proof has been Approved	Permit Number	Date Claim of B Submitted
☐ Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted

Cert
 2385
 POD

▪ Name on Permit, Certificate, or Decree: City of Cottage Grove

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▪ County: Lane

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▪ Authorized Use(s) to be Affected by Transfer: Municipal

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▪ Priority Date(s): June 12, 1909

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

▪ Source(s) of Water to be Affected by Transfer: Lang Creek (a.k.a. Layng Creek)

Tributary to: Row River

*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

▪ Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☐ Yes ☐ No ☒ N/A – No Change in Place of Use or Character of Use

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If "Yes", what are the Permit, Registration or Certificate Numbers? FEB 07 2008

*Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled**, except as provided in OAR 690-380-2240(5).*

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- Certificate Number or other identifying number: 2385

The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Lang Creek* June 12, 1909	21 S	1 E	WM	31	NW NE		313.91' S and 3,277.04' E from the NW corner of Sec. 31 T21S R1E WM. ✓

*Note: POD was changed by Special Order volume 6, page 192.

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- Does the water right being transferred involve a ground water source(s)?
☐ Yes ☒ No (Surface water source only.)

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If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A									

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If "Yes", the remainder of this page does not need to be completed. Go on to the next page.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

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- Certificate Number or other identifying number: 2385

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

*(NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)*

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Lang Creek (diverted from Row River)	20 S	3 W	WM	35	NW NW		1000' S and 1050'E from the NW corner of Section 35, T20S R3W, WM

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☒ N/A - *No proposed wells listed above.*
- If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)
- If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A										

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February 6, 2008

Doug Parrow
Field Services Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Transfer Application for Water Right Certificates 2385, 7787 and 7838, in the name of the City of Cottage Grove

Dear Mr. Parrow:

On behalf of the applicant, the City of Cottage Grove (City), we are submitting the enclosed Application for Water Right Transfer for Certificates 2385, 7787 and 7838, supporting documentation, and a check totaling \$800 for the required application fee. The transfer application requests a change in the point of diversion for each of these certificates to the City's point of diversion on the Row River adjacent to its water treatment plant.

The City requests that the Department process this transfer application through the Reimbursement Authority Program. Please find enclosed a Reimbursement Authority Estimate Application and a check for \$125 for the required application fee.

As we have discussed in-person, the City is requesting fifteen years from issuance of the final order to complete the change proposed in the enclosed application. The development of the transferred rights will require the construction of expanded treatment facilities that are currently under way but will ultimately be completed in phases. This process will be time-consuming and complex. Consequently, a fifteen-year time period in which to make the proposed changes and fully develop these water rights with the new point of diversion is reasonable.

In addition, there are three aspects of this transfer application to which I would like to alert you.

1) Current Points of Diversion

Current mapping information places Dinner Creek and Prather Creek in different locations than were identified in the original maps for Certificates 7787 and 7838. We do not have any reason to believe these creeks or points of diversion have moved significantly since the 1920s when the original maps were generated. Instead, we believe that the descriptions of the points of diversion

for these certificates are simply re-descriptions (updated descriptions) of the original point of diversion locations. The updated descriptions of these points of diversion are provided on the Current Point of Diversion map (Attachment 2 of the transfer application). The map also contains the original descriptions for these points in parentheses for both certificates. I have attached to this cover letter the original permit application maps for Certificates 7787 and 7838 for your reference. We are not aware of final proof survey maps for these water rights.

2) Place of Use – Certificates 7787 and 7838

The second issue that I would like to make you aware of relates to the place of use for Certificates 7787 and 7838. Both certificates are for municipal water supply purposes for the City of Cottage Grove, however, both erroneously identify the place of use as single quarter-quarters in Township 21 South, Range 1 East. The City of Cottage Grove is not located in either of the identified quarter-quarters. The water right permit applications for these water rights identify these quarter-quarter locations as being the end of Prather Creek Pipe Line and the Dinner Creek Extension of Cottage Grove Pipe Line. The permit applications and permits identify the place of use as being the City of Cottage Grove, Lane County, Oregon. Consequently, our map showing the current place of use for all three certificates shows the City of Cottage Grove, and does not include the quarter-quarters erroneously identified in Certificates 7787 and 7838. The permit applications and permits for Certificates 7787 and 7838 are attached for your review. The City requests correction of the erroneous place of use, and to the extent the Department deems it necessary, the Director could clarify these rights using the process provided in OAR 690-380-9000.

3) Remaining Right for Certificate 2385

Finally, you will note that 0.23 cfs of Certificate 2385 has not been included in this transfer application. The City is in the process of changing the ownership of that 0.23 cfs to the Row River Valley Water District. We will send you a copy of the Water Right Ownership Update form after it is filed with the Department. When the Department issues the remaining right following the transfer of Certificate 2385, we request that the certificate be issued in the name of the Row River Valley Water District.

If you have any questions regarding the enclosed information, please call me at 541-753-0745. Please send copies of all correspondence relating to this application to both the City and to my attention. Thank you for your assistance and I look forward to hearing from you soon.

Sincerely,



GSI Water Solutions, Inc.
Adam Sussman
Senior Water Resources Consultant

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Enclosures: **Cover letter Attachments:**
Original application maps for Certificates 7787 and 7838
Original application for permit and permit for Certificates 7787 and 7838

Transfer Application Attachments:
Application for Water Right Transfer
Supplemental Form A for Certificates 2385, 7787, and 7838
Supplemental Form B
Attachment 1 – Water Right Certificates
Attachment 2 – Transfer Application Maps and Map Waiver
Attachment 3 – Land Use Form
Check totaling \$800 to cover the necessary transfer filing fee
Reimbursement Authority Estimate Application
Check totaling \$125 for Reimbursement Authority application fee

cc: Jan Wellman, City of Cottage Grove

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**WATER RESOURCES DEPT
SALEM, OREGON**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one	
☒ Permanent Transfer	☐ Instream Transfer
☐ Temporary Transfer (1 to 5 yrs.) • total number of years: _____ (begin year: _____) (end year: _____)	☐ Permanent ☐ Time-Limited ☐ Drought Transfer ☐ Other

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2. APPLICANT INFORMATION

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Name: City of Cottage Grove Attn.: Jan Wellman, Public Works Director
First Last

Address: 400 E. Main Street

Cottage Grove OR 97424
City State Zip

Phone: _____ (541) 942-3349
Home Work Other

Fax: (541) 942-1267 E-Mail address: _____

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: GSI Water Solutions, Inc. Attn.: Adam Sussman
First Last

Address: 1600 SW Western Boulevard, Suite 240

Corvallis OR 97333
City State Zip

Phone: _____ (541) 753-0745 (541) 602-5188
Home Work Other

Fax: (541) 754-4211 E-Mail address: asussman@gsiwatersolutions.com

- If an agent is listed above, please check one of the following:
 - ☒ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
 - ☐ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

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4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.		S-30	2385*
2.		S-6822	7787*
3.		S-8582	7838*
4.			
5.	* Please see Attachment 1 for water right certificates		
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
 - ☐ Place of Use ☒ Point of Diversion (POD) ☐ Additional Point of Diversion
 - ☐ Character of Use ☐ Point of Appropriation (POA, or well) ☐ Additional POA
 - ☐ Instream Transfer ☐ Surface Water POD to Ground Water POA
 - ☐ Substitution of Supplemental Groundwater right for Primary Surface water right
 - ☐ Historic POD change ☐ Other
- Reason(s) for change(s): The City of Cottage Grove intends to transfer of the point of diversion for the identified municipal water rights to its Row River water treatment plant. The City will cease to use the Layng Creek water treatment plant.

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system or the system that **was in place** at some time within the last 5 years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

These are municipal water rights evidenced by water right certificates (2385, 7787, and 7838). Water is diverted from the creeks and delivered to the City's Layng Creek water treatment plant through two pipelines. Following treatment, water flows to the City's two storage reservoirs on Knox Hill, and gravity flows from there into the City's water distribution system for use throughout the City of Cottage Grove.

- System capacity: * cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

*These are municipal water rights evidenced by water rights certificates (2385, 7787, and 7838).

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6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☒ Yes ☐ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☒ Yes ☐ No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

Row River Valley Water District – PO Box 1, Dorena OR 97434

8. LOCAL GOVERNMENTS

- List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).

City of Cottage Grove, 400 Main Street, Cottage Grove, OR 97424

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9. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred?

☐ Yes ☐ No ☒ N/A – No change in place of use is proposed

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners (for Permanent Transfers see Section 12(c)):

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☐ Yes ☐ No ☒ N/A – No change in place of use is proposed

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check one of the following:

☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

☐ N/A.

10. Other Remarks (optional)

The City is proposing to move the points of diversion for the listed water rights downstream to the existing point of diversion for the Row River Water Treatment Plant. The place of use for all three certificates will remain the City of Cottage Grove.

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11. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- ☒ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- ☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☒ The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

- ☒ *Water Right Transfer*
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- ☐ *Temporary Transfer or Historical POD Change*
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☒ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information For Proposed Changes:

For Instream Transfers:

- ☐ Notice of the intent to file an instream transfer application has been provided to each affected local government along the proposed reach, and copies of the notices are enclosed. (*For instream transfers a Land Use Information Form is not required.*)

For All Other Transfers:

- ☒ Land Use Information Form is enclosed; *or*
- ☐ All of the following criteria are met, therefore a Land Use Information Form is not required:
- ① In EFU zone or irrigation district,
 - ② Change in place of use only,
 - ③ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ④ Irrigation only.

Fees:

- ☒ Amount enclosed: \$ 800
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- ☐ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- ☐ If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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WATER RESOURCES DEPT
SALEM, OREGON

Before submitting your application to the Department, be sure you have:

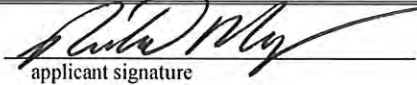
- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

12. SIGNATURES

▪ Check one of the following, as appropriate, and sign the application in the signature box below:

- ☐ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:
- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a notarized statement consenting to the transfer (attached) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.
- ☐ I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of ownership and lien information, and any required lienholder notification are enclosed, demonstrating that I am (we are) authorized to pursue the transfer. I (we) understand that we may be required to provide additional information upon receipt of the draft Preliminary Determination.
- ☒ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is NOT required to provide the above described report of ownership and lien information.
- ☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.
- ☐ I (we) affirm that this is a temporary transfer and a copy of the deed for the "from" land (and affidavits of consent from any other landowners, if applicable) is enclosed.

▪ I (we) affirm that the information contained in this application is true and accurate.

 applicant signature	Richard Meyers, City Manager name and title if applicable (print)	January 21, 2008 date
 applicant signature	 name and title if applicable (print)	 date

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**WATER RESOURCES DEPT
SALEM, OREGON**

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Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 7838

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☒ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead</u> of the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☐ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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WATER RESOURCES DEPT
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2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

☒ Certificated Right	7838	S-8582
	Certificate Number	Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right	_____	_____
	Name of Decree	Page Number
☐ Permit for which Proof has been Approved	_____	_____
	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	_____	_____
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: City of Cottage Grove
- County: Lane
- Authorized Use(s) to be Affected by Transfer: Municipal
- Priority Date(s): June 18, 1928

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: Prather Creek

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Tributary to: Laying Creek and Row River

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*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☐ Yes ☐ No ☒ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers?

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

▪ Certificate Number or other identifying number: 7838

*The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.*

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Prather Creek June 18, 1928	21 S	1 E	W.M.	30	SE SW		* N 64 degrees 30 minutes E 1170 feet from the SW corner of section 30, T 21 S, R 1 E, WM.
								* According to permit application map.

▪ Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. *Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)*

or

B. *If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.*

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

*Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.*

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A									

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SALEM, OREGON**

▪ Certificate Number or other identifying number: 7838

Will the ENTIRE water right be affected by this transfer? ☒ Yes ☐ No

If "Yes", the remainder of this page does not need to be completed. Go on to the next page.

If "No", the following information **must be provided** only for those places of use that **are involved in the transfer (i.e., list only the portion of the water right to be affected by the change.)**
Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
N/A							

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**WATER RESOURCES DEPT
SALEM, OREGON**

T 10530

■ Certificate Number or other identifying number: 7838

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

*(NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)*

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Prather Cr. (diverted from Row River)	20 S	3 W	WM	35	NW NW		1000' S and 1050' E from NW Corner of Section 35, T20S R3W W.M.

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☒ N/A - No proposed wells listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

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Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A										

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▪ Certificate Number or other identifying number: 7838

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands)

(NOTE: Complete this table **only** if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
N/A							

Remarks: _____

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**WATER RESOURCES DEPT
SALEM, OREGON**

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 7787

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☒ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead</u> of the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☐ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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WATER RESOURCES DEPT
SALEM, OREGON

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2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

☒ Certificated Right	7787	S-6822
	Certificate Number	Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right		
	Name of Decree	Page Number
☐ Permit for which Proof has been Approved		
	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed		
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: City of Cottage Grove
- County: Lane
- Authorized Use(s) to be Affected by Transfer: Municipal
- Priority Date(s): April 28, 1925

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: Dinner Creek

Tributary to: Layng Creek, Row River, and Coast Fork Willamette River

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☐ Yes ☐ No ☒ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers?

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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▪ Certificate Number or other identifying number: 7787

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Dinner Creek April 28, 1925	21 S	1 E	WM	29	NW SE		*63.6 chains N 56 degrees 44 minutes E of the SW corner of section 29, T 21 S, R 1 E, WM
								*Location according to permit application map.

▪ Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. *Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)*

or

B. *If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.*

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

*Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.*

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A									

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▪ Certificate Number or other identifying number: 7787

Will the ENTIRE water right be affected by this transfer? ☒ Yes ☐ No

If "Yes", the remainder of this page does not need to be completed. Go on to the next page.

If "No", the following information **must be provided** only for those places of use that **are involved in the transfer** (i.e., list only the portion of the water right to be affected by the change.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
N/A							

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WATER RESOURCES DEPT
SALEM, OREGON

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

(NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Dinner Cr. (diverted from Row River)	20 S	3 W	WM	35	NW NW		1000' S and 1050' E from NW Corner of Section 35, T20S R3W W.M.

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▪ Certificate Number or other identifying number: 7787

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☒ N/A - No proposed wells listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A										

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands)

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
N/A							

Remarks: _____

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**WATER RESOURCES DEPT
SALEM, OREGON**

10530

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 2385

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☒ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☐ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

☒ Certificated Right	2385 Certificate Number	S-30 Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right	 Name of Decree	 Page Number
☐ Permit for which Proof has been Approved	 Permit Number	 Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	 Previous Transfer Number	 Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: City of Cottage Grove
- County: Lane
- Authorized Use(s) to be Affected by Transfer: Municipal
- Priority Date(s): June 12, 1909

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: Lang Creek (a.k.a. Layng Creek)

Tributary to: Row River

*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☐ Yes ☐ No ☒ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? _____

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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▪ Certificate Number or other identifying number: 2385

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Lang Creek* June 12, 1909	21 S	1 E	WM	31	NW NE		313.91' S and 3,277.04' E from the NW corner of Sec. 31 T21S R1E WM.

*Note: POD was changed by Special Order volume 6, page 192.

- Does the water right being transferred involve a ground water source(s)?
☐ Yes ☒ No (Surface water source only.)

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If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. *Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)*

or

B. *If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary*

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A									

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▪ Certificate Number or other identifying number: 2385

Will the ENTIRE water right be affected by this transfer? ☐ Yes ☒ No

If “Yes”, the remainder of this page does not need to be completed. Go on to the next page.

If “No”, the following information must be provided only for those places of use that are involved in the transfer (i.e., list only the portion of the water right to be affected by the change.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

[illegible]

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- Certificate Number or other identifying number: 2385

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Lang Creek (diverted from Row River)	20 S	3 W	WM	35	NW NW		1000' S and 1050'E from the NW corner of Section 35, T20S R3W, WM

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☒ N/A - *No proposed wells listed above.*
- *If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)*
- *If "No", describe the anticipated construction for the proposed well(s) in the following table:*

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A										

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▪ Certificate Number or other identifying number: 2385

Location of Proposed Place of Use: (i.e., the "TO" lands)

(NOTE: Complete this table *only* if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼, ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
N/A							

Remarks: A 0.23 cfs portion of this water right will continue to be diverted at the existing point of diversion and the water will be used by Row River Valley Water District.

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Kim Grigsby

From: Dorothy Pedersen [pedersdi@wrdd.state.or.us]
Sent: Friday, December 28, 2007 3:29 PM
To: Kim Grigsby
Subject: RE: map waiver

Hi Kim,

The use of the 1" to 2640' scale is approved for these maps, considering that scale allows the entire place of use to fit on 8½" by 11" paper.

Before submitting the maps, however, please review the OAR 690-380-3100 requirements. I did not notice the authorized point of diversion on either map. If the entire rights are to be transferred and there is a final proof map that shows the authorized point of diversion and includes all the required elements, it may be submitted as a "from" map. Otherwise, you need to show the authorized point of diversion on the transfer map.

I am also assuming that all three rights share the exact place of use--otherwise we'll need to have any differences noted by hatchuring or separate maps.

Thanks,
Dorothy

From: Kim Grigsby [mailto:KGrigsby@GSIWaterSolutions.com]
Sent: Wednesday, December 26, 2007 12:48 PM
To: PEDERSEN Dorothy I
Subject: map waiver

Hi Dorothy,

We are in the process of completing maps for a transfer application for the City of Cottage Grove. As part of that process, I would like to request a waiver for the map scale for the two attached maps.

I hope you are having a wonderful holiday season.

Regards,
Kim

Kimberly Grigsby
Water Resources Consultant
GSI Water Solutions, Inc.
1600 Western Blvd., Suite 240
Corvallis, OR 97333
Phone: 541-753-0745 ext. 13

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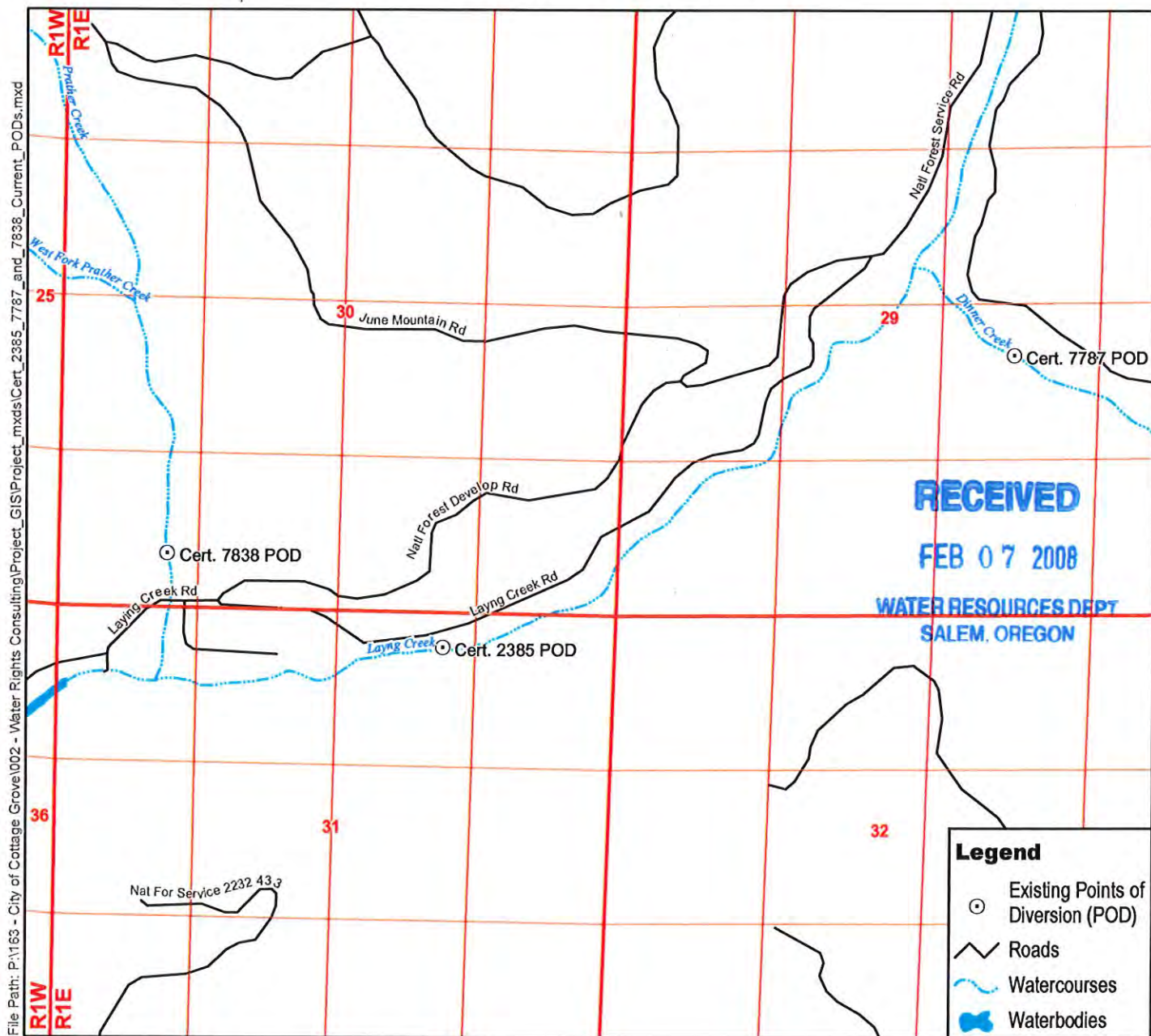
**WATER RESOURCES DEPT
SALEM, OREGON**

Application for a Water Right Transfer

Current Points of Diversion

Certificates 2385, 7787, and 7838

Township 21 South, Range 1 East (W.M.)



