

Application No. S 81436

Permit No. S-55144

Certificate No. _____

Stream Index, Page No. 16

• See T-8039

FILE#: S 81436

RIVERS WEST DEVELOPMENT INC.
2201 WHISTLERS PARK RD
ROSEBURG, OR 97470

Date filed _____

Priority _____

Action suspended until 10-23

Return to applicant _____

Date of approval _____

CONSTRUCTION

Date for beginning ✓

Date for completion October 1, 2023

Extended to _____

Date for application of water _____

Extended to _____

PROSECUTION OF WORK

Form "A" filed _____

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received _____

Date Certificate issued _____

Proposed Cert. issued: 9/14/2019

FEES PAID

Date	Amount	Receipt No.
8-15-96	300.00	5456
9-16-19	\$200.00	130826

Cert. Fee _____

FEES REFUNDED

Date	Amount	Check No.
------	--------	-----------

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
4/27/2010	Rivers West RV Park 2371 NE Stephens Street Roseburg, 97470 Attn: Tonya Theiss-Skip			

COW CREEK INDIAN TRIBE REMARKS

COBLU Received Sept. 16, 2019

5-19-97

4:26

Sandy Coons or ~~Laura Coons~~

Rivers Wees

S-81436

Status of a

5411-6.72

Get up to route
to me on

12-27-00

Thanks,
Laura

5-20-97

returned call

provided gen timeline

PFO → FFO & permit

Address Labels

TM/JK
Oregon

Water Resources Department
Water Right Services Division
725 Summer St NE Ste A
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED

S-81436
USA - In Trust For
Cow Creek Band Of Umpqua Tribe Of Indians
PO Box 569
Siletz, OR. 97380

UTF
97301>1266
11-A-45A 97380

Presort
First Class Mail
ComBasPrice



U.S. POSTAGE >> PITNEY BOWES



ZIP 97301 \$ 000.42⁶
02 4W
0000361800 OCT 07 2021

RECEIVED

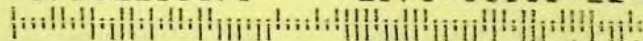
OCT. 12 2021

OWRD

NIXIE 971 FE 1260 0010/11/21

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 97301126673 *1579-06993-11-21





Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

Date Mailed: OCT 06 2021

NOTICE OF RECONSIDERATION ORDER

The attached order withdraws a certificate previously issued by the Department confirming a water right established under the terms of a permit issued by this Department.

The order is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

If you have any questions please contact Jeffrey Pierceall at 503-979-3213.

Oregon Department of Water Resources

In the Matter of a Request for)	
Reconsideration of Certificate of)	Final Order in Other than a
Water Right Number 95666)	Contested Case

On September 17, 2021, the Water Resources Department issued a Final Order in other than a Contested Case described as Certificate of Water Right Number 95666. The Certificate described the extent of use of water, to the satisfaction of the Department, perfected under the terms of Permit S-55144.

The Department is reconsidering the issuance of the above referenced certificate on its own initiative.

FINDING OF FACT

1. Water Right Certificate 95666 was dated, issued, and mailed on September 17, 2021. Water Right Certificate 95666 is a Final Order in Other than a Contested Case.
2. Within 60 calendar days after the date of the order, the agency may, on its own initiative, reconsider the final order.

ULTIMATE FINDINGS OF FACT

Water Right Certificate Number 95666 is a Final Order in Other than a Contested Case. Within 60 calendar days after the date of the order, the agency may, on its own initiative, reconsider the final order.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-0080 and OAR 690-01-005 you may either petition for judicial review petition the Director for reconsideration of this order.

CONCLUSIONS OF LAW

Oregon Administrative Rule 137-004-0080 allows the Department to file Requests for Reconsideration of Final Orders in Other than Contested Case and to grant reconsideration of the Final Order.

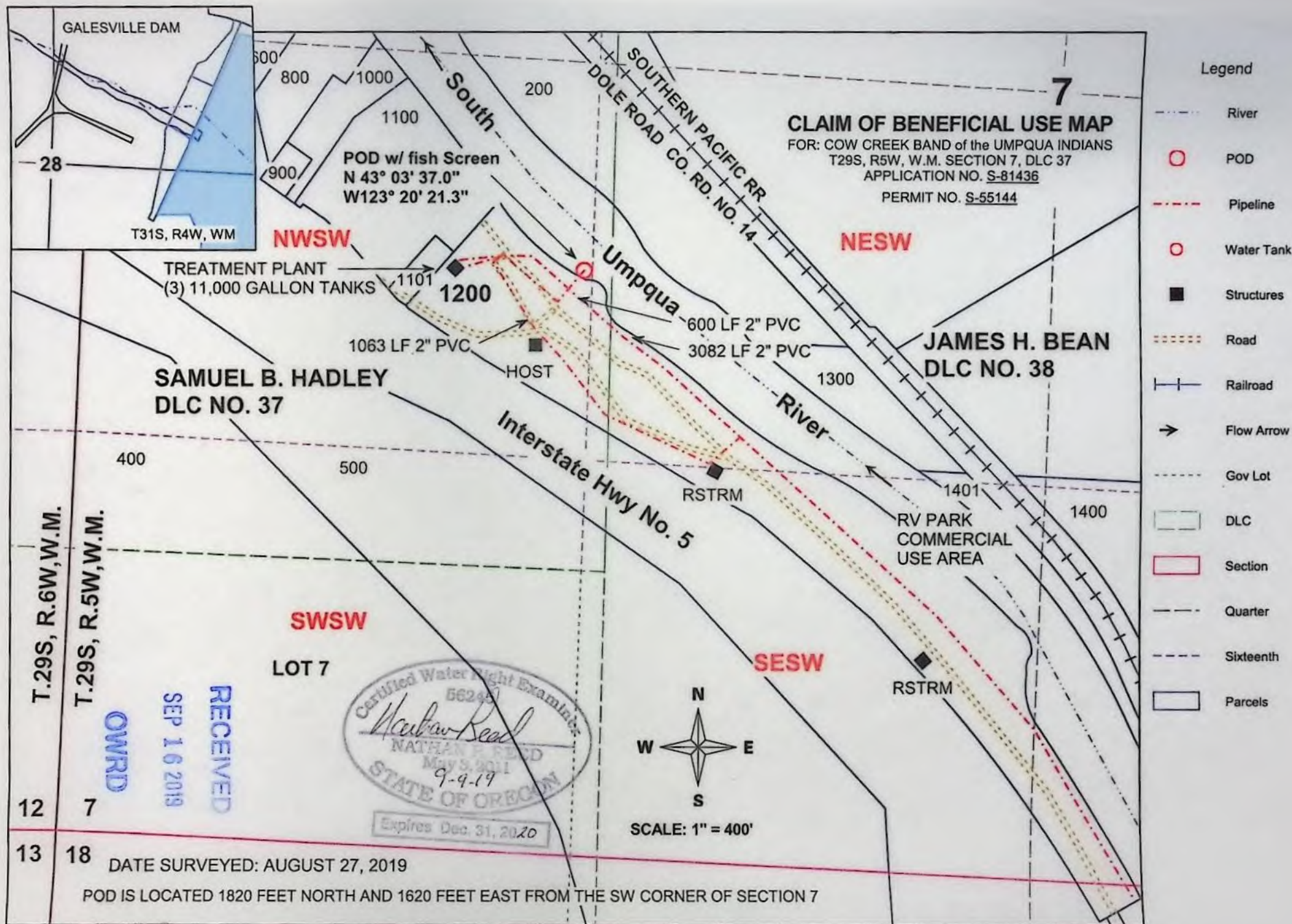
ORDER

The Department hereby reconsiders and withdraws Final Order Water Right Certificate Number 95666. Final Order Certificate Number 95666 is of no force or effect.

Dated this OCT 06 2021.



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

MAP PREPARED BY:
NATHAN R. REED, PE, CWRE
157 W. BODIE ST
ROSEBURG, OR 97471

MAP PREPARED FOR:
COW CREEK BAND of the UMPQUA INDIANS
2371 NE STEPHENS ST.
ROSEBURG, OR 97470

Mailing List for Order of Reconsideration of Certificate 95666

Scheduled Mailing Date:

Application: S-81436

Permit: S-55144

Special Order Volume _____, Page _____

Water Right Holder:

COW CREEK BAND OF THE UMPQUA INDIANS
146 CHIEF MIWALETA LANE
CANYONVILLE OR 97417

NORTH FORK PROPERTIES LLC
404 289TH PLACE NE
CARNATION WA 90814

Copies Mailed	
by: <u>TH</u>	(STAFF)
on: <u>10/6/2021</u>	(DATE)

Copies of Order to be sent to:

1. Watermaster District 5
2. Water Availability
3. Vault
4. File

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES**

Other persons to receive copies: (include map):

NATHAN REED, CWRE
157 W BODIE ST
ROSEBURG, OR 97471

COW CREEK BAND OF THE UMPQUA INDIANS
2371 NE STEPHENS ST, STE 100
ROSEBURG OR 97470

USA – IN TRUST FOR
COW CREEK BAND OF UMPQUA TRIBE OF INDIANS
PO BOX 569
SILETZ OR 97380



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

Date Mailed: OCT 06 2021

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Dated this OCT 06 2021.



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing List for Final Certificate

Application: S-81436

Permit: S-55144

Certificate: 95666

Permit/Certificate Holder:

COW CREEK BAND OF THE UMPQUA INDIANS
146 CHIEF MIWALETA LANE
CANYONVILLE OR 97417

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES**

Copies of Final Certificate to be sent to:

1. Watermaster District #: 15
2. Water Availability
3. Vault
4. File

Other persons to receive copies: (include map):

1. NATHAN REED, CWRE
157 W BODIE ST
ROSEBURG, OR 97471

COW CREEK BAND OF THE UMPQUA INDIANS
2371 NE STEPHENS ST, STE 100
ROSEBURG OR 97470

USA – IN TRUST FOR
COW CREEK BAND OF UMPQUA TRIBE OF INDIANS
PO BOX 569
SILETZ OR 97380

Copies Mailed

by: TM
(STAFF)

on: 9/17/2021
(DATE)

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

COW CREEK BAND OF THE UMPQUA INDIANS
146 CHIEF MIWALETA LANE
CANYONVILLE OR 97417

confirms the right to the use of water perfected under the terms of Permit S-55144. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-81436

SOURCE OF WATER: GALESVILLE RESERVOIR, CONSTRUCTED UNDER PERMIT R-9964, TRIBUTARY TO COW CREEK

PURPOSE or USE: COMMERCIAL USE FOR A 117-UNIT COMMERCIAL RECREATIONAL VEHICLE PARK FROM STORED WATER ONLY

MAXIMUM RATE: 5.0 ACRE-FEET EACH YEAR

PERIOD OF USE: WATER MAY BE APPROPRIATED FROM STORAGE YEAR ROUND, OR AS FURTHER LIMITED BY CONTRACT WITH DOUGLAS COUNTY

DATE OF PRIORITY: AUGUST 15, 1996

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
29 S	5 W	WM	7	NW SW	1820 FEET NORTH AND 1620 FEET EAST FROM SW CORNER, SECTION 7

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
29 S	5 W	WM	7	NE SW
29 S	5 W	WM	7	NW SW
29 S	5 W	WM	7	SE SW
29 S	5 W	WM	7	SW SE
29 S	5 W	WM	18	NW NE

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Measurement, recording and reporting conditions:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The use of water under this right is subject to the terms and conditions of Contract No. U&I 96-1 dated July 19, 1986, or a satisfactory replacement, between Douglas County and the water user, a copy of which is on file in the records of the Water Resources Department.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

The water user shall maintain and operate fish screening as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

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

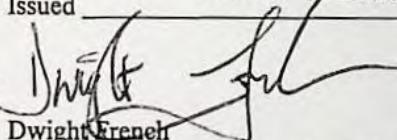
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

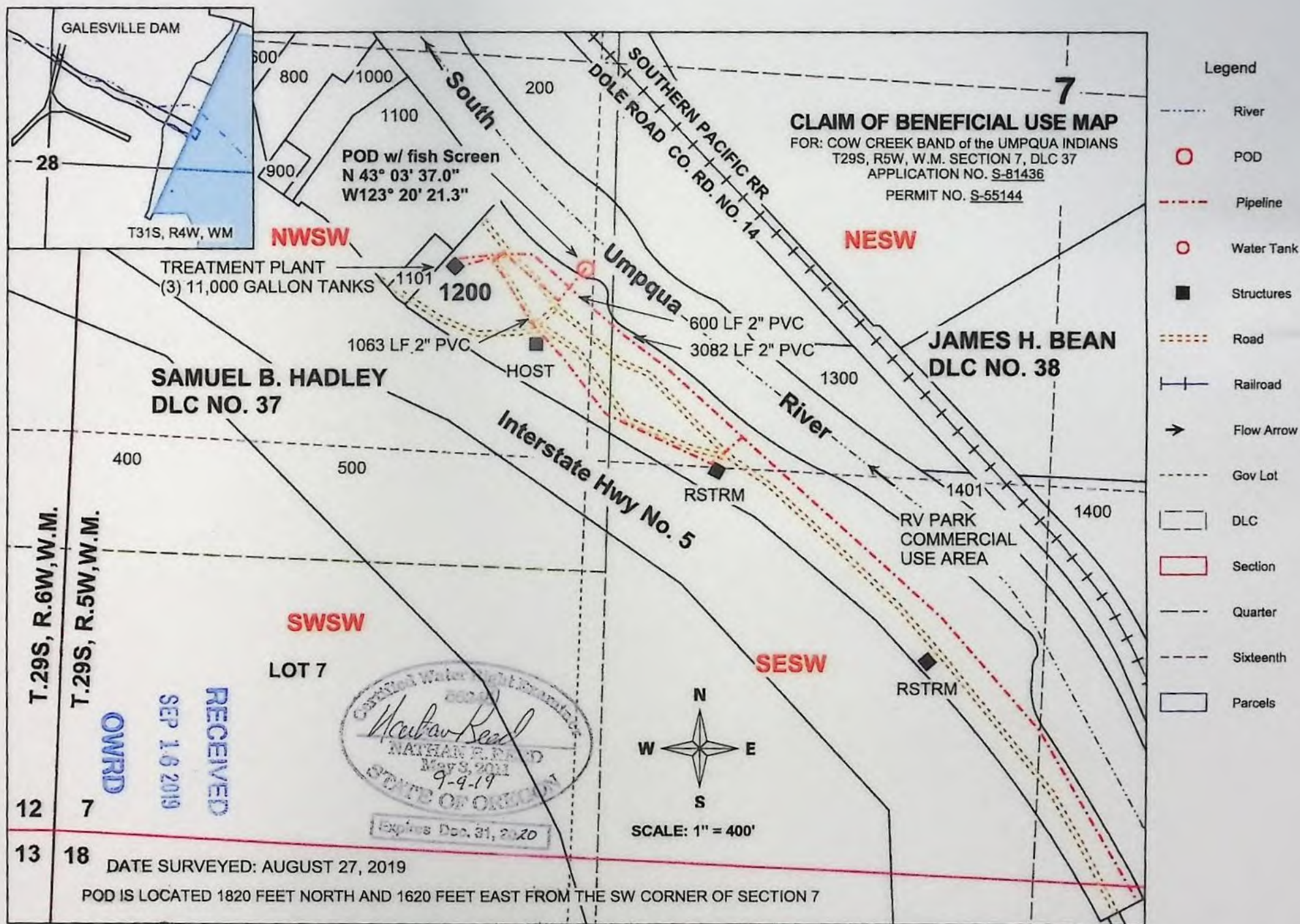
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued SEP 17 2021



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

MAP PREPARED BY:
 NATHAN R. REED, PE, CWRE
 157 W. BODIE ST
 ROSEBURG, OR 97471

MAP PREPARED FOR:
 COW CREEK BAND of the UMPQUA INDIANS
 2371 NE STEPHENS ST.
 ROSEBURG, OR 97470

Mailing List for Proposed Certificate

Application: S-81436

Permit: S-55144

Certificate:

Permit/Certificate

COW CREI

146 CHIEF

CANYONV

Is the Permit
County records

Copies of Pro

1. Water
2. File

Other persons

1. NATHAN
157 W B
ROSEBU

COW CR
2371 NE
ROSEBU

USA - IN
COW CRE
PO BOX 56
SILETZ OR

Copies Mailed

by: TM
(STAFF)

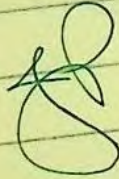
on: 89/18/2020
(DATE)

ts involved as confirmed by the
w)

- Phone call on 10-30
from Dirk Doyle.

~~to be CBU~~
- may be requesting
withdraw of CBU
to allow additional
dev.

Current C-Date 10-1-2023



Mailing List for Proposed Certificate

Application: S-81436

Permit: S-55144

Certificate:

Permit/Certificate Holder:

COW CREEK BAND OF THE UMPQUA INDIANS
146 CHIEF MIWALETA LANE
CANYONVILLE OR 97417

Copies Mailed	
by: <u>TM</u>	(STAFF)
on: <u>89/18/2020</u>	(DATE)

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES – Mail to additional addresses for the Tribe also (below)**

Copies of Proposed Certificate to be sent to:

1. Watermaster District #: 15
2. File

Other persons to receive copies: (include map):

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157 W BODIE ST
ROSEBURG, OR 97471

COW CREEK BAND OF THE UMPQUA INDIANS
2371 NE STEPHENS ST, STE 100
ROSEBURG OR 97470

USA – IN TRUST FOR
COW CREEK BAND OF UMPQUA TRIBE OF INDIANS
PO BOX 569
SILETZ OR 97380



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

DATE MAILED: SEP 18 2020

NOTICE

Reference: Application S-81436, Permit S-55144

Enclosed is a proposed certificate of water right and map. The map and proposed certificate represent the extent water was used within the terms of the permit based upon Claims of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous permit holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review this proposal. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you agree with the proposed certificate, no response to this notice is required. Sometime after comment period, the recorded certificate of water right will be mailed to the permit holder of record.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the permit assigned to you. If you have any questions about the assignment process, please contact Mary Bjork at 503-986-0817.

If you have any other questions please contact Jeffrey Pierce at 503-986-0802.

Sincerely,

Dwight French
Water Right Services Administrator

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

COW CREEK BAND OF THE UMPQUA INDIANS
146 CHIEF MIWALETA LANE
CANYONVILLE OR 97417

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Issued _____

PROPOSED
Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Ready to Print

MEMO -Proof to Satisfaction (March 17, 2014)

Application # S-81436	Permit # S-55144	Transfer #
WRD Reviewer J. Pierceall	Date	
WRD Peer Reviewer	Date 7/20/20	

Research

- ☒ Organize file in chronological order
- ☐ Pull CBU Report & Map(s), Application Map, relevant Permit, Certificate, or Transfer Order, most recent Assignments, Extension Orders, SWL Measurements, Fish Screen Certification Documents, Water Use Reports & Pump Tests
- ☒ Search for Water Right Location using Interactive Mapper. Identify Tax Lots & check for Area of Interest (AOI)
- ☒ Water Organization identified using AOI? ☐ No ☐ Yes
If "Yes" cc: _____ & Add to Mailing List
- ☒ Print Tax Lot Map from ormap.net for the original Place of Use, and confirm Current Ownership & Address with County Assessor
If there is a new owner, Add to Mailing List, including the owner(s) name & tax lot number
- ☐ Print Platcard & check for Place of Use Conflict? ☐ No ☐ Yes
If "Yes", provide copy of certificate & relevant map
- ☒ Print BLM Cadastral Survey
- ☒ Does Claim Map identify correct DLC, Gov't Lots, QQ's? ☐ No ☐ Yes
If "No", either _____ WRD amend map OR _____ prepare Order of Certification

Reviewing Claim

Have conditions on relevant permit, certificate, or transfer order been complied with? Yes, No, OR N/A

OK Fish Conditions
NA Meter/measuring device
NA Water Use Reporting
NA Pump Test (post December 19, 1988)
OK Other Conditions contract
NA SWL
OK C-Date 10-1-2023

NA Run Capacity Calculator and Print Findings (for pump, sprinklers, pipes, ditches, as appropriate)
Volume

NOTES:

Determination

___ I've determined that the permit/transfer was fully developed as authorized and that a **FINAL** Certificate should be issued.

___ I've determined that the permit/transfer was not fully developed as authorized and that a **PROPOSED** Certificate should be issued. A proposed Certificate should be issued for the following reason(s):

___ I've determined that beneficial use was NOT made within the terms and conditions and that a **Proposed Order of Certification** (denial) should be issued. A proposed Order of Certification should be issued for the following reason(s):

Processing

___ Stamp PROPOSED or Assign CERT# _____ or ORDER OF CERTIFICATION (circle one)

___ Draft Certificates or Proposed Order of Certifications are available in the Application directory.

___ Prepare Mailing List. Include Applicant(s); Receiving Landowner(s); Current Owner(s); Water Organizations; CWRE. Indicate records to be marked.

___ Record marking:	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____

NOTES:

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

Updated track changes GC

THIS CERTIFICATE ISSUED TO

COW CREEK BAND OF THE UMPQUA INDIANS
146 CHIEF MIWALETA LANE
CANYONVILLE OR 97417

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DATE OF PRIORITY: AUGUST 15, 1996

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
29 S	5 W	WM	7	NW SW	1820 FEET NORTH AND 1620 FEET EAST FROM SW CORNER, SECTION 7

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
29 S	5 W	WM	7	NE SW
29 S	5 W	WM	7	NW SW
29 S	5 W	WM	7	SE SW
29 S	5 W	WM	7	SW SE
29 S	5 W	WM	18	NE NW

NW NE

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Measurement, recording and reporting conditions:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The use of water under this right is subject to the terms and conditions of Contract No. U&I 96-1 dated July 19, 1986, or a satisfactory replacement, between Douglas County and the water user, a copy of which is on file in the records of the Water Resources Department.

In the event of a request...
The water user shall maintain and operate fish screening as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

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

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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

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

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

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

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued _____

Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing List for Proposed Certificate

Application: S-81436

Permit: S-55144

Certificate:

Permit/Certificate Holder:

COW CREEK BAND OF THE UMPQUA INDIANS /
146 CHIEF MIWALETA LANE
CANYONVILLE OR 97417

Copies Mailed	
by:	_____
	(STAFF)
on:	_____
	(DATE)

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? YES ~~NO~~

Copies of Proposed Certificate to be sent to:

1. Watermaster District #: 15
2. File

*updated
DE*

Other persons to receive copies: (include map):

1. NATHAN REED, CWRE
157 W BODIE ST
ROSEBURG, OR 97471

2. C C B of UI
2371 NE Stephens St, Ste 100
Roseburg OR 97470
3. USA - CCB of Umpqua Tribe of Indians
PO BOX 569
Siletz OR 97380



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

DATE MAILED:

NOTICE

Reference: Application S-81436, Permit S-55144

Enclosed is a proposed certificate of water right and map. The map and proposed certificate represent the extent water was used within the terms of the permit based upon Claims of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous permit holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review this proposal. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

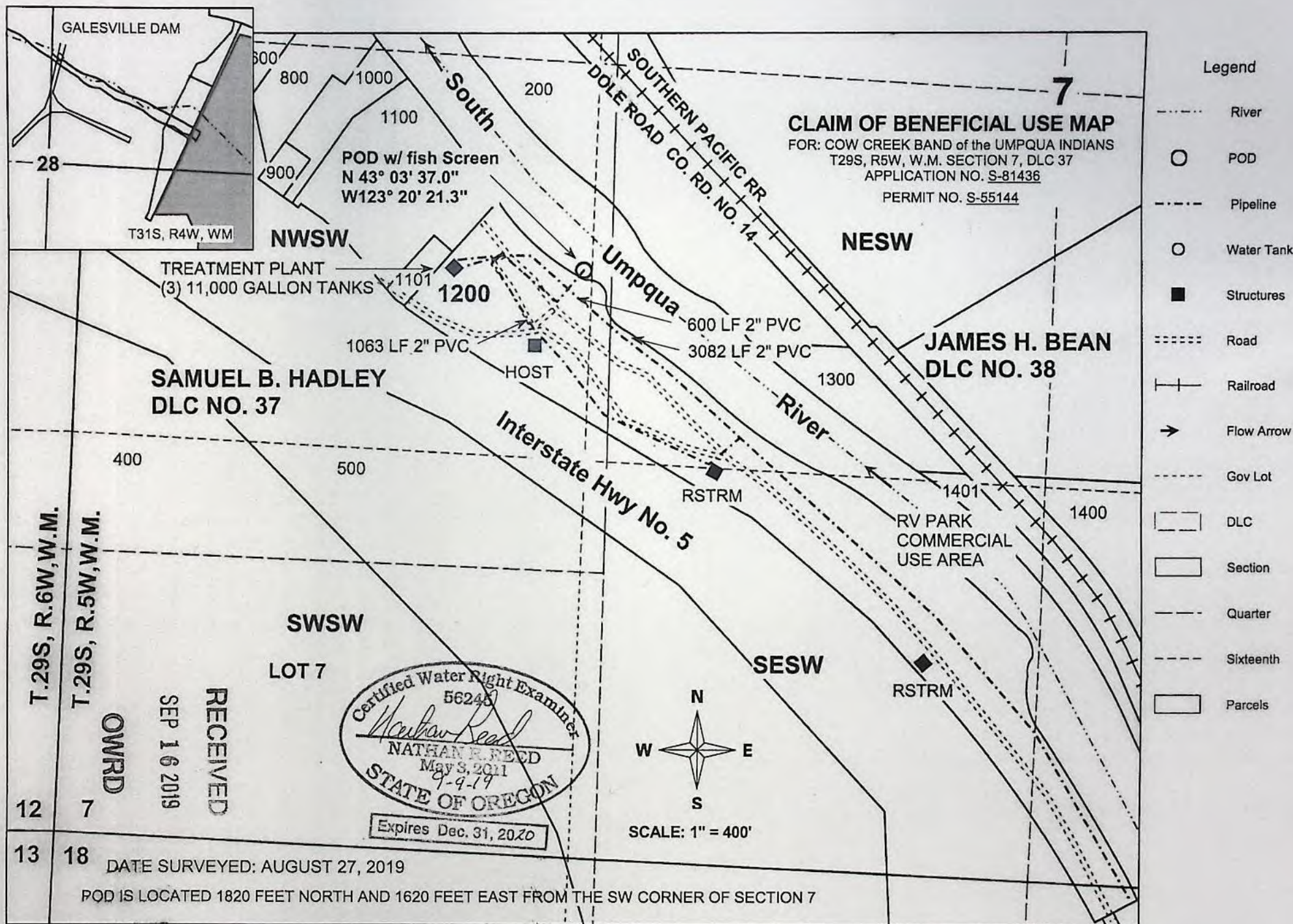
If you agree with the proposed certificate, no response to this notice is required. Sometime after comment period, the recorded certificate of water right will be mailed to the permit holder of record.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the permit assigned to you. If you have any questions about the assignment process, please contact Mary Bjork at 503-986-0817.

If you have any other questions please contact Jeffrey Pierceall at 503-986-0802.

Sincerely,

Dwight French
Water Right Services Administrator



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

MAP PREPARED BY:
 NATHAN R. REED, PE, CWRE
 157 W. BODIE ST
 ROSEBURG, OR 97471

MAP PREPARED FOR:
 COW CREEK BAND of the UMPQUA INDIANS
 2371 NE STEPHENS ST.
 ROSEBURG, OR 97470

Owner Information :

(click ? for explanation of information) ?

Owner Name:	USA IN TRUST FOR COW CREEK BAND		
Owner Address #1:	OF UMPQUA TRIBE OF INDIANS		
Owner Address #2:	PO BOX 569		
Owner Address # 3:		Alternate Account #:	11956.22
Owner City/State/Zip:	SILETZ, OR 97380	Account Status:	A

Property Information :

Township:	29	Situs Address:	333 RUCKLES DR MYRTLE CREEK, OR 97457
Range:	05W	Map ID:	29050701200
Section:	07	County Property Class:	997
Quarter:		Legal Acreage:	24.63
Sixteenth:		Code Area:	01904
Maintenance Area:	C3	Neighborhood Code:	EX
Year Built:	1997	Living Area:	120
Bedrooms:		Baths:	
Exemption Code:	AMER.IND	Exemption Des:	307.181 AMERICAN INDIANS
MFD Home ID:			

Value Information : 2019-2020 Certified Value and Tax Information

Structures/Improvements:	\$1,267,200.00	Measure5 Net Value:	\$1,829,592.00
Land/Specially Assd:	\$562,392.00	Exemption Value:	\$1,829,592.00
Land Market Value:	\$562,392.00	Total Assessed M50 Value:	\$0.00
Total Real Market Value:	\$1,829,592.00	Taxes Imposed:	\$0.00

Sales Information :

Deed No:	2010-10516	Tax Rate Information:	Tax Rate For 01904
Recording / Sale Price:	\$0.00	Recording / Sale Date:	6/3/2010

Images :

[Zoning Information](#)[Surveyor Data](#)[GIS Mapping](#)1999-2000 Aerial : [View 1999-2000 Aerial \(.jpg format\)](#)2004 Aerial : [View 2004 Aerial \(.jpg format\)](#)Platmap : [View Platmap \(.pdf format\)](#) [Problems viewing?](#)Satellite Map : [View Map](#)Subscription Area : [Login](#) or [Register](#) to view this info.

Login or Register to view information in this area.

Owner Information :

(click ? for explanation of information) ?