POD Legal Descriptions

Point of Diversion for Cert. 2385

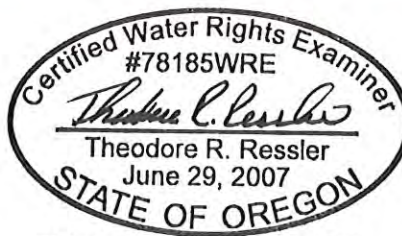
Located 2,200 feet North and 2,070 feet East from the NW corner of Section 31, Township 21 South, Range 1 East (W.M.)

Point of Diversion for Cert. 7787

Located 2,200 feet North and 2,070 feet West from the SE corner of Section 29, Township 21 South, Range 1 East (W.M.)
(Application described as located at a bearing of N56° 44'E and a distance of 63.6 chains from the SW corner of Section 29, Township 21 South, Range 1 East (W.M.))

Point of Diversion for Cert. 7838

Located 459 feet North and 917 feet East from the SW corner of Section 30, Township 21 South, Range 1 East (W.M.)
(Application described as located at a bearing of N64° 30'E and a distance of 1,170 feet from the SW corner of Section 30, Township 21 South, Range 1 East (W.M.))



EXPIRES: 12-31-2008



Scale

0 660 1,320
1 inch equals 1320 feet

Map Information

Projection: Oregon State Plane North Zone

Datum: North American Datum of 1983

Date: December 19, 2007

Prepared By: GSI Water Solutions, Inc.

Data Sources

OWRD, ESRI, Oregon Geospatial Data Clearinghouse

Note

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.



T 10530

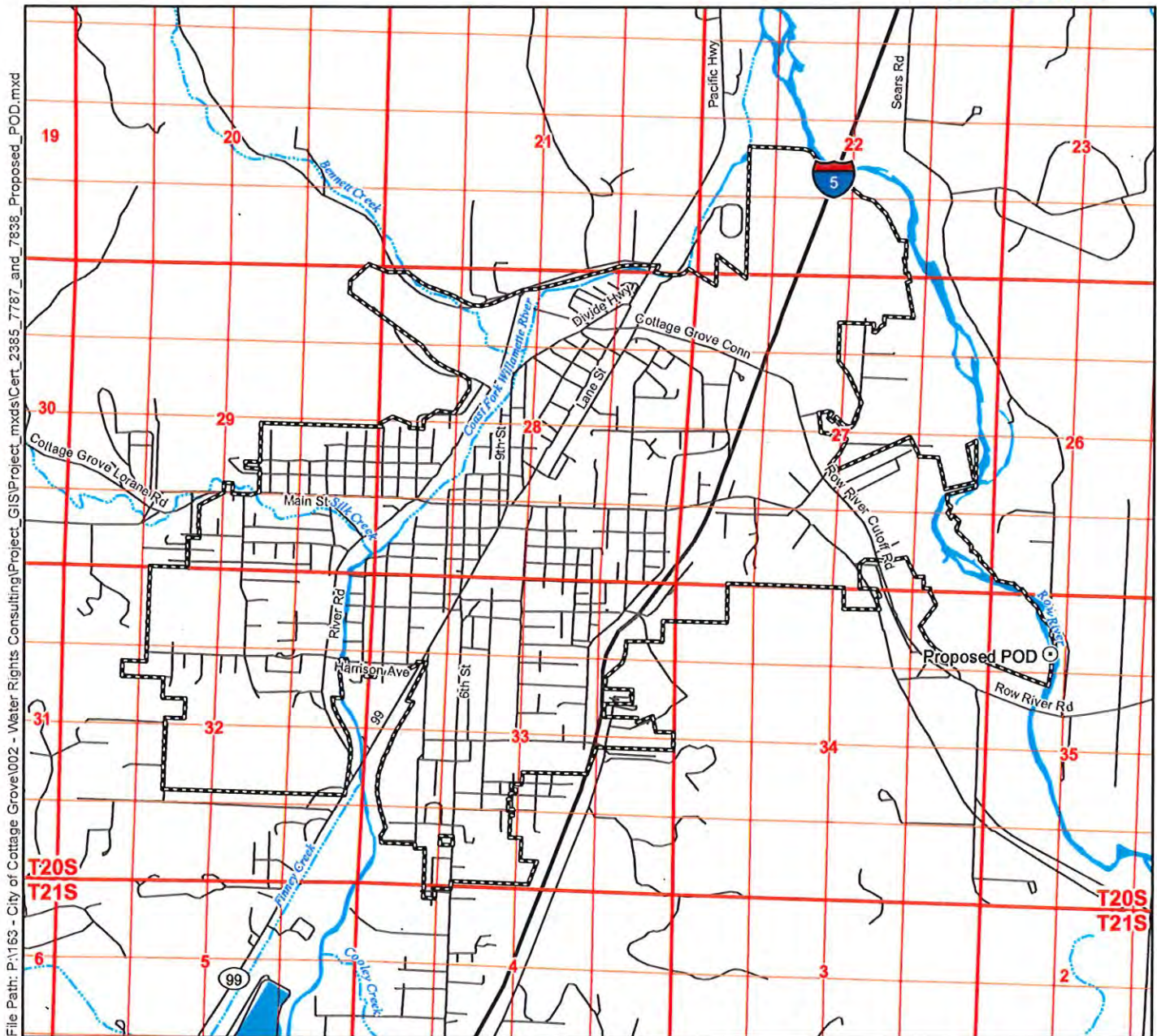
Application for a Water Right Transfer Proposed Point of Diversion

Certificates 2385, 7787, and 7838
Townships 20 & 21 South, Range 3 West (W.M.)

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SALEM, OREGON



Legend

- Proposed Point of Diversion (POD)
- ⊞ Cottage Grove City Limits
- ≡ Freeways and Highways
- Roads
- ~ Watercourses
- Waterbodies

POD Legal Description

Proposed Point of Diversion
Located 1,000 feet South and 1,050 feet East from the NW corner
of Section 35, Township 20 South, Range 3 West (W.M.)



T 10530



Scale

0 1,320 2,640
1 inch equals 2640 feet

Map Information

Projection: Oregon State Plane North Zone
Datum: North American Datum of 1983
Date: December 16, 2007
Prepared By: GSI Water Solutions, Inc.

Data Sources

OWRD, ESRI, Oregon Geospatial Data Clearinghouse

Note

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.



Application for a Water Right Transfer

Current Place of Use

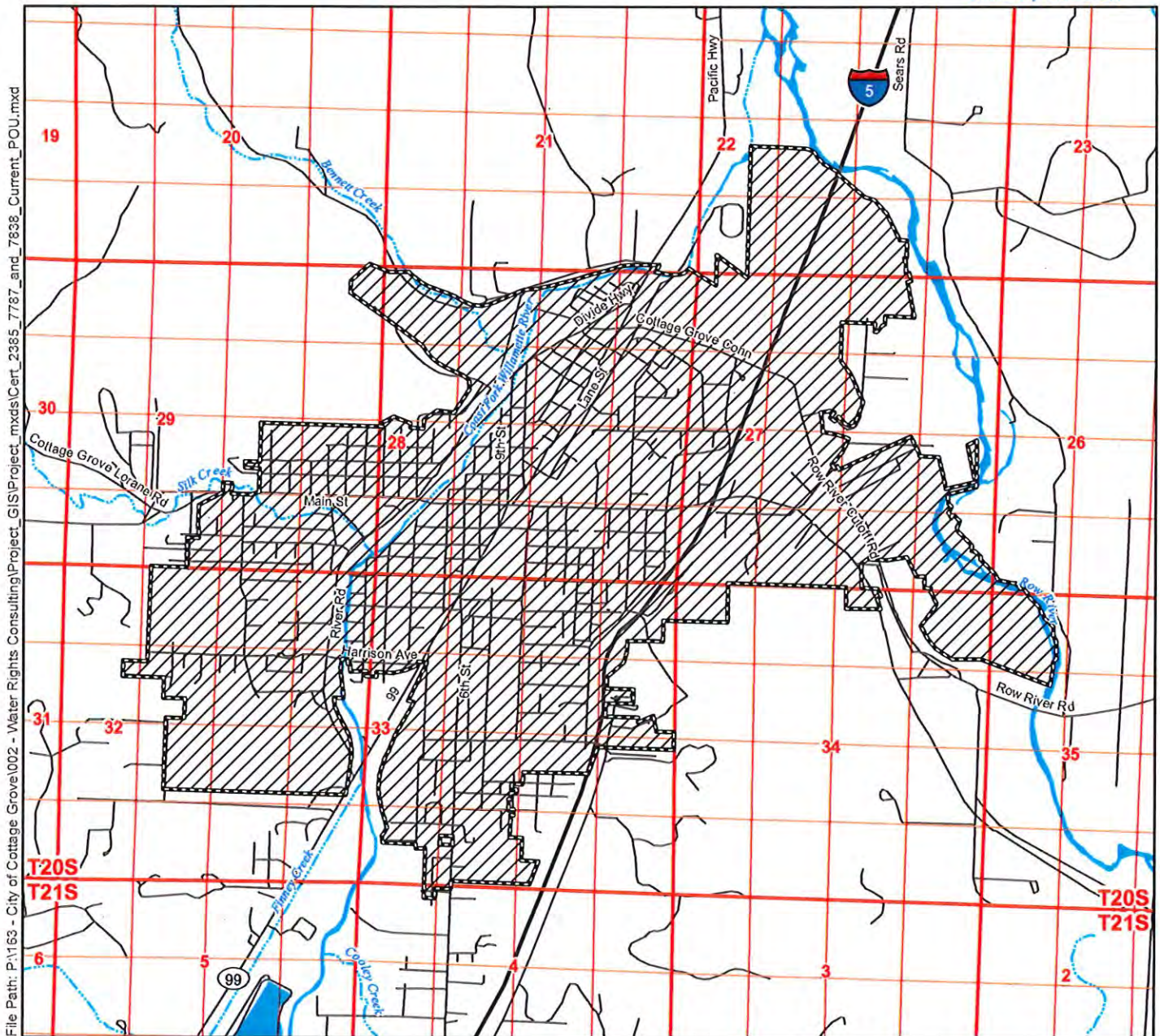
Certificates 2385, 7787, and 7838

Townships 20 & 21 South, Range 3 West (W.M.)

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WATER RESOURCES DEPT
SALEM, OREGON



Legend

- Current Place of Use (POU)
- Cottage Grove City Limits
- Freeways and Highways
- Roads
- Watercourses
- Waterbodies



EXPIRES: 12-31-2008

T 10530

POU Description

Within the City of Cottage Grove's Service Area



Scale
0 1,320 2,640
1 inch equals 2640 feet

Map Information

Projection: Oregon State Plane North Zone

Datum: North American Datum of 1983

Date: December 20, 2007

Prepared By: GSI Water Solutions, Inc.

Data Sources

OWRD, ESRI, Oregon Geospatial Data Clearinghouse

Note

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.



Sarah Henderson

From: Adam Sussman [ASussman@GSIWaterSolutions.com]
Sent: Tuesday, February 05, 2008 2:42 PM
To: Debbie Colbert; douglas.m.parrow@state.or.us
Cc: Sarah Henderson; Dorothy Pedersen
Subject: Cottage Grove Transfer

Debbie and Doug:

I hope things are going well for you.

I just wanted to let you know that tomorrow we will be submitting the transfer we discussed for City of Cottage Grove. We are not proposing an instream transfer; rather we are changing the point of diversion for the three upper watershed water rights (except 0.23 cfs) to the Row River point of diversion. Consistent with our conversation, we are requesting no less than 15 years to complete the change.

Per Doug's instructions we have addressed the cover letter (which highlights a few application issues) to Doug so that he can help staff and the Reimbursement Authority Contractor understand the history associated with the application.

The transfer application package is addressed to Sarah.

Thanks again for your time to talk through this application – much appreciated.

Let me know if you need anything else.

Sincerely,

Adam Sussman
Senior Water Resources Consultant
GSI Water Solutions
1600 Western Blvd., Suite 240
Corvallis, OR 97333

Phone: 541-753-0745 ex. 11
Cell: 541-602-5188

T 10530

Sarah Henderson

From: Debbie Colbert
Sent: Tuesday, February 05, 2008 5:57 PM
To: Adam Sussman; douglas.m.parrow@state.or.us
Cc: Sarah Henderson; Dorothy Pedersen
Subject: RE: Cottage Grove Transfer

Thanks, Adam, for the heads up.

Sarah and Dorothy - since Doug is out of the office this week, let me when this comes in and I'll get you up to speed on our previous conversation with Adam.
Debbie

From: Adam Sussman [mailto:ASussman@GSIWaterSolutions.com]
Sent: Tuesday, February 05, 2008 2:42 PM
To: Debbie Colbert; douglas.m.parrow@state.or.us
Cc: Sarah Henderson; Dorothy Pedersen
Subject: Cottage Grove Transfer

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Sincerely,

Adam Sussman
Senior Water Resources Consultant
GSI Water Solutions
1600 Western Blvd., Suite 240
Corvallis, OR 97333

Phone: 541-753-0745 ex. 11
Cell: 541-602-5188

T 10530

Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)
) ss
 County of Lane)

I, Jan Wellman, in my capacity as City of Cottage Grove Public Works Director,
 mailing address 400 E. Main Street, Cottage Grove OR 97424
 telephone number (541) 942-3349, being first duly sworn depose and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- ☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; **or**
- ☒ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- ☒ Personal observation ☒ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
								All three certificates:
								2385
								7787
								7838

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SALEM, OREGON**

I 10530

(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):
Municipal water supply for the City of Cottage Grove _____

5. The water delivery system used to apply water as authorized by the right is described below:

Water from the subject sources is delivered to the City's Layng Creek water treatment plant through two pipelines. Following treatment, the water then flows to the City's two storage reservoirs on Knox Hill, and gravity flows from there into the City's water distribution system.

6. One or more of the following documentation supporting the above statements is attached:

- ☐ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☐ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☐ Dedicated power usage records or receipts,
- ☐ Instream lease number _____,

x Other: _____

Pursuant to ORS 540.610(2)(a), a presumption of forfeiture is rebutted if the water right is held by a city for reasonable and usual municipal purposes. Certificates 2385, 7787, and 7838 are held by the City of Cottage Grove for reasonable and usual municipal purposes. _____

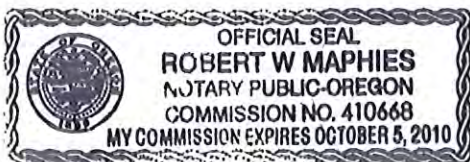
Jan C. Hillman
Signature of Affiant

January 21, 2008
Date

Signed and sworn to (or affirmed) before me this 21st day of JANUARY, 2008.

Robert W. Maphies

Notary Public for Oregon



My Commission Expires: 10/5/2010

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**WATER RESOURCES DEPT
SALEM, OREGON**