Owner Name:	COW CREEK BAND OF THE UMPQUA INDIANS		
Owner Address #1:	2371 NE STEPHENS SP STE 100		
Owner Address #2:			
Owner Address #3:			
Owner City/State/Zip:	ROSEBURG, OR 97470	Alternate Account #:	X207402
		Account Status:	A

Property Information :

Township:	29	Situs Address:	318 RUCKLES DR MYRTLE CREEK, OR 97457
Range:	05W	Map ID:	29050701200
Section:	07	County Property Class:	M997
Quarter:		Legal Acreage:	0.00
Sixteenth:		Code Area:	01904
Maintenance Area:	4	Neighborhood Code:	MH4
Year Built:	1989	Living Area:	924
Bedrooms:	3	Baths:	BATH2
Exemption Code:	AMER.IND	Exemption Des:	307.181 AMERICAN INDIANS
MFD Home ID:	261292		

Value Information : 2019-2020 Certified Value and Tax Information

Structures/Improvements:	\$9,361.00	Measure5 Net Value:	\$9,361.00
Land/Specially Assd:	\$0.00	Exemption Value:	\$9,361.00
Land Market Value:	\$0.00	Total Assessed M50 Value:	\$0.00
Total Real Market Value:	\$9,361.00	Taxes Imposed:	\$0.00

Sales Information :

Deed No:	M2005-207402/0413	Tax Rate Information:	Tax Rate For 01904
Recording / Sale Price:	\$0.00	Recording / Sale Date:	

Images :

[Zoning Information](#)[Surveyor Data](#)[GIS Mapping](#)

1999-2000 Aerial :	View 1999-2000 Aerial (.jpg format)
2004 Aerial :	View 2004 Aerial (.jpg format)
Platmap :	View Platmap (.pdf format) Problems viewing?
Satellite Map :	View Map

Subscription Area : [Login](#) or [Register](#) to view this info.

Login or Register to view information in this area.

[New Search](#)[Return to Search Results](#)



**CLAIM OF
BENEFICIAL USE
for Surface Water Permits
claiming 0.1 cfs or less**



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

**A fee of \$200 must accompany this form for permits
with priority dates of July 9, 1987, or later.
Claims received without the correct fee of \$200 will be returned.**

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
http://www.oregon.gov/owrd/pages/wr/cwre_info.aspx

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

http://www.oregon.gov/owrd/pages/mgmt_reimbursement_authority.aspx

**SECTION 1
GENERAL INFORMATION**

1. File Information

APPLICATION #	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
S-81436	S-55144	

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2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Cow Creek Band of Umpqua Tribe of Indians		PHONE No. 541-492-5225	ADDITIONAL CONTACT No. 541-378-2212
ADDRESS 2371 NE Stephens Street, Suite #100			
CITY Roseburg	STATE OR	ZIP 97470	E-MAIL kborella@cowcreek.com

If the current property owner is not the permit holder of record, it is recommended that an assignment be filed with the Department. ***Each** permit holder of record must sign this form.*

3. Permit holder of record (this may, or may not, be the current property owner)

PERMIT HOLDER OF RECORD Cow Creek Band of the Umpqua Indians		
ADDRESS 146 Chief Miwaleta Lane		
CITY Canyonville	STATE OR	ZIP 97417

ADDITIONAL PERMIT HOLDER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: **August 27, 2019**

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Katrina Borella	8-27-19	Assigned caseworker

6. County: **Douglas**

7. If any property described in the place of use of the permit final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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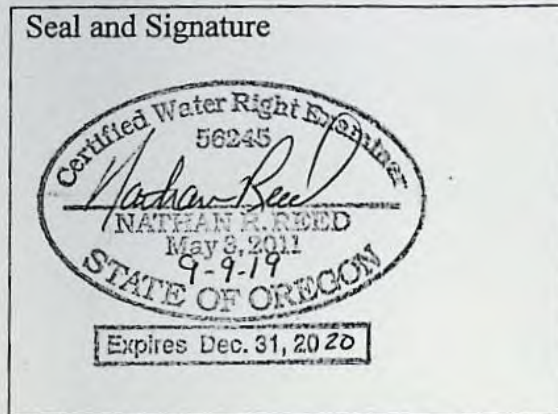
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SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



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CWRE NAME Nathan Reed		PHONE NO. 541-784-7191	ADDITIONAL CONTACT NO. NA
ADDRESS 157 W. Bodie St.			
CITY Roseburg	STATE OR	ZIP 97471	E-MAIL nreed68@hotmail.com

Permit Holder's of Record Signature or Acknowledgement

Each permit holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Daniel Courtney	Chairman	9-11-19

SECTION 3

CLAIM DESCRIPTION

1. POD source and, if from surface water, the tributary:

POD NAME OR NUMBER	SOURCE	TRIBUTARY
POD	Galesville Reservoir (R-9964)	Cow Creek

2. Developed use(s), period of use, and rate for each use:

POD NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
POD	Commercial	--	Year Round	5.0 AF
Total Quantity of Water Used				5.0 AF

3. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion to the place of use:

Stored water from Galesville Dam (R-9964) is re-diverted on the South Umpqua River POD where a 3 Hp submersible pump pumps water via buried 2-inch PVC line to the treatment facility to the north and west of the POD. The treated water is delivered by centrifugal pumps and four pressure bladders out to the park's infrastructure (RV spots, restroom and laundry facilities).

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

4. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below. **YES**

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

The permit allowed for 150-unit commercial recreational vehicle park. The park has 117-units developed.

5. Claim Summary:

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POD	0.06 cfs (a)	0.14 cfs	NA	Commercial	NA	NA

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SECTION 4 SYSTEM DESCRIPTION

Are there multiple PODs?

NO

If "YES" you will need to copy and complete Sections 4B through 4E for each POD.

POD Name or Number this section describes (only needed if there is more than one):

A. Place of Use

Attach Claim of Beneficial Use map.

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (Gov Lot), Quarter-Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, Gov Lot, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 5 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)
Grundfos	Unknown	Unknown	submersible

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
3	50	-3	30	0.14

4. Provide pump calculations:

50 psi = 127 feet; $Q = (Hp \times eff.) / (\text{Sum Total Head}) = (3 \times 7.04) / (127 - 3 + 30) = \underline{0.14 \text{ cfs}}$

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
Not operating at	time of inspection		

Reminder: For pump calculations use the reference information at the end of this document.

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6. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
NA					

Reminder: For sprinkler output determination use the reference information at the end of this document.

7. Additional notes or comments related to the system:

(a) $Q = (\text{Volume/year}) / 1.983471 = (5.0 \text{ AF} / 365 \text{ days}) / 1.983471 = \underline{0.06 \text{ cfs.}}$

C. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)

YES

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank

YES

Bulge in System / Reservoir

NO

Complete appropriate table(s), unused table may be deleted.

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
Polyvinyl	11,000	Above

D. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

E. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Provide description and calculations if necessary:

--

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SECTION 5 CONDITIONS

All conditions contained in the permit, permit amendment, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or extension final order:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	7-6-2018		
BEGIN CONSTRUCTION (A)		7-6-2018	RV park and plant existing under T-8039
COMPLETE CONSTRUCTION (B)		7-6-2018	RV park and plant existing under T-8039
COMPLETE APPLICATION OF WATER (C)	10-1-2023	7-6-2018	RV park and plant existing under T-8039

* MUST BE WITHIN PERIOD BETWEEN PERMIT OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)? NO

3. Measurement Conditions:

a. Does the permit, permit amendment, or any extension final order require the installation of a meter or approved measuring device? NO

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? NO

5. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? YES

If "NO", items 5b through 5e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed? YES

c. When was the fish screening installed?

DATE	BY WHOM
8-2010	Tinker's Pump Service

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Reminder: If the permit or transfer final order was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion **involves a pump** and the **total** diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs):

- Has the self-certification form previously been submitted to the Department? NA
- If not, go to <http://www.oregon.gov/owrd/Pages/pubs/forms.aspx> , complete and attach a copy of the self-certification form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

e. If the diversion does **not involve a pump** or the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? NA
- If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at <http://www.oregon.gov/owrd/Pages/pubs/forms.aspx>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

6. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

NO

7. Other conditions required by permit, permit amendment final order, or extension final order

a. Was the water user required to restore the riparian area if it was disturbed?

NO

b. Other conditions?

YES

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

7.b. The use of water under this right is subject to the terms and conditions of contract No. U&I 96-1 dated July 19, 1996 or a satisfactory replacement between Douglas County and the applicant.

SECTION 6 ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
ODFW Letter	Fish Screen Certification
CBU Map	Final Proof Survey

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SECTION 7

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

A handheld Garmin Rino 650 GPS used to locate coordinates of pertinent features along with Douglas County GIS with 2014 aerials at 0.5 foot resolution.

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

(Reminder: Incomplete maps and/or claims may be returned.)

- ☒ Map on polyester film.
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☐ na If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- ☒ Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☐ na Locations of meters and/or measuring devices in relationship to point of diversion
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☒ Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Application and permit number or transfer number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Rogue Watershed District Office

1495 E Gregory Rd

Central Point, OR 97502-9430

(541) 826-8774

Fax: (541) 826-8776

www.myodfw.com



August 6, 2019

Cow Creek Band of the Umpqua Indians
2371 NE Stephens Street
Roseburg, OR 97470

Attn: Katrina Borella

Dear Katrina,

Regarding OWRD water right transfer T-8039, and permit S-55144 (application S-81436), ODFW is satisfied that the fish screening at the new point-of-diversion meets current fish protection criteria, and has determined that a bypass device is not necessary. Thank you.

Sincerely,

Rich Kilbane
SW Field Coordinator
Fish Screening and Passage Program

(541) 826-8774 ext. 243

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**CLAIM OF
BENEFICIAL USE
for Surface Water Permits
claiming 0.1 cfs or less**



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

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"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

http://www.oregon.gov/owrd/pages/mgmt_reimbursement_authority.aspx

**SECTION 1
GENERAL INFORMATION**

1. File Information

APPLICATION #	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
S-81436	S-55144	

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2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Cow Creek Band of Umpqua Tribe of Indians		PHONE No. 541-492-5225	ADDITIONAL CONTACT No. 541-378-2212
ADDRESS 2371 NE Stephens Street, Suite #100			
CITY Roseburg	STATE OR	ZIP 97470	E-MAIL kborella@cowcreek.com

If the current property owner is not the permit holder of record, it is recommended that an assignment be filed with the Department. ***Each permit holder of record must sign this form.***

3. Permit holder of record (this may, or may not, be the current property owner)

PERMIT HOLDER OF RECORD Cow Creek Band of the Umpqua Indians		
ADDRESS 146 Chief Miwaleta Lane		
CITY Canyonville	STATE OR	ZIP 97417

ADDITIONAL PERMIT HOLDER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: **August 27, 2019**

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Katrina Borella	8-27-19	Assigned caseworker

6. County: **Douglas**

7. If any property described in the place of use of the permit final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



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CWRE NAME Nathan Reed		PHONE No. 541-784-7191	ADDITIONAL CONTACT No. NA
ADDRESS 157 W. Bodie St.			
CITY Roseburg	STATE OR	ZIP 97471	E-MAIL nreed68@hotmail.com

Permit Holder's of Record Signature or Acknowledgement

Each permit holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Daniel Courtney	Chairman	9-11-19

SECTION 3 CLAIM DESCRIPTION

1. POD source and, if from surface water, the tributary:

POD NAME OR NUMBER	SOURCE	TRIBUTARY
POD	Galesville Reservoir (R-9964)	Cow Creek

2. Developed use(s), period of use, and rate for each use:

POD NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
POD	Commercial	--	Year Round	5.0 AF
Total Quantity of Water Used				5.0 AF

3. Provide a general narrative description of the distribution works. This description must trace the water system from **each** point of diversion to the place of use:

Stored water from Galesville Dam (R-9964) is re-diverted on the South Umpqua River POD where a 3 Hp submersible pump pumps water via buried 2-inch PVC line to the treatment facility to the north and west of the POD. The treated water is delivered by centrifugal pumps and four pressure bladders out to the park's infrastructure (RV spots, restroom and laundry facilities).

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

4. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below. **YES**

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

The permit allowed for 150-unit commercial recreational vehicle park. The park has 117-units developed.

5. Claim Summary:

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POD	0.06 cfs (a)	0.14 cfs	NA	Commercial	NA	NA

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SECTION 4

SYSTEM DESCRIPTION

Are there multiple PODs?

NO

If "YES" you will need to copy and complete Sections 4B through 4E for each POD.

POD Name or Number this section describes (only needed if there is more than one):

A. Place of Use

Attach Claim of Beneficial Use map.

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (Gov Lot), Quarter-Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, Gov Lot, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 5 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)
Grundfos	Unknown	Unknown	submersible

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
3	50	-3	30	0.14

4. Provide pump calculations:

50 psi = 127 feet; $Q = (Hp \times eff.) / (\text{Sum Total Head}) = (3 \times 7.04) / (127 - 3 + 30) = 0.14 \text{ cfs}$

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
Not operating at	time of inspection		

Reminder: For pump calculations use the reference information at the end of this document.

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6. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
NA					

Reminder: For sprinkler output determination use the reference information at the end of this document.

7. Additional notes or comments related to the system:

(a) $Q = (\text{Volume/year}) / 1.983471 = (5.0 \text{ AF} / 365 \text{ days}) / 1.983471 = \underline{0.06 \text{ cfs.}}$

C. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)

YES

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank

YES

Bulge in System / Reservoir

NO

Complete appropriate table(s), unused table may be deleted.

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
Polyvinyl	11,000	Above

D. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

E. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Provide description and calculations if necessary:

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SECTION 5 CONDITIONS

All conditions contained in the permit, permit amendment, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or extension final order:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	7-6-2018		
BEGIN CONSTRUCTION (A)		7-6-2018	RV park and plant existing under T-8039
COMPLETE CONSTRUCTION (B)		7-6-2018	RV park and plant existing under T-8039
COMPLETE APPLICATION OF WATER (C)	10-1-2023	7-6-2018	RV park and plant existing under T-8039

* MUST BE WITHIN PERIOD BETWEEN PERMIT OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)?

NO

3. Measurement Conditions:

a. Does the permit, permit amendment, or any extension final order require the installation of a meter or approved measuring device?

NO

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

NO

5. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

YES

If "NO", items 5b through 5e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed?

YES

c. When was the fish screening installed?

DATE	BY WHOM
8-2010	Tinker's Pump Service

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Reminder: If the permit or transfer final order was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion **involves a pump and the total** diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs):

- Has the self-certification form previously been submitted to the Department? **NA**
- If not, go to <http://www.oregon.gov/owrd/Pages/pubs/forms.aspx> , complete and attach a copy of the self-certification form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

e. If the diversion does **not involve a pump or the total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? **NA**
- If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at <http://www.oregon.gov/owrd/Pages/pubs/forms.aspx>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

6. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

NO

7. Other conditions required by permit, permit amendment final order, or extension final order

a. Was the water user required to restore the riparian area if it was disturbed?

NO

b. Other conditions?

YES

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

7.b. The use of water under this right is subject to the terms and conditions of contract No. U&I 96-1 dated July 19, 1996 or a satisfactory replacement between Douglas County and the applicant.

SECTION 6 ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
ODFW Letter	Fish Screen Certification
CBU Map	Final Proof Survey

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SECTION 7

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

A handheld Garmin Rino 650 GPS used to locate coordinates of pertinent features along with Douglas County GIS with 2014 aerials at 0.5 foot resolution.

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

(Reminder: Incomplete maps and/or claims may be returned.)

- ☒ Map on polyester film.
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☐ na If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- ☒ Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☐ na Locations of meters and/or measuring devices in relationship to point of diversion
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☒ Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Application and permit number or transfer number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Rogue Watershed District Office

1495 E Gregory Rd

Central Point, OR 97502-9430

(541) 826-8774

Fax: (541) 826-8776

www.myodfw.com



August 6, 2019

Cow Creek Band of the Umpqua Indians
2371 NE Stephens Street
Roseburg, OR 97470

Attn: Katrina Borella

Dear Katrina,

Regarding OWRD water right transfer T-8039, and permit S-55144 (application S-81436), ODFW is satisfied that the fish screening at the new point-of-diversion meets current fish protection criteria, and has determined that a bypass device is not necessary. Thank you.

Sincerely,

Rich Kilbane
SW Field Coordinator
Fish Screening and Passage Program

(541) 826-8774 ext. 243

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Mailing List for FO Copies

Application S-81436

Permit **S-55144**

Original mailed via REGULAR MAIL to applicant:

COW CREEK BAND OF THE UMPQUA INDIANS
146 CHIEF MIWALETA LANE
CANYONVILLE OR 97417

Copies Mailed

By: SP
(SUPPORT STAFF)

on: 7.6.18
(DATE)

SENT VIA AUTO EMAIL:

1. WRD - Susan Douthit - # 15
2. Agent - Nathan Jackson 3845 Roberts Mountain Rd Myrtle Creek, OR 97457

Copies sent to:

3. WRD – Hydrographics

PFO and Map sheet Copies to:

4. WRD – File # S-81436

SPECIALIST: Scott Grew



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

June 21, 2018

COW CREEK BAND OF THE UMPQUA INDIANS
NATHAN JACKSON
146 CHIEF MIWALETA LANE
CANYONVILLE, OR 97417

REFERENCE FILE: S-81436

Dear Mr. Jackson:

It was recently discovered that a permit for file S-81436 was never issued. The instructions on the Final Order dated October 17, 1997 were that the original applicant was to submit an updated map and to resolve some conflicts with an existing water right.

The updated map was received on June 12, 1998 and the conflict was resolved on August 19, 2010 with as the result of T-8039.

I had confirmed with Douglas County that your contract for water was renewed on April 11, 2018.

Attached is your permit.

If you have any questions, please feel free to call me at 503-986-0899.

Sincerely,

Scott Grew
Water Rights Application Caseworker

cc: Susan Douthit, Watermaster District 15

STATE OF OREGON

COUNTY OF DOUGLAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

COW CREEK BAND OF THE UMPQUA INDIANS
146 CHIEF MIWALETA LANE
CANYONVILLE, OR 97417

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-81436

SOURCE OF WATER: GALESVILLE RESERVOIR, CONSTRUCTED UNDER PERMIT R-9964, TRIBUTARY TO COW CREEK

PURPOSE OR USE: COMMERCIAL USE FOR A 150-UNIT COMMERCIAL RECREATIONAL VEHICLE PARK FROM STORED WATER ONLY

MAXIMUM RATE/VOLUME ALLOWED: 5.0 ACRE-FEET PER YEAR

PERIOD OF USE: WATER MAY BE APPROPRIATED FROM STORAGE YEAR ROUND, OR AS FURTHER LIMITED BY CONTRACT WITH DOUGLAS COUNTY

DATE OF PRIORITY: AUGUST 15, 1996

POINT OF DIVERSION LOCATION: NW 1/4 SW 1/4, SECTION 7, T29S, R5W, W.M.; 1820 feet north and 1620 feet east of SW corner of Section 7

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 SW 1/4

NE 1/4 SW 1/4

SE 1/4 SW 1/4

SECTION 7

TOWNSHIP 29 SOUTH, RANGE 5 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the

watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The use of water under this right is subject to the terms and conditions of contract No. U&I 96-1 dated July 19, 1996 or a satisfactory replacement between Douglas County and the applicant, a copy of which is on file in the records of the Water Resources Department.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screen is to be in place and functional prior to diversion of any water.

STANDARD CONDITIONS

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

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

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

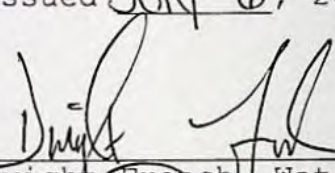
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

Actual construction work shall begin within one year from permit issuance. Complete application of the water to the use shall be made on or before October 1, 2023.

Issued July 6, 2018


Dwight French, Water Right Services Division Administrator
for Thomas M. Byler, Director
Oregon Water Resources Department



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

DATE MAILED: SEP 17 2021

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this Department: The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

The certificate is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in-a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Jeffrey Pierceall 503-979-3213.

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

COW CREEK BAND OF THE UMPQUA INDIANS
146 CHIEF MIWALETA LANE
CANYONVILLE OR 97417

confirms the right to the use of water perfected under the terms of Permit S-55144. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-81436

SOURCE OF WATER: GALESVILLE RESERVOIR, CONSTRUCTED UNDER PERMIT R-9964, TRIBUTARY TO COW CREEK

PURPOSE or USE: COMMERCIAL USE FOR A 117-UNIT COMMERCIAL RECREATIONAL VEHICLE PARK FROM STORED WATER ONLY

MAXIMUM RATE: 5.0 ACRE-FEET EACH YEAR

PERIOD OF USE: WATER MAY BE APPROPRIATED FROM STORAGE YEAR ROUND, OR AS FURTHER LIMITED BY CONTRACT WITH DOUGLAS COUNTY

DATE OF PRIORITY: AUGUST 15, 1996

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
29 S	5 W	WM	7	NW SW	1820 FEET NORTH AND 1620 FEET EAST FROM SW CORNER, SECTION 7

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
29 S	5 W	WM	7	NE SW
29 S	5 W	WM	7	NW SW
29 S	5 W	WM	7	SE SW
29 S	5 W	WM	7	SW SE
29 S	5 W	WM	18	NW NE

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Measurement, recording and reporting conditions:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The use of water under this right is subject to the terms and conditions of Contract No. U&I 96-1 dated July 19, 1986, or a satisfactory replacement, between Douglas County and the water user, a copy of which is on file in the records of the Water Resources Department.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

The water user shall maintain and operate fish screening as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

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

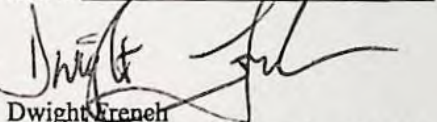
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

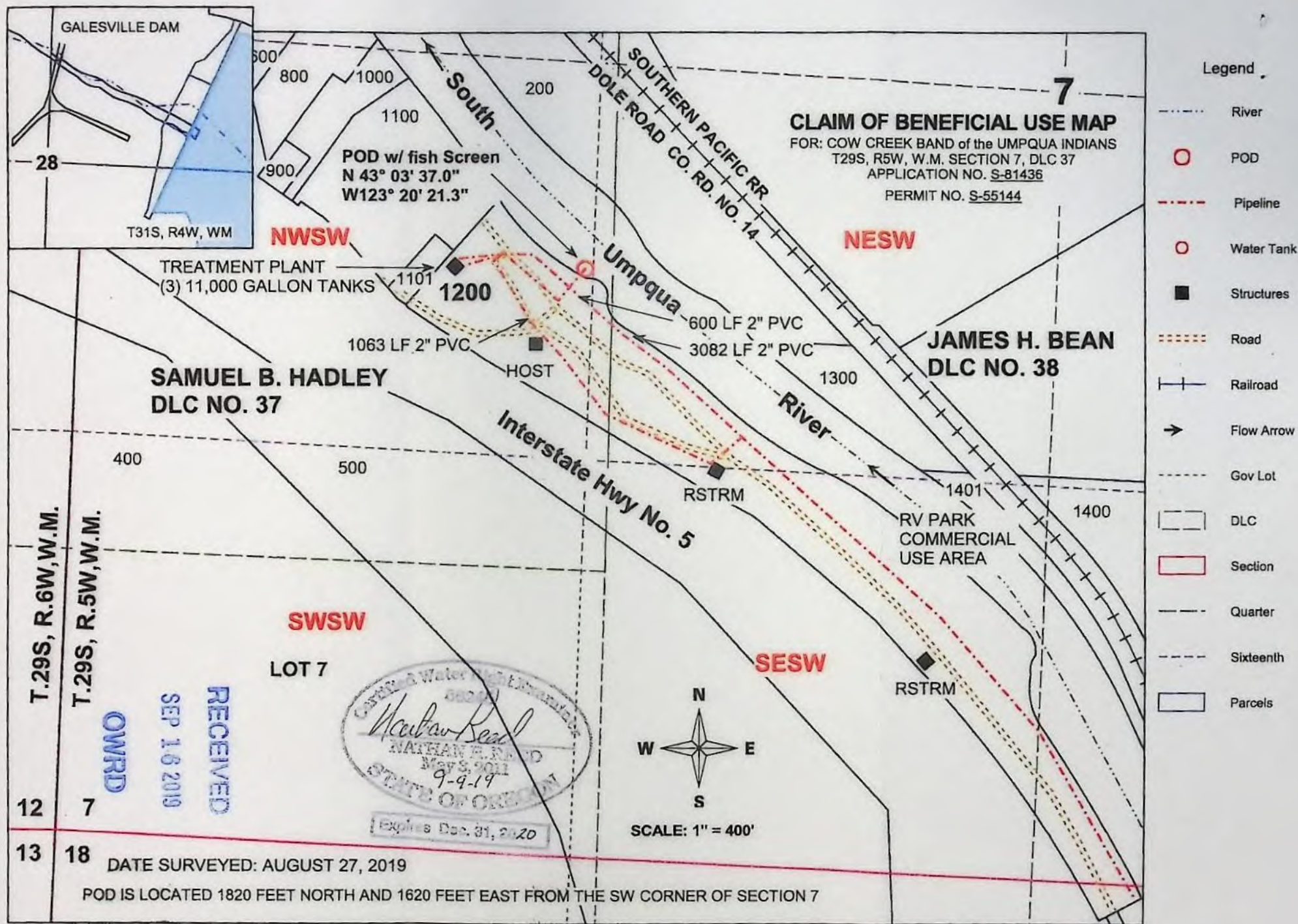
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued SEP 17, 2021



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

MAP PREPARED BY:
 NATHAN R. REED, PE, CWRE
 157 W. BODIE ST
 ROSEBURG, OR 97471

MAP PREPARED FOR:
 COW CREEK BAND of the UMPQUA INDIANS
 2371 NE STEPHENS ST.
 ROSEBURG, OR 97470

7/15/21
Oregon

Water Resources Department
Water Right Services Division
725 Summer St NE Ste A
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED

S-81436
USA - In Trust For
Cow Creek Band of Umpqua Tribe of Indians
PO Box 569
Siletz, OR. 97380

UTF
97301>1266
HLB-A5B 97380

PRESORTED
FIRST CLASS



U.S. POSTAGE >> PITNEY BOWES



ZIP 97301 \$ 000.42⁶
02 4W
0000361889 SEP 20 2021

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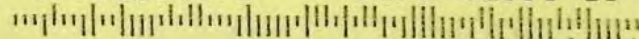
SEP 27 2021

OWRD

NIXIE 971 FE 1260 0009/23/21

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 97301126673 *1579-11036-23-26





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

Request for Assignment

RECEIVED

APR 27 2010

WATER RESOURCES DEPT
SALEM, OREGON

If for multiple rights, a separate form and fee for each right will be required.

I, Sandy Coons of Rivers West Development, Inc.

(Name of Applicant / Permit / Transfer Holder / License Holder/GR Certificate of Registration)

647 W Rainbow Street Roseburg OR 97471 541-672-6289
(Mailing Address) (City) (State) (Zip) (Phone #)

- ☒ hereby assign all my interest in and to application/permit/transfer/license/GR Certificate of Registration;
- ☐ hereby assign all my interest in and to a portion of application/permit/transfer/license/GR Certificate of Registration; (You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)
- ☐ hereby assign a portion of my interest in and to the entire application/permit/transfer/license/GR Certificate of Registration:

Application # S-81436; Permit # _____; Transfer # T-8039
-OR-

License # _____; GR Statement # _____; GR Certificate of Registration # _____

As filed in the office of the Water Resources Director, to:

Cow Creek Indian Tribe

(Name of New Owner)

146 CHIEF MINNALETA LANE CANYONVILLE OR 97417 541-839-1154
(Mailing Address) (City) (State) (Zip) (Phone #)

Note: If there are other owners of the property described in the Application, Permit, Transfer, License, or GR Certificate of Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit, Transfer, License, or GR Certificate of Registration of this Request for Assignment

Witness my hand this 22 day of January, 2010.

Applicant/Permit Holder Sandra K. Coons

Applicant/Permit Holder Sandy Coons

DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
- Fee receipt # 49804
- For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$75.

ASSIGN 4.27.2010



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

April 28, 2010

Rivers West RV Park
146 Chief Miwaleta Lane
Canyonville, Oregon 97417

Reference: Transfer T-8039

The assignment from Rivers West Development, Inc. to the Cow Creek Band of the Umpqua Indians has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 99804 covering the recording fee of \$75 is also enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: Receipt 99804

cc: Watermaster 15
Rivers West Development, Inc.
Data Center, OWRD (Complete Copy of Assignment Request)
Sarah Henderson – OWRD Transfers
Hydrographics
File



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301
(503) 986-0900
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Request for Assignment

RECEIVED

APR 27 2010

WATER RESOURCES DEPT
SALEM, OREGON

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(Name of Applicant / Permit / Transfer Holder / License Holder/GR Certificate of Registration)

647 W Rainbow Street Roseburg OR 97471 541-672-6289
(Mailing Address) (City) (State) (Zip) (Phone #)

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- ☐ hereby assign all my interest in and to a portion of application/permit/transfer/license/GR Certificate of Registration; (You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)
- ☐ hereby assign a portion of my interest in and to the entire application/permit/transfer/license/GR Certificate of Registration:

Application # S-81436 ; Permit # ; Transfer # T-8039
-OR-
License # ; GR Statement # ; GR Certificate of Registration #

As filed in the office of the Water Resources Director, to:

Cow Creek Indian Tribe

(Name of New Owner)

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(Mailing Address) (City) (State) (Zip) (Phone #)

Note: If there are other owners of the property described in the Application, Permit, Transfer, License, or GR Certificate of Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit, Transfer, License, or GR Certificate of Registration of this Request for Assignment

Witness my hand this 22 day of January, 2010.

Applicant/Permit Holder

Applicant/Permit Holder

DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
- Fee receipt # 99304
- For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$75.

ASSIGN 4.27.2010



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

April 28, 2010

Rivers West RV Park
146 Chief Miwaleta Lane
Canyonville, Oregon 97417

Reference: Application S-81436

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Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure:

cc: Watermaster 15
Rivers West Development, Inc.
Data Center, OWRD (Complete Copy of Assignment Request)
Sarah Henderson – OWRD Transfers
Hydrographics
File

Checklist for Claims of Beneficial Use Received at CSG Counter

Application # <u>S-81436</u>	WRD Reviewer <u>Judy F., Cory M.</u>
Transfer #	
Date Received <u>09/16/2019</u>	
CWRE Name <u>Nathan Reed</u>	

Priority Date: 08/15/1996

Fees Required:

- ☒ YES ☐ NO A fee of \$200 must accompany this form for permits with priority dates of July 9, 1987, or later.
- NA YES ☒ NO A fee of \$200 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.
Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Map Review:

- ☒ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- ☒ Application & permit #; or transfer # (OAR 690-014-0100(1))
- ☒ Disclaimer (OAR 690-014-0170(5))
- ☒ North arrow (OAR 690-310-0050(2)(c))
- ☒ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ☒ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ☒ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

Report Review:

- ☒ On form provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #; or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

MONEY SLIP

DATE: _____		RECEIPT #: _____	
RECEIVED FROM: _____		APPLICATION: _____	
CASH: <input type="checkbox"/> CHECK # _____ OTHER (IDENTIFY): _____		TOTAL RECEIVED: \$ _____	
TREASURY: _____		4178 MISC CASH ACCT: _____	
4457 COMES: _____		OTHER (IDENTIFY): _____	
2243 INHERENT LEASE: _____		2244 MULTIPLE MILEAGE PERM: _____	
2245 CURE WATER: _____		2246 OPERATING ACCT: _____	
2407 MISCELLANEOUS COPY & TAPE FEES: <u>4611</u>		2408 RESEARCH FEES: _____	
2409 MISC REVENUE (IDENTIFY): _____		2410 DEPOSIT LIAS (IDENTIFY): _____	
2411 EXTENSION OF TIME: _____		2412 WATER RIGHTS: _____	
2413 SURFACE WATER: _____		2414 GROUND WATER: _____	
2415 TRANSFER: _____		2416 WELL CONSTRUCTION: _____	
2417 WELL DRILL CONSTRUCTION: _____		2418 LANDOWNER'S PERMIT: _____	
2419 OTHER (IDENTIFY): <u>COBU</u>		2420 HYDRO APPLICATION: <u>3722.00</u>	
2421 POWER LICENSE FEE (FWHRC): _____		2422 HYDRO LICENSE FEE (FWHRC): _____	
2423 HYDRO APPLICATION: _____		2424 SPECIAL INSTRUCTIONS: _____	

Fill in App or Transfer Number

Groundwater File Review:

Pump Test Required? YES ☒ NO ☐ Pump Test Submitted? YES ☐ NO* ☒

*If no, include pump test flyer w/acknowledgment letter



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

September 17, 2019

Nathan Reed
157 W Bodie St
Roseburg OR 97471

On August 27, 2019 the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application S-81436 Permit S-55144

The COBU included a report and map. The Department hopes to review your submittal within approximately 2 - 4 years. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/Certificate.aspx>

Customer Service phone: (503) 986-0900

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file
Nathan Reed, CWRE

COPY

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **130826**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Cow Creek Band of Indians
BY: Tribe of Indians

APPLICATION	581436
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 244836 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 200.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) _____ \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER	\$ _____	0202	RECORD FEE	\$ _____
0203 GROUND WATER	\$ _____	0204		\$ _____
0205 TRANSFER	\$ _____			

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	\$ _____	0219	LICENSE FEE	\$ _____
LANDOWNER'S PERMIT		0220		\$ _____

0200 OTHER (IDENTIFY) COBU \$ 200.00

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
0210 MONITORING WELLS \$ _____ CARD # _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **130826**

DATED: 9-16-19 BY: [Signature]

COW CREEK BAND OF UMPQUA TRIBE OF INDIANS

244836

Vendor ID 0

244836

9/12/2019

Document	Description	Amount
App# S-81436	Oregon Water Resources Dept * Claim of Beneficial Use Fee,	\$200.00

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SEP 16 2019

OWRD

Total :

\$200.00

Cow Creek Band of Umpqua Tribe of Indians
2371 NE Stephens, Suite 100
Roseburg, OR 97470

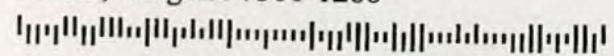


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ZIP 97470 \$ 001.30⁰
02 4W
0000362491 SEP 13 2019

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



same
POD?
land

NCR

NCR

NCR

NCR

NCR

APP. NO. / PERMIT NO.	CERT NO.	GOV'T LOT DLC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
S 21515 18873	21888	V	DLC 37						1.00 (IR)									
			DLC 37										5.80 (IR)					
S 28022 22116	24037	V	LOT 8														0.80 (IR)	
			DLC 38														4.40 (IR)	
S 43652 32632	37197	V							2.21 (IR)				2.59 (IR)					
S 44899 33570	39729	V	DLC 38									4.80 (IR)						
			DLC 38													5.20 (IR)		
S 45227 34537	39957	V	DLC 37										0.30 (IR)					
			DLC 37						11.00 (IR)									
			DLC 38					12.30 (IR)										
			DLC 38		0.40 (IR)													
			DLC 37									0.80 (IR)						
			LOT 2					0.10 (IR)										
			DLC 38							20.20 (IR)								
			DLC 38								17.50 (IR)							
			DLC 37							2.90 (IR)								
S 51642 48535	57355	V	(FI)															
S 68839 49907	65339	V	DLC 38															
			DLC 38															
S 59165 51924	0	V															1.10 (IR)	0.40 (IR)

APR 11 2018

U&I 96-1

PATRICIA K. HITT, COUNTY CLERK

**CONTRACT FOR PURCHASE OF INDUSTRIAL-COMMERCIAL OR MULTIPLE
PURPOSE WATER FROM GALESVILLE PROJECT**

This contract is made on 4/11/, 2018 between Douglas
County, a political subdivision of the State of Oregon, ("County"), and _____
Umpqua Indian Development Corporation _____, ("Customer").
(Rivers West RV Park)

COUNTY AND CUSTOMER AGREE:

1. TERM AND RENEWAL:

1.1. The initial term of this contract shall begin on March 16, 2018
and end on December 31, 2027, unless it is sooner terminated as provided herein.

1.2. As used in this contract, unless the context clearly indicates otherwise,
"term" or "term of this contract" shall mean both the initial term and any extension.

1.3. Customer shall have the right to extend the term of this contract for five
successive periods of ten years each upon the following conditions:

1.3.1. Approximately ninety days prior to expiration of the contract term,
County shall notify Customer in writing that Customer has the right to extend the
term at the price set pursuant to section 11.

1.3.2. Customer may elect to extend the contract term by written notice to
County within thirty days after County gives notice of the right to extend.
Concurrently with written notice of extension Customer may request the Board of
Commissioners to review and reduce the price of water in accordance with
subsection 11.4.

1.3.3. No other act or agreement shall be required of the parties to effect
the extension after Customer gives proper notice of election to extend the
contract term.

1.3.4. Each extension shall commence on the day following the
termination date of the initial term or the preceding extension.

1.4. The provisions of this contract shall apply to any extension except for
changes in the purchase price pursuant to section 11; modifications required to comply
with federal or state statutes, regulations, or administrative rules; or modifications
required to comply with any contract between County and the United States concerning
the Galesville Project.

1.5. Customer shall not be entitled to extend the term of this contract if Customer
is in default under this contract at the time extension is requested by Customer.

2. AUTHORITY OF PUBLIC WORKS DIRECTOR:

2.1. The Director of the Douglas County Public Works Department (the Director)
has authority to administer this contract on behalf of County.

2.2. The Director may delegate authority to administer this contract to the
Manager of the County Public Works Department, Natural Resources Division (the
Division Manager), except for authority to establish the price of water under section 11

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JUN 28 2018

OWRD

S-81436

of this contract. The Director shall retain the right to supersede any decision of the Division Manager in the administration and interpretation of this contract.

2.3. References to the Director in this contract shall be deemed to include the Division Manager, to the extent the Director has delegated authority to the Division Manager.

3. WATER ALLOCATION: Each year during the term of this contract, County shall allocate 5.00 acre feet of storage capacity in the Galesville Reservoir for Customer.

4. PERMITS AND CERTIFICATES OF WATER RIGHTS:

4.1. County shall file and maintain any reservoir water right permit and/or certificate to store water in the Galesville reservoir allocated for the Customer's use, as required by the State of Oregon Water Resources Department or its successor ("OWRD").

4.2. Customer, at Customer's expense, shall be responsible for obtaining any permit and/or certificate of water rights for use of the stored water allocated under this contract as required by the OWRD.

4.3. Within 6 months after the effective date of this contract, Customer shall provide County with a copy of the application map provided to the State.

5. RELEASE OF WATER:

5.1. Subject to the provisions of this contract, County will release into the natural channel of Cow Creek water comprising the allocation described in section 3. Water released for Customer's allocation shall be measured and delivered to Customer's point of diversion of record by County with equipment installed and maintained by County.

5.2. County shall report to the OWRD all allocated water stored and distributed to Customer's point of diversion of record, including reasonable losses. Customer shall report all water use as described on Customer's water right of record to the County no later than November 30th each year and as may be required by the State.

5.3. The obligations of County to allocate capacity may be restricted by any lawful order, regulation, or ruling of any governmental agency or provisions of a contract between County and the United States. Such legal restrictions may impair the County's ability to perform its obligations under this contract. In that event, County shall be relieved of its obligations to the extent necessary to comply with the legal restrictions. Customer's payments under this contract shall be reduced proportionally to any reduction in Customer's allocation resulting from such legal restrictions.

5.4. Notwithstanding any other provision of this contract, County may suspend release and delivery of water to Customer upon written notice to Customer if Customer fails to make any payment for such water when due.

6. DIVERSION AND USE OF WATER:

6.1. Customer shall be wholly responsible for taking, diverting, conveying, and utilizing its water and shall bear all losses from Customer's point of diversion.

6.2. Customer shall divert the water it is entitled to receive under this contract in accordance with schedules developed by the Customer and County.

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JUN 28 2018

OWRD

6.3. The water diverted by Customer may be measured by County at the point of diversion. The point of diversion shall be accessible for inspection and measurement of water at all reasonable times by County. Any easement necessary for County to gain access to the point of diversion shall be provided by Customer when requested by County.

6.4. The water shall be utilized for industrial-commercial or multiple purpose use. Customer shall utilize the water only for the uses and only on the real property described in Customer's permit and certificate.

6.5. Customer shall be responsible for purchase and installation of a meter or other suitable measuring device if required by the OWRD. Once installed, it shall be the Customer's responsibility to maintain such device in good working order. If requested by the OWRD, Customer shall maintain a record of the amount of water used and report water use on such periodic schedule as may be established by the OWRD.

6.6. If required, Customer shall purchase, install, maintain, and operate fish screening equipment and by-pass devices to prevent fish from entering the diversion. Any required screens and/or by-pass devices shall be in place, functional, and approved prior to the diversion of any water, under this contract.

7. QUALITY OF WATER: County shall operate and maintain the Galesville dam, reservoir, and related facilities in a reasonable and prudent manner, and shall endeavor in good faith to take adequate measures to maintain the quality of raw stored water at the facilities. County is under no obligation to construct or furnish water treatment facilities to maintain or improve the quality of water. **COUNTY MAKES NO WARRANTIES, EXPRESS OR IMPLIED, REGARDING THE QUALITY OF WATER RELEASED AND DELIVERED FROM GALESVILLE DAM, RESERVOIR, AND RELATED FACILITIES.**

8. WATER SHORTAGES: In any year in which a water shortage in the Galesville reservoir occurs, County shall apportion the available water supply among Customer and other users who are entitled to receive water from the reservoir. The quantity of water to be furnished for irrigation shall first be reduced as necessary, but not greater than 15%. Any further reduction in the reservoir water supply shall be shared by Customer and all other users entitled to water from the reservoir in the same proportion that the entitlement of each user, including Customer's entitlement under this contract, bears to the total entitlements of all users.

9. WATER CONSERVATION: Customer acknowledges the critical need for water conservation in the Umpqua River basin. Customer shall implement reasonable and prudent water conservation measures for industrial activities.

10. COMPLIANCE WITH LAW: This contract shall be governed by and construed in accordance with the laws of the State of Oregon. Each party shall perform its obligations in accordance with all applicable state, federal, and local laws, rules and regulations now or hereafter in effect.

11. PRICE OF WATER:

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JUN 28 2013

OWRD

S-81436

11.1. During the initial term, the price for the allocation stated in section 3 shall be \$ 423.50 per year.

11.2. For each discrete ten year extension of the contract term, Customer shall pay the then current rate as established by County in accordance with this section. Notice of the right to extend under subsection 1.3.1 shall state the price of water during the extension.

11.3. The Director shall periodically review and adjust the price for water taking into account the following factors:

11.3.1. The current cost of operating and maintaining the Galesville dam, reservoir, and related facilities;

11.3.2. The projected costs for operating, maintaining, and replacing Galesville water storage and delivery facilities; and

11.3.3. The price of water sold by similar facilities for similar uses.

11.4. Customer may request the Board of Commissioners to review and reduce the price of water established by the Director. Such request shall be in writing and shall be given with the notice of Customer's election to extend the contract term. After considering the factors listed in subsection 11.3, the Board of Commissioners may reduce or affirm the price established by the Director. If the Board of Commissioners fails to take any action on Customer's request to review and reduce the price of water within 30 days after Customer makes the request, the request shall be deemed denied. If Customer is not satisfied with the action of the Board of Commissioners, Customer may rescind their election to extend the contract term and cancel the contract by written notice to County within sixty days after Customer requests the Board of Commissioners to review and reduce the price.

12. PAYMENT:

12.1. Customer shall pay County the annual price established by section 11 for the allocation stated in section 3 regardless of whether Customer uses any or all of the water allocated. Except as provided in subsection 12.2, payment shall be made no later than March 31 of each year.

12.2. If this contract is dated after March 2 in the year for which water is first to be released, then the amount due for the first year only shall be payable within 30 days after the date the contract is signed by County.

12.3. Interest shall accrue on late payments at the rate of eighteen percent per annum commencing the day after the date payment is due. Customer shall pay all interest upon the request of County.

13. LIMITATIONS ON LIABILITY:

13.1. County shall not be liable for damages or other expenses sustained by Customer resulting from shortages in the quantity of water available for release, or interruptions in water deliveries to Customer, if such shortages or interruptions in deliveries are caused partially or entirely by hostile diversion, accidental damage to County facilities, operational failure of County facilities, or any cause beyond County's control.

13.2. Notwithstanding any other provision of this contract, County shall not be liable to Customer for damages caused by failure to comply with any obligation of

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JUN 28 2018

OWRD

County under this contract, if such failure results from lack of appropriation of funds necessary to perform such obligation pursuant to ORS 294.305 et seq. (Local Budget Law).

13.3. In no event shall County be liable to Customer for any indirect, special, or consequential damages even if Customer previously advised County of the possibility of such damages.

14. DEFAULT:

14.1. There shall be a default under this contract if either party materially fails to comply with any provision of this contract within thirty days after the other party gives written notice specifying the breach. If the breach specified in the notice cannot be completely cured within the thirty day period, no default shall occur if the party receiving the notice begins curative action within the thirty day period and thereafter proceeds with reasonable diligence and in good faith to cure the breach as soon as practicable.

14.2. If a default occurs, the party injured by the default may elect to terminate this contract and pursue any equitable or legal rights and remedies available under Oregon law, except that Customer's remedies shall be subject to the limitations on damages stated in section 13.

14.3. Any litigation arising out of this contract shall be conducted in the Circuit Court of the State of Oregon for Douglas County.

15. SEVERABILITY: If any provision of this contract is held to be invalid, it will not affect the validity of any other provision of this contract. This contract shall be construed as if such invalid provision had never been included.

16. WAIVER: No provision of this contract shall be waived unless the waiver is written and signed by the party waiving its rights. Any waiver of a breach, whether express or implied, shall not constitute waiver of any other breach.

17. SUCCESSORS: The successors, assigns, and legal representatives of Customer and County shall be subject to all provisions of this contract. Customer shall not assign Customer's rights or obligations under this contract without prior written consent of County.

18. NOTICES:

18.1. Notices required by this Contract must be given in writing by personal delivery or mail, unless some other means or method of notice is required by law.

18.2. Notices to County shall be directed to Thomas R. Manton, Division Manager, Douglas County Public Works Department, Natural Resources Division, Room 306, Douglas County Courthouse, 1036 SE Douglas Street, Roseburg, OR 97470.

18.3. Notices to Customer shall be directed to: Travis Hill UIDC VP
(New Business Development) 2371 NE Stephens St - Suite 100
Roseburg, OR 97470 Phone: 541-643-7741

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JUN 28 2018

OWRD

S-81436

19. ENTIRE AGREEMENT: This contract is in the final and complete agreement of the parties and supersedes all prior and existing written or oral understandings. No modification of this contract shall be valid unless it is in writing and signed by the parties.

20. TERMINATION FOR CONVENIENCE: County may terminate this Contract if the Director determines in good faith that termination is in the best interest of the public. The Director will endeavor to give Contractor notice thirty days prior to the date of termination under this section, but failure to give notice will not invalidate the decision to terminate. Termination under this section will not affect the rights of County and/or Customer existing at the time of termination

CUSTOMER

By [Signature]
Title WDC V.P. of Economic Development
Print Name TRAVIS HILL
Federal ID _____
Date 3/22/18
Phone 541-839-1398

DOUGLAS COUNTY, OREGON

By [Signature]
Scott Adams, Director of Public Works
Department. Authority to sign contract granted by
order of Board of Commissioners dated July 12, 2017.
Date 4/11/18

REVIEWED AS TO CONTENT

By [Signature]
Division Manager
Date 4/3/18
Coding_ 215-0000-2810-00-12010 [Signature]

REVIEWED AS TO FORM

By [Signature]
County Legal Counsel
Date 4/16/2018

RECEIVED

JUN 28 2018

OWRD

08/19/04 11:44 T5503 988 0901

OWRD WTR RIGHTS DAVE WILLIAMS

0002/002

Limited License Application Map

RECEIVED

JUL 8 - 1998

5039

WATER RESOURCES DEP
SALEM, OREGON

A 81436

141-1341

RANGE 6 WEST

RANGE 5 WEST

12

7

13

18

DLC 37

T 29 S, R 5 W, WM

LOT 7

~~MAP TO ACCOMPANY
APPLICATION FOR
WATER RIGHT TRANSFER
CERTIFICATE 51323~~

PAGE 2 OF 2
IRRIGATION USE

APPROX
1/4 CDR

2.5
AC.

NEW
POD

1.0
AC.

1.7
AC.

SE COR
DLC NE 37

DLC 38

MAP PREPARED BY
WILLIAM J. RUPPERT
P.O. BOX 1564
MYRTLE CREEK, OR 97457

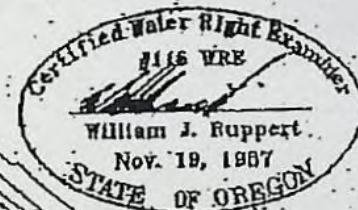
RECORD POD N85°36'E 2660 FT. FROM
SW CORNER SECTION 7

RIVERS WEST DEVELOPMENT, INC.
2201 WHISTLERS PARK RD.
ROSEBURG, OR 97457

THIS MAP TO BE
USED FOR WATER
RIGHT PURPOSES ONLY.

June 12, 1998

SCALE 1"=400'



EXPIRES 12/31/98

MAP BASED ON
ASSESSOR'S PL

RECEIVED

JUN 28 2018

OWRD

RECEIVED

MAP TO ACCOMPANY
APPLICATION FOR
WATER RIGHT TRANSFER
CERTIFICATE 51323
WATER RESOURCES DEP
SALEM, OREGON

S-81436

GREW Scott A * WRD

From: DUNCAN Laura A * WRD
Sent: Wednesday, June 13, 2018 8:38 AM
To: GREW Scott A * WRD
Subject: RE: S-81436

Scott:

Yes, they renewed the contract on April 11, 2018.

*Laura Duncan
Assistant Watermaster
District 15
541-440-4255*

From: GREW Scott A * WRD
Sent: Tuesday, June 5, 2018 11:19 AM
To: DOUTHIT Susan M * WRD; DUNCAN Laura A * WRD
Cc: GREW Scott A * WRD
Subject: S-81436

Susan and Laura,

I'm working on getting this permit out. I see that there was an assignment to Cow Creek Indian Tribe in 2010. Can you tell me if there is a current contract between them and Douglas County for water for this purpose.

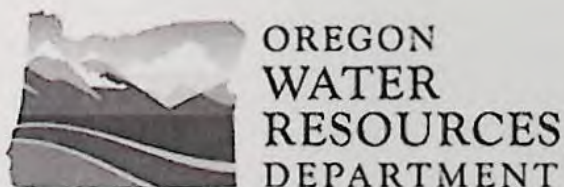
The existing contract in the file expired on December 31, 2006 (U&I 96-1).

Thank you!

Scott Grew | Natural Resource Specialist

Oregon Water Resources Department | Phone: 503-986-0899
Water Rights Division | Fax: 503-986-0901

Please Note: under Oregon law, messages to and from this e-mail address may be available to the public



GREW Scott A * WRD

From: GREW Scott A * WRD
Sent: Tuesday, June 05, 2018 11:19 AM
To: DOUTHIT Susan M * WRD; DUNCAN Laura A * WRD
Cc: GREW Scott A * WRD
Subject: S-81436

Susan and Laura,

I'm working on getting this permit out. I see that there was an assignment to Cow Creek Indian Tribe in 2010. Can you tell me if there is a current contract between them and Douglas County for water for this purpose.

The existing contract in the file expired on December 31, 2006 (U&I 96-1).

Thank you!

Scott Grew | Natural Resource Specialist

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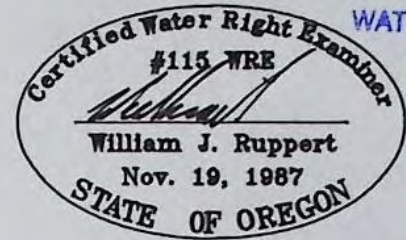


OREGON
WATER
RESOURCES
DEPARTMENT

RECEIVED

JUN 15 1998

WATER RESOURCES DEPT.
SALEM, OREGON



EXPIRES 12/31/98

MAP PREPARED BY WILLIAM J. RUPPERT
P.O. BOX 1564
MYRTLE CREEK, OR 97457

THIS MAP TO BE
USED FOR WATER
RIGHT PURPOSES ONLY.

June 12, 1998

MAP BASED ON
ASSESSOR'S PLAT



SCALE 1"=400'

RIVERS WEST DEVELOPMENT, INC.
2201 WHISTLERS PARK RD.
ROSEBURG, OR 97457

MAP TO ACCOMPANY
APPLICATION FOR
STORED WATER
APPLICATION S-81436

T 29 S, R 5 W, WM

DLC 38

LOT 4

LOT 5

LOT 6

LOT 8

DLC 37

DOLE
SOUTH

UMPQUA

SPRR

APPROX
1/4 COR

US

INTERSTATE

SE COR
DLC NO. 37

1820

HWY.

RV PARK
COMMERCIAL
USE AREA

NO. 5

5

INT ELL
COR DLC
NO. 38

ELY NE COR
JH BEAN
DLC NO. 38

ENE COR
J BEAN
DLC NO.
38

7 8

18 17

LOT 7

RANGE 6 WEST
RANGE 5 WEST

12 7
13 18

1620

August 13, 2004

Rivers West Development, Inc.
Dba Rivers West South Umpqua Campground
647 W Rainbow St.
Roseburg, OR 97470

Oregon Water Resources Department
Commerce Building
158 12th St. NE
Salem, OR 97310-0210

Reference: Final Order S-81436

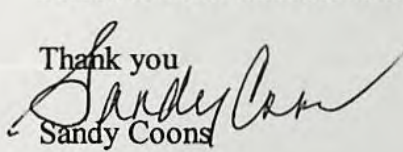
Gentlemen,

Please be advised that Rivers West South Umpqua Campground has been sold as of
8/17/04 to:

Cow Creek Band of Umpqua Tribe of Indians
Attn: Wayne Shammel, General Council
2371 N. E. Stephens , Suite 100
Roseburg, OR 97470

Please transfer all records regarding the final order to the above.

Thank you


Sandy Coons

RECEIVED

AUG 18 2004

**WATER RESOURCES DEPT
SALEM, OREGON**

Rivers West Development, Inc.
647 W. Rainbow St.
Roseburg, OR 97470

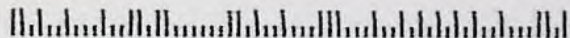


S-81436

Oregon Water Resources Department
Commerce Building
158 12th St. NE
Salem, OR 97310-0210

File out to
9/15

97301+4172



To: Anita M Huffman <Anita.M.HUFFMAN@wrд.state.or.us>
Subject: Re: T-8039, Rivers West

Anita, River West has proposed a certificate correction and the transfer is on hold until that is resolved.

Teresa

At 02:09 PM 04/11/2001 -0700, you wrote:

Hi Teresa.

Laura Snedaker asked you about the status of this transfer last year, and I checked the files and don't see that the transfer has been approved.

Am I missing something, or is this file still waiting? Just wondering since I've taken over the task of Administrative Holds now that Laura has left Water Rights.

I've got a pending file, S-81436, that is waiting for the transfer so it'll get permitted.

Please zip me an update. Thanks!!

Teresa Vonn
Regional Water Management
Oregon Water Resources De
942 SW 6th Street, Suite E
Grants Pass, OR 97526
Phone (541) 471-2886, ext.

Anita,
This is awaiting a
transfer. If the transfer
is not complete please try
to issue the permit w/a
condition regarding the
underlying rights
Try to get rid of this
~~permit~~ by issuing a permit.
Tux DWF

To: Anita M Huffman <Anita.M.HUFFMAN@wrd.state.or.us>
Subject: Re: T-8039, Rivers West

Anita, River West has proposed a certificate correction and the transfer is on hold until that is resolved.
Teresa

At 02:09 PM 04/11/2001 -0700, you wrote:

Hi Teresa.

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Am I missing something, or is this file still waiting? Just wondering since I've taken over the task of Administrative Holds now that Laura has left Water Rights.

I've got a pending file, S-81436, that is waiting for the transfer so it'll get permitted.

Please zip me an update. Thanks!!

Teresa Vonn
Regional Water Management Specialist
Oregon Water Resources Department
942 SW 6th Street, Suite E
Grants Pass, OR 97526
Phone (541) 471-2886, ext. 228 Fax (541) 471-2876

X-Sender: vonntr@mailhub.wrd.state.or.us
X-Mailer: QUALCOMM Windows Eudora Pro Version 4.2.2
Date: Thu, 28 Dec 2000 09:15:47 -0800
To: Laura K Snedaker <Laura.K.SNEDAKER@wrд.state.or.us>
From: Teresa Vonn <Teresa.R.VONN@wrд.state.or.us>
Subject: Re: Rivers West

They are in the process of requesting a corrected certificate. To my knowledge this request has not yet been submitted to the Department. There appears to be about 7 acres that are in question. The transfer therefore is on hold for now.

Teresa

At 08:41 AM 12/27/2000 -0800, you wrote:

Howdy:

Just checking in on the status of the transfer for Rivers West Development Inc., T-8039. How's it going?

Laura

Teresa Vonn
Regional Water Management Specialist
Oregon Water Resources Department
942 SW 6th Street, Suite E
Grants Pass, OR 97526
Phone (541) 471-2886, ext. 228 Fax (541) 471-2876

RECEIVED

JUN 15 1998

WATER RESOURCES DEPT.
SALEM, OREGON

**WILLIAM J. RUPPERT
P.O. BOX 1564
MYRTLE CREEK, OR 97457
PHONE 863-4855**

**REGISTERED PROFESSIONAL LAND SURVEYOR
CERTIFIED WATER RIGHT EXAMINER**

June 12, 1998

Water Resources Department
Commerce Bld.
158 12th Street NE
Salem, OR 97310-0210

Dear Sirs:

RE: Application S-81436

Enclosed is an application map for Application # S-81436.

Mr. Coons will soon forward an application and exhibits in the name of Rivers West Development, Inc. to transfer part of the irrigation right per permit # 7528 to commercial use and change the point of diversion.

Application S-81436 is intended to use stored water for commercial use in the RV Park from the end of the irrigation season to the beginning of the irrigation season.

Please let me know if there are any questions.

Sincerely,



Bill Ruppert, CWRE 115

cc. Lorry Coons
Rivers West Development Corp.
2201 Whistlers Park Rd.
Roseburg, OR 97470

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number S-81436

Final Order

Application History

On August 15, 1996, RIVERS WEST DEVELOPMENT INC submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on July 29, 1997. The protest period closed September 12, 1997, and no protest was filed.