T 10530

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

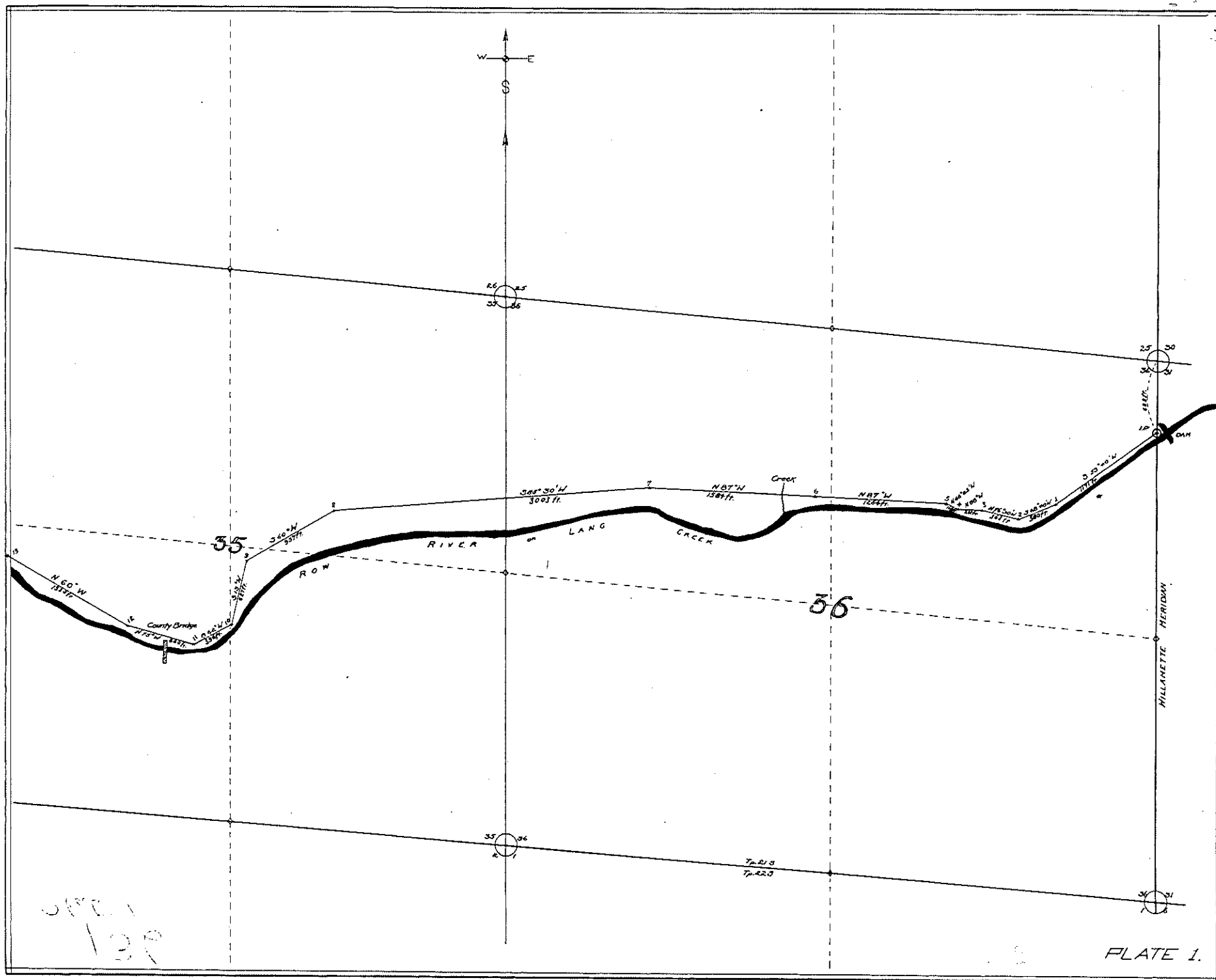
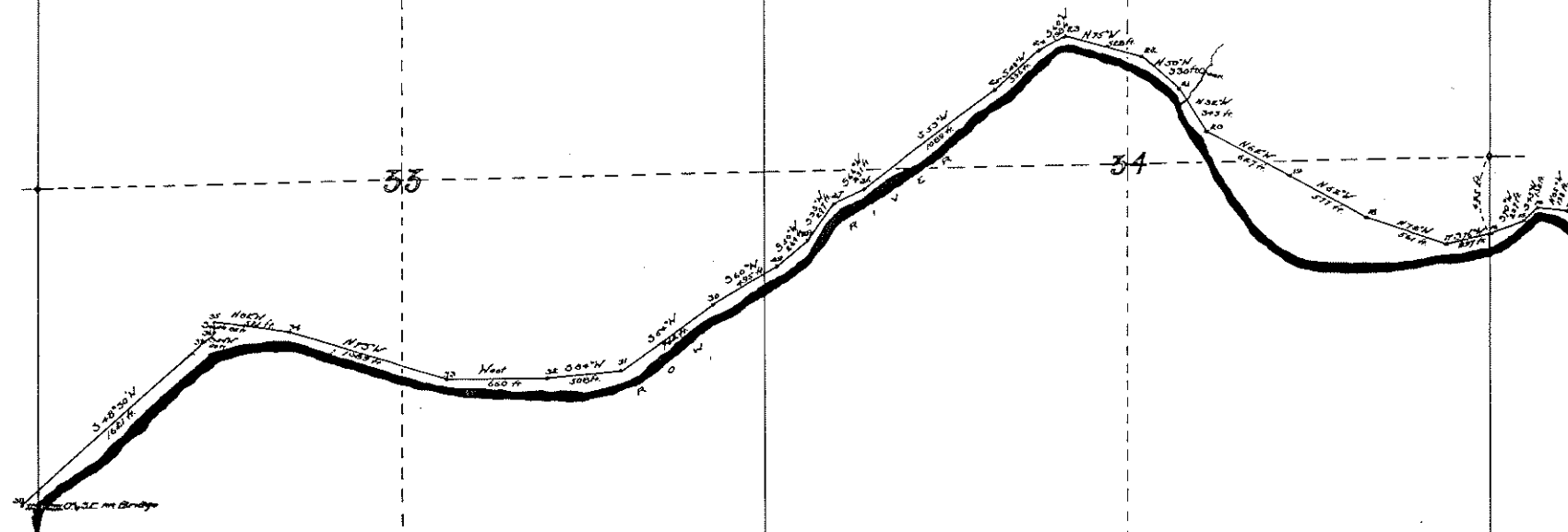


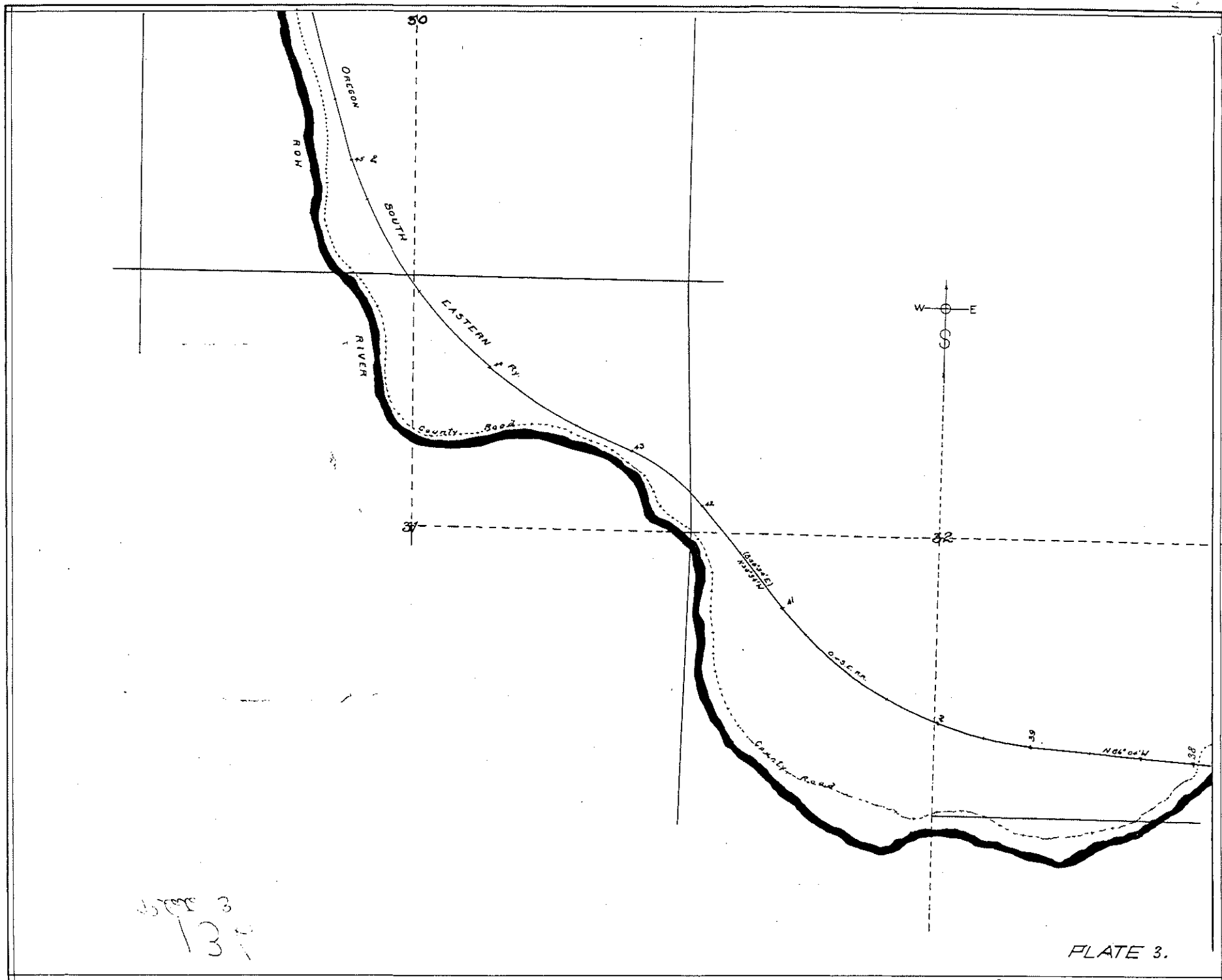
PLATE 1.

181

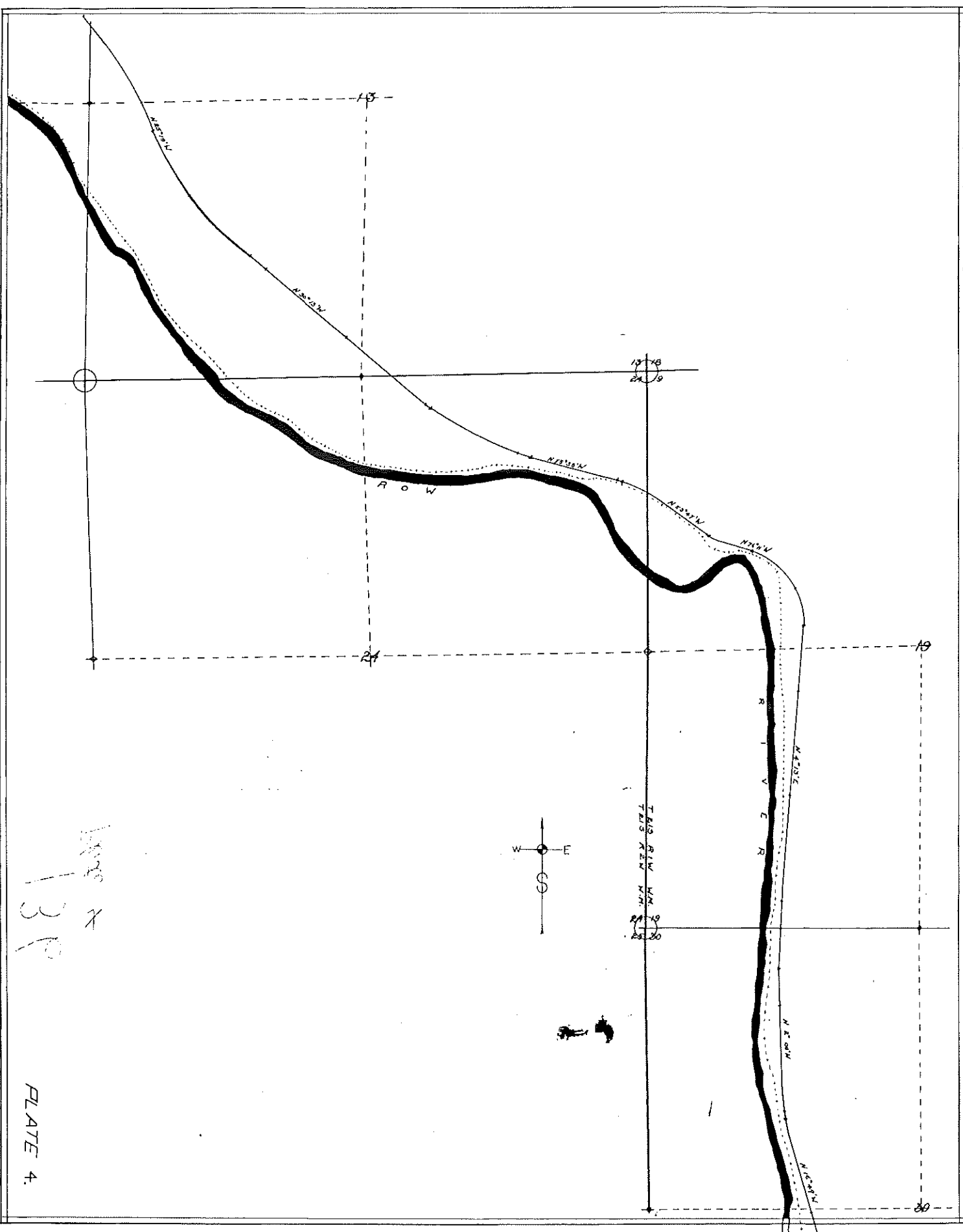


703 21.5
22.5

PLATE 2



1000 ft. MSL
 1000 ft. MSL
 1000 ft. MSL



1000 ft. MSL
 1000 ft. MSL
 1000 ft. MSL

PLATE 4.

14000 14000
13000 13000
12000 12000

132

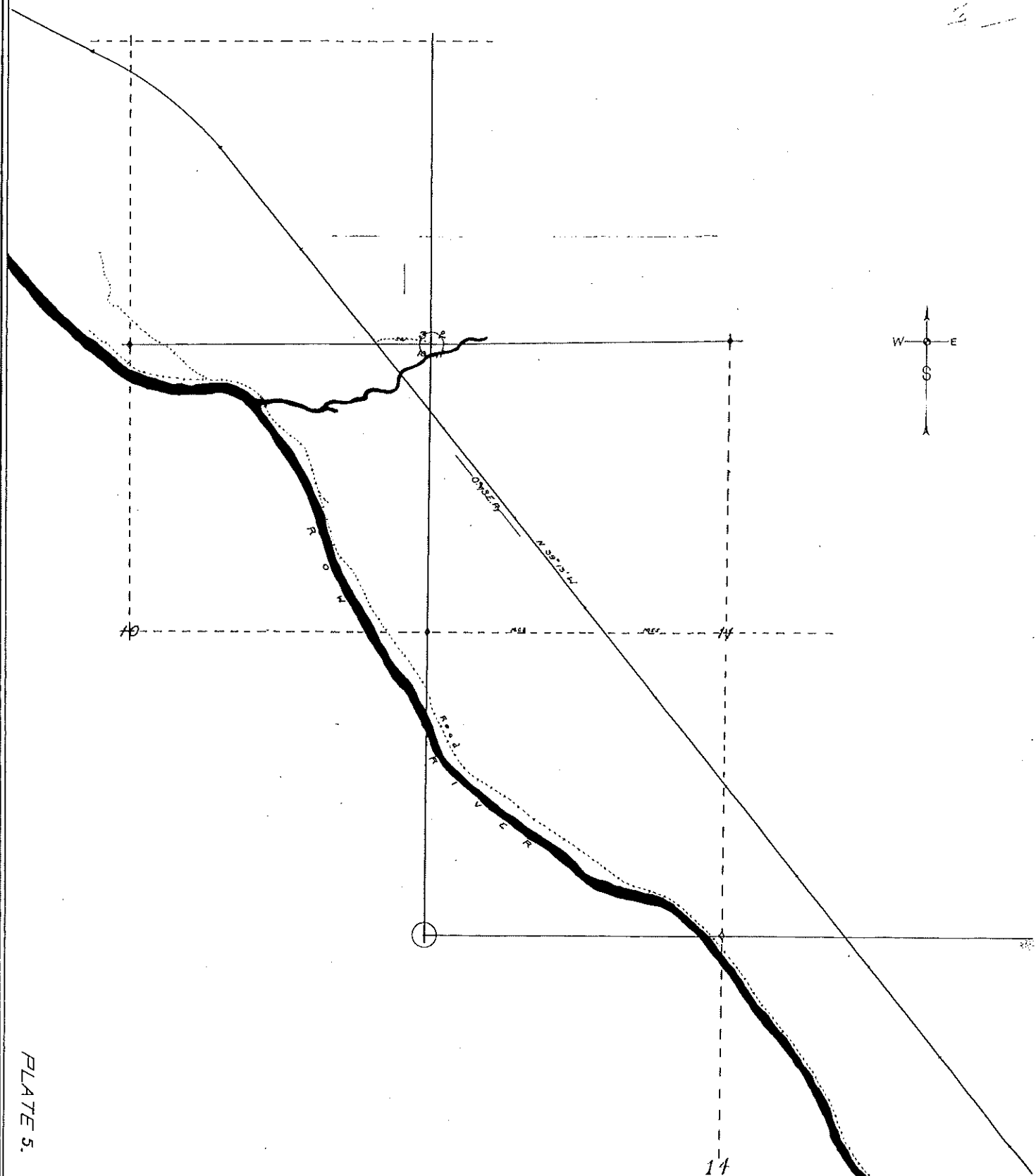
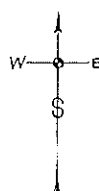
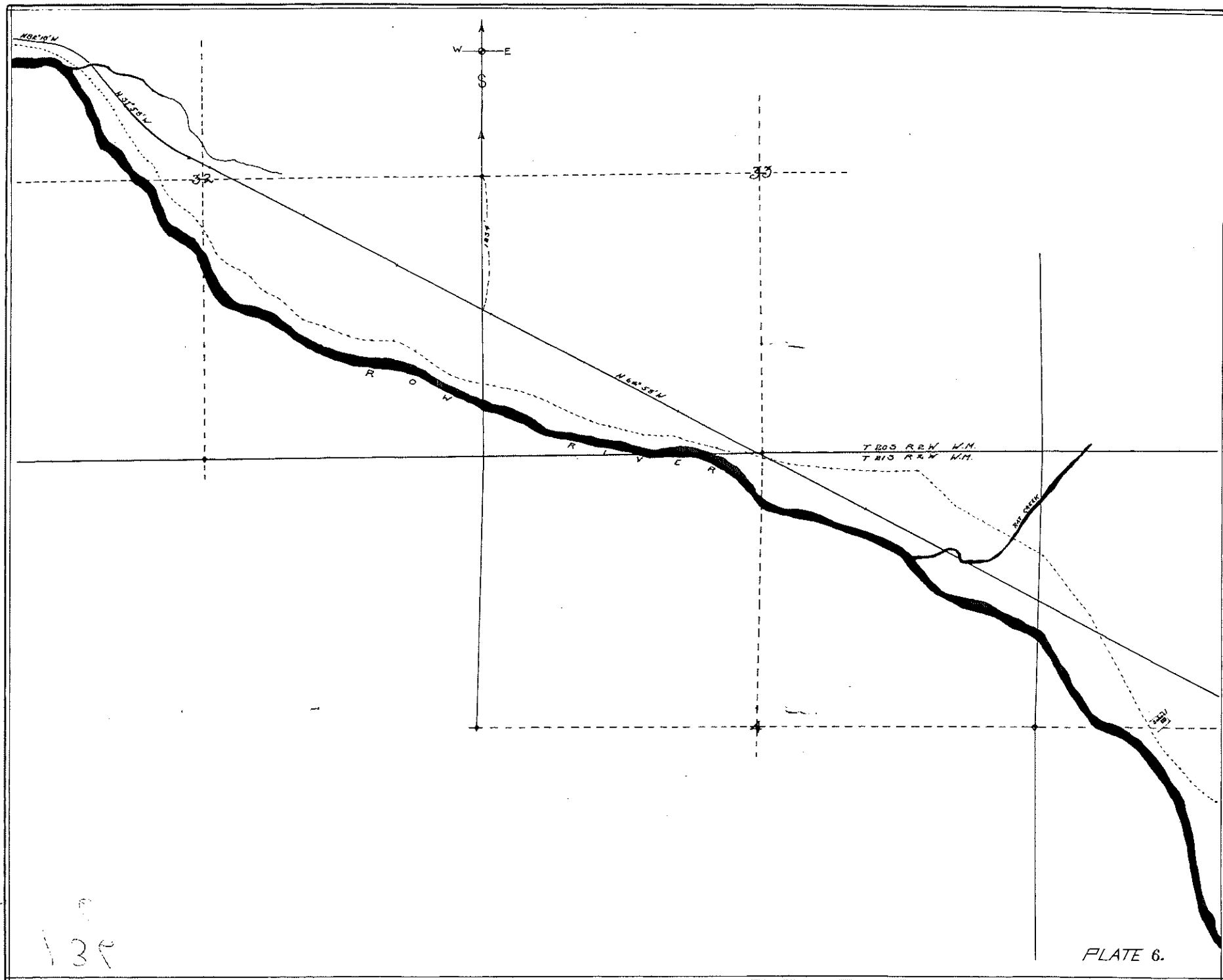


PLATE 5.