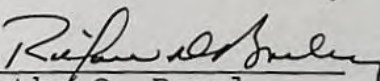
The proposed use would not impair or be detrimental to the public interest. However, the application map does not meet the standards of OAR 690-310-050. The map must show the location of each point of diversion (pump) *referenced to a recognized public land survey corner*. The locations may be shown by distance and bearing or by coordinates (distance north or south and distance east or west from the corner). The map must also show the location of the place of use identified by taxlot, Township, Range, Section, and by quarter-quarter section. In addition, there is a conflict with an existing water right, Certificate 73635, which must be transferred or cancelled before a permit may be issued approving Application S-81436.

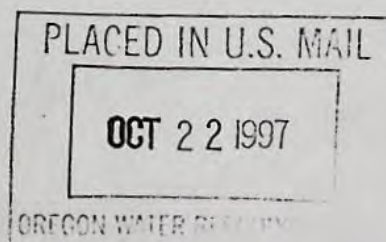
Order

Upon approval of an order transferring or cancelling Certificate 73635 and submission of a suitable map, Application S-81436 shall be approved as proposed by the Proposed Final Order and as provided on the attached draft permit.

A suitable map shall be submitted no later than 60 days from the date of this Final Order. Failure to submit a suitable map within 60 days from the date of this Final Order will result in the proposed rejection of Application S-81436.

DATED October 14, 1997


Martha O. Pagel
Director



STATE OF OREGON
COUNTY OF DOUGLAS

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

RIVERS WEST DEVELOPMENT INC.
2201 WHISTLERS PARK RD.
ROSEBURG, OREGON 97470

PHONE: (541) 672-6289

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-81436

SOURCE OF WATER: GALESVILLE RESERVOIR, CONSTRUCTED UNDER PERMIT R-9964,
TRIBUTARY TO COW CREEK

PURPOSE OR USE: INDUSTRIAL USE FOR A 150-UNIT COMMERCIAL RECREATIONAL
VEHICLE PARK FROM STORED WATER ONLY

MAXIMUM RATE/VOLUME ALLOWED: 5.0 ACRE-FEET PER YEAR

PERIOD OF USE: WATER MAY BE APPROPRIATED FROM STORAGE YEAR ROUND, OR AS
FURTHER LIMITED BY CONTRACT WITH DOUGLAS COUNTY

DATE OF PRIORITY: AUGUST 15, 1996

POINT OF DIVERSION LOCATION: NW 1/4 SW 1/4, SECTION 7, T29S, R5W, W.M.;
EXACT LOCATION UNKNOWN

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 SW 1/4
NE 1/4 SW 1/4
SE 1/4 SW 1/4
SECTION 7

TOWNSHIP 29 SOUTH, RANGE 5 WEST, W.M.

Measurement, recording and reporting conditions:

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

- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The use of water under this right is subject to the terms and conditions of contract No. U&I 96-1 dated July 19, 1996 or a satisfactory replacement between Douglas County and the applicant, a copy of which is on file in the records of the Water Resources Department.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screen is to be in place and functional prior to diversion of any water.

STANDARD CONDITIONS

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

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

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

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

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

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

Actual construction work shall begin within one year from permit issuance. Complete application of the water to the use shall be made on or before October 1, 2001.

Issued _____, 199_

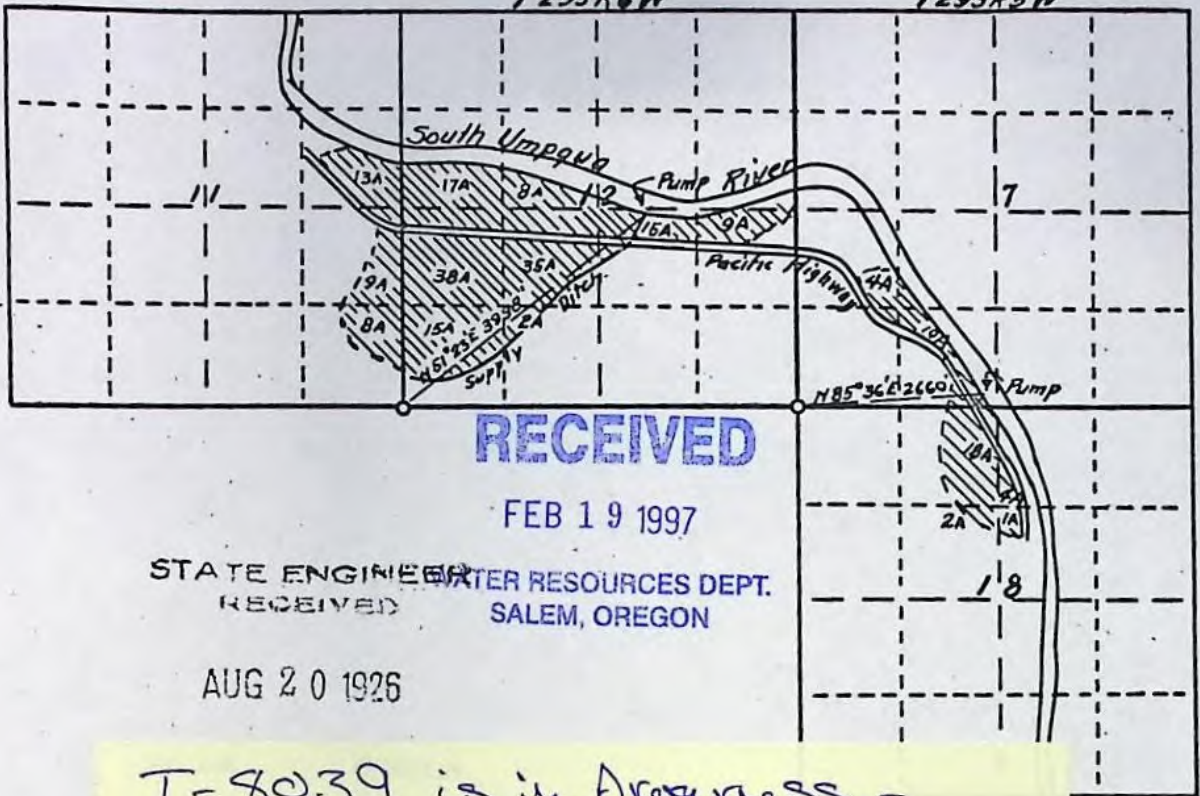
DRAFT - THIS IS **NOT** A PERMIT

Martha O. Pagel, Director
Water Resources Department

T29SR6W

T29SR5W

7528



RECEIVED

FEB 19 1997

STATE ENGINEER WATER RESOURCES DEPT.
RECEIVED SALEM, OREGON

AUG 20 1926

T-8039 is in progress -
per Larry N & Kelly S.

LKS

~~898977~~

E-mail to Teressa 3-13-00

I. ~~check~~ issues still to be resolved
on appc before processed

that this
made by
the works
location of

certify
Survey
represents
with the

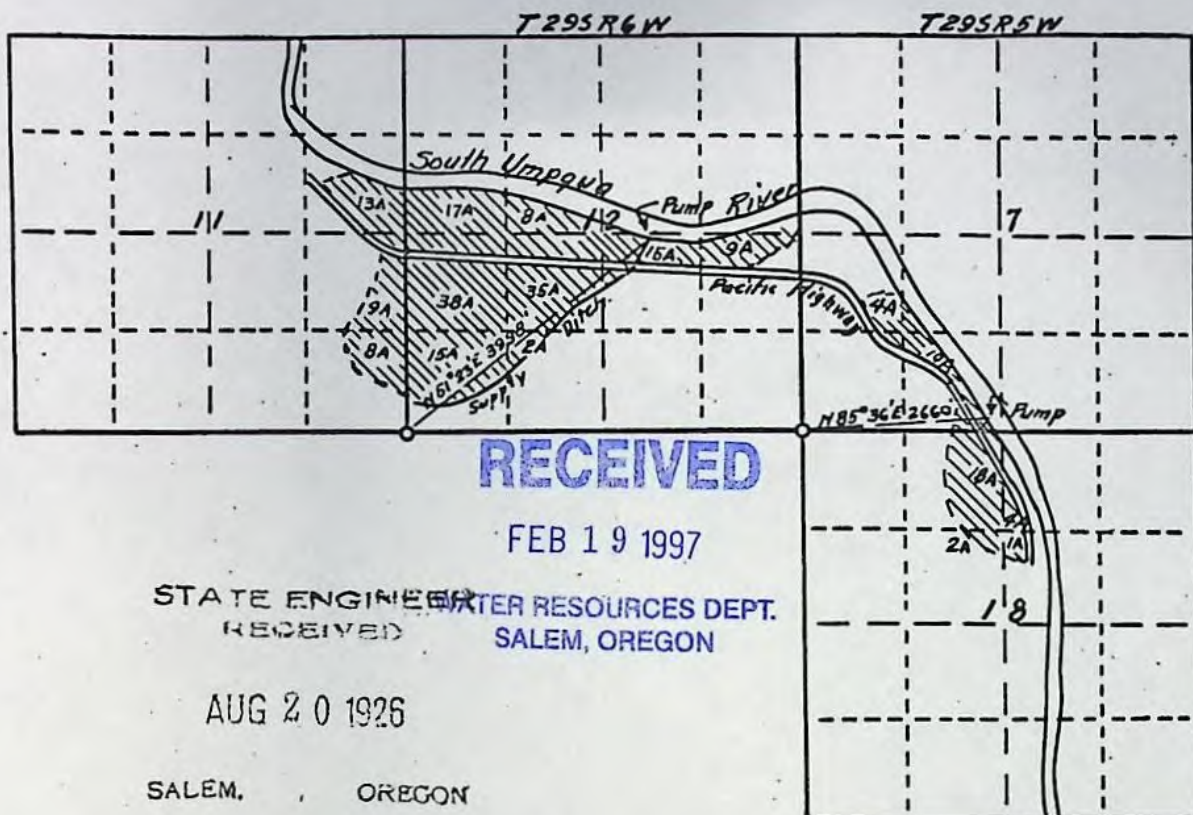
circles in the immediate vicinity

Ben B. Swain

Registered Professional Engineer

Oregon No. 240

November 8, 1919



MAP OF
J. H. BOOTH IRRIGATION SYSTEM
Sections 11&12, T.29S R.6W. & 7 & 8, T.29S R.5W WM
DOUGLAS COUNTY, OREGON.

Office of Ben B. Irving, Civil Engineer and Surveyor.

CERTIFICATE OF ENGINEER.

I, Ben B. Irving, of Roseburg, Oregon, do hereby certify that this map was made from notes taken during an actual Survey made by me August 13 & 14, 1926, and that it correctly represents the works described in the accompanying application, together with the location of all streams and other ditches in the immediate vicinity

Ben B. Irving

Registered Professional Engineer

Oregon No. 240

November 8, 1919

Application No.

5-81436

RECEIVED

AUG 15 1996

State of Oregon

WATER RESOURCES DEPARTMENT

WATER RESOURCES DEPT.
SALEM, OREGON

Application for a Permit to Appropriate Surface Water

Applicant(s) Rivers West Development, Inc.

(Please print or type - use dark ink)

Mailing Address: 2201 Whistlers Park Rd.

Roseburg

City

OR

97470

State

541-672-6289 or 541-672-

Zip

Daytime Phone No.

6148

I (We) make application for a permit to appropriate the following described waters of the State of Oregon:

1. **SOURCE OF WATER** for the proposed use: Galesville Reservoir,
a tributary of South Umpqua River.

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: 5 cubic feet per
second, OR n/a gallons per minute. If water is to be used from more than one source,
give the quantity of water from each: n/a

3. **INTENDED USE(s) OF WATER:** water to supply 150 unit commercial
recreational vehicle park

If for more than one use, give the quantity of water from each source for each use; n/a

If for DOMESTIC use, state the number of households to be supplied; n/a

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served,
and an estimate of the future requirements; (List population projections, water needs, anticipated areas
to be provided water.)

n/a

If for MINING use, state the nature (gold, silver, etc.) of the mines to be served; n/a

If for IRRIGATION, or other land area use, state the TOTAL number of acres to be developed
under each use;

Irrigation

n/a

Other (describe)

n/a

4. **DESCRIPTION OF WATER DELIVERY SYSTEM:** Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

No diversion works are being installed. The pump will be placed directly in the bottom of an existing pump site. There will be a submersible Flint & Walling Pump rated at 1 horse power and 19 gal. per minute. The pump will feed a 1 1/2" P.V.C. Schedule 80 pipe. This pipe will be underground protruding 4' from the river bank into the river then running underground 150' to the water filtration system.

5. **PROJECT SCHEDULE:** (List month and year)

Proposed date construction work will begin 9/96

Proposed date construction work will be completed 9/96

Proposed date water use will be completed n/a

6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

xxx Applicant CWRE Other (Identify in REMARKS section)

- b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

xxx Applicant CWRE Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? Yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

REMARKS:

8. If you answered "NO" to question #7 above, do you have written authorization or an easement permitting access to the lands you do not own? N/A

YES _____ NO _____

I understand that if I do not own all property associated with this application, I may be required to submit a copy of my written authorization or easement for access before a permit can be issued.

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

Andrew K. Coors, V.P. 8/14/96
Signature Date
Kleus West Development, Inc.
Signature Date

RECEIVED

AUG 15 1996

FOR WATER RESOURCES DEPARTMENT USE ONLY

WATER RESOURCES DEPT.
SALEM, OREGON

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____, 19____.

WITNESS my hand this _____ day of _____, 19____.

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 15th day of August, 1996, at 8 o'clock, A M.

APPLICATION NO: S-81346

PERMIT NO: _____

RECEIVED

OAR 690-310-040(1)(K)
APPLICATION REQUIREMENTS
INFORMATIONAL SHEET

AUG 15 1996

WATER RESOURCES DEPT.
SALEM, OREGON

(If information is not available, or does not apply, please indicate)

Describe why the amount of water requested is needed, measures you propose to prevent waste and how you propose to measure the amount of water appropriated/diverted.

The amount of water requested is based upon the Dept. of Environmental Quality sizing for an R.V. Park of this size, the expected useage is 10,000 gallons a day. A water purification and filtration system is being installed to supply potable water for the park through a 10,000 gallon storage tank. This system will automatically turn on and off and draw water from the river only as demand dictates. The equipment will have computerized monitoring equip. which will be monitored daily by park personnel to assure that no water is being wasted. Describe measures to prevent the discharge of contaminated water to a surface stream.

No water will be discharged back into the South Umpqua River. A D.E.Q. approved sanitation system through a WDCF Permit Process is being installed on the property. All waste water will be directed through this system.

If for surface water, describe how you plan to protect damage to aquatic life and riparian habitat and measures to prevent damage to public uses of affected surface waters.

The R.V. Park and Campground is being developed on property which currently has a pumping station for irrigation rights. This pumping site will be at the same location. Therefore, no impact will be created or potential damage to aquatic life, riparian habitat or public uses.

Applicant Name Rivers West Development, Inc. File No. _____

Application No. R-81436
Permit No.

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number S-81436

Proposed Final Order

Summary of Recommendation: The Department recommends that the attached draft permit be issued with conditions.

Additional Information Required: According to Department records, there is an existing water right, Certificate 73635, for Irrigation on the lands requested under this application. Before a permit may be issued for this application part or all of this existing right may need to be canceled or transferred.

Application History

On August 15, 1996, RIVERS WEST DEVELOPMENT INC. submitted an application to the Department for the following water use permit:

- Amount of Water: 5.0 ACRE-FEET (AF)
- Use of Water: RECREATIONAL VEHICLE PARK
- Source of Water: GALESVILLE RESERVOIR, CONSTRUCTED UNDER PERMIT R-9964, A TRIBUTARY OF COW CREEK
- Area of Proposed Use: DOUGLAS County within SECTION 7, TOWNSHIP 29 SOUTH, RANGE 5 WEST, W.M.
- Water Delivery System: According to the application, no diversion works are to be installed. The pump will be placed directly in the bottom of an existing pump site. There will be a submersible 1 horsepower, 19 gallon per minute pump. The pump will feed a 1 ½ inch PVC Schedule 80 pipe. This pipe will be underground protruding 4 feet from the river bank into the river, then running underground 150 feet to the water filtration system.

On 1/23/97, the Department mailed the applicant notice of its Initial Review, determining that the use of 5.0 AF for Industrial Use to supply a 150 unit commercial recreation vehicle park, from stored water only released from the Galesville Reservoir under a valid Douglas County Contract, may be allowed year round, or as further limited by contract. The applicant did not notify the Department to stop processing the application within 14 days of that date.

On 2/11/97, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

No written comments were received within 30 days.

On February 19, 1997, an amendment to the application, requesting to change the location of the point of diversion, was received from the applicant.

In reviewing applications, the Department may consider any relevant sources of information, including the following:

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- Additional Public Interest Standards for New Appropriations (OAR Chapter 690, Div. 33)
- any comments received

Findings of Fact

The Umpqua Basin Program allows the following uses: INDUSTRIAL USE FOR A 150-UNIT COMMERCIAL RECREATIONAL VEHICLE PARK FROM STORED WATER ONLY. The South Umpqua River is withdrawn from further appropriation, except for a few limited uses, during the period July 15 through September 30. However, the use of stored water is allowable during this period.

Senior water rights exist on THE SOUTH UMPQUA RIVER AND GALESVILLE RESERVOIR, TRIBUTARY OF THE UMPQUA RIVER, or on downstream waters.

THE SOUTH UMPQUA RIVER AND GALESVILLE RESERVOIR, TRIBUTARY OF THE UMPQUA RIVER, are not within or above a State Scenic Waterway.

Water may be appropriated from storage Year Round, or as further limited by contract with Douglas County.

The Department finds that no more than 5.0 AF would be necessary for the proposed use. The amount of water requested, 5.0 AF, is allowable.

There is no evidence in the record of the presence of game fish at the described point of diversion.

In accordance with OAR 690-33-330, an interagency team reviewed this proposed use for potential adverse impacts on sensitive, threatened and endangered fish populations. This team consisted of representatives from

the Oregon Departments of Water Resources (WRD), Environmental Quality, Fish and Wildlife (DFW), and Agriculture. WRD and DFW representatives included both technical and field staff.

The interagency team did not recommend that any additional conditions of use be imposed on this application.

Conclusions of Law

Under the provisions of ORS 537.153, the Department must presume that a proposed use will not impair or be detrimental to the public interest if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12), if water is available, if the proposed use will not injure other water rights and if the proposed use complies with rules of the Water Resources Commission.

The proposed use requested in this application is allowed in the Umpqua Basin Plan.

No preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with rules of the Water Resources Commission.

The proposed use complies with the State Agency Agreement for land use.

For these reasons, the required presumption has been established.

Once the required presumption has been established, under the provisions of ORS 537.153(2) it may be overcome by a preponderance of evidence that either:

- (a) One or more of the criteria for establishing the presumption are not satisfied; or
- (b) The proposed use will impair or be detrimental to the public interest as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
 - (A) The specific public interest under ORS 537.170(8) that would be impaired or detrimentally affected; and
 - (B) Specifically how the identified public interest would be impaired or detrimentally affected.

In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use will impair or be detrimental to the public interest.

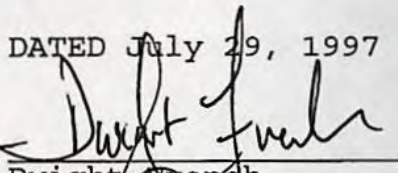
The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in

injury to existing water rights; and the proposed use will not impair or be detrimental to the public interest as provided in ORS 537.170.

Recommendation

The Department recommends that the attached draft permit be issued with conditions.

DATED July 29, 1997


Dwight French
Water Rights Section Manager

Protest Rights

Under the provisions of ORS 537.153(6) or 537.621(7), you have the right to submit a protest against this proposed final order. Your protest must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the \$200 protest fee required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting that a contested case hearing be held. If you do not request a hearing, the Department will presume that you do not wish for a hearing to be held.

Your protest must be received in the Water Resources Department no later than **September 12, 1997**.

After the protest period has ended, the Director will either issue a final order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been submitted and if

- upon review of the issues the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

LKS

DRAFT

This is not a permit!!!

DRAFT

STATE OF OREGON

COUNTY OF DOUGLAS

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

RIVERS WEST DEVELOPMENT INC.
2201 WHISTLERS PARK RD.
ROSEBURG, OREGON 97470

PHONE: (541) 672-6289

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-81436

SOURCE OF WATER: GALESVILLE RESERVOIR, CONSTRUCTED UNDER PERMIT R-9964,
TRIBUTARY TO COW CREEK

PURPOSE OR USE: INDUSTRIAL USE FOR A 150-UNIT COMMERCIAL RECREATIONAL
VEHICLE PARK FROM STORED WATER ONLY

MAXIMUM RATE/VOLUME ALLOWED: 5.0 ACRE-FEET

PERIOD OF USE: WATER MAY BE APPROPRIATED FROM STORAGE YEAR ROUND, OR AS
FURTHER LIMITED BY CONTRACT WITH DOUGLAS COUNTY

DATE OF PRIORITY: AUGUST 15, 1996

POINT OF DIVERSION LOCATION: NW 1/4 SW 1/4, SECTION 7, T29S, R5W, W.M.;
2150 FEET NORTH AND 1400 FEET EAST FROM SW CORNER, SECTION 7

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 SW 1/4
NE 1/4 SW 1/4
SE 1/4 SW 1/4
SECTION 7

TOWNSHIP 29 SOUTH, RANGE 5 WEST, W.M.

Measurement, recording and reporting conditions:

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

Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The use of water under this right is subject to the terms and conditions of contract No. U&I 96-1 dated July 19, 1996 or a satisfactory replacement between the Douglas County and the applicant, a copy of which is on file in the records of the Water Resources Department.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screen is to be in place and functional prior to diversion of any water.

STANDARD CONDITIONS

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

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

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

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

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

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

Actual construction work shall begin within one year from permit issuance. Complete application of the water to the use shall be made on or before October 1, 2001.

Issued _____, 199_

DRAFT - THIS IS **NOT** A PERMIT

Water Resources Department
Director

January 23, 1997

RIVERS WEST DEVELOPMENT INC
2201 WHISTLERS PARK RD
ROSEBURG, OREGON 97470

Reference: File S-81436

Dear Applicant:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT NEXT PHASE OF PROCESS**

This letter is to inform you of the potential limitations to your proposed use of water and to describe some of your options. Based on the information you have supplied, the Water Resources Department has reached the following conclusions:

Initial Review Determinations:

1. Your application is complete and not defective.
2. The proposed use is not prohibited by law or rule.
3. The use of water from South Umpqua River, tributary to Umpqua River, for INDUSTRIAL USE (COMMERCIAL USE) is limited to October 1 through April 14 by rule [OAR 690-516-001(1)(e)], the Umpqua Basin Program; however, use of water released from STORAGE, namely from Galesville Reservoir, for INDUSTRIAL USE (COMMERCIAL USE) may be allowed year round, or as further limited by contract with Douglas County.
4. The use of 5.0 ACRE-FEET (AF) for INDUSTRIAL USE TO SUPPLY 150-UNIT COMMERCIAL RECREATIONAL VEHICLE PARK, under a valid Douglas County Contract for stored water from the Galesville Reservoir, may be allowed year round, or as further limited by contract.
5. The maps submitted to the Department with the application each appear to show different locations for the proposed point of diversion. A revised application map needs to be submitted to the Department. The revised map must clearly identify and show each of the required elements described in the enclosed Department Map Requirements. This includes identifying the coordinates, from a recognized public land survey corner, to the proposed point of diversion. The map must also show the location where



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

water is to be used in tax lot 1200 within each quarter quarter section. If applicable, the map must also show the location of main canals, ditches, pipelines or flumes. The map scale must also be clearly identified on the application map. Failure to submit a map with requested information within 30 days may result in rejection of this application.

6. There appears to be existing water rights for Irrigation on some of the same lands requested under this application. Before any permit may be issued for this application the existing water rights may need to be cancelled or transferred. This will be determined based upon the revised application map.

Summary of Initial Determinations

The use of 5.0 acre-feet for INDUSTRIAL USE TO SUPPLY 150-UNIT COMMERCIAL RECREATIONAL VEHICLE PARK, from stored water only released from the Galesville Reservoir under valid Douglas County Contract, may be allowed year round, or as further limited by contract.

Because of the Departments determination, your application can be moved to the next phase of the water rights application review process. However, due to #5 and 6 above your application will likely be limited as summarized above.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period, will be evaluated at the next phase of the process.

At this time, you must decide whether to proceed or to withdraw your application as described below.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **FEBRUARY 6, 1997**. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

If A Permit Is Issued It Will Likely Include The Following Conditions:

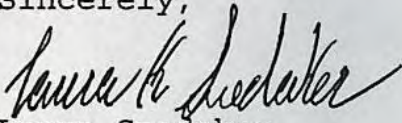
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2. You may be required to install fish screens at the diversion to meet Oregon Department of Fish and Wildlife specifications for adequate protection of aquatic life.
3. The use of water under this right is subject to the terms and conditions of contract No. U&I 96-1 dated July 19, 1996 or a satisfactory replacement between the Douglas County and the applicant, a copy of which is on file in the records of the Water Resources Department.
4. The priority date for this application is August 15, 1996.
5. In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

WARNING: This initial review does not attempt to address various public interest issues such as sensitive, threatened, or endangered fish species. These issues will be addressed as the Department reviews public comments and prepares a proposed final order. You should be aware that, if significant public interest issues are found to exist, such a finding could have an impact on the eventual outcome of your application.

If you have any questions:

Feel free to call me at (503) 378-8455 ext. 331 or 1 (800) 624-3199 if you have any questions. Please have your application number available if you call.