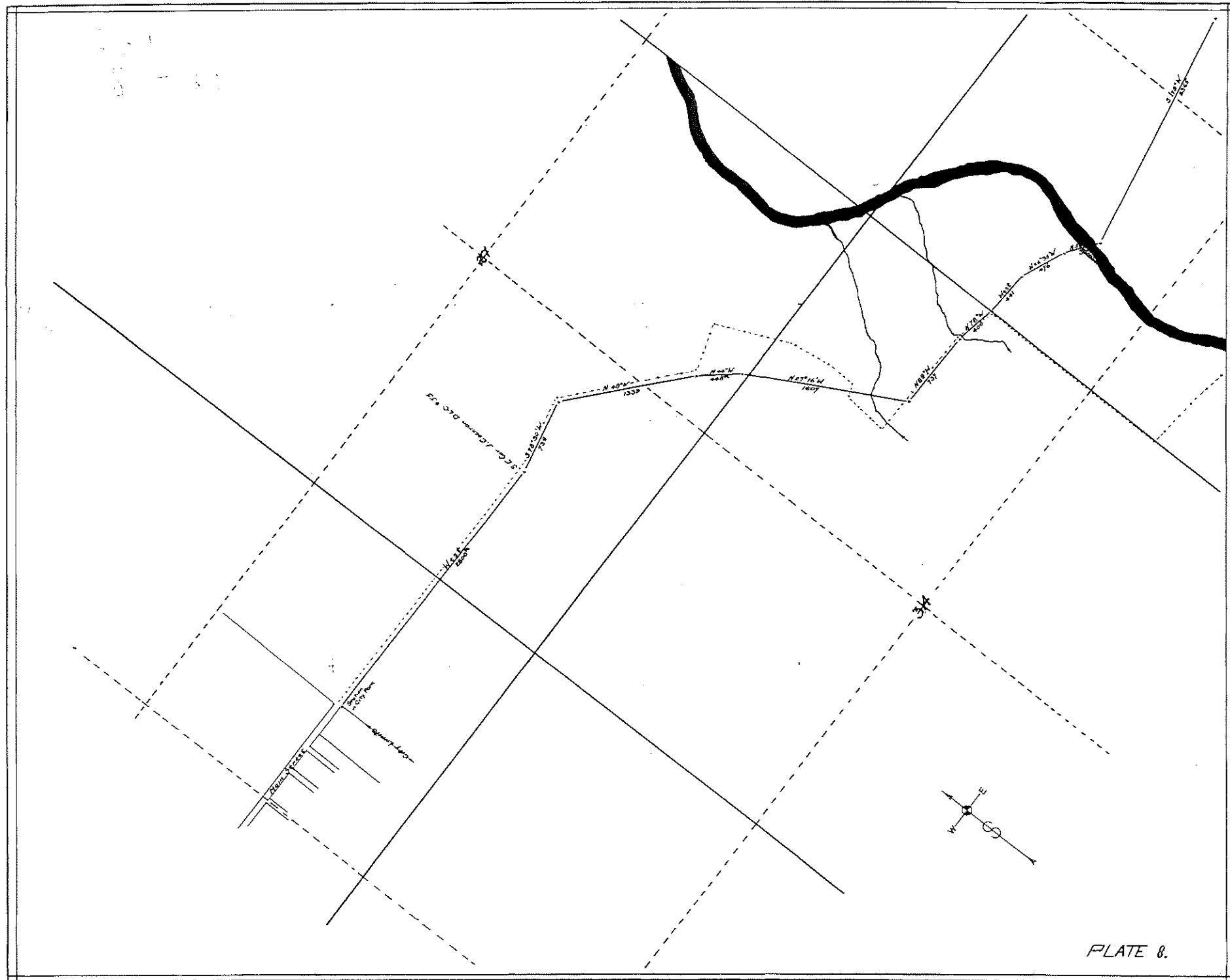
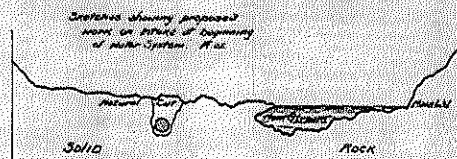
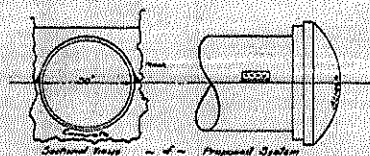


PLATE 8.

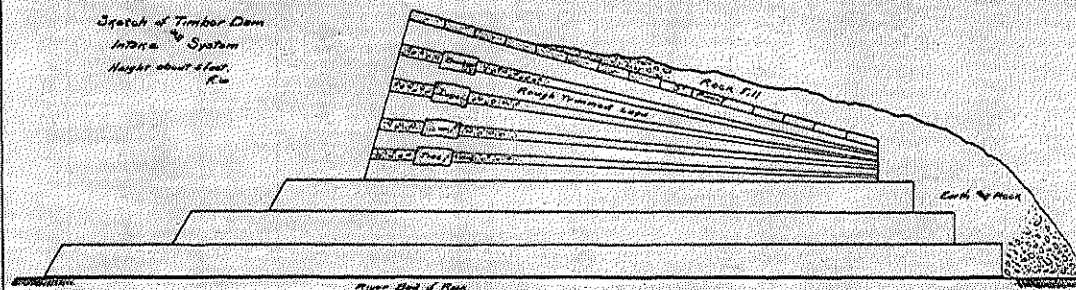
MAP
SHOWING LOCATION OF SURVEY OF
THE COTTAGE GROVE WATER SYSTEM
ACROSS TPS. 20, 21 & 22 S..
RGS. 1, 2 & 3 W. W.M.
LANE COUNTY, OREGON.
SCALE 1 INCH = 400 FT.
Taylor & Murtz - Engineers



Conventional Survey Signs &
a designation angle point - numbered in this
--- 1000 ft. stations on C.W.D.C. M.
--- designated local line of road - Ballman
--- County Road.



Sketch of Timber Dam
Intake System
Height about 4 feet
6 in.



Certificate of Surveyor

State of Oregon } ss.
County of Lane }

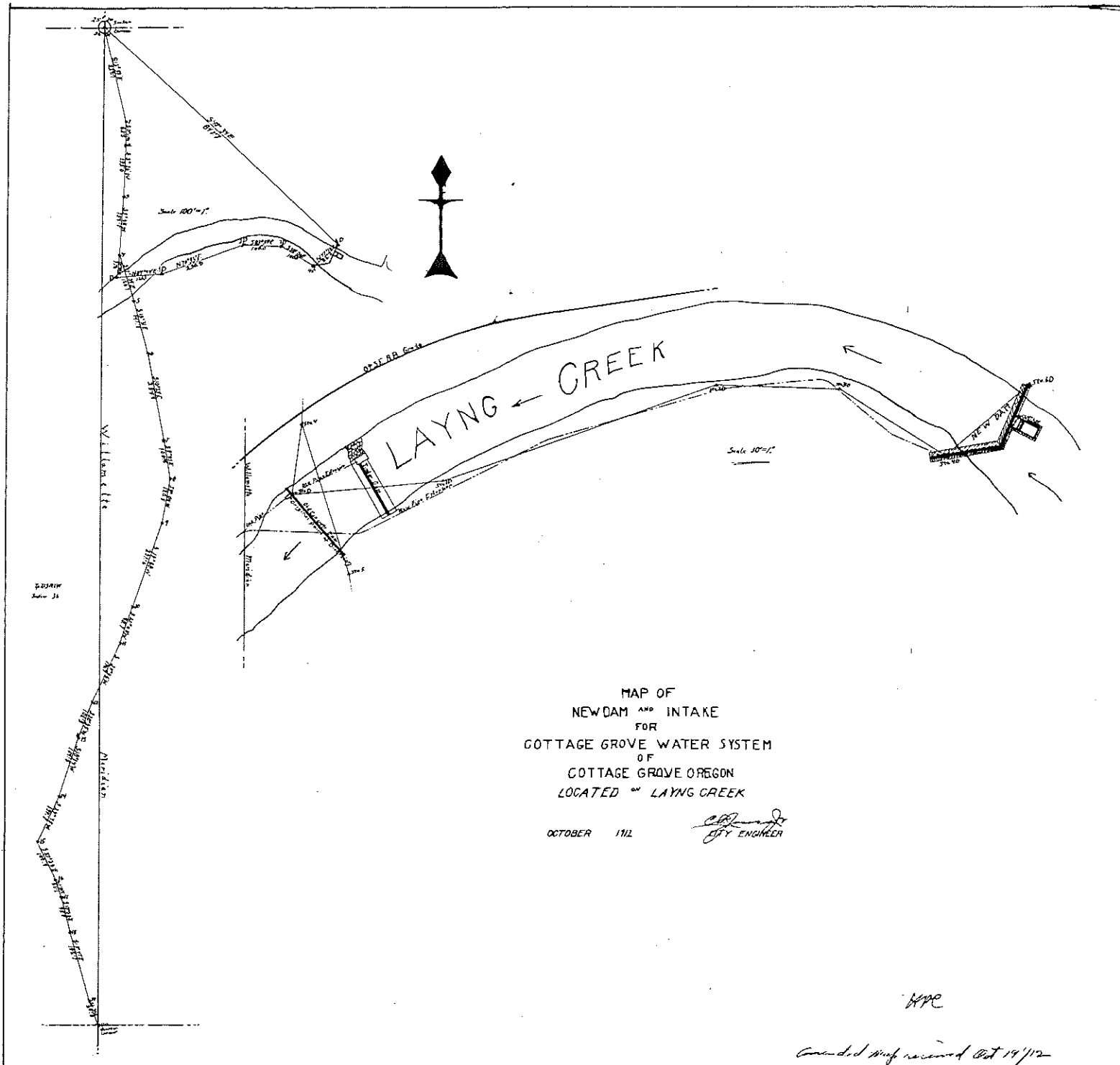
I, Harvey Taylor, hereby certify that this Map was made from notes taken during an actual Survey made by me on May 18, 1900, and that it correctly represents the same described in the accompanying application, together with the location of streams and other ditches (courses) in the immediate vicinity except on PLATES 3, 4, 5, 6 & 7, where by permission I followed the N. line Oregon & South Eastern RR. right of way according to the plat of Survey of said RR.

Harvey Taylor
Surveyor

Subscribed & sworn to before me this 24th day of June, 1900.

J. C. Thompson
Notary Public

Witness
D. C. Doreland
Francis R. King, Jr.



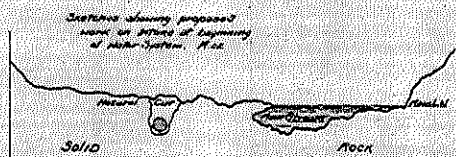
MAP SHOWING LOCATION OF SURVEY OF THE COTTAGE GROVE WATER SYSTEM

ACROSS TPS. 20, 21 & 22 S.,
RGS. 1, 2 & 3 W., W.M.

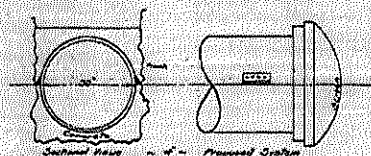
LANE COUNTY, OREGON.

SCALE, 1 INCH = 400 FT.

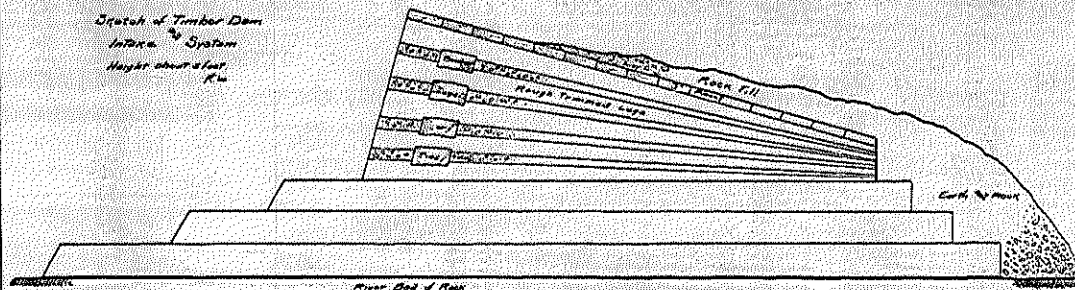
Dyer & Korte - Engineers



Conventional Survey Signs as
designated, angle point measured - this
- - - - - 100 ft. stations on C.V.O.E.M.
- - - - - Designated Kite Line Yield from - Station
- - - - - County Roads.



Sketch of Timber Dam
Inter. System
Height about 4 feet
1/2 in



Certificate of Surveyor

State of Oregon } ss
County of Lane

I, Harvey Taylor, hereby certify that this Map was made from notes taken during an actual Survey made by me on May 19, 1904, and that it correctly represents the works described in the accompanying application, together with the location of streams and other lines (crosses) in the immediate vicinity except on PLATES 5, 6, 7, 8, 9, 10, where by permission I followed the N line Oregon & South Eastern RR. right of way according to the Plat of Survey of said RR.

Harvey Taylor
Surveyor

Subscribed & sworn to before me this 19th day of June, 1904.

Francis R. Kling
Notary Public

Witness
D. A. Doster
Francis R. Kling, cc

Application No. 136
Permit No. 30

PLATE 9.

STATE OF OREGON

WATER DIVISION NO. 1 COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

(For rights perfected under original, enlargement or secondary permits)

This is to Certify, That CITY OF COTTAGE GROVE

of Cottage Grove, State of Oregon, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of Lang Creek, a tributary of Row River, for the purpose of Municipal water system

under Permit No. 30 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered of record in the Record of Proceedings of said Board, at Salem, in Volume 1, at page 329, on the 20th day of July, 1919; that the priority of the right hereby confirmed dates from June 12, 1909; that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 6.00 cubic feet per second.

A description of the lands under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: The City of Cottage Grove in Lane County, Oregon.

point of diversion changed,
Sp. Or. Vol. 6, p. 192.

~~These rights in the use of the water of said stream shall be subject to the provisions of the laws of Oregon relating to the use of water for power purposes, and shall be limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited:~~

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited:

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WATER RESOURCES DEPT
SALEM, OREGON

(SEAL OF STATE WATER BOARD)

Witness the seal and signature of the STATE
WATER BOARD affixed this 1st day
of August, 1919.

STATE WATER BOARD

By PERCY A. CUPPER
State Engineer, President

Attest: P. W. POTTER
Secretary

T 10530

Recorded in State Record of Water Right Certificates, Volume 3, Page 2366

BEFORE THE STATE ENGINEER OF OREGON

LANE COUNTY

IN THE MATTER OF THE APPLICATION OF
THE CITY OF COTTAGE GROVE FOR THE
APPROVAL OF A CHANGE IN POINT OF DIVERSION
OF WATER FROM LANG CREEK.

ORDER

APPROVING APPLICATION

On August 8, 1949, the City of Cottage Grove, Oregon, filed an application for the approval of a change in point of diversion of water from Lang Creek, sometimes called Layng Creek, pursuant to the provisions of Section 116-606, O.C.L.A.

Certificate of Water Right recorded at page 2385, Volume 3, State Record of Water Right Certificates was issued to the City of Cottage Grove, confirming a right to the use of the waters of Lang Creek, sometimes called Layng Creek, under Permit No. 30, for municipal water supply within the corporate limits of the City of Cottage Grove, with a date of priority of June 12, 1909. The water is conveyed through the city's pipeline, the point of diversion of said pipeline being located 685 feet south of the Northwest corner of Section 31, and being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, said Section 31, Township 21 South, Range 1 East, W.M.

The city proposes to change the present point of diversion upstream to a point to be located 313.91 feet south and 3,277.04 feet east from the northwest corner of Section 31, and being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, said Section 31, Township 21 South, Range 1 East, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely; at the County Court House in Eugene, Oregon, on the 11th day of October, 1949, at 8:00 o'clock A.M. The notice was published in The Cottage Grove Sentinel, a

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WATER RESOURCES DEPT
SALE OF WATER

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newspaper printed and having general circulation in Lane County, for a period of at least three weeks, and not less than one publication each week, being the issues of August 18, 25 and September 1, 1949. The date fixed for the hearing was not less than 30 days after the last publication of said notice.

No objections having been filed and it appearing that the proposed change in point of diversion of water may be made without injury to existing rights, the application should be approved.

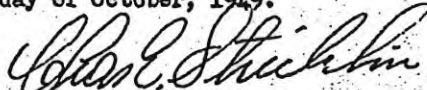
NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion of water from Lang Creek, sometimes called Layng Creek, to-wit:

From a point located 685 feet south of the northwest corner of Section 31, and being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, said Section 31, Township 21 South, Range 1 East, W.M.

To a point to be located 313.91 feet south and 3,277.04 feet east from the northwest corner of Section 31, and being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, said Section 31, Township 21 South, Range 1 East, W.M.

for municipal water supply within the corporate limits of the City of Cottage Grove, with a date of priority of June 12, 1909, be and the same hereby is approved.

Dated at Salem, Oregon, this 26th day of October, 1949.


CHAS. E. STRICKLIN
State Engineer

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SALEM, OREGON

STATE OF OREGON
COUNTY OF Lane
CERTIFICATE OF WATER RIGHT

This is to Certify, That City of Cottage Grove
of Cottage Grove, State of Oregon, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Dinner Creek
a tributary of Coast Fork Willamette River for the purpose of
Municipal supplies
under Permit No. 6822 of the State Engineer, and that said right to the use of said waters
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
confirmed dates from April 28, 1925;

that the amount of water to which such right is entitled and heroby confirmed, for the purposes
aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
4.0 cubic feet per second;

The point of diversion is located in the NE 1/4 of Section 29, Township 21S, Range 1E, W. M.
The use hereunder for irrigation shall conform to such reasonable rotation system as may be
ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per
acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such
right is appurtenant (if for irrigation or any other purpose), is as follows: SE 1/4, Section 30,
Township 21 South, Range 1 East of the Willamette Meridian, in Lane County, Oregon.

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SALEM, OREGON**

The right to the use of the water for any purpose is restricted to the lands or place of use
herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of
any federal power license issued in connection with this right, and after not less than two years
notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have
the right to take over the dams, plants and other structures and all appurtenances thereto which have
been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon
condition that before taking possession the State or municipality shall pay not to exceed the fair
value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and
dependable property of the holder of this certificate, not taken over, as may be caused by the
severance therefrom of the property taken in accordance with the provisions of section 6728,
Oregon Laws.

WITNESS the signature of the State Engineer,

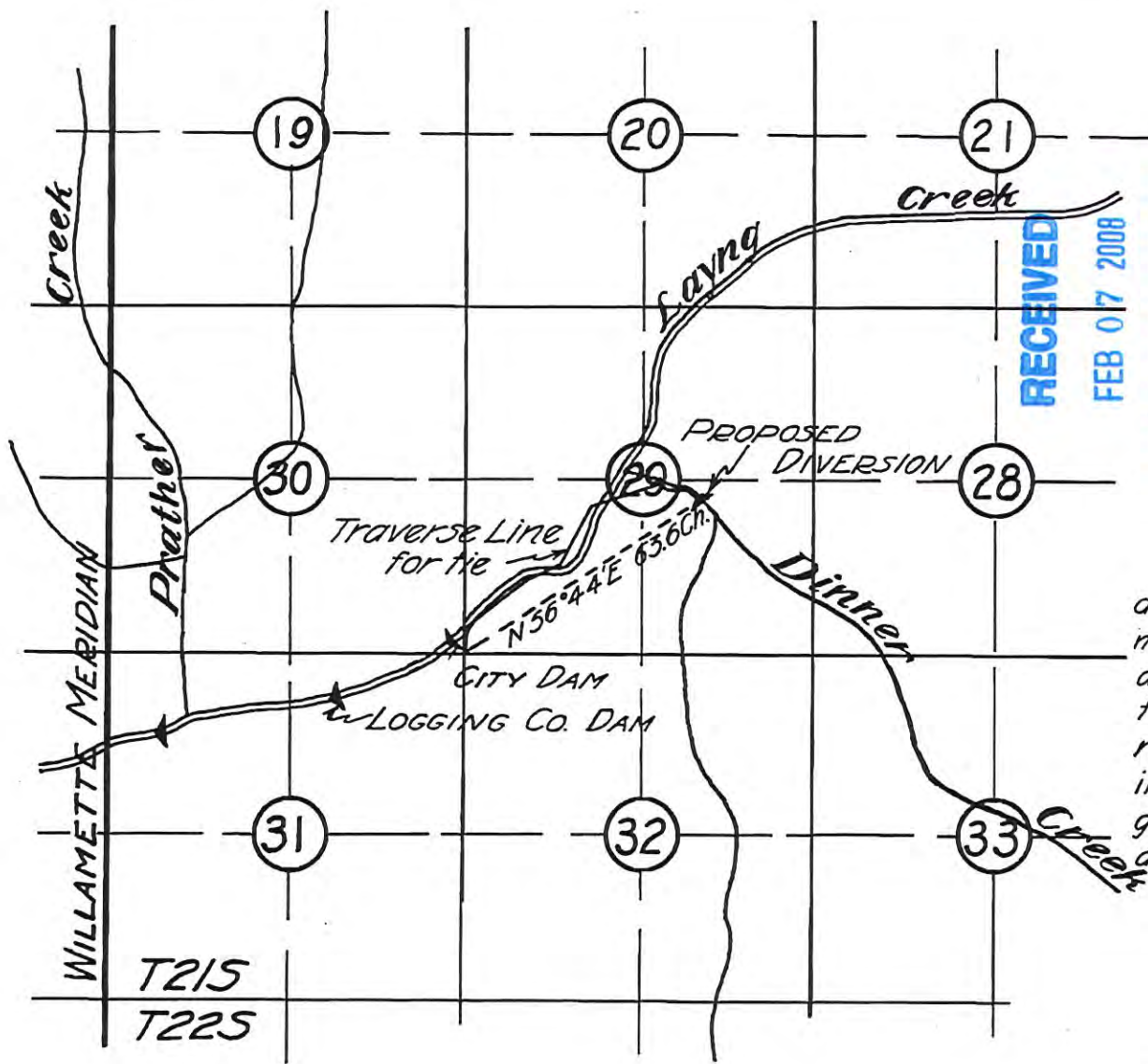
affixed this 28th day
of November, 1928

Rhea Luper

State Engineer.