Sincerely,



Laura Snedaker
Initial Reviewer

cc: Regional Manager, Watermaster, Water Availability
Section

enclosures: Flow Chart of Water Right Process
Stop Processing Form
Copy of Department Map Requirements
Copy of Applicant's Maps

wab 516-01057420
pou 516-01057420
gw n/a

14 Day Deadline (Rec'd Roseburg 5/20/97)

WATERMASTER'S DIVISION 33 REVIEW COMMENT WORK SHEET

Applicant's Name: **Rivers West Development**

Source of Water: **Surface Water**

Description of the Source **Galesville Reservoir**

- If from Surface Water, does the water at the proposed Diversion Location flow into another water body? **YES**
- If sometimes, describe the time period between
- Do you know of the source ever going dry in the area of the proposed diversion?
NO
- To your knowledge, has the requested source of water been regulated because of insufficient flow to satisfy existing water rights including instream water rights?
YES If yes, please explain **S. Umpqua Basin regulated nearly annually for 1974 instream rights, and annually for the S. Umpqua Basin Withdrawal**
- To the best of your knowledge, is there sufficient flow at the proposed point of diversion to satisfy all existing water rights and provide the quantity of water requested under this application? **YES , from storage.**
- Did you coordinate with staff from another agency to discuss the application?
Sent copy of this worksheet to Dave Harris, ODFW- Roseburg.
- Is mitigation an option? **n/a**
- If so, please describe:

Comments:

Gary L. Ball, Watermaster, Dist. 15

2/27/97

dp/div33wks.219 updated 2/97

January 23, 1997

RIVERS WEST DEVELOPMENT INC
2201 WHISTLERS PARK RD
ROSEBURG, OREGON 97470

Reference: File S-81436

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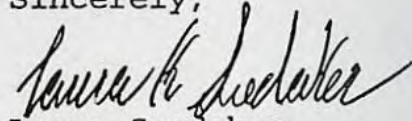
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Sincerely,



Laura Snedaker
Initial Reviewer

cc: Regional Manager, Watermaster, Water Availability
Section

enclosures: Flow Chart of Water Right Process
Stop Processing Form
Copy of Department Map Requirements
Copy of Applicant's Maps

wsb 516-01057420
pou 516-01057420
gw n/a

FILE # 5-81436

INITIALS: IR

PFO

SPFO

PROTEST

FO

IR - STANDARD

REGION & DIST: (1 2 16 18 - NWR) (3 4 5 - NCR)
(6 8 9 10 - ER) (11 12 17 - SCR) (14 15 19 - SWR)

WATER AVAILABILITY

IR, PFO, SPFO, PROTEST, FO - CONDITIONAL

DIVISION 33-115 thru 140 Y / N (ODFW Co _____ Col Riv Intertribal

Fish Comm; USF&W; NW Power Plan Council; & NMFS)

DIVISION 33-310 thru 340 Y / N (ODFW District Bio Umpqua Office

Agriculture; DEQ Office Western; WM IR Fact Sheet)

AGENT Region

PFO, SPFO, PROTEST, FO - STANDARD:

REGION & DIST: (see ir standard above)

ODFW COUNTY _____

PFO, SPFO, PROTEST, FO - CONDITIONAL

WATER AVAILABILITY Y / N

AGENT _____

\$10 Letter To: _____

MAILERS INITIALS & DATE

IR

PFO

SPFO

PROTEST

FO

OVER Y / N

IR CHECKLIST

Application #: S 81436

Vol _____ Subbasin _____

Basin: 16

WAB: 01057420

POU-WAB _____

Ownership 295

Range 5W

Section 7

1/4 1/4

- ☒ 1. Completeness checklist verified. ☒ Y ☐ N or No Checklist
- ☒ 2. Indicators that the process should not continue (ie. protest, items missing, letter to file indicating hold, or other) ☒ Y ☐ N
- ☒ 3. Groundwater review A B C D 2 maps submitted show different location of "pump"
 - ☒ a. Is the well located in a groundwater limited area? ☒ Y ☐ N
- ☒ 4. SWW Y ☒ N Triage Y ☐ N conditions/restrictions Y/N _____
- ☒ 5. Basin Program limitations? Y ☒ N 690-516-001 (1) (c) Sumpqua
- ☒ 6. Withdrawn? ☒ Y ☐ N season allowed Sumpqua however N/A since release of stored water
- ☒ 7. Basin Maps have been checked. Y ☒ N The River Mile is Galesville R. > Sumpqua R.
- ☒ 8. Water Availability (50% < July 17, 1992 ** 80% [50% storage] > July 17, 1992) NA Stored water Release from Galesville Res.
- ☒ 9. Rate/Duty/Season _____
- ☒ 10. Use Commercial - 150 unit rec vehicle park Period of Allowed Use _____
- ☒ 11. Priority Date(s) 8/15/96
- ☒ 12. B.O.R. project Y ☒ N contract # Well 96-1 dated 7/19/96
- ☒ 13. TMDL Basin? Y ☒ N (Tualatin, Yamhill, Pudding) DIVISION 33 Y ☒ N (Abv Bonn > July 17, 92 / Blw Bonn > April 18, 94 or June 3, 94) map dated 6/25/96
- ☒ 14. Conflicts Y ☒ N May share same POD w/ S-21516 - review when revised map
- ☒ 15. Conditions? (BOK, GW, other) Y ☒ N Douglas Co Contract, POD Submitted may need POD condition
- ☒ 16. Land use approval ☒ OK'd ☐ needs approval ☐ county notified ☐ NA Douglas Co.
- ☒ 17. Watermaster Dist: (1 2 16 18 - NWR) (3 4 5 - NCR) (6 8 9 10 - ER) (11 12 17 - SCR) (14 15 19 - SWR)
- ☒ 18. Letter will be Good ☐ Limited ☐ Bad ☐ Bad w/IRshort because per Douglas County Contract
cc: Douglas County Planning Department
5.0 acre-feet
* possible conflict w/ cert 73635 & 21888 (S-21516)

* Request POD coordinates
 two maps submitted by applicant show different locations of "pump".

ime: Kerry Lefever

Date: 9/6/96

save to m:\t\ir\sent\app#.w51

OREGON WATER RESOURCES DEPARTMENT
ADMINISTRATIVE RULES
CHAPTER 690
DIVISION 516
UMPQUA BASIN PROGRAM

Classifications

690-516-001

(1) The maximum economic development of this state, the attainment of the highest and best use of the waters of the Umpqua River Basin, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, temperature control, power development, industrial, mining, recreation, wildlife, fish life uses, and pollution abatement; and the waters of the Umpqua River Basin are hereby so classified with the following exceptions:

- (a) Preference shall be given to human consumption, livestock consumption and irrigation of non-commercial gardens not to exceed one-half acre in area for all the waters of the Umpqua River Basin over any other beneficial uses.
- (b) The waters of the natural lakes of the Umpqua River Basin are classified only for the utilization of water for domestic, livestock, power development not to exceed 7-1/2 theoretical horsepower, and in-lake uses for recreation, wildlife, and fish life purposes.
- (c) The waters of Roberts Creek and its tributaries were withdrawn by Water Resources Commission's Order of Withdrawal on October 4, 1991.
- (d) The unappropriated waters of Lookingglass Creek and tributaries are withdrawn from further appropriation except for domestic and livestock watering uses under 5,000 gallons per day per appropriation and water legally stored and released from storage from June 1 through September 30 of each year, by the Water Policy Review Board's Order of Withdrawal dated August 5, 1983.
- (e) The unappropriated waters of the South Umpqua River and tributaries, excluding Lookingglass and Roberts Creeks, are withdrawn from further appropriation except for human consumption, livestock consumption, irrigation of up to 1/2-acre non-commercial garden and water legally released from storage from July 15 through September 30 of each year, by the Water Policy Review Board's Order of Withdrawal dated April 29, 1985. This limitation shall not affect the withdrawals previously enacted by the Board for the waters of Roberts and Lookingglass Creeks.

(2) Applications for the use of the waters of the Umpqua River Basin shall not be accepted by any state agency for any purposes contrary to the classifications herein specified, and the granting of applications for such other purposes is declared to be prejudicial to the public interest, and the granting of applications for such other use would be contrary to this water-use program.

(3) Structures or works for utilization of the waters in accordance with the aforementioned classifications are also declared to be prejudicial to the public interest unless planned, constructed and operated in conformity with the applicable provisions of ORS 536.310; and any such structures or works which do not give cognizance to the multiple-purpose concept are further declared to be prejudicial to the public interest.

Minimum Perennial Streamflows

690-516-002

(1) For the purpose of maintaining minimum perennial streamflows sufficient to support aquatic life, no appropriations of water except for human consumption, livestock consumption and irrigation of non-commercial gardens not to exceed one-half acre in area and waters legally released from storage shall be made or granted by any state agency or public corporation of the state for the waters of the following streams when flows are at or below the levels specified in Table 1.

(2) The minimum perennial streamflows established by the October 24, 1958, Umpqua Basin program shall remain in effect over appropriations issued from October 24, 1958, to March 26, 1974.

Storage

690-516-003

All applications for appropriation of water for storage in structures impounding more than 3,000,000 gallons of water shall be reviewed by the Water Policy Review Board prior to approval. During the review, the Water Policy Review Board may establish additional minimum flows on the natural flow of the stream to support aquatic life or minimize pollution.

Out-of-Basin Appropriations

690-516-004

To support present and proposed Umpqua River Basin water resource development, no out-of-basin appropriation of the waters of the Umpqua River Basin shall be made or granted by any state agency or public corporation of the state without the prior approval of, and following a public hearing by, the Water Policy Review Board.

Water Quality

690-516-005

Rights to use of water granted by any state agency in accordance with this water-use program shall be issued only on the condition that any effluents or return flows from such uses shall not interfere with other beneficial uses of water.

NOTE: The Umpqua River Basin is delineated on State Water Resources Board Map 16.6, dated 1969, available from the Water Resources Department.

OREGON ADMINISTRATIVE RULES
WATER RESOURCES DEPARTMENT
CHAPTER 690
DIVISION 500
BASIN PROGRAMS

Basin Programs Preamble

690-500-010

(1) The Water Resources Commission is responsible for the establishment of policy and procedures for the use and control of the state's water resources. In executing this responsibility, the Commission develops, adopts and periodically modifies programs for the state's major drainage basins as shown in Figure 1.

(2) Basin programs are administrative rules which establish water management policies and objectives and which govern the appropriation and use of the surface and ground water within each of the respective basins. The rules classify surface and ground waters according to the uses which are permitted, may establish preferences among uses, may withdraw surface and ground waters from further appropriation, may reserve waters for specified future uses, and may establish minimum perennial streamflows. These rules are in addition to rules with statewide applicability which govern the allocation and use of water.

(3) The Commission has adopted programs for the following basins:

- (a) North Coast Basin (Division 501)
- (b) Willamette Basin (Division 502)
- (c) Sandy Basin (Included in Division 502)
- (d) Hood Basin (Division 504)
- (e) Deschutes Basin (Division 505)
- (f) John Day Basin (Division 506)
- (g) Umatilla Basin (Division 507)
- (h) Grand Ronde Basin (Division 508)
- (i) Powder Basin (Division 509)
- (j) Malheur - Owyhee Basins (Division 510)
- (k) Goose and Summer Lakes Basin (Division 513)
- (l) Rogue Basin (Division 515)
- (m) Umpqua Basin (Division 516)
- (n) South Coast Basin (Division 517)
- (o) Mid Coast Basin (Division 518)
- (p) Columbia River (Division 519)
- (q) Middle Snake River Basin (Division 520)

(4) Although the Commission has not adopted a comprehensive basin program for the waters of the Malheur Lake Basin, minimum perennial streamflows have been adopted for specified streams in the basin. These minimum perennial streamflows are in Division 512. Allocation and use of the waters of the basin also are subject to administrative rules with statewide applicability.

(5) The Commission has not adopted a comprehensive basin program for the waters of the Klamath Basin. Allocation and use of the waters of the basin are subject to administrative rules with statewide applicability and to the provisions of the Klamath River Basin Compact (ORS 542.62

adopted 9-23-88 and renumbered from 690-80-000)

Definitions

690-500-020 Unless otherwise defined in a basin program, the following definitions apply in OAR Chapter 690, Divisions 501, 504-512, and 515-520 to any classification adopted prior to January 1, 1993:

- (1) "Domestic use" means the use of water for domestic water use, group domestic water use, commercial water use of less than 5,000 gallons per day, or human consumption as defined in OAR 690-11-010.
- (2) "Fish culture or fish life use" means the use of water for aquatic life water uses as defined in OAR 690-11-010 and public uses related to fish culture or fish life water uses as defined in OAR 690-77-010.
- (3) "Industrial use" means the use of water for commercial water use or industrial water use as defined in OAR 690-11-010.
- (4) "Irrigation use" means the use of water for agricultural water use, cranberry use, irrigation, nursery operations use, or temperature control as defined in OAR 690-11-010.
- (5) "Livestock use" means the use of water for stockwater use as defined in OAR 690-11-010.
- (6) "Mining use" means the use of water for mining water use or placer mining as defined in OAR 690-11-010.
- (7) "Municipal use" means the use of water for commercial water use, municipal water uses, or quasi-municipal water uses as defined on OAR 690-11-010.
- (8) "Pollution abatement use" means the use of water for pollution abatement or prevention water use as defined in OAR 690-11-010 and public uses related to pollution abatement as defined in OAR 690-77-010.
- (9) "Power or power development use" means the use of water for power development water use as defined in OAR 690-11-010.
- (10) "Recreation use" means the use of water for recreation water use as defined in OAR 690-11-010 and public uses related to recreation uses as defined in OAR 690-77-010.
- (11) "Wildlife use" means the use of water for wildlife use as defined in OAR 690-11-010 and public uses related to wildlife uses as defined in OAR 690-77-010.

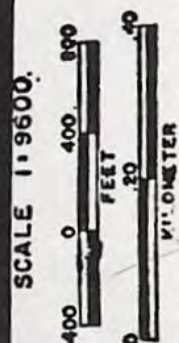
{adopted 10-1-93}

DOUGLAS COUNTY

5-28-96

29 5 7

$I'' = 430'$

$$1'' = 300$$


SCALE 1:9600.

RI
JUN 13 1996

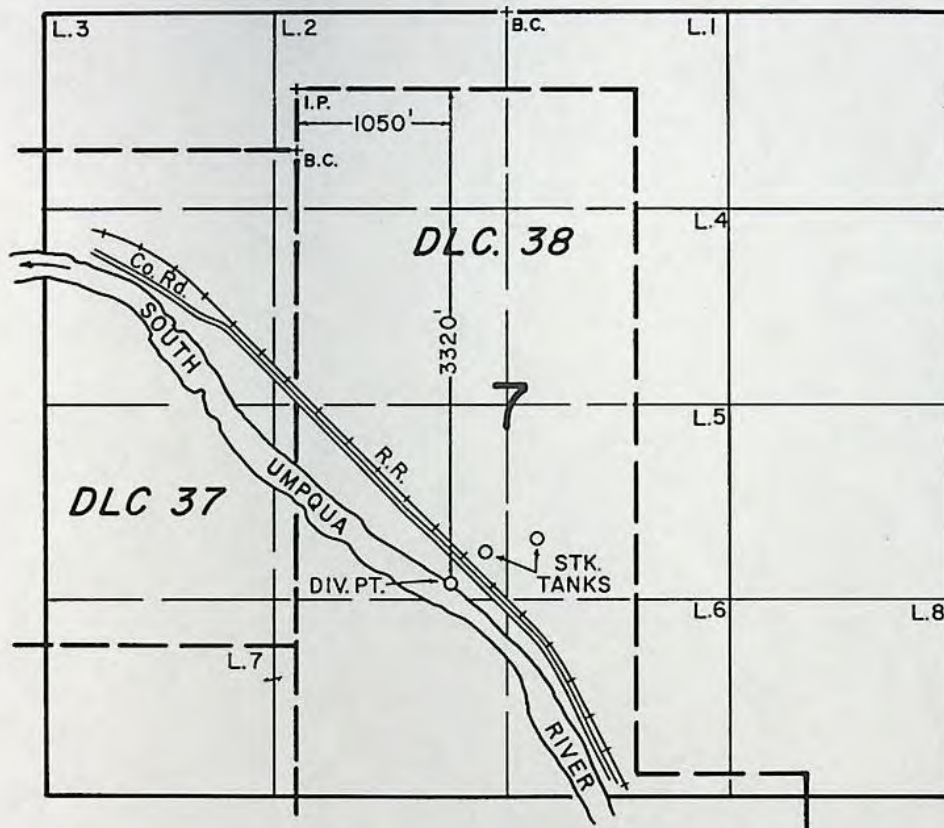
[illegible][illegible]

DLC No. 38 Not. 141		Lot 1 3416
Lot 3 3618	Lot 2 1218	Lot 5 1287
4501	Lot 4 3000	
	Lot 7 3000	Lot 6 1007
	Lot 8 3000	Lot 9 1007

18
DLC No. 39
Not. 179



T. 29 S., R. 5 W., W.M.



SCALE: 1" = 1320'

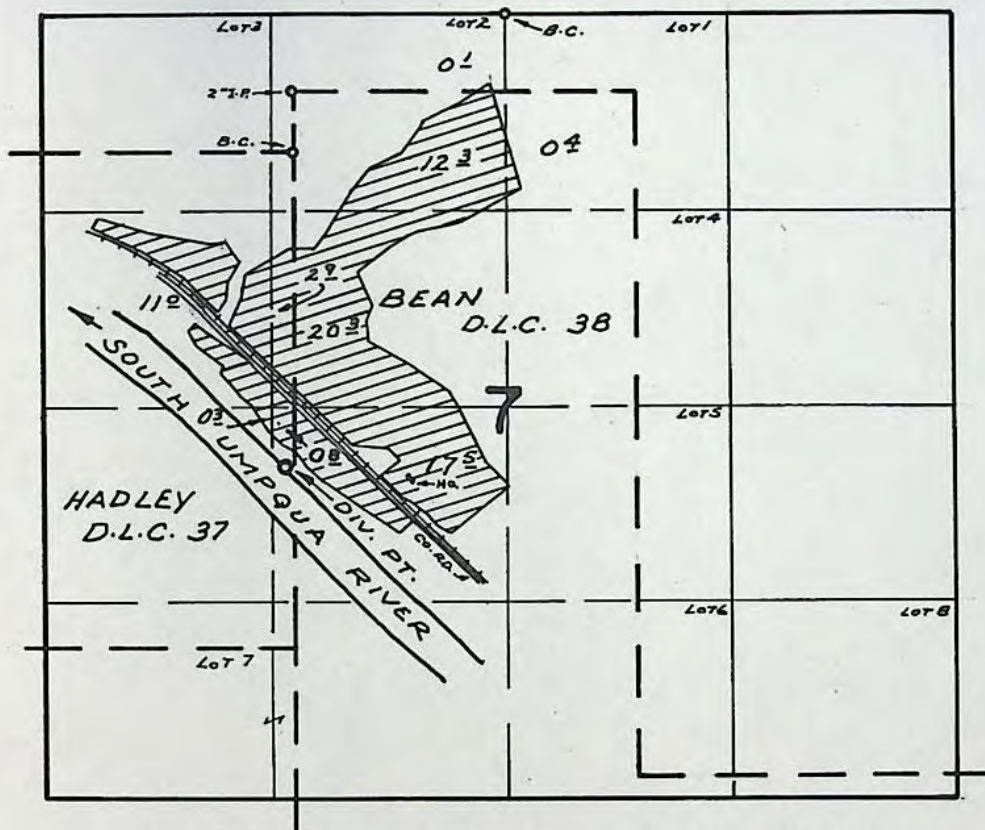
FINAL PROOF SURVEY
UNDER

Application No. 68833... Permit No. 49907.....
IN NAME OF

JAMES BROCKMAN & MARJORIE WARD

Surveyed MARCH 15 1990., by B.S. JAMES.....

T.29S.R.5W.W.M.



DIV. PT. LOC: 2120' S. & 60' W. FROM N.E. COR. HADLEY D.L.C. 37

FINAL PROOF SURVEY

UNDER

Application No. 46227 Permit No. 34537
IN NAME OF

KENNETH R. & GLENNA M. BARE

Surveyed MAY 8 1972, by R. MUCKEN

NCR

T.29 S.R. 5 W.W.M.



NCR

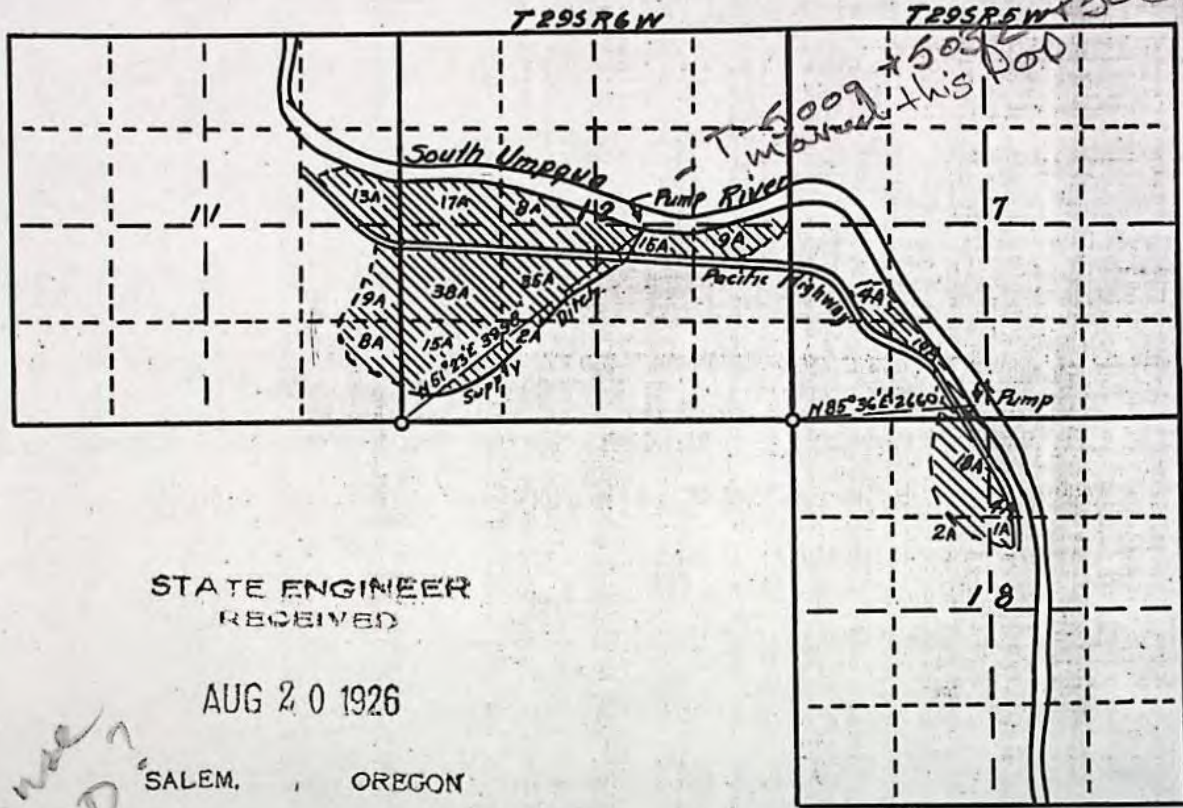
Application No. 44899 Permit No. 33570
IN NAME OF

BERTHA L. BLACKERT

Surveyed MAY 2 1922, by R. MUCKEN

4

1-3-96 LK-3
Transferred
T-5042 + T-5040 + T-5037 + T-5032
no longer on this location
T-5009
T-5046
T-5037 + 5040
+ 5042
+ 5046



STATE ENGINEER
RECEIVED

AUG 20 1926

SALEM, OREGON

NCR
different use
may be same P.O.D.

MAP OF
J. H. BOOTH IRRIGATION SYSTEM
Sections 11&12, T.29S.R.6W. & 7 & 8, T.29S.R.5W.WM
DOUGLAS COUNTY, OREGON.

Office of Ben.B.Irving, Civil Engineer and Surveyor.

CERTIFICATE OF ENGINEER.

I, Ben.B.Irving, of Roseburg, Oregon, do hereby certify
that this map was made from notes taken during an actual Survey
made by me August 13 & 14, 1926, and that it correctly represents
the works described in the accompanying application, together with the
location of all streams and other ditches in the immediate vicinity

Ben.B.Irving

Registered Professional Engineer

Oregon No. 240

November 8, 1919

Application No. 11039
Permit No. 7528

4 prints
11039

INITIALS: IR PFO SPFO PROTEST FO

REGION & DIST: (1 2 16 18 -NWR) (3 4 5 -NCR)
(6 8 9 10-ER) (11 12 17 -SCR) (14 (15) 19 -SWR)

MAILERS INITIALS & DATE

IR	PFO	SPFO	PROTEST	FO
----	-----	------	---------	----

DIVISION 33-115 thru 140 Y / (N) (ODFW Co _____ Col Riv Intertribal
Fish Comm; USF&W; NW Power Plan Council; & NMFS)

DIVISION 33-310 thru 340 (Y) N (ODFW District Bio Unspqr Office
Agriculture; DEQ Office Western; WM IR Fact Sheet)

PFO, SPFO, PROTEST, FO - STANDARD:

PFO,SPFO,PROTEST,FO - CONDITIONAL

\$10 Letter To:

[illegible]

OVER Y / N

Application No. 81436
Permit No.

PW for Rivers West

UAT 96-1
DOUGLAS COUNTY OREGON
FILED

CONTRACT FOR PURCHASE OF INDUSTRIAL-COMMERCIAL WATER
FROM GALESVILLE PROJECT

AUG 11 1996

GAY FIELDS, COUNTY CLERK

This contract is made on July 19, 19 96,
between Douglas County, a political subdivision of the State of
Oregon, (County), and Rivers West Development, Inc.
(Customer).

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COUNTY AND CUSTOMER AGREE:

AUG 15 1996

1. TERM AND RENEWAL:

WATER RESOURCES DEPT.
SALEM, OREGON

1.1. The initial term of this contract shall begin on
July 19, 19 96 and end on December 31, 2006, unless it is
sooner terminated as provided herein.

1.2. As used in this contract, unless the context clearly
indicates otherwise, "term" or "term of this contract" shall mean
both the initial term and any extension.

1.3. Customer shall have the right to extend the term of
this contract for five successive periods of ten years each upon
the following conditions:

1.3.1. Approximately ninety days prior to
expiration of the then current contract term, County
shall notify Customer in writing that Customer has the
right to extend the term at the price set pursuant to
section 11.

1.3.2. Customer may elect to extend the contract
term by written notice to County within thirty days
after County gives notice of the right to extend.
Concurrently with written notice of extension Customer
may request the Board of Commissioners to review and
reduce the price of water in accordance with subsection
11.4.

1.3.3. No other act or agreement shall be
required of the parties to effect the extension after
Customer gives proper notice of election to extend the
contract term. Each extension shall take effect on
January 1 after Customer gives notice of extension.

1.3.4. Each extension shall commence on the day
following the termination date of the initial term or
the preceding extension.

1.4. The provisions of this contract shall apply to any
extension except for changes in the purchase price pursuant to
section 11; modifications required to comply with federal or
state statutes, regulations, or administrative rules; or

AUG 15 1996

modifications required to comply with any contract between ^{WATER RESOURCES DEPT.} County and the United States concerning the Galesville Project. ^{SALEM, OREGON}

1.5. Customer shall not be entitled to extend the term of this contract if Customer is in default under this contract at the time extension is requested by Customer.

2. AUTHORITY OF PUBLIC WORKS DIRECTOR:

2.1. The Director of the County Public Works Department (the Director) has authority to administer this contract on behalf of County.

2.2. The Director may delegate authority to administer this contract to the Manager of the County Public Works Department, Natural Resources Division, (the Division Manager), except for authority to establish the price of water under section 11 of this contract. The Director shall retain the right to supersede any decision of the Division Manager in the administration and interpretation of this contract.

2.3. References to the Director in this contract shall be deemed to include the Division Manager, to the extent the Director has delegated authority to the Division Manager.

3. WATER ALLOCATION: Each year during the term of this contract, County shall allocate 5 acre feet of storage capacity in the Galesville Reservoir for Customer.

4. PERMITS AND CERTIFICATES OF WATER RIGHTS:

4.1. County shall file and maintain any reservoir water right permit (County's permit) and certificate to store water in the Galesville reservoir (County's certificate) allocated for the Customer's use, as required by the State of Oregon Water Resources Department or its successor (the State).

4.2. Customer, at Customer's expense, shall be responsible for obtaining any permit (Customer's permit) and certificate of water rights (Customer's certificate) for use of the stored water allocated under this contract as required by the State.

4.3. Within 6 months after the effective date of this contract, Customer shall provide County with a copy of the application map provided to the State.

5. RELEASE OF WATER:

5.1. Subject to the provisions of this contract, County will release into the natural channel of Cow Creek water comprising the allocation described in section 3. Water released for Customer's allocation shall be measured and delivered to

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AUG 15 1996

Customer's point of diversion of record by County with equipment installed and maintained by County.

WATER RESOURCES DEPT.
SALEM, OREGON

5.2. County shall report to the State of Oregon all allocated water stored and distributed to Customer's point of diversion of record, including reasonable losses. Customer shall report all water use as described on Customer's water right of record to the County no later than November 30th each year and as may be required by the State.

5.3. The obligations of County to allocate capacity may be restricted by any lawful order, regulation, or ruling of any governmental agency or provisions of a contract between County and the United States. Such legal restrictions may impair the County's ability to perform its obligations under this contract. In that event, County shall be relieved of its obligations to the extent necessary to comply with the legal restrictions. Customer's payments under this contract shall be reduced proportionally to any reduction in Customer's allocation resulting from such legal restrictions.

5.4. Notwithstanding any other provision of this contract, County may suspend release and delivery of water to Customer upon written notice to Customer if Customer fails to make any payment for such water when due.

6. DIVERSION AND USE OF WATER:

6.1. Customer shall be wholly responsible for taking, diverting, conveying and utilizing its water and shall bear all losses from Customer's point of diversion.

6.2. Customer shall divert the water it is entitled to receive under this contract in accordance with schedules developed by the Customer and County.

6.3. The water diverted by Customer may be measured by County at the point of diversion. The point of diversion shall be accessible for inspection and measurement of water at all reasonable times by County. Any easement necessary for County to gain access to the point of diversion shall be provided by Customer when requested by County.

6.4. The water shall be utilized for industrial-commercial uses. Customer shall utilize the water only for the uses and only on the real property described in Customer's permit and certificate.

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7. QUALITY OF WATER: County shall operate and maintain the Galesville dam, reservoir, and related facilities in a reasonable and prudent manner, and shall endeavor in good faith to take adequate measures to maintain the quality of raw stored water at the facilities. County is under no obligation to construct or furnish water treatment facilities to maintain or improve the quality of water. COUNTY MAKES NO WARRANTIES, EXPRESS OR IMPLIED REGARDING THE QUALITY OF WATER RELEASED AND DELIVERED FROM GALESVILLE DAM, RESERVOIR, AND RELATED FACILITIES.

8. WATER SHORTAGES: In any year in which a water shortage in the Galesville reservoir occurs, County shall apportion the available water supply among Customer and other users who are entitled to receive water from the reservoir. The quantity of water to be furnished for irrigation shall first be reduced as necessary, but not greater than 15%. Any further reduction in the reservoir water supply shall be shared by Customer and all other users entitled to water from the reservoir in the same proportion that the entitlement of each user, including Customer's entitlement under this contract, bears to the total entitlements of all users.

9. WATER CONSERVATION: Customer acknowledges the critical need for water conservation in the Umpqua River basin. Customer shall implement reasonable and prudent water conservation measures for industrial activities.

10. COMPLIANCE WITH LAW: This contract will be governed by and construed in accordance with laws of the State of Oregon. Each party shall perform its obligations in accordance with all applicable state, federal and local laws, rules and regulations now, or hereafter in effect.

11. PRICE OF WATER:

11.1. During the initial term, the price for the allocation stated in section 3 shall be \$ 350.00 per year.

11.2. For each discrete ten year extension of the contract term, Customer shall pay the then current rate as established by County in accordance with this section. Notice of the right to extend under subsection 1.3.1 shall state the price of water during the extension.

11.3. The Director shall periodically review and adjust the price for water taking into account the following factors:

11.3.1. The current cost of operating and maintaining the Galesville dam, reservoir, and related facilities;

11.3.2. The projected costs for operating,

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WATER RESOURCES DEPT.
SALEM, OREGON

maintaining, and replacing Galesville water storage and delivery facilities; and

11.3.3. The price of water sold by similar facilities for similar uses.

11.4. Customer may request the Board of Commissioners to review and reduce the price of water established by the Director. Such request shall be in writing and shall be given with the notice of Customer's election to extend the contract term. After considering the factors listed in subsection 11.3, the Board of Commissioners may reduce or affirm the price established by the Director. If the Board of Commissioners fails to take any action on Customer's request to review and reduce the price of water within 30 days after Customer makes the request, the request shall be deemed denied. If Customer is not satisfied with the action of the Board of Commissioners, Customer may rescind Customer's election to extend the contract term and cancel the contract by written notice to County within sixty days after Customer requests the Board of Commissioners to review and reduce the price.

12. PAYMENT:

12.1. Customer shall pay County the annual price established by section 11 for the allocation stated in section 3 regardless of whether Customer uses any or all of the water allocated. Except as provided in subsection 12.2, payment shall be made no later than March 31 of each year.

12.2. If this contract is dated after March 2 in the year for which water is first to be released then the amount due for the first year only shall be payable within 30 days after the date the contract is signed by County.

12.3. Interest shall accrue on late payments at the rate of eighteen percent per annum commencing the day after the date payment is due. Customer shall pay all interest upon the request of County.

13. LIMITATIONS ON LIABILITY:

13.1. County shall not be liable for damages or other expenses sustained by Customer resulting from shortages in the quantity of water available for release, or interruptions in water deliveries to Customer, if such shortages or interruptions in deliveries are caused partially or entirely by hostile diversion, accidental damage to County facilities, operational failure of County facilities, or any cause beyond County's control.

13.2. Notwithstanding any other provision of this contract,

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WATER RESOURCES DEPT.
SALEM, OREGON

County shall not be liable to Customer for damages caused by failure to comply with any obligation of County under this contract, if such failure results from lack of appropriation funds necessary to perform such obligation pursuant to ORS 294.305 et seq. (Local Budget Law).

13.3. In no event shall County be liable to Customer for any indirect, special, or consequential damages even if Customer previously advised County of the possibility of such damages.

14. DEFAULT:

14.1. There shall be a default under this contract if either party materially fails to comply with any provision of this contract within thirty days after the other party gives written notice specifying the breach. If the breach specified in the notice cannot be completely cured within the thirty day period, no default shall occur if the party receiving the notice begins curative action within the thirty day period and thereafter proceeds with reasonable diligence and in good faith to cure the breach as soon as practicable.

14.2 If a default occurs, the party injured by the default may elect to terminate this contract and pursue any equitable or legal rights and remedies available under Oregon law, except that Customer's remedies shall be subject to the limitations on damages stated in section 13.

14.3. Any litigation arising out of this contract shall be conducted in Circuit Court or District Court of the State of Oregon for Douglas County.

15. SEVERABILITY: If any provision of this contract is held to be invalid, that provision shall not affect any other provision of this contract. This contract shall be construed as if such invalid provision had never been included.

16. NO WAIVER: No provision of this contract shall be waived unless the waiver is written and signed by the party that waives its rights. Any waiver of a breach, whether express or implied, shall not constitute waiver of any other breach.

17. SUCCESSORS: The successors, assigns, and legal representatives of Customer and County shall be subject to all provisions of this contract. Customer shall not assign Customer's rights or obligations under this contract without prior written consent of County.

18. NOTICES:

18.1. Any notice required to be given under this contract shall be in writing and shall be given by personal delivery or

mail, except that any notice required by law shall be given in the manner specified in the applicable law.

18.2 Notices to County shall be directed to Frank Nielsen, Division Manager, Douglas County Public Works Department, Natural Resources Division, Room 306 Douglas County Courthouse, 1036 SE Douglas Street, Roseburg, OR, 97470.

18.3 Notices to Customer shall be directed to:

Lorry L. Coons, President and Sandra K. Coons Vice President
Rivers West Development, Inc. 2201 Whistlers Park Rd. Roseburg, OR 97470

19. ENTIRE AGREEMENT: This contract is the final and complete agreement of the parties and supersedes all prior and existing written or oral understandings. No modification of this contract shall be valid unless it is in writing and signed by the parties.

CUSTOMER

Rivers West Development, Inc.

By Sandra K Coons
Its Vice Pres./Sec./Trea.

Fed. ID# 93-1158823

Address of Customer

370 Ruckles Dr.
Myrtle Creek

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY OREGON

By Michael J. Winter Chairman
By James M. Moseley Commissioner
By Don Roberts Commissioner

Dated: 7-31-96

FOR COUNTY USE ONLY:

REVIEWED AS TO CONTENT

BY 7/27/96 Jim Egan
County Department Head
Date: 7/27/96
Coding _____

REVIEWED AS TO FORM

BY 1/1 am ex C. J. O'Connell
Paralegal
Date: 7-24-96

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AUG 15 1996

WATER RESOURCES DEPT.
SALEM, OREGON

FILE # 91138
WEEK # 1065

INITIALS : DB

1. Y / ☒ N Were comments or protests received? If so, from whom and when?
2. ☐ On the PFO CC list, verify names and addresses of **ALL** commentors (regardless of comment date), **affected landowners**, and **those who paid the \$10 fee**.
3. ☒ Y / N / NA If for Surface water, Have affected landowners been notified?
4. Y / ☒ N Is the file lacking a signed oath of accuracy for the application?
5. Y / ☒ N / NA Has ODFW asked for self certification of screening condition? If so, write "ODFW CERT" in the permit blank on the front of the file.
6. Y / ☒ N Is water use prohibited for one or more months of the normal use period?
7. ☒ Y / N If # 6 = "Y", is short season letter on file? Note: If short season letter is lacking, see Item #10 below. Give applicant 60 days to submit required information.
8. ☐ Verify payment of recording fees (*circle the appropriate option*)
(1) Issue FO w/permit if fees are paid -- Prepare refund request for excess fees, **including standing fees if no protest is filed and no modifications are being made to the PFO**
(2) Issue FO w/o permit if fees are lacking
9. ☒ Y / N Is further processing possible? If not state reason: _____
10. ☒ Notify applicant of additional information or fees required prior to permit issuance. (**SEND CERTIFIED LETTER** & use standard wording from M:\...\FO\TOOLS if possible)
11. ☒ Assign permit numbers to files with oath, fees, and no protests or other issues
12. Y / ☒ N Do the PFO conclusions requires modification? Why? _____
(If YES, circle FOMOD and one other type below)

FO Type: (circle types)	DENIAL	FO w/o PERMIT	FO & PERMIT	FOMOD
COMMENTS:	<div style="border: 1px solid red; padding: 5px; display: inline-block;"> Cancel or Transfer Existing Right C 73635 </div>			MGMT CODES:
Map POD & POW Does not meet MAP 690-310-050 standards				

Initials DB

15. Correct PFO errors (such as POD or POU location (verify from map), Permit format)

16. Save WordPerfect document in M:\...\FO\WEEK 106 & delete duplicates

- M:\groups\wr\fo\tools\chkstdb.wpd

Mailing List for PFO Copies

Application #S-81436

PFO Date July 22, 1997

Original mailed to:

Applicant: RIVERS WEST DEVELOPMENT INC, 2201 WHISTLERS PARK RD, ROSEBURG, OREGON 97470

Copies sent to:

1. WRD - File # S-81436
- 2.

PFO, Map, and Fact Sheet Copies sent to:

3. WRD - Watermaster # District 15
4. WRD - Regional Manager: SWR
5. ODFW District Biologist: Umpqua District
6. DEQ Headquarters - Russell Harding
7. Department of Agriculture

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

1. _____
2. _____
3. _____

CASEWORKER : LKS

Copies Mailed	
By:	<u>CAK</u>
(SUPPORT STAFF)	
on:	<u>7/28/97</u>
(DATE)	

PFO CHECKLIST

Application #: 5 8436

Basin: Unpqua

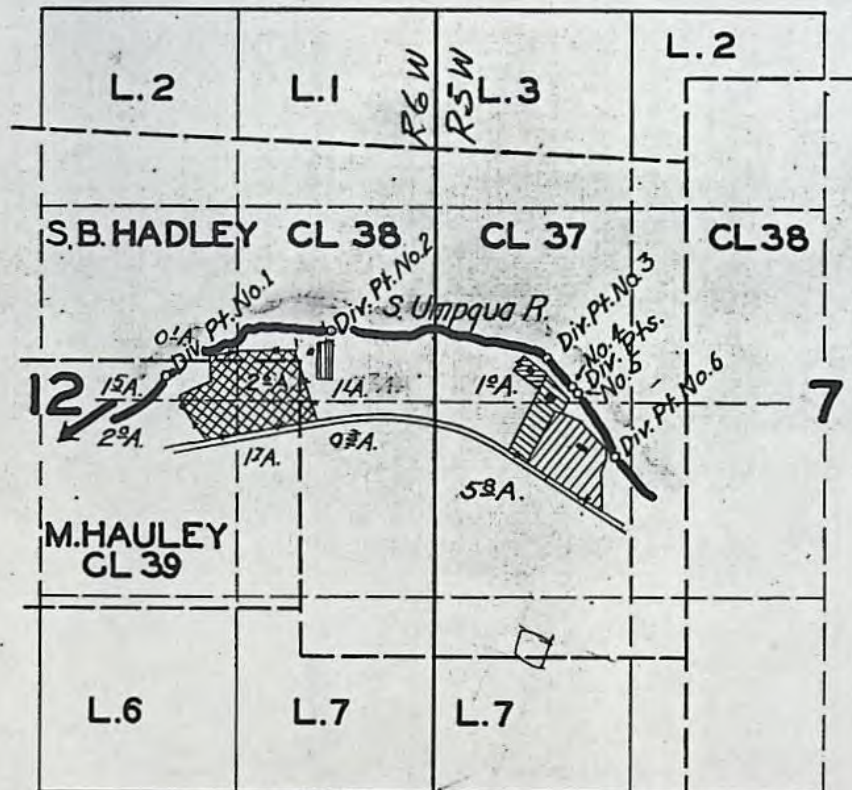
WAB: _____

Township 295 Range 5W Section 7 1/4 1/4 _____

- ☒ 1. Is the file complete by the Completeness Checklist? Y / N (N)
- ☒ 2. Shortcomings (items needed before a permit and/or FO can be issued) Y / N (N)
- ☒ 3. Check file for indicators that the process **should not** continue until a later date (ie - protest, letter to file indicating hold, or other)
- ☒ 4. Groundwater Review **A B C D** conditions _____ (convert old gw conditions to the 7 series)
 - ☒ a. Is second groundwater review necessary? (comments) Y / N
 - ☒ b. Is HB 1033 review complete? Y / N
- ☒ 5. If source is groundwater, is the well located in a groundwater limited area? (If applicable, include map with POD) Y / N NA
- ☒ 6. Is use from a B.O.R. project? Y / N Contract in file? (Y) N Contract # U+I 96-1, dated 7-19-96
- ☒ 7. Is the use allowed by the Basin Program? Y / N Limited? Y / N (N) - Starned Water
Douglas County
Live flow would only be from Oct 1 -> July 14
- ☒ 8. Water Availability Data OK / REDONE / NA (50% before July 17, 1992; 80% live flow & 50% storage after July 17, 1992)
Starned Water Only
- ☒ 9. Is the source withdrawn or limited by statute or Department withdrawal order? Y / N (N) South Unpqua
However - is for Starned Water
- ☒ 10. Is the Proposed Use located in or above a Scenic Waterway? Y / N (N)
- ☒ 11. Division 33 has been addressed - if applicable (Above Bonn after July 17, 1992 & Below Bonn after April 8, 1994; June 3, 1994; or Statewide - in shaded areas on T, E, and S Map - after June 3, 1994) Y / N / NA (N)
- ☒ 12. Have conflicts been identified, verified and/or addressed? Y / N (N) no additional conditions identified
Does not appear to share a POD w/ another right
- ☒ 13. Rate _____ Duty _____ Irrigation Season _____
- ☒ 14. Period of Allowed Use Year Round
- ☒ 15. Allowed Rate of Use 5.0 ac-ft
requesting 5 ac-ft from starned water
- ☒ 16. Is the use Small (≤ 0.1 cfs, ≤ 9.2 AF), Medium (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF) or Large (≥ 1.5 cfs, ≥ 100 AF)?
- ☒ 17. Conditions Starned Water, Contract
- ☒ 18. IR Public Notice Date 2-11-97
- ☒ 19. Documents used in determination are attached and highlighted
see I.R. Checklist
- ☒ 20. Spell Check
- ☒ 21. Check for Accuracy
- ☒ 22. Final PFO report hard copy check (format, margins, etc.)
- ☒ 23. Final PFO has been saved to m:\tpfo\done\week#\application #
- ☒ 24. Fill out IR/PFO/FO CC List (don't forget to check for other property owners)
 - ☒ a. Re-notify Water Availability? (Rate, Duty and Period of Allowed Use changes) Y / N (N)

Name: Laura Sweedaker Date: 7-1-97

T.29 S.R.5&6W.WM



J.D. McCann
 Clay Ulam
 C. Forrest
 E.B. Bishoff
 W.E. DeWitt



FINAL PROOF SURVEY

UNDER

Application No. 21516 Permit No. 16873

IN NAME OF

ARNOLD M. HELGESON

Surveyed Sept. 3, 1953, by T. Jones

Certificate 21888

1953 Y

yes

Δ in PoD location

NCR

NCR

NCP

NCR

PCR

NCR

APP. NO. / CERT		GOV'T LOT	NE		NW		SW		SE		NE		NW		SW		SE	
PERMIT NO.	NO.	OLC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
81436	Q Y										(CM)							

Subject file

11/11/11

Working for approx
copy for approx
measurements

SECTION 7 T.29S. R.5
DOUGLAS COUNTY

1" = 400'

This map was prepared for
assessment purposes only.

SEE MAP 29 5 6

SEE MAP 29 6 12A

SEE MAP 29 6 12

19-04

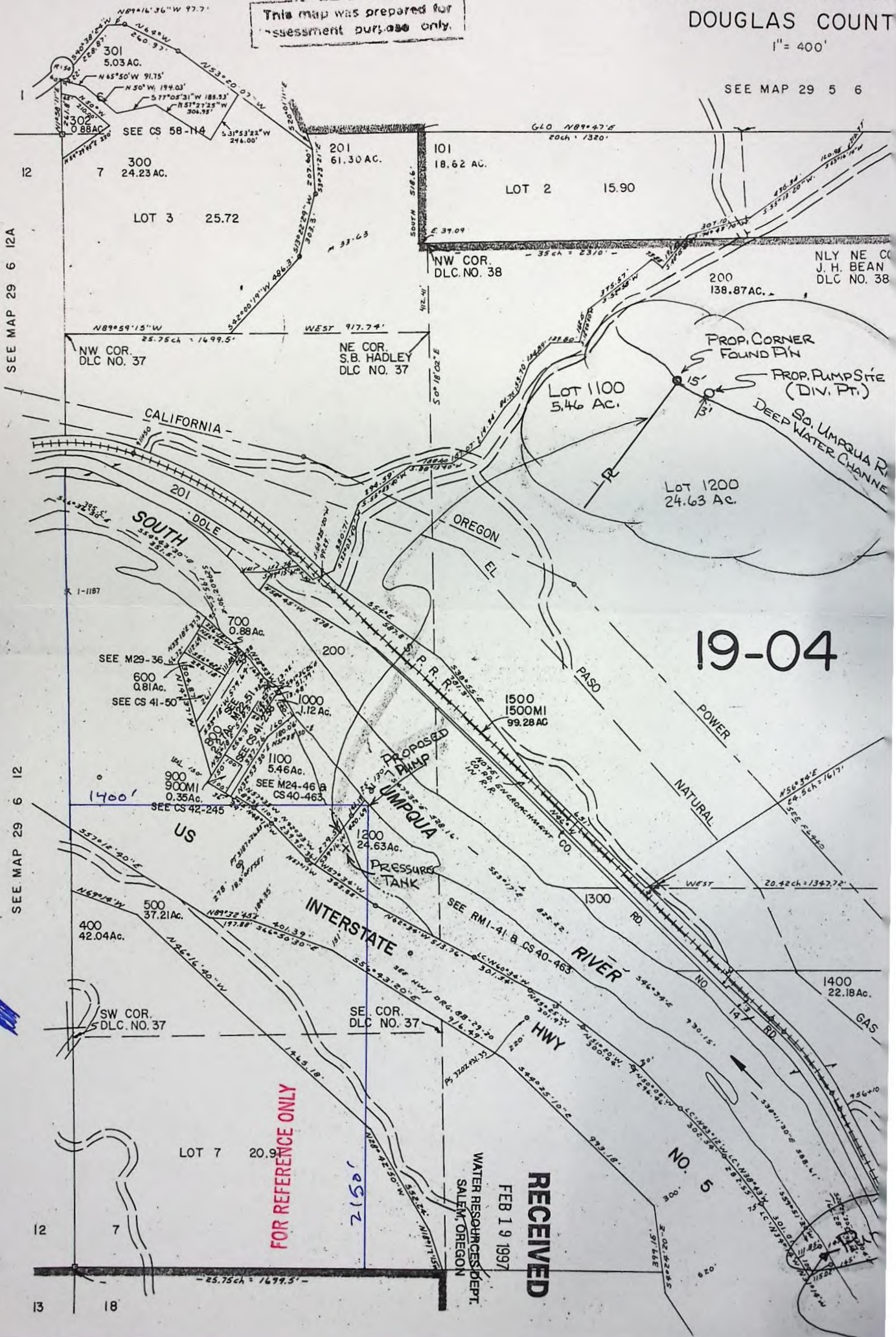
FOR REFERENCE ONLY

RECEIVED

FEB 19 1997

WATER RESOURCES DEPT.
SALEM, OREGON

10512

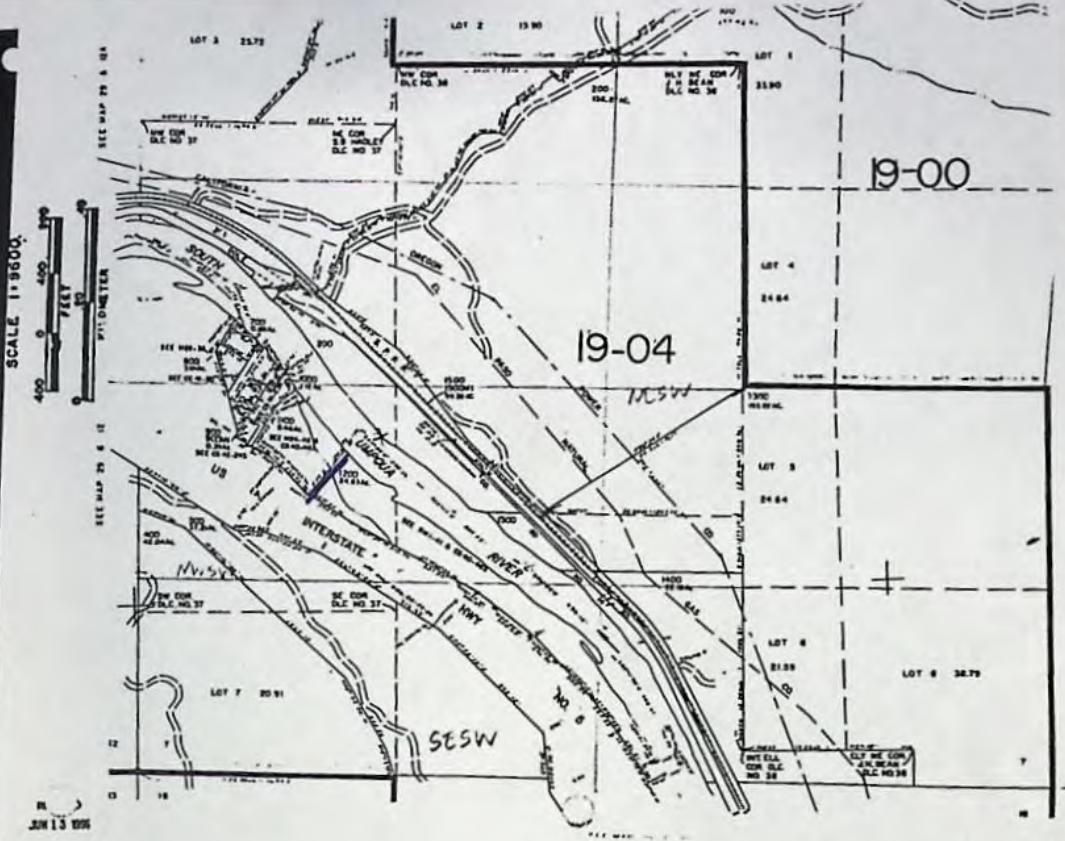


No. 240
Nov 8, 1919

Edward J. Young
Registered Professional Engineer

Application No. 11089
Permit No. 7528

4 p. 11/10/19



February 18, 1997

RECEIVED

FEB 19 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Rivers West Development, Inc.
2201 Whistlers Park Rd.
Roseburg, OR 97470

Ms. Laura Snedaker
Oregon Water Resources Dept.
Commerce Building
158 12th Street NE
Salem, OR 97310-0210

Reference: File S-81436

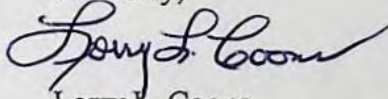
Dear Ms. Snedaker:

In reference to your letter of January 23, 1997, we would like to proceed with our application. Enclosed please find revised maps.

If possible, we would like to be assigned an additional diversion point at the location shown 15 feet S.E. of the north property line. (Drawing 1) This diversion point would be used for the water filter system for the park. If allowed, we would then use the existing diversion point for irrigation water on a future, separate application.

If this is not satisfactory, then we would be willing to transfer the location as required. Please feel free to call me at (541) 672-6148 or (541) 672-6289.

Sincerely,


Lorry L. Coons
President

2-21-97
See I.R. & IR
checklist for info
regarding existing
rights
~~Map appears~~ Map appears
to be ok per discussion
w/M. Mattick
LKS

OREGON WATER RESOURCES DEPARTMENT



Commerce Building

158 12th Street NE

Salem OR 97310-0210

Upmpqua Basin Div 33 Review Team

To Dave Harris @ ODFW

Date: 5/20/97

Page 1 of

Barbara Burton @ DEQ & Russell Harding DEQ in Pdx

Gary Ball - Watermaster

Fax # Wes Garner @ ODAg.

From Michael Mattick ph 1-800-624-3193 ext 276

Comments: App 5 - to use stored water from

Galesville Res. for Industrial (Commercial).

This should have been sent out to you all

months ago. As it seems clean to me

(use is from storage only) I think it is

OK to ask that you shorten the comment

period to close 5/27. If ANYBODY

has a problem with that we will go back to

a 3 week comment period closing 6/10/96

Fax. 503-378-2496

Dam Safety

Groundwater

Hydrographics

Public Information

Director's Office

Hanford Studies

Information (Computer) Services

Strat. Planning & Policy Coord.

GIS / Mapping

Hearings

Legislative & Rules Coord.

Water Resources Comm. Liaison

Fax. 503-378-8130

Accounting / Fiscal

Conservation

GWEB Liaison

Office Services

Resource Management

Well Construction

CWRE Coordination

District 16 Watermaster

Land Use Coordination

Personnel

Water Development Loan Fund

Well Driller Licensing

Columbia / Snake Issues

Enforcement

Northwest Region

Planning

Water Use Reporting

Fax. 503-378-6203

Adjudications

Transfers

Final Proof Surveys

Water Rights

Hydroelectric Permits

FAXED TO:

Dave Harris (541) 673-0372 ✓

~~Barbara Burton (541) 262-7984~~

Gary Ball (541) ✓

Wes Garner Fax 503-4730 ✓

Russell Harding (503) 222-6637

8/25/95

January 23, 1997

RIVERS WEST DEVELOPMENT INC
2201 WHISTLERS PARK RD
ROSEBURG, OREGON 97470

Reference: File S-81436

Dear Applicant:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT NEXT PHASE OF PROCESS**

This letter is to inform you of the potential limitations to your proposed use of water and to describe some of your options. Based on the information you have supplied, the Water Resources Department has reached the following conclusions:

Initial Review Determinations:

1. Your application is complete and not defective.
2. The proposed use is not prohibited by law or rule.
3. The use of water from South Umpqua River, tributary to Umpqua River, for INDUSTRIAL USE (COMMERCIAL USE) is limited to October 1 through April 14 by rule [OAR 690-516-001(1)(e)], the Umpqua Basin Program; however, use of water released from STORAGE, namely from Galesville Reservoir, for INDUSTRIAL USE (COMMERCIAL USE) may be allowed year round, or as further limited by contract with Douglas County.
4. The use of 5.0 ACRE-FEET (AF) for INDUSTRIAL USE TO SUPPLY 150-UNIT COMMERCIAL RECREATIONAL VEHICLE PARK, under a valid Douglas County Contract for stored water from the Galesville Reservoir, may be allowed year round, or as further limited by contract.
5. The maps submitted to the Department with the application each appear to show different locations for the proposed point of diversion. A revised application map needs to be submitted to the Department. The revised map must clearly identify and show each of the required elements described in the enclosed Department Map Requirements. This includes identifying the coordinates, from a recognized public land survey corner, to the proposed point of diversion. The map must also show the location where



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

water is to be used in tax lot 1200 within each quarter quarter section. If applicable, the map must also show the location of main canals, ditches, pipelines or flumes. The map scale must also be clearly identified on the application map. Failure to submit a map with requested information within 30 days may result in rejection of this application.

6. There appears to be existing water rights for Irrigation on some of the same lands requested under this application. Before any permit may be issued for this application the existing water rights may need to be cancelled or transferred. This will be determined based upon the revised application map.

Summary of Initial Determinations

The use of 5.0 acre-feet for INDUSTRIAL USE TO SUPPLY 150-UNIT COMMERCIAL RECREATIONAL VEHICLE PARK, from stored water only released from the Galesville Reservoir under valid Douglas County Contract, may be allowed year round, or as further limited by contract.

Because of the Departments determination, your application can be moved to the next phase of the water rights application review process. However, due to #5 and 6 above your application will likely be limited as summarized above.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period, will be evaluated at the next phase of the process.

At this time, you must decide whether to proceed or to withdraw your application as described below.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by FEBRUARY 6, 1997. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

If A Permit Is Issued It Will Likely Include The Following Conditions:

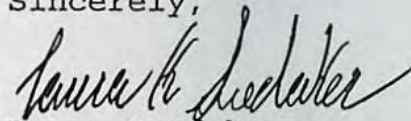
1. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
2. You may be required to install fish screens at the diversion to meet Oregon Department of Fish and Wildlife specifications for adequate protection of aquatic life.
3. The use of water under this right is subject to the terms and conditions of contract No. U&I 96-1 dated July 19, 1996 or a satisfactory replacement between the Douglas County and the applicant, a copy of which is on file in the records of the Water Resources Department.
4. The priority date for this application is August 15, 1996.
5. In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

WARNING: This initial review does not attempt to address various public interest issues such as sensitive, threatened, or endangered fish species. These issues will be addressed as the Department reviews public comments and prepares a proposed final order. You should be aware that, if significant public interest issues are found to exist, such a finding could have an impact on the eventual outcome of your application.

If you have any questions:

Feel free to call me at (503) 378-8455 ext. 331 or 1 (800) 624-3199 if you have any questions. Please have your application number available if you call.

Sincerely,



Laura Snedaker
Initial Reviewer

cc: Regional Manager, Watermaster, Water Availability
Section

enclosures: Flow Chart of Water Right Process
Stop Processing Form
Copy of Department Map Requirements
Copy of Applicant's Maps

web 516-01057420
pou 516-01057420
gw n/a

FOR OFFICE USE ONLY

Do not send out

Application File Number: S-81436

Applicant: RIVERS WEST DEVELOPMENT INC

County: Douglas

Priority Date :August 15, 1996

Source: GALESVILLE RESERVOIR, A TRIBUTARY OF UMPQUA RIVER

Use: INDUSTRIAL USE TO SUPPLY 150-UNIT COMMERCIAL RECREATIONAL
VEHICLE PARK

Quantity: 5.0 ACRE-FEET

Basin Name & Number: Umpqua, #16

Point of Diversion Location: SESW, SECTION 7, T29S, R5W, W.M.; NORTH 85
DEGREES 36 MINUTES EAST, 2660 FEET FROM SW CORNER SECTION 7

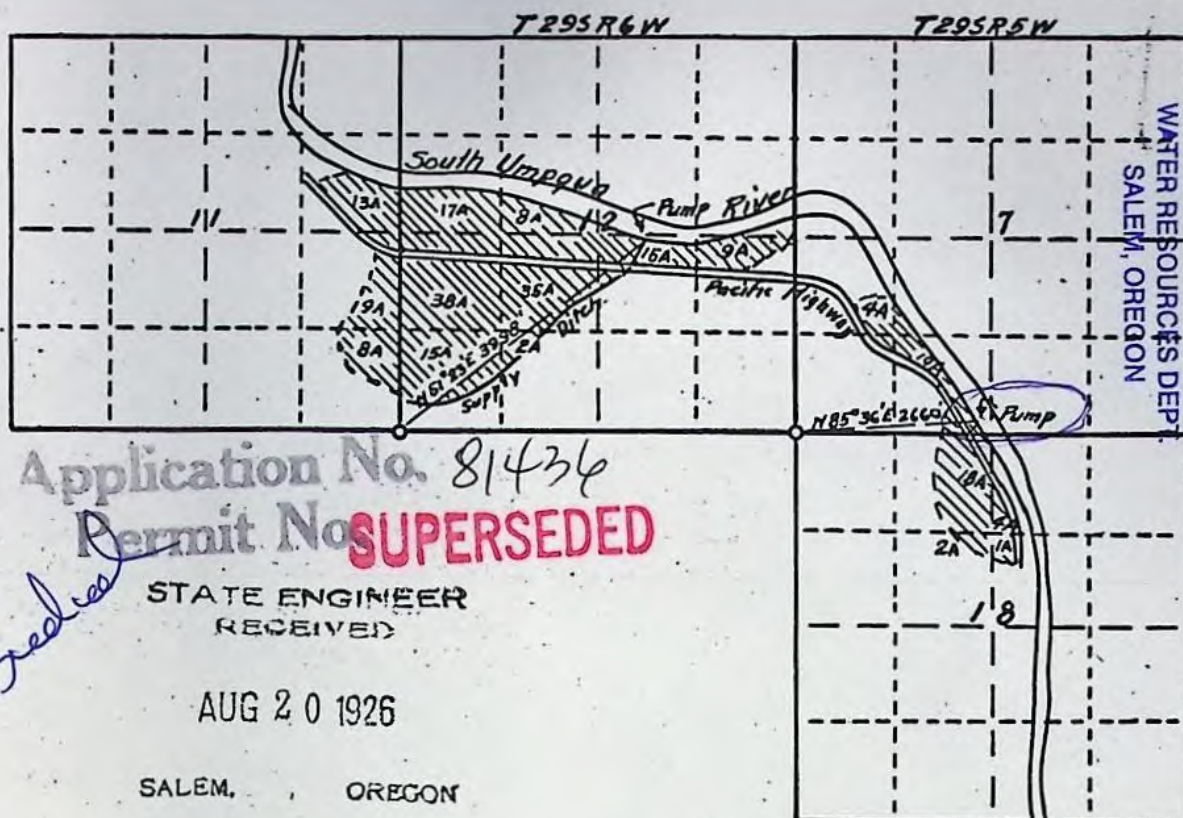
Place of Use: NESW, NWSW, AND SESW, SECTION 7, TOWNSHIP 29 SOUTH,
RANGE 5 WEST, W.M.