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MAP SHOWING
LOCATION OF PROPOSED POINT
OF DIVERSION FROM
DINNER CREEK
FOR
COTTAGE GROVE WATER SUPPLY
Scale 2"=1 mile April 4, 1925

I, H.S. Rogers, of Corvallis, Oregon
do hereby certify that this map was
made from notes taken during an
actual survey made by me on March
twenty eighth, 1925, and that it cor-
rectly represents the works described
in the accompanying application to-
gether with the location of streams
and other ditches in the immediate
vicinity.

H. S. Rogers
Registered Professional Engineer

Oregon No. 1220

July 8, 1921
Date of Registration

10140
6822

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STATE OF OREGON
COUNTY OF LANE
CERTIFICATE OF WATER RIGHT

This is to Certify, That City of Cottage Grove

of Cottage Grove, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Prather Creek

a tributary of Laying Creek and Row River for the purpose of Municipal Supplies

under Permit No. 8582 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from June 18, 1928;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 4.0 cubic feet per second;

The point of diversion is located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township 21S, Range 1E, W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant, (if for irrigation or any other purpose), is as follows: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 51, Township 21 South, Range 1 East of the Willamette Meridian, in Lane County, Oregon.

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The right to the use of the water for any purpose is restricted to the lands or place of use herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 5728, Oregon Laws.

WITNESS the signature of the State Engineer,

affixed this 28th day

of November, 1928

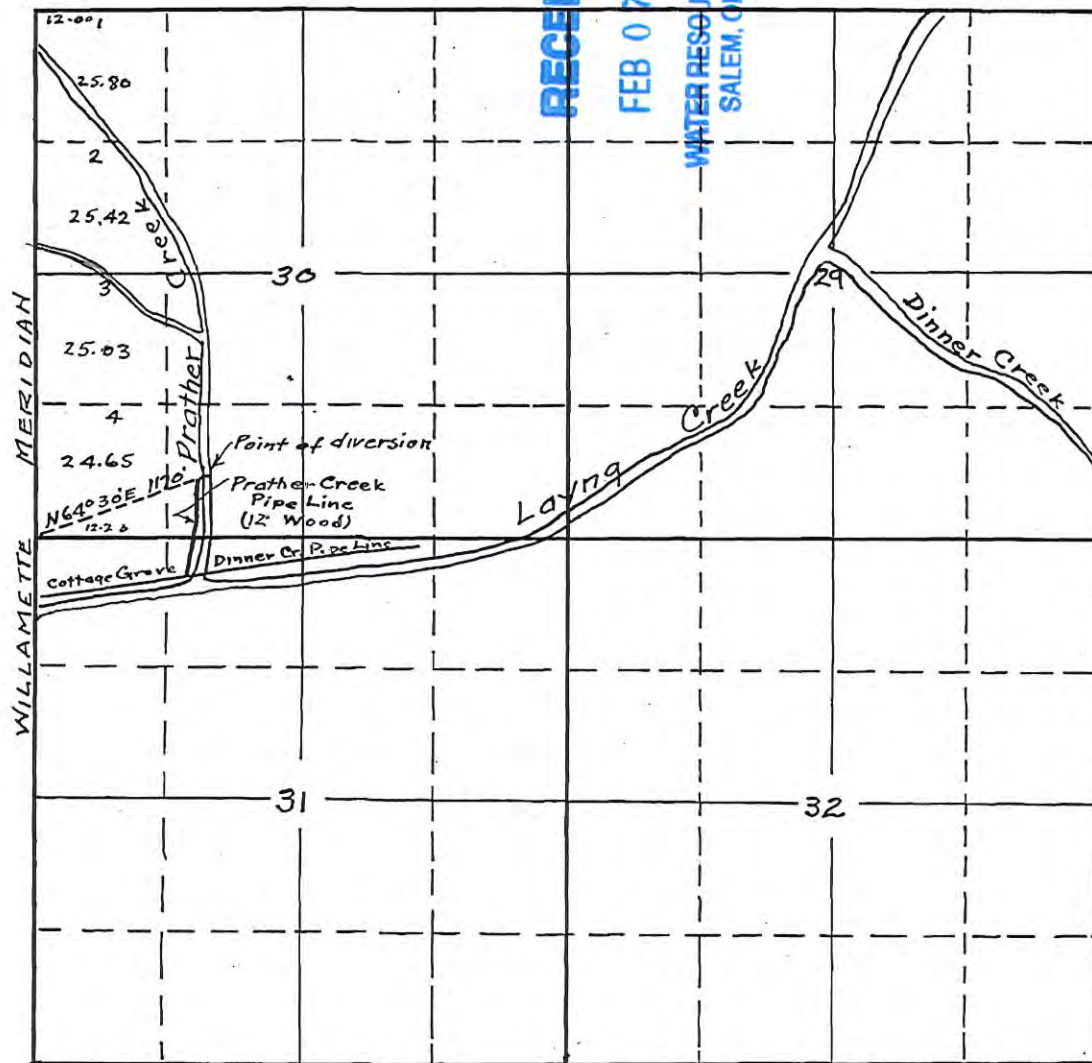
Rhea Luper

State Engineer.

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Sec 29

30

31

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Tp. 21S.

R. 1E.

MAP SHOWING

LOCATION OF PROPOSED POINT
OF DIVERSION FROM PRATHER
CREEK FOR COTTAGE GROVE
WATER SUPPLY

Scale 4" = 1 mile

June 15, 1928

I, L.W. Coiner, of Cottage Grove Oregon,
do hereby certify that this map was made
from notes taken during an actual survey
made by me on June 6, 1928, and that it
correctly represents the works described in
the accompanying application together with
the location of streams and other ditches in
the immediate vicinity

L.W. Coiner

Registered Professional Engineer

Oregon No. 1307.

Nov. 6 1925

Date of Registration

Dec 1 1925
L. W. Coiner

1925
2582

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Oregon Water Resources Department
Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: City of Cottage Grove
Mailing Address: 400 E. Main Street
City: Cottage Grove State: OR Zip: 97424 Day Phone: (541) 942-3349

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	1/4 1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
				See maps		☒ Diverted ☒ Conveyed ☒ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. City of Cottage Grove

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☐ Permit to Use or Store Water ☒ Water-Right Transfer ☐ Exchange of Water
☐ Allocation of Conserved Water ☐ Limited Water Use License
☐ Permit Amendment or Ground Water Registration Modification

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Lang Cr., Dinner Cr., Prather Cr.

Estimated quantity of water needed: 13.77 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☒ Municipal ☐ Quasi-municipal ☐ Instream ☐ Other _____

Briefly describe: The point of diversion for the majority of the City's municipal water right certificates (2385, 7787 and 7838) will be transferred to the Row River Water Treatment Plant.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☐ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____.

☒ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)
If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
CONDITIONAL USE PERMIT CUP-1-07	18.46.100	☒ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
DEVELOPMENT PERMIT FEMA-1-07	18.39	☒ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Howard P. Schesser Title: COMMUNITY DEVELOPMENT DIRECTOR
 Signature: Howard P. Schesser Phone: 541-942-3340 Date: 1-23-08
 Government Entity: City of Cottage Grove

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

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Applicant name: _____

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City or County: _____

Staff contact: _____

**WATER RESOURCES DEPT
SALEM, OREGON**

Signature: _____

Phone: _____

Date: _____



Community Development

400 Main Street
Cottage Grove, OR 97424

(541) 942-3340

Fax 942-1267

www.cottagegrove.org

E-mail: planning@cottagegrove.org

April 19, 2007

Black & Veatch Corporation, Attn: Jeff Lindgren
4800 SW Meadows Road, Ste 200
Lake Oswego, OR 97035

City of Cottage Grove Public Works Engineering
400 E. Main Street
Cottage Grove, OR 97424

RE: CONDITIONAL USE PERMIT APPROVAL, CUP 1-07
Water Treatment Plant Expansion, East Regional Park

Location: 33300 Row River Road (East Regional Park)
Map No. 20 03 35; Tax Lot No. 1500

Dear Mr. Lindgren:

This is to confirm that the Planning Commission held a public hearing on the above-referenced application on Wednesday evening, April 16. Karen & Larry Thomas and Jamie Andrews spoke against the application at the public hearing.

ACTIONS

The Planning Commission voted 6-0-0 to **APPROVE** the conditional use permit for the Water Treatment Plant upgrade CUP 1-07 pursuant to Section 18.46.100 General Criteria which is supported by findings of fact and conditions that can establish compliance with applicable state and local standards.

AMENDED CONDITIONS OF APPROVAL CUP 1-07

1. Applicant shall be required to receive Staff Level Design Review Approval for the proposed building addition prior to issuance of a building permit.
2. Applicant shall obtain a development permit demonstrating conformance with the standards of and regulations of Chapter 18.39 Flood Plain Management from the Community Development Department prior to the issuance of any building permits or the beginning of any work.
3. Applicant shall obtain necessary building and specialty permits prior to starting construction.
4. Applicant shall provide Community Development Department with necessary project approval from the US Army Corps of Engineers and the Division of State Lands prior to issuance of any building permits or beginning of any work in relation to the intake structure. All conditions established by these agencies shall be considered conditions of approval of this CUP.
5. Applicant shall revegetate all riparian areas disturbed during construction. Revegetation plans shall be approved by the Community Development Director prior to the issuance of

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- any building permits. Vegetation shall be properly cared for and watered to increase survival rate during the first two years of establishment. Revegetation plans shall incorporate native plants (rather than non-native grasses) whenever practical.
6. Piles of leaf debris shall be kept at least 15' away from the top of bank of all ponds.
 7. Applicant shall install two rows of plantings, such as evergreen juniper/pine and a second row of deciduous shrubs (ex. Oregon grape, Indian plum, serviceberry, elderberry, native gooseberries and currants) as screening plantings to east and south of proposed parking lot. All plantings shall be irrigated, and must be installed before the issuance of a final certificate of occupancy. Landscaping and irrigation plans shall be submitted at time of building permit submittal to the Community Development Director for his approval.
 8. Applicant shall obtain a Lane County facility permit for all work to be carried out within the right-of-way of Row River Road. All requirements of the facility permit(s) shall be met and approved as specified in the issued facility permit. Permit requirements are in LC 15.200-210. Facility permit application shall include a copy of the approved site plan clearly labeled as to existing and proposed new facilities, showing all utility and other work within the ROW, and a copy of the conditions of approval of this Conditional Use Permit. The applicant shall be responsible for ensuring all necessary inspections and approvals of the facility permit are completed.
 9. Pursuant to LM 15.515, no stormwater discharge into the right-of-way during or after construction shall be permitted. Measures shall be taken to ensure run-off into the right-of-way is prevented. County right-of-way and maintenance staff may require a stormwater management plan at their discretion.
 10. All utilities for proposed water treatment plant expansion are to be placed underground.
 11. The City of Cottage Grove requires a minimum of five feet horizontal separation from any other utilities and ten feet between water and sewer services within public right-of-ways. This distance is measured between the pipes (from the outside of one pipe to the outside of the other pipe). Other utility companies may have stricter standards than this. The standard with the greatest separation applies.
 12. Owner shall sign a non-remonstrance agreement for sanitary sewer, sidewalks and storm drainage improvements.
 13. Erosion control is required and shall be installed prior to and maintained during construction. Improvement plans shall include details and language on the method of erosion control in the contract documentation. All exposed soil shall be covered. Disturbed soils shall be revegetated with native plants immediately upon completion of the project. The area surrounding the intake (boat launch/informal parking area) shall be graveled before construction begins, and shall be treated so that no disturbed soil is left exposed during the rainy season.
 14. Improvement plans shall include language and methods designed to minimize impacts upon Western Pond Turtle habitat. Contract language and site plans shall specify limits to construction areas to restrict all construction materials and equipment from areas around ponds or turtle habitat, and shall provide instruction for treatment of turtles if found. Contract shall specify that no heavy construction equipment can operate between June 1 and July 20 in the area north of the water treatment building (see attached map). Boundary of backwash ponds/gravel accesses and future paved area leading to meter vault shall be delineated on site with temporary fencing before the beginning of construction. Areas to north of approved disturbance areas shall be out of bounds to contractors.
 15. Driveway shall be paved as per City Municipal Code. Pavement width is to be 20 feet wide. Paving of the driveway need not start until the gates to the WTF, but must accompany paving of the parking lots (prior to occupancy). A fire department turnaround will be required because the building is farther than 150 feet from Row River Road.

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Turnaround shall be constructed as per City standard #222. Pavement shall be designed to accommodate delivery truck weight.

16. Parking/delivery area on all four sides of building shall be paved with a porous paving material (in lieu of stormwater containment) or paved with traditional pavement with required stormwater containment prior to final certificate of occupancy. A minimum of five (5) parking spaces must be provided, one of which shall be ADA van accessible. Parking area to east of building shall have 9' long x 18' deep parking spaces with 24' of aisle behind space (must be expanded from proposed 30' total to 42').
17. Gravel parking area at river-side intake shall be left in a compacted and finished state after construction for use by the public as a boat launch.
18. No approvals are granted for the proposed future pole barn as delineated on the plans dated 3/16/2007. Any future approvals must review the appropriateness of the proposed location based upon impacts to sensitive species.
19. In the event that prehistoric or historic cultural materials are encountered during ground disturbing activities, Oregon State law (ORS 97.745 and 358.920) requires that work in the vicinity of the finds be suspended. The SHPO and the appropriate tribes should be notified, and a qualified archeologist should be called in to evaluate the discovery and recommend subsequent courses of action in consultation with SHPO and the tribes.
20. Conditional use permit shall only remain valid for a period of one year after the date the permit becomes effective. All necessary building permit applications shall be submitted prior to this date. Such period of time may be extended by the planning commission for a period of six months, but not in excess of eighteen months, from the date the first order granting became effective.

EFFECTIVE DATE OF FINAL DECISION

Unless appealed, the actions of the Planning Commission shall become final at 5:00 P.M. on Friday, May 4, 2007. An appeal of the actions must be initiated according to Sec. 18.58.130 Process for Planning Commission Appeals, a copy of which is attached to this notice. A \$100 application fee must accompany the appeal.

Thank you for your patience and cooperation with regard to these matters. All documents on file may be inspected at no cost at this office, and copies will be provided at reasonable cost upon request. If you have any comments and/or questions, please feel free to contact this office at 942-3340.

Sincerely,



Amanda Ferguson
City Planner

CC: DR 1-07 file

Jamie Andrews, 78414 Sears Road
Karen & Larry Thomas, 78420 Sears Road

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SALEM, OREGON**

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MEMO

To: Amanda Ferguson, City Planner

From: Ron Bradsby, Interim Public Works Director/City Engineer

Subject: **ENGINEERING COMMENTS FOR CUP 1-07 (33300 ROW RIVER ROAD
– CITY OF COTTAGE GROVE WATER TREATMENT PLANT)**

Date: February 27, 2007

The following comments are based on a copy of the Conditional Use Permit Application dated January 22, 2007 (6 pages), a site plan dated January 18, 2007 (one – 24" x 36" sheet & one 11" x 17" sheet), and elevation plan dated February 5, 2007. These comments deal with the conditional use application, as well as the development of the parcel. Changes may occur during the review process and/or development phase that will be in conflict with statements below and some issues may have been overlooked that will be commented on during the review process and/or development phase of this project.

Conditional Use Comments

- None

Development Comments

General

- All utilities for proposed water treatment plant expansion are to be placed underground including telephone, television and power. Separate permits from the individual private utilities may be required.
- Erosion control is required and shall be installed prior to and maintained during construction. Improvement plans shall include details and language on the method of erosion control in the contract documentation.
- Improvement plans shall include language and methods of how minimal impacts upon the endangered species (Western Pond Turtle) are going to be achieved.
- The City of Cottage Grove requires a minimum of five feet horizontal separation from any other utilities and ten feet between water and sewer services within public right-of-way. This distance is measured between the pipes (from the outside of one pipe to the outside of the other pipe). Other utility companies may have stricter standards than this. The standard with the greatest separation will apply.
- Consultant/Developer shall supply a copy of the approved permits, such as the Corp/DSL permit, DEQ 1200- C permit, and any Lane County permits.
- Owner shall sign a non-remonstrance for sanitary sewer, sidewalks and storm drainage improvements.

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Street

- Lane County has road jurisdiction of Row River Road.
- Driveway shall be paved as per City Municipal Code. Pavements width is to be 20 feet wide and a fire turn around will be required because building is farther than 150 feet from Row River Road. Turn around to be constructed as City standard #222.
- Pavement design should include delivery truck weight.

Water

- An 8-inch water main will be extended into the site as part of this development.
- Proposed project will add on additional hydrant for a total of two. Contact Andy McClean, Fire Marshall for placement of new hydrant.
- A backflow device is required on all new water services. Contact Tony Kirk, Public Works Maintenance Supervisor, for details.
- Proposed fixture counts will need to be submitted with building permit plans for determining water service and meter size.
- Developer is responsible for constructing water service from water meter to building.
- The City of Cottage Grove will install water service from water main to water meter (Developer to pay the fee for this service).

Sanitary Sewer

- Sanitary Sewer service is not available to the site. Existing development has a holding tank that gets pumped out on regular basis.

Storm Drainage

- A public storm drainage system is not available to this site.
- Discharge from analyzer at clear well shall be drain back to headworks or to the back wash ponds
- Runoff from paved surfaces and future storage building shall be directed to the drainage swell south of the site or into the backwash ponds.
- Storm water runoff is not to adversely affect adjacent property owners.

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Water Treatment Plant Expansion Conditions & Findings of Fact
Conditional Use Permit (CUP-1-07)

FINDINGS OF FACT

1. The City of Cottage Grove has applied for a Conditional Use Permit for an upgrade to the Water Treatment Plant (WTP) at 33300 Row River Road, located in the East Regional Park.
2. The property is zoned RS Residential Suburban and the water treatment plant is a conditional use in that zone pursuant to 18.08.030.
3. Planned improvements to the Row River WTP include constructing a new surface water intake north of the existing Row River Road bridge, and a new water distribution line. The proposed renovation of the existing facilities and expanding the capacity of the WTP will be done by installing membrane filtration equipment and expanding the footprint of the existing building. The new treatment equipment will require the construction of a 35' x 75' addition to the existing treatment building, two new backwash/filter cleaning waste treatment ponds to the south of the existing backwash pond, and a new intake structure next to the bridge.
4. Black & Veatch Corporation has made a conditional use permit application on behalf of the City of Cottage Grove, which has a design build contract with the firm for the completion of the project.
5. Black & Veatch has filed a concurrent application for a Joint Permit for the construction of the portion of the surface water intake with DSL and US Army Corps of Engineers.
6. General Criteria, 18.46.100: A conditional use permit may be granted only if the proposal conforms to all of the general criteria, as well as all other additional criteria or conditions.
 - a) The location, size, design, and operation characteristics of the proposed development will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and surrounding neighborhood. The conditions of approval will address any potential impacts of the project, especially as it relates to the Western Pond Turtles.
 - b) The location, design and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be an attractive given the use and setting. Additional landscaping will be required to buffer the development.
 - c) The proposed development will not impede or interfere with the successful operation of the surrounding area, which is park land nor will it impact the basic community functions of the East Regional Park.
 - d) The proposed development is compatible with the general purpose and intent of the City's Comprehensive Plan.
 - e) The required dedication and improvement of streets within the development site for the proper extension and/or connection of necessary streets shall be made.

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- f) No extension of collector or arterial streets is required, so this criteria is not required.
- g) The use of the development site will not adversely affect the subdivision of any abutting properties.
- 7. The proposed development is in compliance with the Statewide goals.
- 8. Planning Commission held a public hearing on April 16, 2007 and approved the Conditional Use Permit subject to the conditions of approval.

CONDITIONS OF APPROVAL

1. Applicant shall be required to receive Staff Level Design Review Approval for the proposed building addition prior to issuance of a building permit.
2. Applicant shall obtain a development permit demonstrating conformance with the standards of and regulations of Chapter 18.39 Flood Plain Management from the Community Development Department prior to the issuance of any building permits or the beginning of any work.
3. Applicant shall obtain necessary building and specialty permits prior to starting construction.
4. Applicant shall provide Community Development Department with necessary project approval from the US Army Corps of Engineers and the Division of State Lands prior to issuance of any building permits or beginning of any work in relation to the intake structure. All conditions established by these agencies shall be considered conditions of approval of this CUP.
5. Applicant shall revegetate all riparian areas disturbed during construction. Revegetation plans shall be approved by the Community Development Director prior to the issuance of any building permits. Vegetation shall be properly cared for and watered to increase survival rate during the first two years of establishment. Revegetation plans shall incorporate native plants (rather than non-native grasses) whenever practical.
6. Piles of leaf debris shall be kept at least 15' away from the top of bank of all ponds.
7. Applicant shall install two rows of plantings, such as evergreen juniper/pine and a second row of deciduous shrubs (ex. Oregon grape, Indian plum, serviceberry, elderberry, native gooseberries and currants) as screening plantings to east and south of proposed parking lot. All plantings shall be irrigated, and must be installed before the issuance of a final certificate of occupancy. Landscaping and irrigation plans shall be submitted at time of building permit submittal to the Community Development Director for his approval.
8. Applicant shall obtain a Lane County facility permit for all work to be carried out within the right-of-way of Row River Road. All requirements of the facility permit(s) shall be met and approved as specified in the issued facility permit. Permit requirements are in LC 15.200-210. Facility permit application shall include a copy of the approved site plan clearly labeled as to existing and proposed new facilities, showing all utility and other work within the ROW, and a copy of the conditions of approval of this Conditional Use Permit. The applicant shall be responsible for ensuring all necessary inspections and approvals of the facility permit are completed.
9. Pursuant to LM 15.515, no stormwater discharge into the right-of-way during or after construction shall be permitted. Measures shall be taken to ensure run-off into the right-of-way is prevented. County right-of-way and maintenance staff may require a stormwater management plan at their discretion.
10. All utilities for proposed water treatment plant expansion are to be placed underground.

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**WATER RESOURCES DEPT
SALEM, OREGON**

T 10530

11. The City of Cottage Grove requires a minimum of five feet horizontal separation from any other utilities and ten feet between water and sewer services within public right-of-ways. This distance is measured between the pipes (from the outside of one pipe to the outside of the other pipe). Other utility companies may have stricter standards than this. The standard with the greatest separation applies.
12. Owner shall sign a non-remonstrance agreement for sanitary sewer, sidewalks and storm drainage improvements.
13. Erosion control is required and shall be installed prior to and maintained during construction. Improvement plans shall include details and language on the method of erosion control in the contract documentation. All exposed soil shall be covered. Disturbed soils shall be revegetated with native plants immediately upon completion of the project. The area surrounding the intake (boat launch/informal parking area) shall be graveled before construction begins, and shall be treated so that no disturbed soil is left exposed during the rainy season.
14. Improvement plans shall include language and methods designed to minimize impacts upon Western Pond Turtle habitat. Contract language and site plans shall specify limits to construction areas to restrict all construction materials and equipment from areas around ponds or turtle habitat, and shall provide instruction for treatment of turtles if found. Contract shall specify that no heavy construction equipment can operate between June 1 and July 20 in the area north of the water treatment building (see attached map). Boundary of backwash ponds/gravel accesses and future paved area leading to meter vault shall be delineated on site with temporary fencing before the beginning of construction. Areas to north of approved disturbance areas shall be out of bounds to contractors.
15. Driveway shall be paved as per City Municipal Code. Pavement width is to be 20 feet wide. Paving of the driveway need not start until the gates to the WTF, but must accompany paving of the parking lots (prior to occupancy). A fire department turnaround will be required because the building is farther than 150 feet from Row River Road. Turnaround shall be constructed as per City standard #222. Pavement shall be designed to accommodate delivery truck weight.
16. Parking/delivery area on all four sides of building shall be paved with a porous paving material (in lieu of stormwater containment) or paved with traditional pavement with required stormwater containment prior to final certificate of occupancy. A minimum of five (5) parking spaces must be provided, one of which shall be ADA van accessible. Parking area to east of building shall have 9' long x 18' deep parking spaces with 24' of aisle behind space (must be expanded from proposed 30' total to 42').
17. Gravel parking area at river-side intake shall be left in a compacted and finished state after construction for use by the public as a boat launch.
18. No approvals are granted for the proposed future pole barn as delineated on the plans dated 3/16/2007. Any future approvals must review the appropriateness of the proposed location based upon impacts to sensitive species.
19. In the event that prehistoric or historic cultural materials are encountered during ground disturbing activities, Oregon State law (ORS 97.745 and 358.920) requires that work in the vicinity of the finds be suspended. The SHPO and the appropriate tribes should be notified, and a qualified archeologist should be called in to evaluate the discovery and recommend subsequent courses of action in consultation with SHPO and the tribes.
20. Conditional use permit shall only remain valid for a period of one year after the date the permit becomes effective. All necessary building permit applications shall be submitted prior to this date. Such period of time may be extended by the planning commission for a period of six months, but not in excess of eighteen months, from the date the first order granting became effective.

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WATER RESOURCES DEPT
SALEM, OREGON

T 10530



Community Development

400 Main Street
Cottage Grove, OR 97424

(541) 942-3340

Fax 942-1267

www.cottagegrove.org

E-mail: planning@cottagegrove.org

November 5, 2007

Kelli O'Connor
Black & Veatch Corporation
8400 Ward Parkway
PO Box 8405
Kansas City, MO 64114

RE: FEMA 4-07 Flood Plain Development Permit APPROVAL
Row River Water Treatment Plant Intake and Air Compressor Building

Dear Kelli:

This is to confirm that the above mentioned floodplain development application has been approved. I have attached the approval form.

Your next step will be to submit building permit applications for both structures. Your building permit applications for the two structures will need to show compliance with the following standards, which are considered CONDITIONS OF APPROVAL:

1. All utilities shall be located at least one foot above the base flood elevation or flood proofed.
2. All new construction shall be anchored to prevent flotation, collapse, or later movement of the structure.
3. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
4. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the one-hundred-year flood (base flood) elevation; or together with attendant utility and sanitary facilities, shall:
 - Be flood-proofed so that below 1 foot above the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
 - Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
 - Be certified by a professional engineer that design and methods of construction are in accordance with accepted standards of practice for meeting provisions based on their development and/or review of structure design, specifications and plans;

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**WATER RESOURCES DEPT
SALEM, OREGON**

T 10530

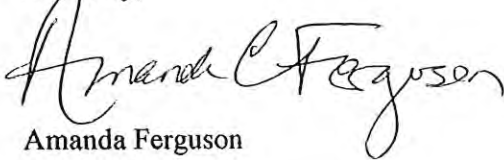
- Electrical, heating, ventilation, plumbing, air conditioning equipment and other serve facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during flood conditions (i.e. be 1 foot above BFE at minimum).
5. Once the floor system is in place and prior to any other framing or wall construction an as-built elevation certificate from a registered land surveyor or professional engineer shall be submitted and approved by the Community Development Director.

EFFECTIVE DATE OF FINAL DECISION

Unless appealed, the action of the Community Development Director shall become final at 5:00 P.M. on Tuesday, November 20, 2007. An appeal of the action must be initiated according to Sec. 18.58.130 Process for Planning Commission Appeals, a copy of which is attached to this notice. A \$100 application fee must accompany the appeal.

All documents on file may be inspected at no cost at this office, and copies will be provided at reasonable cost upon request. If you have any comments and/or questions, please feel free to contact this office at 942-3340.

Sincerely,



Amanda Ferguson
City Planner

Cc: File FEMA 4-07

T 10530

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WATER RESOURCES DEPT
SALEM, OREGON



FLOODPLAIN DEVELOPMENT PERMIT

PERMIT FEMA 4-07

Issued to: Black & Veatch Black & Veatch Corporation
8400 Ward Parkway
PO Box 8405
Kansas City, MO 64114

For: Row River Water Treatment Plant Intake and Air Compressor
Building
City of Cottage Grove Water Treatment Facility
33300 Row River Road

This permit is issued to the following conditions:

1. All utilities shall be located at least one foot above the base flood elevation or flood proofed.
2. All new construction shall be anchored to prevent flotation, collapse, or later movement of the structure.
3. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
4. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the one-hundred-year flood (base flood) elevation; or together with attendant utility and sanitary facilities, shall:
 - Be flood-proofed so that below 1 foot above the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
 - Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
 - Be certified by a professional engineer that design and methods of construction are in accordance with accepted standards of practice for meeting provisions based on their development and/or review of structure design, specifications and plans;

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**WATER RESOURCES DEPT
SALEM, OREGON**

- Electrical, heating, ventilation, plumbing, air conditioning equipment and other serve facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during flood conditions (i.e. be 1 foot above BFE at minimum).
- 5. Once the floor system is in place and prior to any other framing or wall construction an as-built elevation certificate from a registered land surveyor or professional engineer shall be submitted and approved by the Community Development Director.

Issued by:



Date:

November 6, 2007

THIS IS NOT AUTHORIZATION TO UNDERTAKE ANY CONSTRUCTION – IT IS NOT A BUILDING PERMIT. THIS PERMIT ONLY DEALS WITH FLOODPLAIN MANAGEMENT.

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**WATER RESOURCES DEPT
SALEM, OREGON**

T 10530



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

February 13, 2008

JAN WELLMAN
CITY OF COTTAGE GROVE
400 E MAIN ST
COTTAGE GROVE OR 97424

Reference: Transfer 10530

On February 7, 2008 we received your water right transfer application. The application was accompanied by \$800.00. Our receipt 91396 is enclosed.

By copy of this letter, we are asking the Watermaster for his report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0890.

cc: Watermaster #2
Adam Sussman, Agent
Karen Hans, ODFW
Theodore Ressler, CWRE

enclosure

STATE OF OREGON

COUNTY OF Lane

CERTIFICATE OF WATER RIGHT

This is to Certify, That City of Cottage Grove
Cottage Grove, State of Oregon ⁹⁷⁷⁴²⁴, has made proof
 to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Dinner Creek
 a tributary of Coast Fork Willamette River for the purpose of
Municipal Supplies
 under Permit No. 6022 of the State Engineer, and that said right to the use of said waters
 has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
 confirmed dates from April 26, 1926;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
4.0 cubic feet per second;

The point of diversion is located in the NW 1/4 of Section 29, Township 21S, Range 1E, W. M.
 The use hereunder for irrigation shall conform to such reasonable rotation system as may be
 ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other
 right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per
 acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such
 right is appurtenant (if for irrigation or any other purpose), is as follows: SE 1/4, Section 30,
Township 21 South, Range 1 East of the Willamette Meridian, in Lane County, Oregon.

The right to the use of the water for any purpose is restricted to the lands or place of use
 herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of
 any federal power license issued in connection with this right, and after not less than two years
 notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have
 the right to take over the dams, plants and other structures and all appurtenances thereto which have
 been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon
 condition that before taking possession the State or municipality shall pay not to exceed the fair
 value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and
 dependable property of the holder of this certificate, not taken over, as may be caused by the
 severance therefrom of the property taken in accordance with the provisions of section 5728,
 Oregon Laws.

WITNESS the signature of the State Engineer,

affixed this 26th day

of November, 1928

Rhea Luper

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 7, page 7787

T-10530

STATE OF OREGON

WATER DIVISION NO. 1 COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

(For rights perfected under original, enlargement or secondary permits)

This is to Certify, That

CITY OF COTTAGE GROVE

of Cottage Grove, State of Oregon 97424, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of Lang Creek, a tributary of Row River

, for the purpose of Municipal water system

under Permit No. 30 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered

of record in the Record of Proceedings of said Board, at Salem, in Volume 1,

at page 329, on the 28th day of July, 1919; that the priority of

the right hereby confirmed dates from June 12, 1909; that the amount of

water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not

exceed 6.00 cubic feet per second.

A description of the lands under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: The City of Cottage Grove in Lane County, Oregon.

point of diversion changed.
Sp. Or. Vol. 6, p. 192.

~~RIGHTS TO THE USE OF WATER FOR POWER PURPOSES ARE LIMITED TO A PERIOD OF FORTY YEARS FROM THE DATE OF PRIORITY OF THE RIGHT, AS HEREIN SET FORTH, SUBJECT TO A PREFERENCE RIGHT OF RENEWAL UNDER THE LAWS EXISTING AT THE DATE OF THE EXPIRATION OF THE RIGHT FOR POWER PURPOSES, AS HEREBY CONFIRMED AND LIMITED.~~

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

Witness the seal and signature of the STATE

WATER BOARD affixed this 1st day

of August, 1919.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By PERCY A. CUPPER
State Engineer, President

Attest: R. W. POTTER
Secretary

Recorded in State Record of Water Right Certificates, Volume 3, Page 2385

T-10530

STATE OF OREGON
COUNTY OF **LANE**

CERTIFICATE OF WATER RIGHT

This is to Certify, That City of Cottage Grove
of Cottage Grove, State of Oregon **97424**, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Prather Creek
a tributary of Laying Creek and Row River for the purpose of
Municipal Supplies
under Permit No. **8582** of the State Engineer, and that said right to the use of said waters
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
confirmed dates from **June 18, 1928;**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
4.0 cubic feet per second;

The point of diversion is located in the SE 1/4 SW 1/4 of Section **30**, Township **21S**, Range **1E**, W. M.
The use hereunder for irrigation shall conform to such reasonable rotation system as may be
ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per
acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such
right is appurtenant, (if for irrigation or any other purpose), is as follows: NE 1/4, Section 31,
Township 21 South, Range 1 East of the Willamette Meridian, in Lane County, Oregon.

The right to the use of the water for any purpose is restricted to the lands or place of use
herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of
any federal power license issued in connection with this right, and after not less than two years
notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have
the right to take over the dams, plants and other structures and all appurtenances thereto which have
been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon
condition that before taking possession the State or municipality shall pay not to exceed the fair
value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and
dependable property of the holder of this certificate, not taken over, as may be caused by the
severance therefrom of the property taken in accordance with the provisions of section 5728,
Oregon Laws.

WITNESS the signature of the State Engineer,

affixed this **28th** day

of **November**, 19**28**

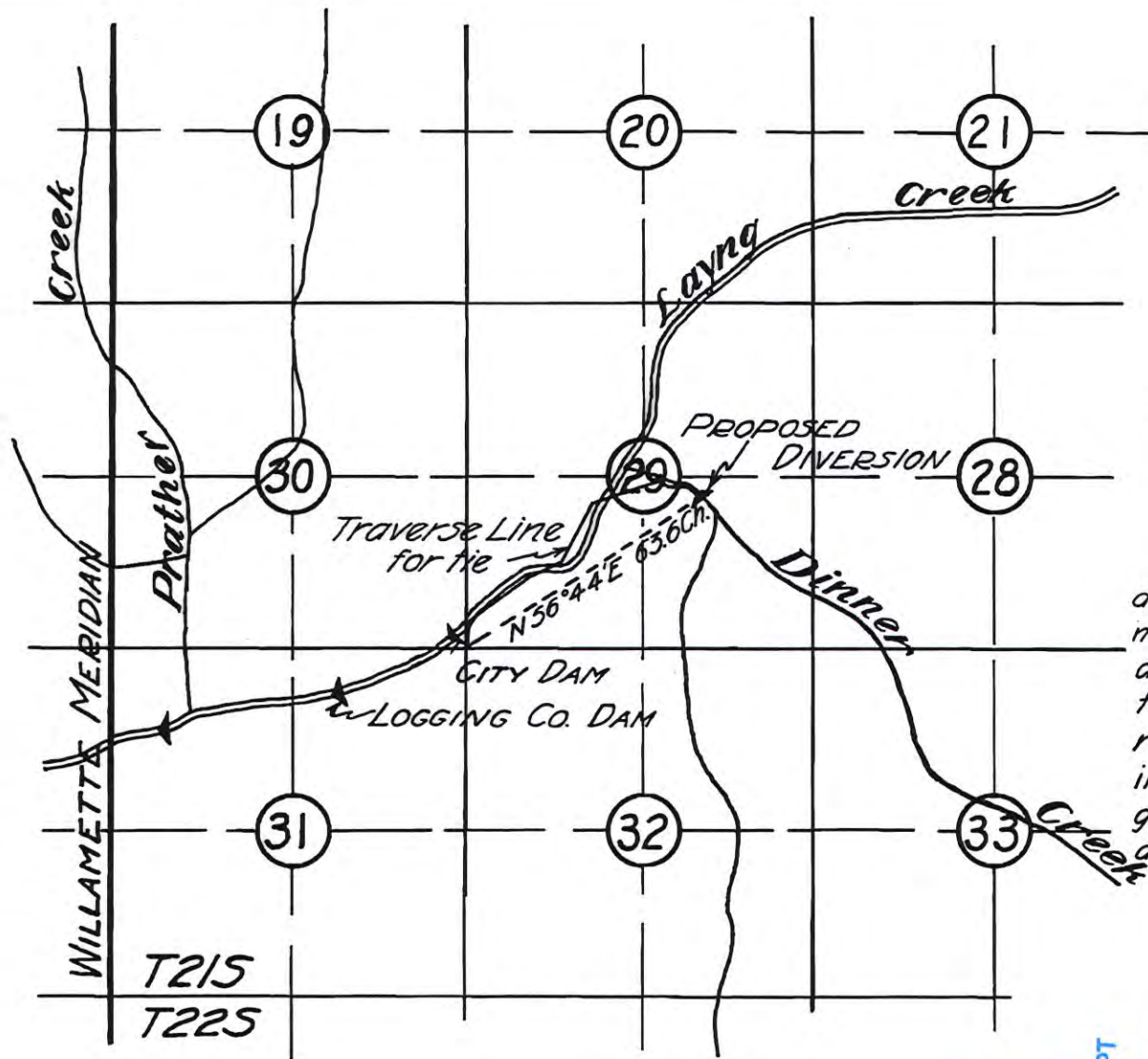
Rhea Luper

State Engineer.