FOR OFFICE USE ONLY

RECEIVED

AUG 15 1996

7528



MAP OF
J. H. BOOTH IRRIGATION SYSTEM

Sections 11&12, T.29S R.6W. & 7 & 8, T.29S R.5W WM

DOUGLAS COUNTY, OREGON.

Office of Ben B. Irving, Civil Engineer and Surveyor.

CERTIFICATE OF ENGINEER.

I, Ben B. Irving, of Roseburg, Oregon, do hereby certify that this map was made from notes taken during an actual Survey made by me August 13 & 14, 1926, and that it correctly represents the works described in the accompanying application, together with the location of all streams and other ditches in the immediate vicinity

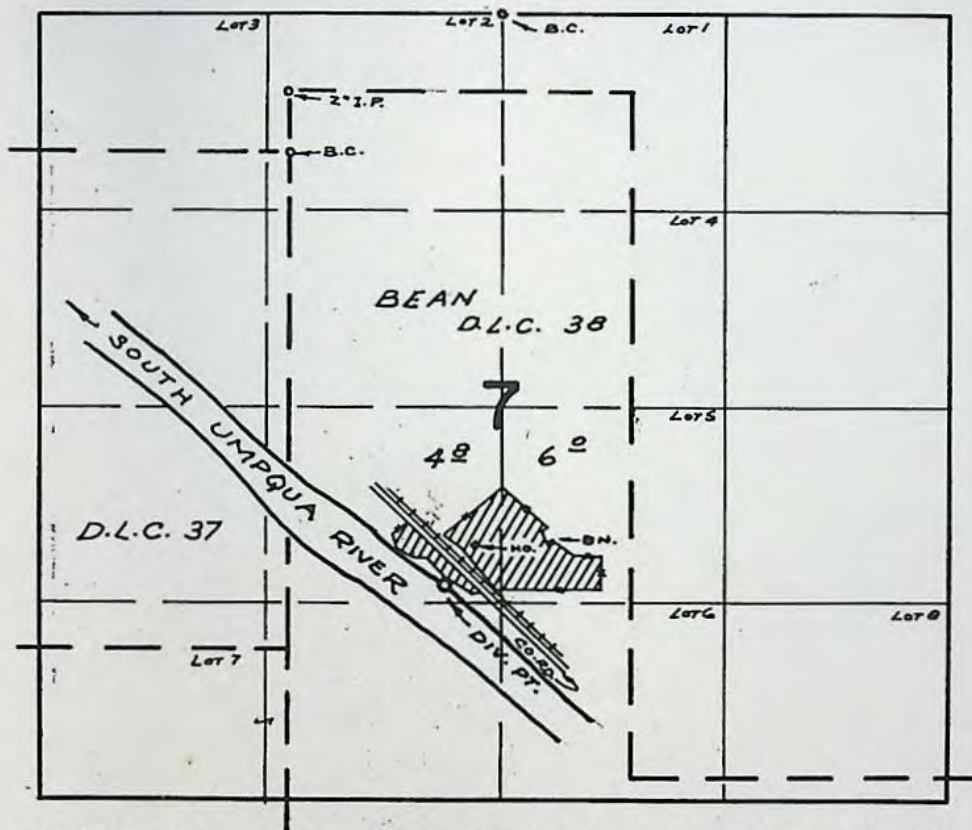
Ben B. Irving

Registered Professional Engineer

Oregon No. 240

November 8, 1919

T.29 S. R. 5 W. W. M.



FOR REFERENCE ONLY

DIV. PT. LOC. 3320' S. & 1050' E. FROM N. W. COR. BEAN. D.L.C. 38

FINAL PROOF SURVEY
UNDER

NCR

Application No. 44899 Permit No. 33570
IN NAME OF

BERTHA L. BLACKERT

Surveyed MAY 2, 1922, by R. MUCKEN

2



NCR

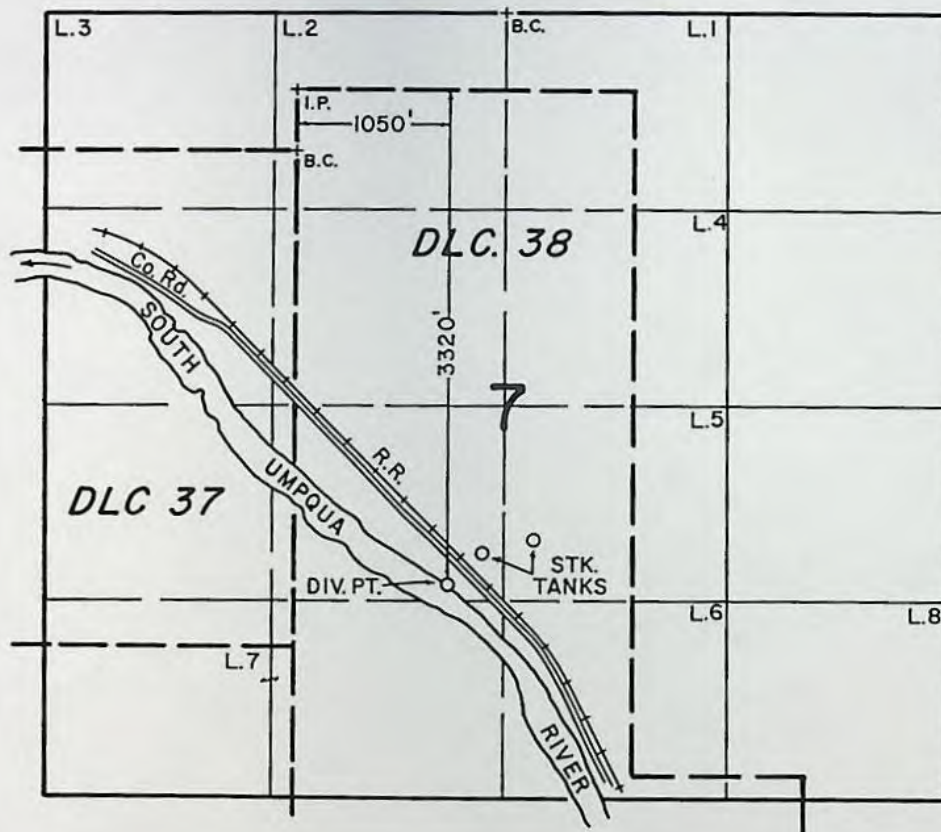
1

KENNETH R. & GLENNA M. BARE

1972-K



T. 29 S., R. 5 W., W.M.



FOR REFERENCE ONLY

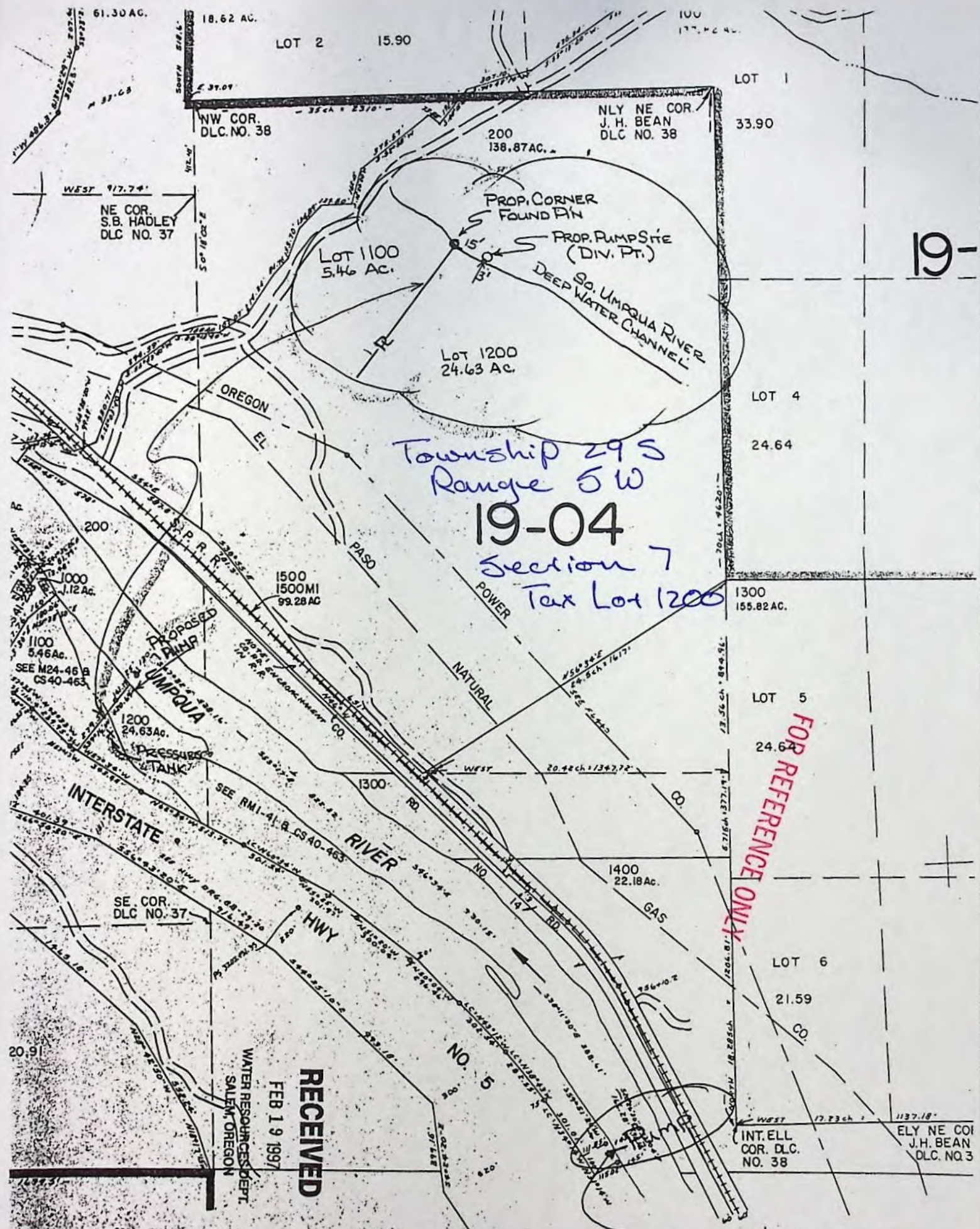
SCALE: 1" = 1320'

FINAL PROOF SURVEY UNDER

Application No. 68833 Permit No. 49907
IN NAME OF

JAMES BROCKMAN & MARJORIE WARD

Surveyed MARCH 15 1990, by B.S. JAMES



19-

Township 29 S
Range 5 W
19-04
Section 7
Tax Lot 1200

FOR REFERENCE ONLY

RECEIVED

FEB 19 1997

WATER RESOURCES DEPT.
SALEM, OREGON

SEE MAP 29 5 18

EXISTING, DIV. PT.
N 85° 36' E, 266'
PROPOSED FUTURE IRRIGATION
DIV. P.

RECEIVED

AUG 15 1996

WATER RESOURCES DEPT. 8 5 62 PAM 335
SALEM, OREGON

Application No. 81436
Permit No. **SUPERSEDED**

Superseded

PUBLIC HEALTH DEPT.
350 TO GAVESVILLE TRAIL
UP TO 454 GAL/MIN.

63 DAYS

19-04

LOT 4

24.64

1300
155.82 AC.

LOT 5

24.64

1400
22.18 AC.

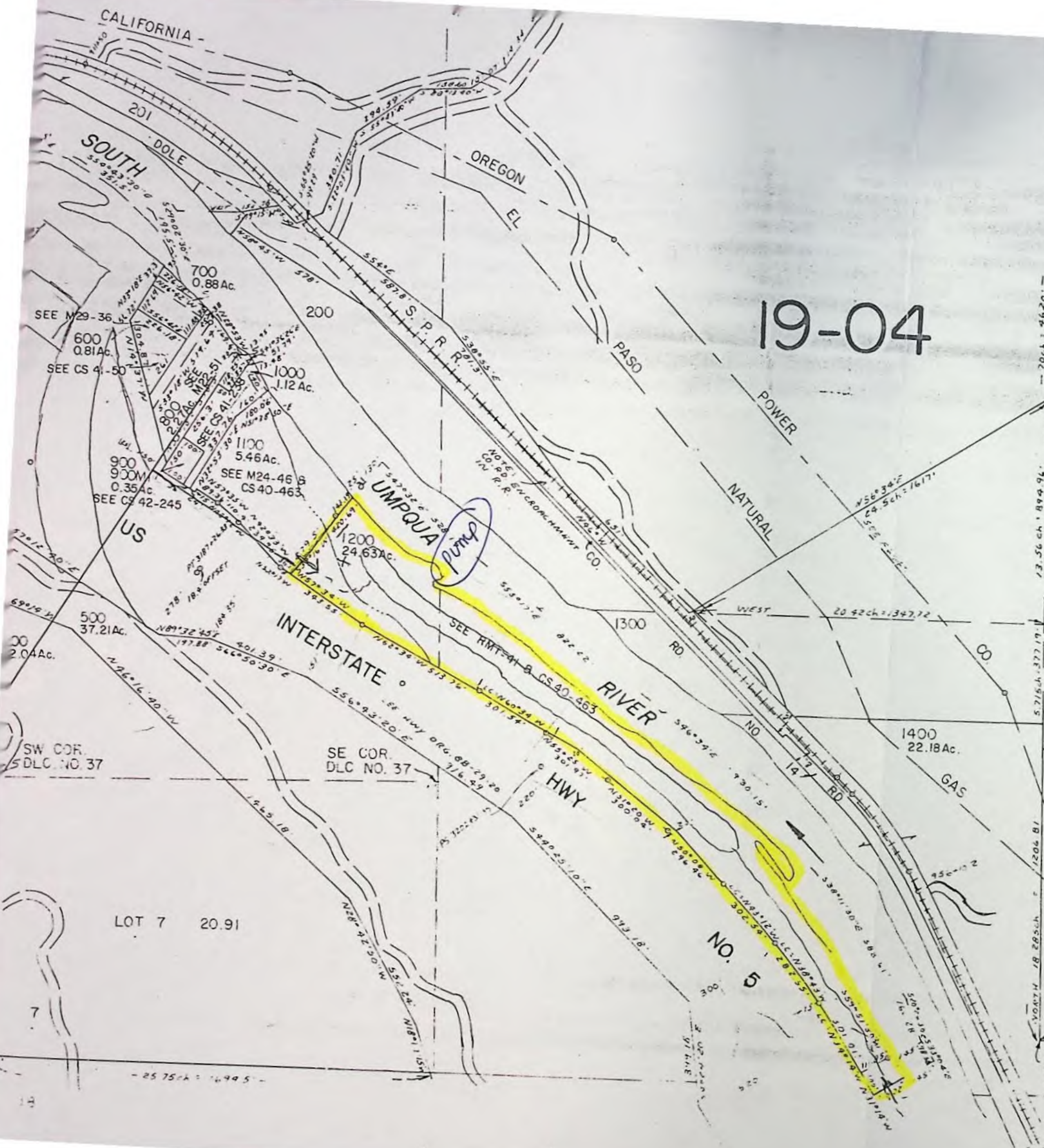
LOT 6

21.53

LOT 8 38.79

INT. ELL.
COR. D.L.C.
NO. 38

ELY NE COR.
J.H. BEAN
D.L.C. NO. 38



Application No.

5-81436

RECEIVED

AUG 15 1996

State of Oregon
WATER RESOURCES DEPARTMENT

WATER RESOURCES DEPT.
SALEM, OREGON

Application for a Permit to Appropriate Surface Water

Applicant(s) Rivers West Development, Inc.

(Please print or type - use dark ink)

Mailing Address: 2201 Whistlers Park Rd.

Roseburg OR 97470

City

State

Zip

541-672-6289 or 541-672-

Daytime Phone No.

6148

I (We) make application for a permit to appropriate the following described waters of the State of Oregon:

1. SOURCE OF WATER for the proposed use: Galesville Reservoir,
a tributary of South Umpqua River.
2. TOTAL AMOUNT OF WATER to be applied to beneficial use: 5 cubic feet per
second, OR n/a gallons per minute. If water is to be used from more than one source,
give the quantity of water from each: n/a

3. INTENDED USE(s) OF WATER: water to supply 150 unit commercial
recreational vehicle park

If for more than one use, give the quantity of water from each source for each use; n/a

If for DOMESTIC use, state the number of households to be supplied; n/a

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served,
and an estimate of the future requirements; (List population projections, water needs, anticipated areas
to be provided water.)

n/a

If for MINING use, state the nature (gold, silver, etc.) of the mines to be served; n/a

If for IRRIGATION, or other land area use, state the TOTAL number of acres to be developed
under each use;

Irrigation

n/a

Other (describe)

n/a

4. **DESCRIPTION OF WATER DELIVERY SYSTEM:** Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

No diversion works are being installed. The pump will be placed directly in the bottom of an existing pump site. There will be a submersible Flint & Walling Pump rated at 1 horse power and 19 gal. per minute. The pump will feed a 1 1/2" P.V.C. Schedule 80 pipe. This pipe will be underground protruding 4' from the river bank into the river then running underground 150' to the water filtration system.

5. **PROJECT SCHEDULE:** (List month and year)

Proposed date construction work will begin 9/96

Proposed date construction work will be completed 9/96

Proposed date water use will be completed n/a

6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

xxx Applicant CWRE Other (Identify in REMARKS section)

- b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

xxx Applicant CWRE Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? Yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

FOR OFFICE USE ONLY

Do not send out

Application File Number: S-81436

Applicant: RIVERS WEST DEVELOPMENT INC

County: Douglas

Priority Date :August 15, 1996

Source: GALESVILLE RESERVOIR, A TRIBUTARY OF UMPQUA RIVER

Use: INDUSTRIAL USE TO SUPPLY 150-UNIT COMMERCIAL RECREATIONAL
VEHICLE PARK

Quantity: 5.0 ACRE-FEET

Basin Name & Number: Umpqua, #16

Point of Diversion Location: SESW, SECTION 7, T29S, R5W, W.M.; NORTH 85
DEGREES 36 MINUTES EAST, 2660 FEET FROM SW CORNER SECTION 7

Place of Use: NESW, NWSW, AND SESW, SECTION 7, TOWNSHIP 29 SOUTH,
RANGE 5 WEST, W.M.

FOR OFFICE USE ONLY

February 18, 1997

RECEIVED

FEB 19 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Rivers West Development, Inc.
2201 Whistlers Park Rd.
Roseburg, OR 97470

Ms. Laura Snedaker
Oregon Water Resources Dept.
Commerce Building
158 12th Street NE
Salem, OR 97310-0210

Reference: File S-81436

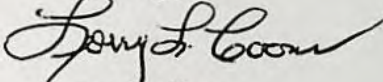
Dear Ms. Snedaker:

In reference to your letter of January 23, 1997, we would like to proceed with our application. Enclosed please find revised maps.

If possible, we would like to be assigned an additional diversion point at the location shown 15 feet S.E. of the north property line. (Drawing 1) This diversion point would be used for the water filter system for the park. If allowed, we would then use the existing diversion point for irrigation water on a future, separate application.

If this is not satisfactory, then we would be willing to transfer the location as required. Please feel free to call me at (541) 672-6148 or (541) 672-6289.

Sincerely,


Lorry L. Coons
President

2-21-97

See I.R. & IR
checklist for info
regarding existing
rights

~~Map appears~~ Map appears
to be ok per discussion
w/M. Mattick
LKS

OREGON WATER RESOURCES DEPARTMENT
ADMINISTRATIVE RULES
CHAPTER 690
DIVISION 516
UMPQUA BASIN PROGRAM

Classifications

690-516-001

(1) The maximum economic development of this state, the attainment of the highest and best use of the waters of the Umpqua River Basin, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, temperature control, power development, industrial, mining, recreation, wildlife, fish life uses, and pollution abatement; and the waters of the Umpqua River Basin are hereby so classified with the following exceptions:

- (a) Preference shall be given to human consumption, livestock consumption and irrigation of non-commercial gardens not to exceed one-half acre in area for all the waters of the Umpqua River Basin over any other beneficial uses.
 - (b) The waters of the natural lakes of the Umpqua River Basin are classified only for the utilization of water for domestic, livestock, power development not to exceed 7-1/2 theoretical horsepower, and in-lake uses for recreation, wildlife, and fish life purposes.
 - (c) The waters of Roberts Creek and its tributaries were withdrawn by Water Resources Commission's Order of Withdrawal on October 4, 1991.
 - (d) The unappropriated waters of Lookingglass Creek and tributaries are withdrawn from further appropriation except for domestic and livestock watering uses under 5,000 gallons per day per appropriation and water legally stored and released from storage from June 1 through September 30 of each year, by the Water Policy Review Board's Order of Withdrawal dated August 5, 1983.
 - (e) The unappropriated waters of the South Umpqua River and tributaries, excluding Lookingglass and Roberts Creeks, are withdrawn from further appropriation except for human consumption, livestock consumption, irrigation of up to 1/2-acre non-commercial garden and water legally released from storage from July 15 through September 30 of each year, by the Water Policy Review Board's Order of Withdrawal dated April 29, 1985. This limitation shall not affect the withdrawals previously enacted by the Board for the waters of Roberts and Lookingglass Creeks.
- (2) Applications for the use of the waters of the Umpqua River Basin shall not be accepted by any state agency for any purposes contrary to the classifications herein specified, and the granting of applications for such other purposes is declared to be prejudicial to the public interest, and the granting of applications for such other use would be contrary to this water-use program.

IR CHECKLIST

Application #: S 81436 Vol Subbasin

Basin: 16 WAB: 01057420 POU-WAB

township 29S Range 5W Section 7 1/4 1/4

1. Completeness checklist verified. ☒ Y / ☐ N or No Checklist
2. Indicators that the process should not continue (e.g. protest, items missing, letter to file indicating hold, or other) ☒ Y / ☐ N
3. Groundwater review A B C D 2 maps submitted show different location of "pump"
 - a. Is the well located in a groundwater limited area? ☒ Y / ☐ N
4. SWW Y / ☒ N Triage Y / N conditions/restrictions Y / N
5. Basin Program limitations? Y / ☒ N 690-516-001 (1) (e) Sumpqua
6. Withdrawn? ☒ Y / ☐ N season allowed Sumpqua however N/A since ^{release of} stored water
7. Basin Maps have been checked. ☒ Y / ☐ N The River Mile is Galesville R. > Sumpqua R
8. Water Availability (50% < July 17, 1992 ** 80% [50% storage] > July 17, 1992) NA Stored water release from Galesville Res.
9. Rate/Duty/Season
10. Use Commercial - 150 unit rec vehicle park Period of Allowed Use
11. Priority Date(s) 8/15/96
12. B.O.R. project ☒ Y / ☐ N contract # WEI 96-1 dated 7/19/96
13. TMDL Basin? Y / ☒ N (Tualatin, Yamhill, Pudding) DIVISION 33 ☒ Y / ☐ N (Abv Bonn) > July 17, 92 / Blw Bonn > April 18, 94 or June 3, 94 map dated 6/25/96
14. Conflicts Y / ☒ N May share same POD w/ S-21516 revised map
15. Conditions? (BOK, GW, other) ☒ Y / ☐ N Douglas Co Contract, POD submitting may request POD
16. Land use approval ☒ OK'd needs approval county notified NA Douglas Co. share POD condition
17. Watermaster Dist: (1 2 16 18 - NWR) (3 4 5 - NCR) (6 8 9 10 - ER) (11 12 17 - SCR) (14 ☒ 15 ☒ 19 ☒ SWR)
18. Letter will be Good ☒ Limited Bad Bad w/IRshort because per Douglas County Contract
CC: Douglas County Planning Department
5.0 acre-feet * possible conflict w/ cert 73635 & 21888 (S-21516)

* Request POD coordinates.

two maps submitted by applicant show different locations of "pump".

me: Kerry Lefer Date: 9/6/96

save to m:\ir\sent\app#.w51

Application No. 81436
Permit No.

U&I 96-1
DOUGLAS COUNTY OREGON
FILED

CONTRACT FOR PURCHASE OF INDUSTRIAL-COMMERCIAL WATER
FROM GALESVILLE PROJECT

AUG 11 1996

GAY FIELDS, COUNTY CLERK

This contract is made on July 19, 1996,
between Douglas County, a political subdivision of the State of
Oregon, (County), and Rivers West Development, Inc.
(Customer).

RECEIVED

COUNTY AND CUSTOMER AGREE:

AUG 15 1996

1. TERM AND RENEWAL:

WATER RESOURCES DEPT.
SALEM, OREGON

1.1. The initial term of this contract shall begin on
July 19, 1996 and end on December 31, 2006, unless it is
sooner terminated as provided herein.

1.2. As used in this contract, unless the context clearly
indicates otherwise, "term" or "term of this contract" shall mean
both the initial term and any extension.

1.3. Customer shall have the right to extend the term of
this contract for five successive periods of ten years each upon
the following conditions:

1.3.1. Approximately ninety days prior to
expiration of the then current contract term, County
shall notify Customer in writing that Customer has the
right to extend the term at the price set pursuant to
section 11.

1.3.2. Customer may elect to extend the contract
term by written notice to County within thirty days
after County gives notice of the right to extend.
Concurrently with written notice of extension Customer
may request the Board of Commissioners to review and
reduce the price of water in accordance with subsection
11.4.

1.3.3. No other act or agreement shall be
required of the parties to effect the extension after
Customer gives proper notice of election to extend the
contract term. Each extension shall take effect on
January 1 after Customer gives notice of extension.

1.3.4. Each extension shall commence on the day
following the termination date of the initial term or
the preceding extension.

1.4. The provisions of this contract shall apply to any
extension except for changes in the purchase price pursuant to
section 11; modifications required to comply with federal or
state statutes, regulations, or administrative rules; or

AUG 15 1996

modifications required to comply with any contract between ^{WATER RESOURCES DEPT.} ~~County~~ and the United States concerning the Galesville Project. ^{SALEM, OREGON}

1.5. Customer shall not be entitled to extend the term of this contract if Customer is in default under this contract at the time extension is requested by Customer.

2. AUTHORITY OF PUBLIC WORKS DIRECTOR:

2.1. The Director of the County Public Works Department (the Director) has authority to administer this contract on behalf of County.

2.2. The Director may delegate authority to administer this contract to the Manager of the County Public Works Department, Natural Resources Division, (the Division Manager), except for authority to establish the price of water under section 11 of this contract. The Director shall retain the right to supersede any decision of the Division Manager in the administration and interpretation of this contract.

2.3. References to the Director in this contract shall be deemed to include the Division Manager, to the extent the Director has delegated authority to the Division Manager.

3. WATER ALLOCATION: Each year during the term of this contract, County shall allocate 5 acre feet of storage capacity in the Galesville Reservoir for Customer.

4. PERMITS AND CERTIFICATES OF WATER RIGHTS:

4.1. County shall file and maintain any reservoir water right permit (County's permit) and certificate to store water in the Galesville reservoir (County's certificate) allocated for the Customer's use, as required by the State of Oregon Water Resources Department or its successor (the State).

4.2. Customer, at Customer's expense, shall be responsible for obtaining any permit (Customer's permit) and certificate of water rights (Customer's certificate) for use of the stored water allocated under this contract as required by the State.

4.3. Within 6 months after the effective date of this contract, Customer shall provide County with a copy of the application map provided to the State.

5. RELEASE OF WATER:

5.1. Subject to the provisions of this contract, County will release into the natural channel of Cow Creek water comprising the allocation described in section 3. Water released for Customer's allocation shall be measured and delivered to

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Customer's point of diversion of record by County with equipment installed and maintained by County. WATER RESOURCES DEPT.
SALEM, OREGON

5.2. County shall report to the State of Oregon all allocated water stored and distributed to Customer's point of diversion of record, including reasonable losses. Customer shall report all water use as described on Customer's water right of record to the County no later than November 30th each year and as may be required by the State.