Recorded in State Record of Water Right Certificates, Volume **8**, page **7838**

T-10530

10140



MAP SHOWING
LOCATION OF PROPOSED POINT
OF DIVERSION FROM
DINNER CREEK
FOR
COTTAGE GROVE WATER SUPPLY
Scale 2"=1 mile April 4, 1925

I, H.S. Rogers, of Corvallis, Oregon
do hereby certify that this map was
made from notes taken during an
actual survey made by me on March
twenty eighth, 1925, and that it cor-
rectly represents the works described
in the accompanying application to-
gether with the location of streams
and other ditches in the immediate
vicinity.

H.S. Rogers.
Registered Professional Engineer

Oregon No. 1220

July 8, 1921
Date of Registration

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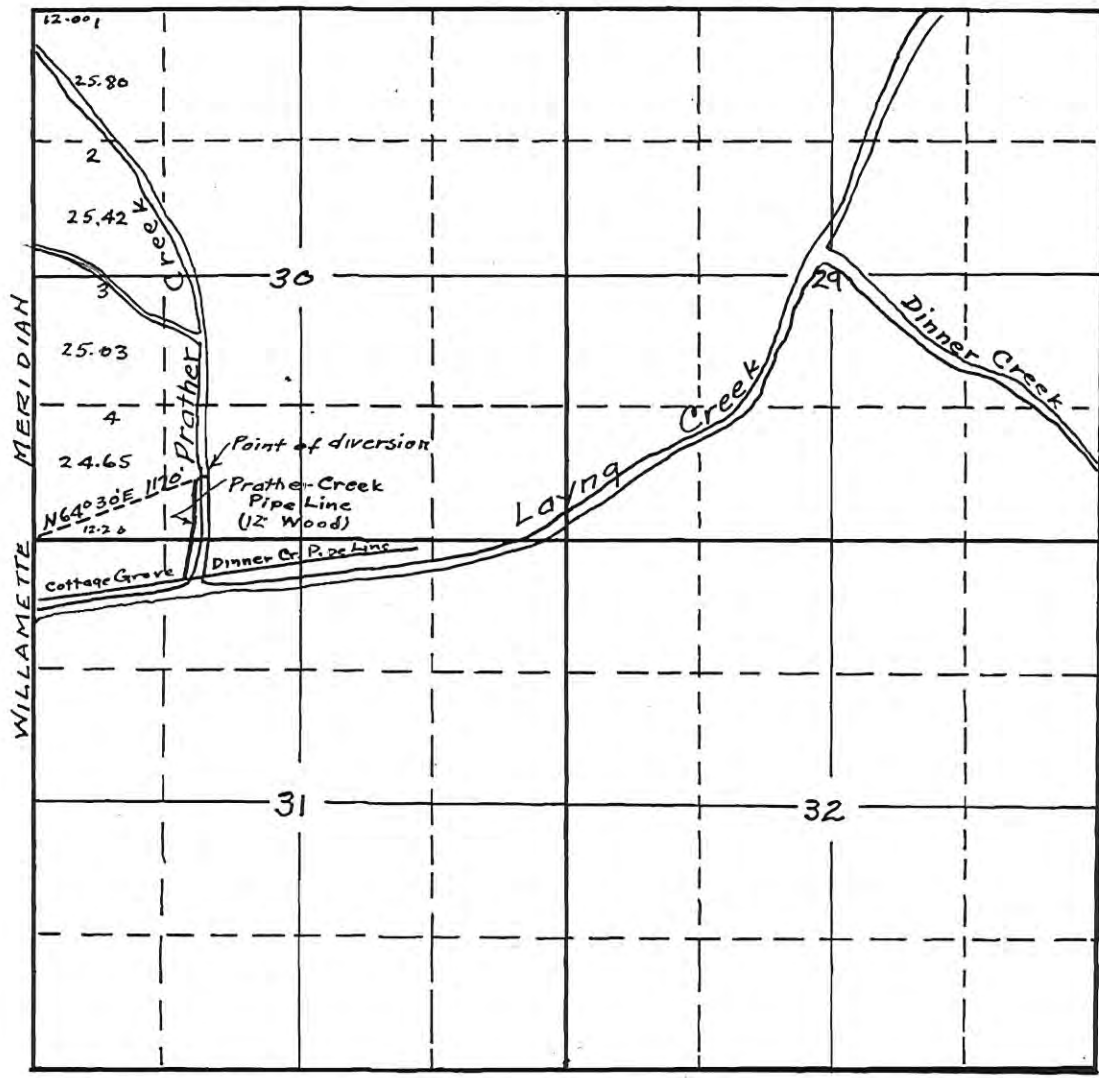
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WATER RESOURCES DEPT
SALEM, OREGON

10140
6822

T 10530

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WATER RESOURCES DEPT
SALEM, OREGON



Sec 29
30
31
32
Tp. 21 S.
R. 1 E.

MAP SHOWING
LOCATION OF PROPOSED POINT
OF DIVERSION FROM PRATHER
CREEK FOR COTTAGE GROVE
WATER SUPPLY

Scale 4" = 1 mile
June 15, 1928

I, L.W. Coiner, of Cottage Grove Oregon,
do hereby certify that this map was made
from notes taken during an actual survey
made by me on June 6, 1928, and that it
correctly represents the works described in
the accompanying application together with
the location of streams and other ditches in
the immediate vicinity

L.W. Coiner

Registered Professional Engineer

Oregon No. 1307

Nov. 6 1925

Date of Registration

42
8582

T 10530

*Permit No. 6822

CERTIFICATE NO. 7787

APPLICATION FOR A PERMIT

To Appropriate the Public Waters of the State of Oregon

We, the City of Cottage Grove,
(Name of Applicant)
 of Cottage Grove,
(Postoffice), County of Lane,
 State of Oregon, do hereby make application for a permit to appropriate the
 following described public waters of the State of Oregon subject to existing rights:

If the applicant is a corporation, give date and place of incorporation
Charter granted 1901

1. The source of the proposed appropriation is Dinner Creek,
(Name of stream)
Layng Creek and Row River
 tributary of Coast Fork Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is four (4)
cubic feet per second.

3. The use to which the water is to be applied is
Municipal supplies (Irrigation, power, mining, manufacturing,
 domestic supplies, etc.)

4. The point of diversion is located 63.6 chains N 56° 44' E of the Southwest
(Give distance and bearing to section corner)
corner of Sec. 29.

being within the NW 1/4 SE 1/4 of Sec. 29, Tp. 21 South
(Give smallest legal subdivision) (No. N. or S.)
 R. 1 East, W. M., in the county of Lane
(No. E. or W.)

5. The pipe line to be 0.90 miles
(Main ditch, canal or pipe line)
 in length, terminating in the SE 1/4 SE 1/4 of Sec. 30, Tp. 21 South
(Smallest legal subdivision) (No. N. or S.)
 R. 1 East, W. M., the proposed location being shown throughout on the accompanying map. as the
(No. E. or W.) line of tie.

6. The name of the ditch, canal or other works is The Dinner Creek Extension of
Cottage Grove Pipe Line, discharging water into the present pipeline at the
City Dam, shown on Layng Creek.

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 10' feet, length on top 50 feet, length at bottom
feet; material to be used and character of construction Concrete.
(Loose rock, concrete,
 masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate None.
(Timber, concrete, etc., number and size of openings)

* A different form of application is provided where storage works are contemplated. These forms can be secured without charge,
 together with instructions, by addressing the State Engineer, Salem, Oregon.

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WATER RESOURCES DEPT
SALEM, OREGON

6802(a)

CANAL SYSTEM—

8. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: Width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(b) At miles from headgate. Width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR:

IRRIGATION—

9. The land to be irrigated has a total area of acres, located in each smallest legal subdivision, as follows:

(Give area of land in each smallest legal subdivision which you intend to irrigate)

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

10. (a) Total amount of power to be developed theoretical horsepower.

(b) Total fall to be utilized feet.
(Head)

(c) The nature of the works by means of which the power is to be developed

(d) Such works to be located in of Sec.
(Legal subdivision)
Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(e) Is water to be returned to any stream?
(Yes or No)

(f) If so, name stream and locate point of return

....., Sec., Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(g) The use to which power is to be applied is

(h) The nature of the mines to be served

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WATER RESOURCES DEPT
SALEM, OREGON

T 10530

MUNICIPAL SUPPLY—

11. To supply the city of Cottage Grove
Lane County, having a present population of 3200
 (Name of)
 and an estimated population of 6000 in 19 40.

(Answer questions 12, 13, 14 and 15 in all cases)

12. Estimated cost of proposed works, \$ 9,000.
13. Construction work will begin on or before September 1, 1925.
14. Construction work will be completed on or before December 1, 1925.
15. The water will be completely applied to the proposed use on or before December 1, 1925.

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Water Board, accompany this application.

City of Cottage Grove,
 (Name of applicant)
Geo. O. Knowles, Mayor,
Homer Galloway, Recorder.

Signed in the presence of us as witnesses:

- (1) (?) Lombard, Cottage Grove, Oregon.
 (Name) (Address of Witness)
- (2) R. H. Townsend, Cottage Grove, Oregon.
 (Name) (Address of Witness)

Remarks: The pipe to be laid at this time will be 12 inch in size,
and the amount of fall is 4.2 feet per thousand feet.

STATE OF OREGON, }
 County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction or completion, as follows:

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before _____

WITNESS my hand this _____ day of _____

State Engineer.

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FEB 07 2008

WATER RESOURCES DEPT
 SALEM, OREGON

T 10530

Application No. 1 0 1 4 0

Permit No. 6 8 2 2

PERMIT
TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

District No.

*This instrument was first received
in the office of the State Engineer at*

Salem, Oregon, on the 28 day

of April, 1925,

at 12:00 o'clock P.M.

Returned to applicant for correction

Corrected application received

Approved:

July 18, 1925

Recorded in Book No. 23 of

Permits, on Page 6 8 2 2

R H E A L U P E R

1 map ER

\$8.00

State Engineer.

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: If for irrigation, this appropriation shall be limited to one-eightieth of one cubic foot per second, or its equivalent, for each acre irrigated, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The right herein granted is limited to the appropriation of water from

Dinner Creek for municipal purposes.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 4.0 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is April 28, 1925.

Actual construction work shall begin on or before July 18, 1926 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1927

Complete application of the water to the proposed use shall be made on or before

October 1, 1928

WITNESS my hand this 18th day of July, 1925

Rhea Luper

State Engineer.

Permits for power development are subject to the limitation of franchise as provided in Section 5728, Oregon Laws, and the payment of annual fees as provided in Section 5803, Oregon Laws.

This form approved by the State Water Board, March 11, 1909.

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WATER RESOURCES DEPT
SALEM, OREGON

T 10530

* Permit No. 8582

APPLICATION FOR A PERMIT

CERTIFICATE NO. 7838

To Appropriate the Public Waters of the State of Oregon

I, We, The City of Cottage Grove, Oregon
 (Name of applicant)
 of Cottage Grove, County of Lane
 (Postoffice)
 State of Oregon, do hereby make application for a permit to appropriate the
 following described public waters of the State of Oregon, subject to existing rights:

If the applicant is a corporation, give date and place of incorporation Charter Granted 1901

1. The source of the proposed appropriation is Prather Creek
 (Name of stream)

, tributary of Laying Creek and Row River

Coast Fork Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is

4 cubic feet per second.

3. The use to which the water is to be applied is Municipal supplies
 (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of division is located N. 64° 30' E. 1170 ft. of the Southwest Corner
 (Give distance and bearing to section corner)
of Sec. 30

being within the SE 1/4 SW 1/4 of Sec. 30, Tp. 21 S.
 (Give smallest legal subdivision) (No. N. or S.)

R. 1 E., W. M., in the county of Lane
 (No. E. or W.)

5. The Prather Creek Pipe Line to be 1200 ft.
 (Main ditch, canal or pipe line)

miles in length, terminating in the NE 1/4 NW 1/4 of Sec. 31, Tp. 21 S.
 (Smallest legal subdivision) (No. N. or S.)

R. 1 E., W. M., the proposed location being shown throughout on the accompanying map.
 (No. E. or W.)

6. The name of the ditch, canal or other works is Prather Creek Supply Line

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 8' feet, length on top 30 feet, length at bottom
35 feet; material to be used and character of construction Timber
 (Loose rock, concrete, masonry,
 rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Wood, one opening
 (Timber, concrete, etc., number and size of openings)

* A different form of application is provided where storage works are contemplated. These forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

10530

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WATER RESOURCES DEPT
SALEM, OREGON

CANAL SYSTEM—

8. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: Width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(b) At miles from headgate: Width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR
IRRIGATION—

9. The land to be irrigated has a total area of acres, located in each smallest legal subdivision, as follows:
(Give area of land in each smallest legal subdivision which you intend to irrigate)

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

10. (a) Total amount of power to be developed theoretical horsepower.

(b) Total fall to be utilized feet.
(Head)

(c) The nature of the works by means of which the power is to be developed

(d) Such works to be located in of Sec.
(Legal subdivision)

Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(e) Is water to be returned to any stream?
(Yes or No)

(f) If so, name stream and locate point of return

....., Sec., Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(g) The use to which power is to be applied is

(h) The nature of the mines to be served

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SALEM, OREGON

I 10530

MUNICIPAL SUPPLY—

11. To supply the city of Cottage Grove
Lane County, having a present population of 3500
 (Name of)
 and an estimated population of 6000 in 1940

(Answer questions 12, 13, 14, and 15 in all cases)

12. Estimated cost of proposed works, \$ 500.00
 13. Construction work will begin on or before July 1, 1928
 14. Construction work will be completed on or before July 30, 1928
 15. The water will be completely applied to the proposed use on or before Sept. 1, 1928

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Engineer, accompany this application.

CITY OF COTTAGE GROVE

(Name of applicant)

Geo. O. Knowles

Mayor

O. H. Vandenburg

Recorder

Signed in the presence of us as witnesses:

- (1) Herbert Lanbant, Cottage Grove, Oregon
 (Name) (Address of witness)
 (2) Dorothy E. Lunan, Cottage Grove, Oregon
 (Name) (Address of witness)

Remarks: The pipe to be used will be 12" wood pipe and connect with

the pipe line to Cottage Grove from Dinner Creek at a point near the point
of diversion of Laying Creek, original filing.

Grade:— 25 ft. in 1200 ft. or slightly over 2%.

STATE OF OREGON, }
 County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction or completion, as follows:

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before _____, 1928.

WITNESS my hand this _____ day of _____, 1928.

STATE ENGINEER.

T 10530

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WATER RESOURCES DEPT
 SALEM OREGON

Application No. 12142

Permit No. 8 5 8 2

PERMIT
TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

District No.

*This instrument was first received in the
office of the State Engineer at Salem, Oregon,*

on the 18th day of June

1928, at 8:00 o'clock A. M.

Returned to applicant for correction:

Corrected application received:

Approved:

August 3rd, 1928

Recorded in Book No. 28 of
Permits, on page 8 5 8 2

R. H. E. A. L. U. P. E. R.
STATE ENGINEER.

1 map ACFP

\$13.00

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: If for irrigation, this appropriation shall be limited to one-eightieth of one cubic foot per second, or its equivalent, for each acre irrigated, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

*The right herein granted is limited to the appropriation of water from
Prather Creek for municipal purposes.*

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 4.0 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is June 18, 1928.

Actual construction work shall begin on or before August 3, 1933 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1934

Complete application of the water to the proposed use shall be made on or before October 1, 1935

WITNESS my hand this 3rd day of August, 1928.

R. H. E. A. L. U. P. E. R.
STATE ENGINEER.

Permits for power development are subject to the limitation of franchise as provided in Section 5728, Oregon Laws, and the payment of annual fees as provided in Section 5803, Oregon Laws.

This form approved by the State Water Board, March 11, 1909.

RECEIVED

FEB 07 2008

WATER RESOURCES DEPT

10530

STATE OF OREGON

WATER DIVISION NO. 1 COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

(For rights perfected under original, enlargement or secondary permits)

This is to Certify, That CITY OF COTTAGE GROVE

of Cottage Grove, State of Oregon, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of Lang Creek, a tributary of Row River, for the purpose of Municipal water system

under Permit No. 30 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered of record in the Record of Proceedings of said Board, at Salem, in Volume 1, at page 329, on the 28th day of July, 1919; that the priority of the right hereby confirmed dates from June 12, 1909; that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 6.00 cubic feet per second.

A description of the lands under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: The City of Cottage Grove in Lane County, Oregon.

point of diversion changed,
Sp. Or. Vol. 6, p. 192.

~~Rights to the use of the water aforesaid shall be a lien in favor of the State on the lands on which such water is used.~~

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited:

Witness the seal and signature of the STATE WATER BOARD affixed this 1st day of August, 1919.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By PERCY A. CUPPER
State Engineer, President

Attest: V. W. POTTER
Secretary

Recorded in State Record of Water Right Certificates, Volume 3, Page 2385

RECEIVED

FEB 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **City of Cottage Grove** hereafter Applicants, hereafter known together as the parties.

OWRD Information

Project Contact: Dorothy Pedersen
Title: Transfer Advisor
Address: 725 Summer Street, NE
Salem, OR 97301-1271
Phone: 503 986-0890
Fax: 503 986-0903
Email: Dorothy.I.Pedersen@wrdd.state.or.us

Applicant's Information

City of Cottage Grove
Project Contact: Jan Wellman
Address: 400 Main St
Cottage Grove, OR 97424
Phone Number: 541-942-3349
Fax Number: 541-942-1267
Email Address:

Applicant's Representative

Name: GSI Water Solutions Inc
Project Contact: Adam Sussman
Address: 1600 Western Blvd, Ste 200
Corvallis, OR 97333
Phone Number: 541-753-0745
Fax Number: 541-754-4211
Email: asussman@gsiwatersolutions.com

1. **Purpose** The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (**Application Number: T-10530**)
2. **Authority** The OWRD has been authorized pursuant to HB 2551(2003 Oregon Laws) to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
3. **Restrictions.** **City of Cottage Grove** and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
4. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
5. **Statement of Work.** The Statement of Work is contained in Exhibit A attached hereto and incorporated by reference into this Agreement. OWRD agrees to perform this work in accordance with the terms and conditions of this Agreement.
6. **Consideration.**
 - a. **City of Cottage Grove** shall pay OWRD in advance for actual costs incurred by OWRD as specified in the Statement of work attached and incorporated as Exhibit A. The estimated maximum reimbursement payable to OWRD under this Agreement is **\$1,800.00**. **City of Cottage Grove** agrees to pay the full amount of **\$1,800.00** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
7. **Subcontracts.** OWRD intends to undertake the work described in this Agreement by assigning the work to a contractor from its established pre-qualified contractor pool

8. **Contract Documents.** This Agreement consists of the following documents which are listed in descending order of precedence: this Agreement and the attached Exhibit A. All attached Exhibits are incorporated into this Agreement by reference.
9. **Confidentiality.** City of Cottage Grove agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
10. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, Dan A. Consultant (Contractor) and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.
11. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by the Contractor up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant and appropriately notifying the Contractor, will refund any unspent balance after paying the contractor for the work done.
12. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
13. **Duration of Estimate.** The Estimate of Time to complete the work in Exhibit A (Statement of Work) becomes null and void after thirty- (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant must re-apply for a new estimate.
14. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
15. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
16. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
17. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For City of Cottage Grove: _____
Signature

Date

For OWRD: _____
Tracy Loudon – Administrator

Date

Mail signed Agreement to:

Salem Opeifa
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

Exhibit A
Statement of Work

Application Number: T-10615

Name of Applicant: City of Cottage Grove

**Reimbursement Authority Process
Itemized Estimate Sheet
For
Transfer**

	Item	Time
1	Review of application for completeness.	2.0
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	3.0
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	2.0
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	4.0
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	4.0
Total Estimated Time:		15.0

Total estimated cost is 15.0 hours at \$120.00 per hour = \$1,800.00

Estimated date of completion of draft preliminary determination: July 3, 2008

Deadline for applicant's review of draft preliminary determination: August 4, 2008. *

**Dates are contingent on the Applicant's expeditious resolution of any deficiency and may be affected by Department's work load.*

Dorothy Pedersen

From: Norm Daft [normthewaterguy@charter.net]
Sent: Wednesday, April 02, 2008 11:51 AM
To: Dorothy Pedersen
Subject: R/A T-10530

Attachments: 10530-contacts.doc; 10530-dpd.doc; 10530-dpd-cov.doc; 10530-pd-notice.doc; 10530-pd-cov.doc; 10530-rr-2385-xxx.doc; 10530-checklist.doc



10530-contacts.doc
(21 KB)



10530-dpd.doc
(90 KB)



10530-dpd-cov.doc
(29 KB)



10530-pd-notice.doc
(24 KB)



10530-pd-cov.doc
(26 KB)



10530-rr-2385-xxx.doc
(31 KB)



10530-checklist.doc
(38 KB)

Dorothy,

Attached are electronic documents for T-10530.

Some comments:

Struggled some with the dpd language. Let me know if I need to make any changes.

No amendment to change the place of use for C-2385. I suspect The City of Cottage Grove wants to let the water district do their own transfer.

POD MAP: The map doesn't show the SE corner of section 29 which is the reference point for the coordinates. Do we need to ask for a revised map?

Copying the supplemental language and pasting it does weird stuff to the dpd. I had to line up paragraphs using the space bar.

Adam did a great job with this transfer application. Maybe the best I've seen in 4 years.

The final deliverables cover sheet and hard copy deliverables will be mailed today.

Have a great day.

Norm

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Friday, March 14, 2008 11:53 AM
To: 'Norm Daft'
Subject: RE: City of Cottage Grove T-10530

Attachments: 10530-RA-ReviewChecklist.doc; 10530-DPD Cover Approval template.doc; 10530-DPD Cover Denial template.doc; 10530-dpd-template.doc; 10530-pd-cov-template.doc; Contact List.dot; supplemental-lang.dot; DeficLet.dot; PD_notice.dot



10530-RA-ReviewC
hecklist.doc (...)



10530-DPD Cover
Approval templ...



10530-DPD Cover
Denial templat...



10530-dpd-templat
e.doc (265 KB...



10530-pd-cov-temp
late.doc (33 ...



Contact List.dot (26
KB)



supplemental-lang.
dot (169 KB)...



DeficLet.dot (27
KB)



PD_notice.dot (29
KB)

Hi Norm,

Here are the templates for T-10530. Let me know if you need anything else.

Dorothy

-----Original Message-----

From: Norm Daft [mailto:normthewaterguy@charter.net]
Sent: Wednesday, March 12, 2008 12:02 PM
To: Dorothy Pedersen
Subject: City of Cottage Grove T-10530

Dorothy,

I don't believe I have been sent the templates for this job.

Could you send me templates when you get a chance?

Norm

541 761-1057

Dorothy Pedersen

From: Norm Daft [normthewaterguy@charter.net]
Sent: Friday, February 22, 2008 9:11 AM
To: Salem Opeifa
Cc: Becca Croft; Dorothy Pedersen
Subject: RA - Estimate for T-10530, City of Cottage Grove

Attachments: estimate_T-10530.pdf



estimate_T-10530.
pdf (79 KB)

Salem,

The cost estimate for this project is attached.

The applicant is to be commended for submitting a very complete package. There are, however, a few issues that need to be dealt with as pointed out by the applicant. This will add to the estimated time.

The DPD will need additional findings concerning POD's and a clarification in place of use for two certificates. Also, there are a lot of documents to review and a remaining right certificate to be issued in a purchaser name rather than the City.

Norm

Norm Daft
541 761-1057

asking for 15 years

Shipping Checklist for Reimbursement Authority File

File T- 10530 Applicant: City of Cottage Grove

Agent/Contact: Adam Sussman GSI

Ship to Contractor: Public Works Management

Items included:

- ☒ Copy of front of file folder
- ☒ Reimbursement Authority Estimate Application
- ☒ Transfer Application form
- ☒ Transfer map
- ☒ Evidence of use affidavit
- ☒ Supporting documentation for evidence of use
- ☒ Land-use Information form
- ☐ Lot book report (or deed if instream or temporary transfer, or application received before 7/1/03) *Will be sent later, if needed (probably not, since this is a municipal)*
- ☒ Certificate or copy of decree for each right to be transferred
- ☒ Final Proof map or decree map for each right to be transferred
- ☒ Well logs (if change in POA, SW POD-to-GW POA change)
- ☐ Watermaster review (all transfers) *> Will be sent later*
- ☐ ODFW review (if change in POD)
- ☒ GW review (if Δ POA, or POD-to-POA change)
- ☒ Transfer review checklist
- ☒ Final Deliverable cover sheet
- ☒ Itemized Estimate sheet for contractor

Additional things to check:

- ☒ All regular application processing fees paid
- ☒ Reimbursement Authority \$125 fee paid for preparing estimate
- ☒ Date of WRD initial Public Notice 2-19-08

Number of sheets copied 45

File contents copied by Lisa Pasdike Date 2-14-08

Reimbursement Authority Process Itemized Estimate Sheet for Water Rights Transfer

Application Number T-10530

Name of Applicant: City of Cottage Grove

Proposed Timeline

2/7/08	Public Notice (start of 30-day comment period).
4/1/08	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
5/6/08	Deadline for applicant review of draft preliminary determination--30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 working days after DPD comments received	Completion of contract work: Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)--within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

For purposes of water right transfers, all deliverables must be in Microsoft Word except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.

Estimate

	Item	Time
1	Review of application for completeness.	
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	
Total Estimated Time:		

(Indicate the estimated amount of time, in ½ hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: Public Works Management, Inc.

Authorized Representative: _____

Date: _____

Application

- ☐ The type of change is clearly indicated.
- ☐ The application is appropriately signed.
- ☐ Appropriate fees were paid. ☐ If overpayment, Refund Request to be sent with FO
- ☐ Land use form matches affected tax lots and is signed by proper official. (*from ALL affected Govt's*)
- ☐ Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
- ☐ All required attachments received.

Water right subject to transfer

- ☐ Certificated right or Proof accepted "to the satisfaction...."
- ☐ The right been exercised according to terms & conditions of certificate.
- ☐ Delivery system has the capacity to fully divert the rate/duty of the right.
- ☐ No information in record that suggests forfeiture.
- ☐ No conflicts identified on the plat cards and plat card reports printed.
- ☐ Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- ☐ The map has an original CWRE signature.
- ☐ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
- ☐ All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
- ☐ Metes and bounds for the POD's/POA's are properly described on the map.
- ☐ The POD/POA dimensions & ¼ ¼ on map match the transfer application and certificate descriptions.
- ☐ Map acres match the tabulation on the certificate.
- ☐ Have final proof maps/deed maps for the rights. ☐ Application map matches certificate FPS.
- ☐ Have necessary aerial photos.

Determining the "From" and "To" Lands (*make working copy of application and certificates to mark on*)

- ☐ Only the authorized POD's/POA's and POU's to be transferred are listed.
- ☐ Application & certificate tabulations match. (*Mark on appl. and cert. copies and note corrections needed*)
- ☐ Marked on certificate the acreage being transferred, cancelled and remaining by ¼ ¼.

Ownership

- ☐ The deed/ROLI matches the "from" lands. (Don't need to check "to" lands.)
- ☐ Have current tax lot map. (*If transfer application is several years old, contact assessor's office*)
- ☐ The applicant is the owner of the "from" lands.
- ☐ All owners on the deed/ROLI have signed the application.
- ☐ If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
- ☐ If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- ☐ Agent has authorization to make decisions.

Evaluation

Reviews/comments/conditions received? ☐ Watermaster ☐ ODFW ☐ GW

Headgate	☐ When in the judgment	☐ Prior to diverting	☐ Existing and maintain
Measuring Devices	☐ When in the judgment	☐ Prior to diverting	☐ Existing and maintain
Fish Screen Devices	☐		

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury –

Materials needed for peer reviewer

- ☐ application marked ☐ transfer map ☐ Water right map (if marked) ☐ certificate marked
- ☐ deed/ROLI (if marked) ☐ plat card marked printout (if POU or Use change)
- ☐ other processing notes

**Reimbursement Authority
Final Deliverables Cover Sheet
for
Transfers**

Transfer # T-10530

Applicant: City of Cottage Grove

The following items have been submitted electronically*:

- ☐ Contact List
- ☐ Draft Preliminary Determination (DPD)
- ☐ DPD Cover Letter
- ☐ PD Notice
- ☐ PD Cover Letter
- ☐ Remaining Right Certificates (one for each right that is not entirely affected by the transfer)
- ☐ Instream Water Right Certificate (if needed)

***NOTE:** Transfer documents should be submitted in MS Word format preferably, or "rich text" format.

The following items are enclosed:

- ☐ Review checklist
- ☐ Marked copy of transfer application
- ☐ (for POU changes) Plat Card Report marked to indicate any other rights on the "From" lands
- ☐ (for POU changes) Plat Card Report marked to indicate rights overlapping proposed POU
- ☐ Notes or sketches, maps, etc. from evaluation of changes, injury evaluation, etc. that will help document what was considered in reaching the findings and determination in the Preliminary Determination.
- ☐ Copies of each certificate that is only partially included in the transfer, marked as needed to show what portion of the right is being affected, and what remains unchanged.

☐ Signature of Contractor: _____ Date: _____

For WRD use only:

WRD approval by: _____ Date: _____

**WATER RESOURCES DEPARTMENT
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION**

House Bill 2551 (2003 Oregon Laws) authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.

The Department has established a pool of qualified contractors to perform expedited services for water right transfers, water right permits extensions, and water right certificates.

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of \$125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of a: (check one):

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
☒	Transfer Application	T- 10530
☐	Certificate Request	
☐	Extension of Time Request	

<u>Applicant Information</u>		<u>Applicant's Representative/Contact</u>
Name: (Please Print)	City of Cottage Grove, Attn. Jan Wellman	Adam Sussman, GSI Water Solutions, Inc.
Address:	400 Main St.	1600 Western Blvd., Suite 240
	Cottage Grove, OR. 97424	Corvallis, Oregon 97333
Phone:	541-942-3349	541-753-0745
Fax	541-942-1267	541-754-4211
E-Mail Address:	pwdirector@cottagegrove.org	asussman@gsiwatersolutions.com

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of **\$ 125.00**, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within three (3) business days.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to: **OWRD – Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1266.**

I certify that I am the (check one) ☒ Applicant ☐ Applicant's Representative ☐ Other (Please specify) _____

Signature: Jan C. Wellman

Name: Jan C. Wellman

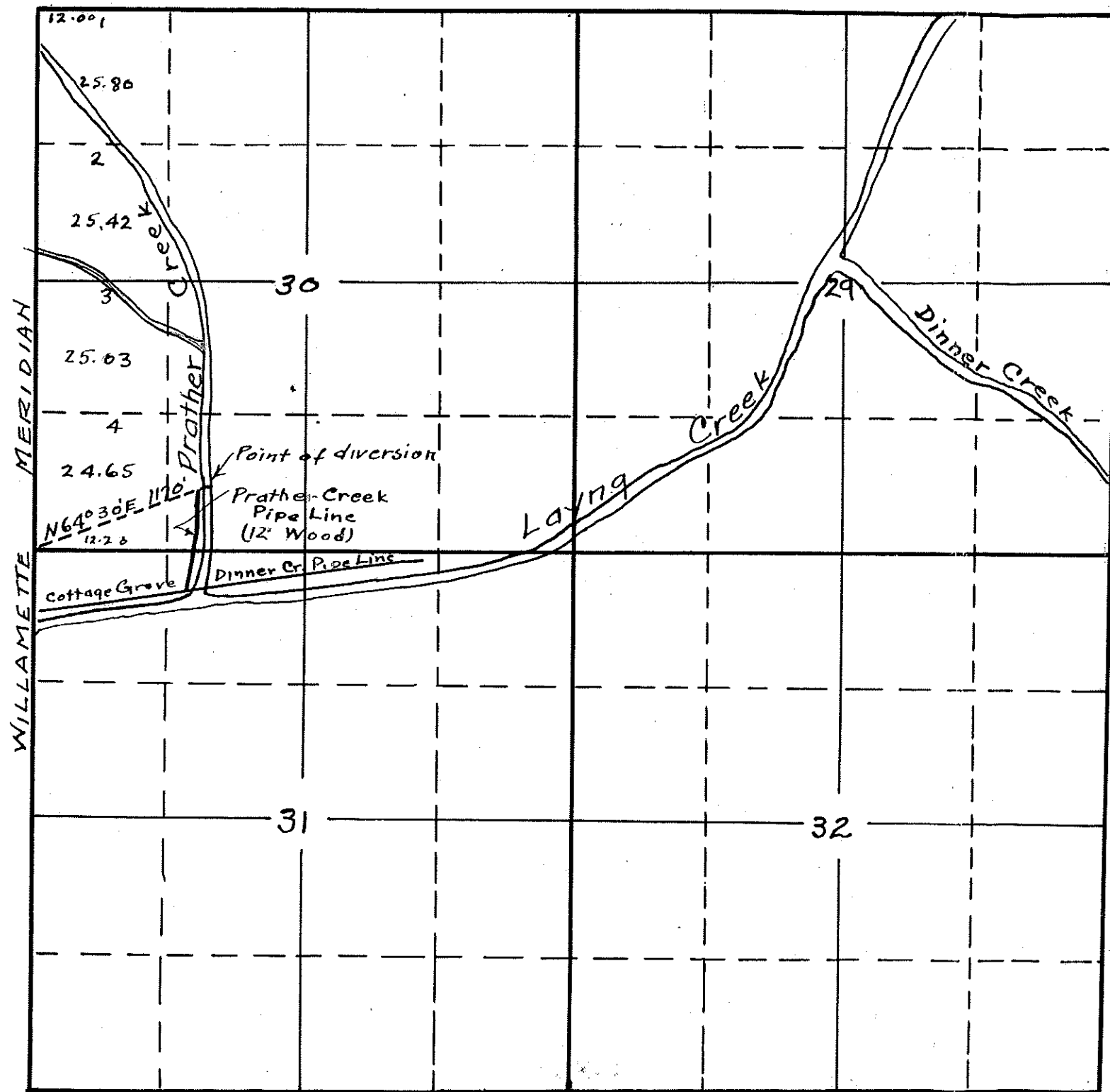
OWRD USE ONLY

Contractor Assigned:	Total Amount Paid: \$
OWRD Approval:	

RECEIVED

Rev. 10/16/2003
FEB 07 2008

**WATER RESOURCES DEPT
SALEM, OREGON**



Sec 29
30
31
32
Tp. 21 S.
R. 1 E.

MAP SHOWING
LOCATION OF PROPOSED POINT
OF DIVERSION FROM PRATHER
CREEK FOR COTTAGE GROVE
WATER SUPPLY

Scale 4" = 1 mile

June 15, 1928

I, L.W. Coiner, of Cottage Grove Oregon,
do hereby certify that this map was made
from notes taken during an actual survey
made by me on June 6, 1928, and that it
correctly represents the works described in
the accompanying application together with
the location of streams and other ditches in
the immediate vicinity

L.W. Coiner

Registered Professional Engineer

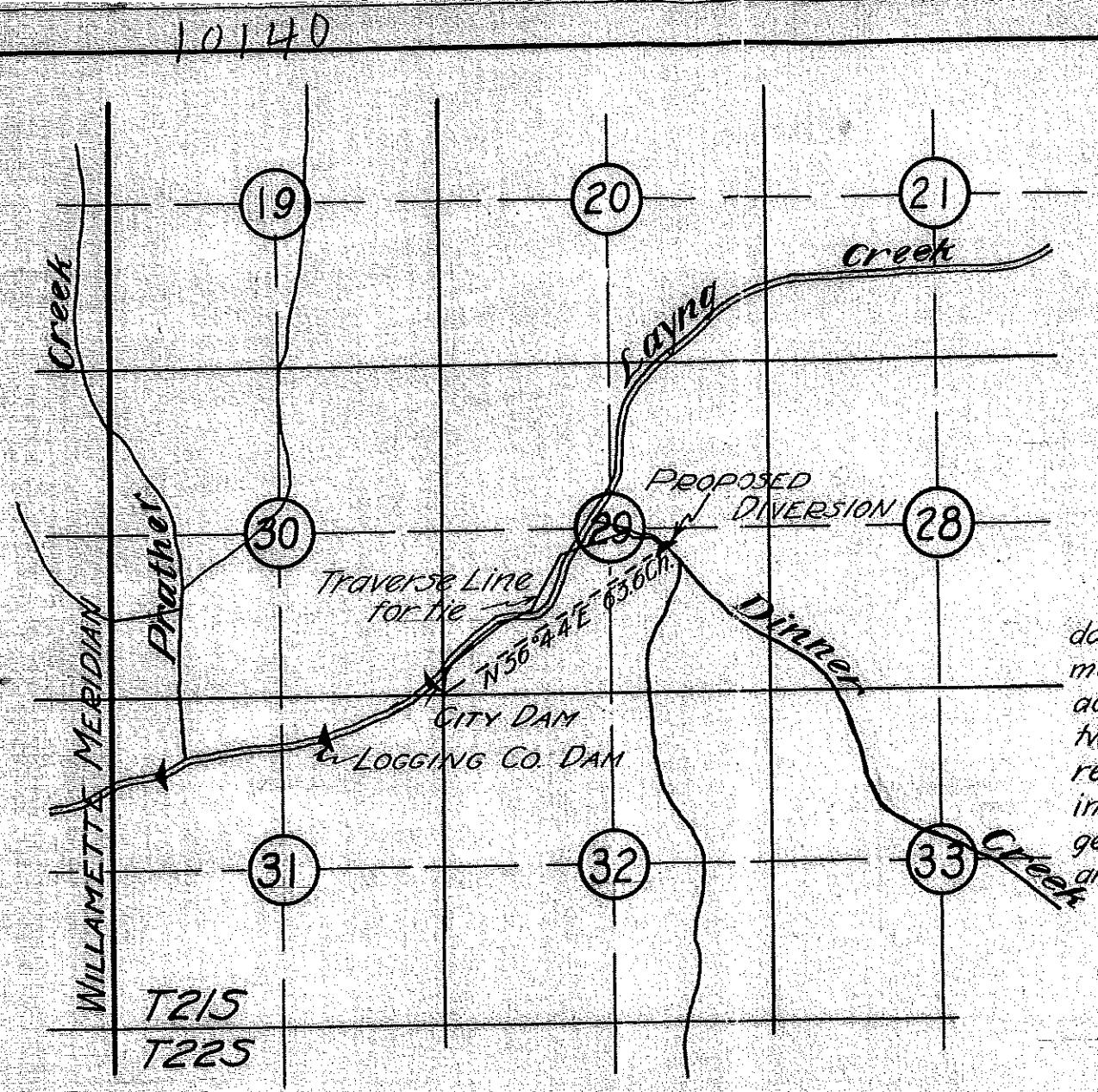
Oregon No. 1307.

Nov. 6 1925

Date of Registration

Application No. 12142

Permit No. 8582



MAP SHOWING
LOCATION OF PROPOSED POINT
OF DIVERSION FROM
DINNER CREEK
FOR
COTTAGE GROVE WATER SUPPLY
Scale 2"=1 mile April 4, 1925

I, H. S. Rogers, of Corvallis, Oregon
do hereby certify that this map was
made from notes taken during an
actual survey made by me on March
twenty eighth, 1925, and that it cor-
rectly represents the works described
in the accompanying application to-
gether with the location of streams
and other ditches in the immediate
vicinity.

H. S. Rogers
Registered Professional Engineer

Oregon No. 1220

July 8, 1921
Date of Registration

STATE ENGINEER
RECEIVED

APR 28 1925

SALEM, OREGON

Application No. 10140
Permit No. 6822

10140