5.3. The obligations of County to allocate capacity may be restricted by any lawful order, regulation, or ruling of any governmental agency or provisions of a contract between County and the United States. Such legal restrictions may impair the County's ability to perform its obligations under this contract. In that event, County shall be relieved of its obligations to the extent necessary to comply with the legal restrictions. Customer's payments under this contract shall be reduced proportionally to any reduction in Customer's allocation resulting from such legal restrictions.

5.4. Notwithstanding any other provision of this contract, County may suspend release and delivery of water to Customer upon written notice to Customer if Customer fails to make any payment for such water when due.

6. DIVERSION AND USE OF WATER:

6.1. Customer shall be wholly responsible for taking, diverting, conveying and utilizing its water and shall bear all losses from Customer's point of diversion.

6.2. Customer shall divert the water it is entitled to receive under this contract in accordance with schedules developed by the Customer and County.

6.3. The water diverted by Customer may be measured by County at the point of diversion. The point of diversion shall be accessible for inspection and measurement of water at all reasonable times by County. Any easement necessary for County to gain access to the point of diversion shall be provided by Customer when requested by County.

6.4. The water shall be utilized for industrial-commercial uses. Customer shall utilize the water only for the uses and only on the real property described in Customer's permit and certificate.

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7. QUALITY OF WATER: County shall operate and maintain the Galesville dam, reservoir, and related facilities in a reasonable and prudent manner, and shall endeavor in good faith to take adequate measures to maintain the quality of raw stored water at the facilities. County is under no obligation to construct or furnish water treatment facilities to maintain or improve the quality of water. COUNTY MAKES NO WARRANTIES, EXPRESS OR IMPLIED REGARDING THE QUALITY OF WATER RELEASED AND DELIVERED FROM GALESVILLE DAM, RESERVOIR, AND RELATED FACILITIES.

8. WATER SHORTAGES: In any year in which a water shortage in the Galesville reservoir occurs, County shall apportion the available water supply among Customer and other users who are entitled to receive water from the reservoir. The quantity of water to be furnished for irrigation shall first be reduced as necessary, but not greater than 15%. Any further reduction in the reservoir water supply shall be shared by Customer and all other users entitled to water from the reservoir in the same proportion that the entitlement of each user, including Customer's entitlement under this contract, bears to the total entitlements of all users.

9. WATER CONSERVATION: Customer acknowledges the critical need for water conservation in the Umpqua River basin. Customer shall implement reasonable and prudent water conservation measures for industrial activities.

10. COMPLIANCE WITH LAW: This contract will be governed by and construed in accordance with laws of the State of Oregon. Each party shall perform its obligations in accordance with all applicable state, federal and local laws, rules and regulations now, or hereafter in effect.

11. PRICE OF WATER:

11.1. During the initial term, the price for the allocation stated in section 3 shall be \$ 350.00 per year.

11.2. For each discrete ten year extension of the contract term, Customer shall pay the then current rate as established by County in accordance with this section. Notice of the right to extend under subsection 1.3.1 shall state the price of water during the extension.

11.3. The Director shall periodically review and adjust the price for water taking into account the following factors:

11.3.1. The current cost of operating and maintaining the Galesville dam, reservoir, and related facilities;

11.3.2. The projected costs for operating,

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WATER RESOURCES DEPT.
SALEM, OREGON

maintaining, and replacing Galesville water storage and delivery facilities; and

11.3.3. The price of water sold by similar facilities for similar uses.

11.4. Customer may request the Board of Commissioners to review and reduce the price of water established by the Director. Such request shall be in writing and shall be given with the notice of Customer's election to extend the contract term. After considering the factors listed in subsection 11.3, the Board of Commissioners may reduce or affirm the price established by the Director. If the Board of Commissioners fails to take any action on Customer's request to review and reduce the price of water within 30 days after Customer makes the request, the request shall be deemed denied. If Customer is not satisfied with the action of the Board of Commissioners, Customer may rescind Customer's election to extend the contract term and cancel the contract by written notice to County within sixty days after Customer requests the Board of Commissioners to review and reduce the price.

12. PAYMENT:

12.1. Customer shall pay County the annual price established by section 11 for the allocation stated in section 3 regardless of whether Customer uses any or all of the water allocated. Except as provided in subsection 12.2, payment shall be made no later than March 31 of each year.

12.2. If this contract is dated after March 2 in the year for which water is first to be released then the amount due for the first year only shall be payable within 30 days after the date the contract is signed by County.

12.3. Interest shall accrue on late payments at the rate of eighteen percent per annum commencing the day after the date payment is due. Customer shall pay all interest upon the request of County.

13. LIMITATIONS ON LIABILITY:

13.1. County shall not be liable for damages or other expenses sustained by Customer resulting from shortages in the quantity of water available for release, or interruptions in water deliveries to Customer, if such shortages or interruptions in deliveries are caused partially or entirely by hostile diversion, accidental damage to County facilities, operational failure of County facilities, or any cause beyond County's control.

13.2. Notwithstanding any other provision of this contract,

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WATER RESOURCES DEPT.
SALEM, OREGON

County shall not be liable to Customer for damages caused by failure to comply with any obligation of County under this contract, if such failure results from lack of appropriation funds necessary to perform such obligation pursuant to ORS 294.305 et seq. (Local Budget Law).

13.3. In no event shall County be liable to Customer for any indirect, special, or consequential damages even if Customer previously advised County of the possibility of such damages.

14. DEFAULT:

14.1. There shall be a default under this contract if either party materially fails to comply with any provision of this contract within thirty days after the other party gives written notice specifying the breach. If the breach specified in the notice cannot be completely cured within the thirty day period, no default shall occur if the party receiving the notice begins curative action within the thirty day period and thereafter proceeds with reasonable diligence and in good faith to cure the breach as soon as practicable.

14.2 If a default occurs, the party injured by the default may elect to terminate this contract and pursue any equitable or legal rights and remedies available under Oregon law, except that Customer's remedies shall be subject to the limitations on damages stated in section 13.

14.3. Any litigation arising out of this contract shall be conducted in Circuit Court or District Court of the State of Oregon for Douglas County.

15. SEVERABILITY: If any provision of this contract is held to be invalid, that provision shall not affect any other provision of this contract. This contract shall be construed as if such invalid provision had never been included.

16. NO WAIVER: No provision of this contract shall be waived unless the waiver is written and signed by the party that waives its rights. Any waiver of a breach, whether express or implied, shall not constitute waiver of any other breach.

17. SUCCESSORS: The successors, assigns, and legal representatives of Customer and County shall be subject to all provisions of this contract. Customer shall not assign Customer's rights or obligations under this contract without prior written consent of County.

18. NOTICES:

18.1. Any notice required to be given under this contract shall be in writing and shall be given by personal delivery or

mail, except that any notice required by law shall be given in the manner specified in the applicable law.

18.2 Notices to County shall be directed to Frank Nielsen, Division Manager, Douglas County Public Works Department, Natural Resources Division, Room 306 Douglas County Courthouse, 1036 SE Douglas Street, Roseburg, OR, 97470.

18.3 Notices to Customer shall be directed to:

Lorry L. Coons, President and Sandra K. Coons Vice President
Rivers West Development, Inc. 2201 Whistlers Park Rd. Roseburg, OR 97470

19. ENTIRE AGREEMENT: This contract is the final and complete agreement of the parties and supersedes all prior and existing written or oral understandings. No modification of this contract shall be valid unless it is in writing and signed by the parties.

CUSTOMER

Rivers West Development, Inc.

By Sandra K Coons
Its Vice Pres./Sec./Trea.

Fed. ID# 93-1158823

Address of Customer

370 Ruckles Dr.
Myrtle Creek

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY OREGON

By Michael J. Winter Chairman
By James H. Hargrave Commissioner
By John H. Hargrave Commissioner

Dated: 7-31-96

FOR COUNTY USE ONLY:

REVIEWED AS TO CONTENT

BY Mr. J. L. Linn
County Department Head
Date: 7/27/96
Coding _____

REVIEWED AS TO FORM

BY 1/1 am ex C. J. Linn
Paralegal
Date: 7-24-96

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SALEM, OREGON

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WATER RESOURCES DEPT.
SALEM, OREGON

130C
155 82 AC.

LOT 5

24.64

KEY TITLE COMPANY

COPY OF ASSESSOR'S MAP IS
TO ASSIST IN LO
SUBJECT PROPERTY. NO
THIS MAP AS OUT
ACCOMPANYING

LOT 6

21.59

INT. ELL.
COR. D.L.C.
NO. 38

SEE MAP 29 5 18

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OAR 690-310-040(1)(K)
APPLICATION REQUIREMENTS
INFORMATIONAL SHEET

AUG 15 1996

WATER RESOURCES DEPT.
SALEM, OREGON

(If information is not available, or does not apply, please indicate)

Describe why the amount of water requested is needed, measures you propose to prevent waste and how you propose to measure the amount of water appropriated/diverted.

The amount of water requested is based upon the Dept. of Environmental Quality sizing for an R.V. Park of this size, the expected useage is 10,000 gallons a day. A water purification and filtration system is being installed to supply potable water for the park through a 10,000 gallon storage tank. This system will automatically turn on and off and draw water from the river only as demand dictates. The equipment will have computerized monitoring equip. which will be monitored daily by park personnel to assure that no water is being wasted.
Describe measures to prevent the discharge of contaminated water to a surface stream.

No water will be discharged back into the South Umpqua River. A D.E.Q. approved sanitation system through a WDCF Permit Process is being installed on the property. All waste water will be directed through this system.

If for surface water, describe how you plan to protect damage to aquatic life and riparian habitat and measures to prevent damage to public uses of affected surface waters.

The R.V. Park and Campground is being developed on property which currently has a pumping station for irrigation rights. This pumping site will be at the same location. Therefore, no impact will be created or potential damage to aquatic life, riparian habitat or public uses.

Applicant Name Rivers West Development, Inc. File No. _____

Application No. R-81436
Permit No.

Application No. 81436
Permit No.

Permit A-3-2M-8/77

SP-2257-608

STATE OF OREGON
COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That J. H. BOOTH

of Roseburg, State of Oregon 97470, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
South Umpqua River

a tributary of Umpqua River for the purpose of
irrigation of 94.0 acres

under Permit No. 7528 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
August 20, 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
1.18 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, T29S, R6W; SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 7, T29S, R5W, WM.

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,

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

A description of the place of use under the right hereby confirmed, and to which such right
is appurtenant, is as follows:

SEE NEXT PAGE

WATER RESOURCES DEPT.
SALEM, OREGON

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Basin 16, Vol. 3 - South Umpqua River

COPY

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J.H. BOOTH

ROSEBURG, OREGON 97470

confirms the right to use the waters of the SOUTH UMPQUA RIVER, a tributary of the UMPQUA RIVER, for IRRIGATION OF 83.8 ACRES.

This right was perfected under Permit 7528. The date of priority is AUGUST 20, 1926. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.05 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NW¼ SE¼, SECTION 12, T 29 S, R 6 W, W.M.

SE¼ SW¼, SECTION 7, T 29 S, R 5 W, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre.

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

A description of the place of use to which this right is appurtenant is as follows:

NE¼ SW¼ 25.9 ACRES
NW¼ SW¼ 22.7 ACRES
SW¼ SW¼ 13.2 ACRES
SE¼ SW¼ 2.0 ACRES
NW¼ SE¼ 4.0 ACRES

SECTION 12

TOWNSHIP 29 SOUTH, RANGE 6 WEST, W.M.

NE¼ SW¼ 1.0 ACRE
NW¼ SW¼ 4.0 ACRES
SW¼ SW¼ 1.0 ACRE
SE¼ SW¼ 10.0 ACRES

SECTION 7

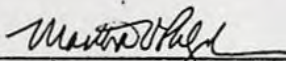
TOWNSHIP 29 SOUTH, RANGE 5 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 51323, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered January 7, 1997, approving Transfer Application 7478.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director,
affixed January 7, 1997.


Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 73635.

T-7478.PKS

EXHIBIT "A"

WATER RESOURCES DEPT.
SALEM, OREGON

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Beginning at a point marked with a 5/8" iron rod on the Northeasterly right way line of Highway No. 99, said beginning point being the most Southerly corner of the Earl and Ruth Mollard property, as described in Instrument No. 318063 of Deed Records of Douglas County, Oregon, and from which said beginning point the Southeast corner of Lot 6, Section 12, Township 29 South, Range 6 West, W. M., bears North 51° 23' West 630.12 feet and South 40° 56' 24" West, 2956.66 feet; thence North 39° 16' East 420.69 feet to a point marked with a 5/8" iron rod on the high West bank of the South Umpqua River; thence continuing North 39° 16' West 130.0 feet to the thread of said river; thence upstream along the thread of said river on the following courses: South 47° 32' East 528.16 feet; South 53° 17' East 822.22 feet; South 46° 34' East 930.15 feet; South 38° 11 1/2' East 588.61 feet; South 20° 26 1/2' East 166.28 feet; thence leaving the thread of said river and running South 59° 51 1/2' West 145.0 feet to a point marked with a 5/8" iron rod on the high West bank of said river; thence continuing South 59° 51 1/2' West 111.85 feet to a point marked with a 5/8" iron rod on the Northeasterly right of way line of said Highway No. 99; thence along said Northeasterly right of way line of Highway No. 99 on the chord of curve to the left as follows: North 34° 14' West 301.81 feet; North 38° 43' West 282.55 feet; North 43° 12' West 302.54 feet; North 50° 08' West 296.46 feet; North 51° 20' West 300.04 feet; North 55° 25' West 301.97 feet; North 60° 34' West 301.54 feet; thence continuing along the said highway right of way on the following courses: North 62° 34' West 513.76 feet and North 57° 34' West 343.55 feet to the point of beginning all being in Section 7, Township 29 South, Range 5 West, W. M., Douglas County, Oregon.

ALSO

Beginning a point marked with a 5/8" iron rod on the Northeasterly right of way line of Highway No. 99, said beginning point being marked Sta. 3219 + 90POC (Highway No. 99) and being the most Southerly corner of the Earl and Louise Morley property as described in Instrument No. 237593 of Deed Records, Douglas County, Oregon, and from said beginning point the Southeast corner of Lot 6, Section 12, Township 29 South, Range 6 West, W. M., bears North 50° 55' West 3628.01 feet and South 40° 56' 24" West 2956.66 feet; thence along said Northeasterly right of way line of Highway No. 99, on the chord of a curve to the left North 31° 14' West 100.0 feet to a point marked with a 5/8" iron rod; thence leaving said highway right of way line and running North 59° 51 1/2' East 111.85 feet to a point marked with a 5/8" iron rod on the high West bank of the South Umpqua River; thence continuing North 59° 51 1/2' East 145.0 feet to the thread of said river; thence upstream along the thread of said South 33° 04' East 98.58 feet; thence leaving the thread of said river and running South 59° 32' West 145.0 feet to a point marked with a 5/8" iron rod on the high West bank of said river, said point being marked Sta. 3219 + 90POC (Highway No. 99); thence continuing South 59° 32' West, 115.02 feet along Highway No. 99 right of way line to the point of beginning, all being in Section 7, Township 29 South, Range 5 West, W. M., Douglas County, Oregon.

Application No. 81436
Permit No.

WS 96-778

1156
\$ 2000

Oregon

NOTE TO LOCAL GOVERNMENTS

WATER

RESOURCES

DEPARTMENT

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Application No. 5-81436
Permit No.

AUG 15 1996

WATER RESOURCES DEPT.
SALEM, OREGON

The person presenting the attached request for land use information is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure water rights do not result in land uses that would violate your comprehensive plan.

WRD will not accept applications which are not accompanied by this completed Land Use Information Form or the signed and dated receipt stub detached from the bottom of the Land Use Information Form.

Please complete this form and *return it to the applicant for inclusion in their application*. You will receive notice once the applicant formally submits his or her request to WRD. The notice will give more detailed information about WRD's water rights process and comment opportunities. If you give the applicant the receipt stub in lieu of completing the form, you will have 30 days from the date of the notice mentioned above to complete the form and return it to WRD. If no land use information is received from you within that 30 day period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

Your attention to this request for information is greatly appreciated by the Department. If you have questions concerning the form, please contact WRD at 378-3739.



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

DESCRIPTION OF WATER USE

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: Rivers West Development, Inc. DBA Rivers West South Umpqua
 Address: 370 Ruckles Dr. Myrtle Creek, OR Campground
 mail address: 2201 Whistlers Park Rd. Roseburg, OR 97470
 Phone: 541-672-6289
541-672-6148

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project.

☐ Irrigation (crop type, golf course, nursery or greenhouse):

☐ Livestock (type of livestock, feedlot, slaughterhouse):

☐ Residential (# of units, single or multi-family, # of lots if partition or subdivision):

☐ Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.):

☐ Industrial (i.e., factory, pulp mill, research and development, processing, etc.):

☐ Institutional (i.e., school, library, etc.):

☐ Mining (aggregate, metal, open pit, placer, etc.):

☒ Recreation (park, campsite, pond, etc.):

Drinking water for 150 unit R.V. Park & Campground

☐ Fish and Wildlife (pond, hatchery, etc.):

☐ Hydropower (dam, reservoir, power generating or transmitting facilities):

☐ Other (Name and list key characteristics):

Indicate sources for the proposed water use below:

☒ Surface water

Name sources:

Galesville Reservoir via
South Umpqua River

☐ Reservoir or pond

☐ Groundwater

Indicate the estimated quantity of water the use will require.

_____ Cubic feet per second

_____ Gallons per minute

5 Acre-Feet

**Land Use Information Form: Permits, Hydroelectric Licenses,
Water Uses in Addition to Classified Uses**

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This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

Applicant's Name: Rivers West Development, Inc DBA Rivers West South Umpqua Campgrn
Address: 370 Ruckles Dr. Myrtle Creek, OR/ mail address 2201 Whistlers Park Rd.
City: Roseburg State: OR Zip: 97470 Day Phone: 541-672-6148

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) 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.

(CHECK ALL THAT APPLY)

TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING Rural Residential/RR-5)	(e.g.	WATER DIVERTED	WATER CONVEYED	WATER USE
11956.22	FFT	,			X

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.
Douglas County

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

For Local Government Use Only

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

a) Check the appropriate box below and provide 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); _____ Go to section b) on reverse side.
- ☒ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table on the reverse of this form. Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

P/D 95-116.

Receipt for Request for Land Use Information

WRD Applicant Name: _____

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government cannot provide the above requested land use information while the applicant waits.

City or County: _____
Staff Contact: _____ Phone: _____
Signature: _____ Date of Information Request: _____

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Already Obtained	Already Denied	Being Pursued Satisfactorily

AUG 09 1996

b) Please provide printed name and written signature.

Name: PHILIP M. STENBECK Date: 8/9/96

Title: PLANNING TECHNICIAN Phone: (541) 440-4289

Signature: *Philip M. Stenbeck*

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

Additional Comments:

DOUGLAS COUNTY PLANNING DEPARTMENT
ROOM 106, JUSTICE BUILDING
DOUGLAS COUNTY COURTHOUSE
ROSEBURG, OR 97470



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PLANNING DEPARTMENT

WATER RESOURCES DEPT.
SALE OF LAND

Room 106, Justice Building
Douglas County Courthouse, Roseburg, Oregon 97470
(503) 440-4289 / Fax (503) 440-6266

July 11, 1995

Robert A. Bell
Bell Land Use Consulting
1012 SE Oak, Suite 216
Roseburg, OR 97470

Re: Request for a Conditional Use Permit to allow a campground (50 full service spaces, 50 self contained vehicle spaces and 50 tent camping spaces) on a 24.63 acre parcel in the (FF) Farm Forest Zone (Tax Lot 1200 in Section 7, T29S, R5W, W.M.; Tax Account No. 11956.22) File 95-116. South Umpqua PAC.

Dear Sir:

Official notice is hereby given of the Administrative Decision of the Douglas County Planning Director in the matter of your request for approval of a Conditional Use Permit to allow a campground (50 full service spaces, 50 self contained vehicle spaces and 50 tent camping spaces) on a 24.63 acre parcel in the (FF) Farm Forest Zone for which Administrative action was completed on July 11, 1995.

The above application has been GRANTED, subject to the following conditions:

1. The campground development shall include an office structure with accessory full service RV site near the camp entrance and three restroom structures. Campground rules shall discourage river use.
2. The campground development shall be in conformance with the requirements of Article 30 Floodplain Overlay. Structural development shall be set back 50 foot from the high bank of the South Umpqua River in conformance with the Riparian Vegetation Corridor Overlay.
3. The applicant shall observe a 25 foot setback for structures and campsites from the north property line. All vegetation within the 25 foot setback shall not be disturbed.
4. The applicant shall pave the access road from the point to which it is currently paved to the property line and shall pave the roads within the campground.

6/28/1974

FILE#: S 81436

RIVERS WEST DEVELOPMENT INC.
2201 WHISTLERS PARK RD
ROSEBURG, OR 97470

Transfer No. _____

County _____

Name _____

Date for Completion _____

Extended to _____

Completion Report Received _____

To Survey _____

Comments:

FILE#: S 81436

RIVERS WEST DEVELOPMENT INC.
2201 WHISTLERS PARK RD
ROSEBURG, OR 97470

FILE#: S 81436

RIVERS WEST DEVELOPMENT INC.
2201 WHISTLERS PARK RD
ROSEBURG, OR 97470

FILE#: S 81436

RIVERS WEST DEVELOPMENT INC.
2201 WHISTLERS PARK RD
ROSEBURG, OR 97470

12/15/97

Applicant called &
is sending map within
next 2-3 weeks.

Water master is helping
with map & other items
mentioned in FO.

ji
App hired CWRE to
do map 2/27/98

CWRE (BILL RUPERT) STILL
WORKING ON MAP - 5/14/98 CF.

FOR LKS
DATE 11-3-99 TIME 4:10 A.M.
FROM Terresa Nunn
FIRM _____
PHONE 541-471-2886
☐ FAX AREA CODE _____ NUMBER _____ EXTENSION _____
☐ MOBILE AREA CODE _____ NUMBER _____ TIME TO CALL _____

TELEPHONED		PLEASE CALL	
RETURNED YOUR CALL		WILL CALL AGAIN	
CAME TO SEE YOU		RUSH	
WANTS TO SEE YOU		SPECIAL ATTENTION	
WAITING TO SEE YOU		HOLDING LINE _____	

MESSAGE T-8039
Still in progress

SIGNED _____

 FORM 4007
MADE IN U.S.A.

MESSAGE

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **5456**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Rivers West Development
BY: _____

APPLICATION	81436
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 96-455 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 300.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
VOUCHER #	

0427 WRD OPERATING ACCT

MISCELLANEOUS		
0407 COPY & TAPE FEES		\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE: (IDENTIFY)	<u>PC 966111</u>	\$
TC165 DEPOSIT LIAB. (IDENTIFY)		\$
WATER RIGHTS:	EXAM FEE	RECORD FEE
0201 SURFACE WATER	\$ <u>200.00</u>	0202 \$ <u>100.00</u>
0203 GROUND WATER	\$	0204 \$
0205 TRANSFER	\$	0206 \$
WELL CONSTRUCTION	EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219 \$
LANDOWNER'S PERMIT		0220 \$
OTHER (IDENTIFY)		

0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #
0210 MONITORING WELLS	\$	CARD #
OTHER (IDENTIFY)		

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS	\$
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0467 HYDRO ACTIVITY

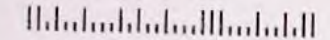
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0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HRDRO APPLICATION		\$

RECEIPT # **5456**

DATED: 8-15-96

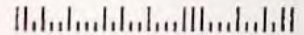
BY: Jla P

Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal



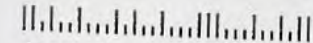
S-81436

COW CREEK INDIAN TRIBE
146 MIWALETA LANE
CANYONVILLE OR 97417



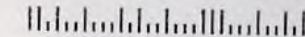
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COW CREEK INDIAN TRIBE
146 MIWALETA LANE
CANYONVILLE OR 97417



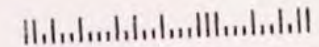
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COW CREEK INDIAN TRIBE
146 MIWALETA LANE
CANYONVILLE OR 97417

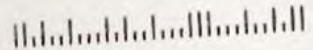


S-81436

COW CREEK INDIAN TRIBE
146 MIWALETA LANE
CANYONVILLE OR 97417



S-81436
COW CREEK INDIAN TRIBE
146 MIWALETA LANE
CANYONVILLE OR 97417



S-81436
COW CREEK INDIAN TRIBE
146 MIWALETA LANE
CANYONVILLE OR 97417

Cow Creek Band of the Umpqua Indians
Nathan Jackson
146 Chief Miwaleta Lane
Canyonville, OR 97417

S-81436

SECTION 7 T.29S. R.5W. W.M.
DOUGLAS COUNTY

REVISED ON
5-28-96

29 5 7

1" = 400'

This map was prepared for
assessment purpose only.

SEE MAP 29 5 6

SEE MAP 29 6 12A

SEE MAP 29 6 12

SEE MAP 29 5 8

19-00

19-04

DWG. 3

Super Sealed

File copy

RECEIVED

FEB 19 1997

WATER RESOURCES DEPT.
SALEM, OREGON

EXISTING DIV. PT.
N 85° 36' E, 2660'
PROPOSED FUTURE IRRIGATION
DIV. P.

SEE MAP 29 5 18

29 5 7

SECTION 7 T.29S. R.5W. W.M.
DOUGLAS COUNTY

REVISED ON
5-28-96

29 5

1" = 400'

This map was prepared for
assessment purposes only.

SEE MAP 29 5 6

SEE MAP 29 6 12A

SEE MAP 29 6 12

SEE MAP 29 5 8

19-00

19-04

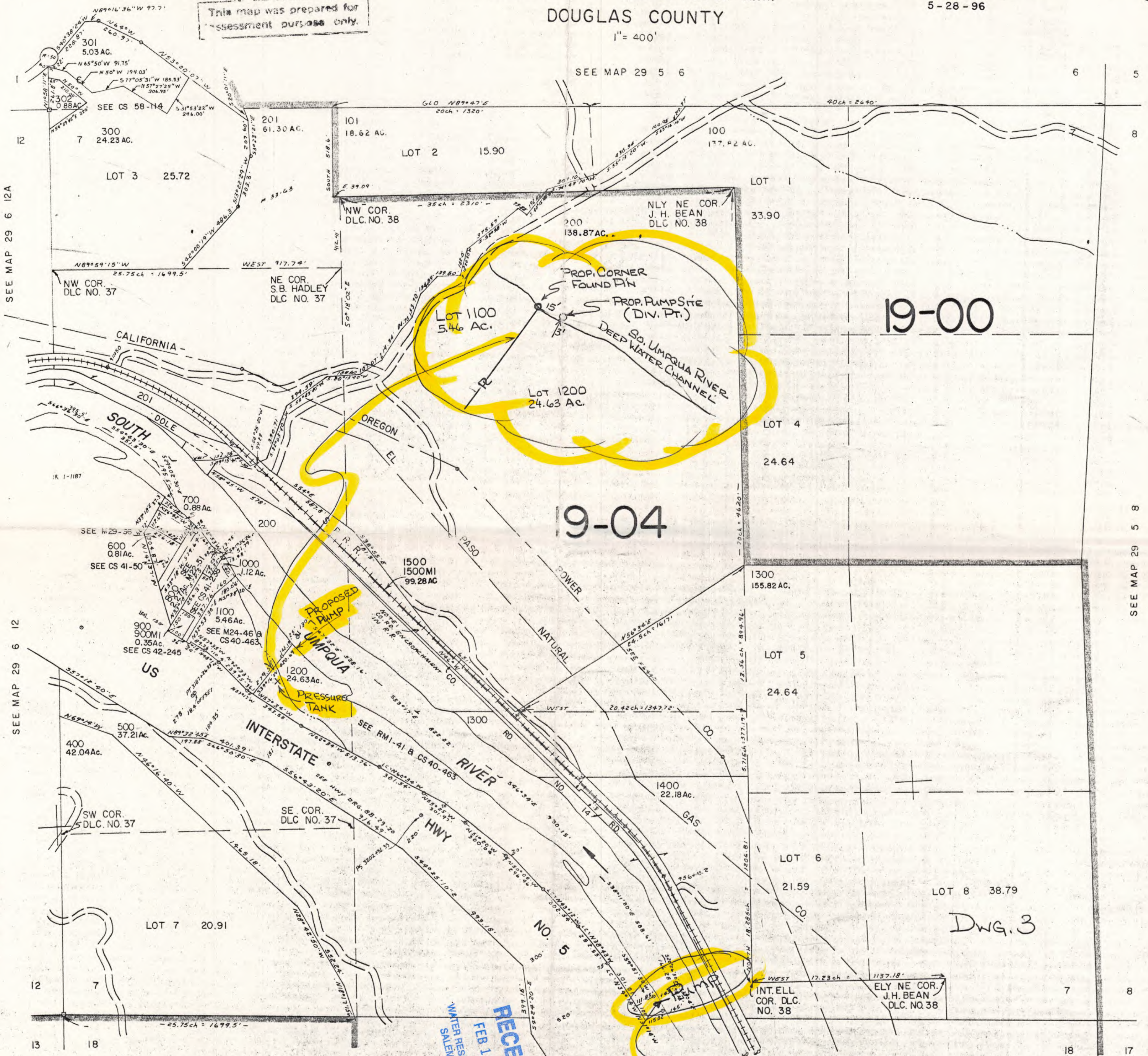
DWG. 3

Super Sealed

RECEIVED
FEB 19 1997
WATER RESOURCES
SALEM, OREGON

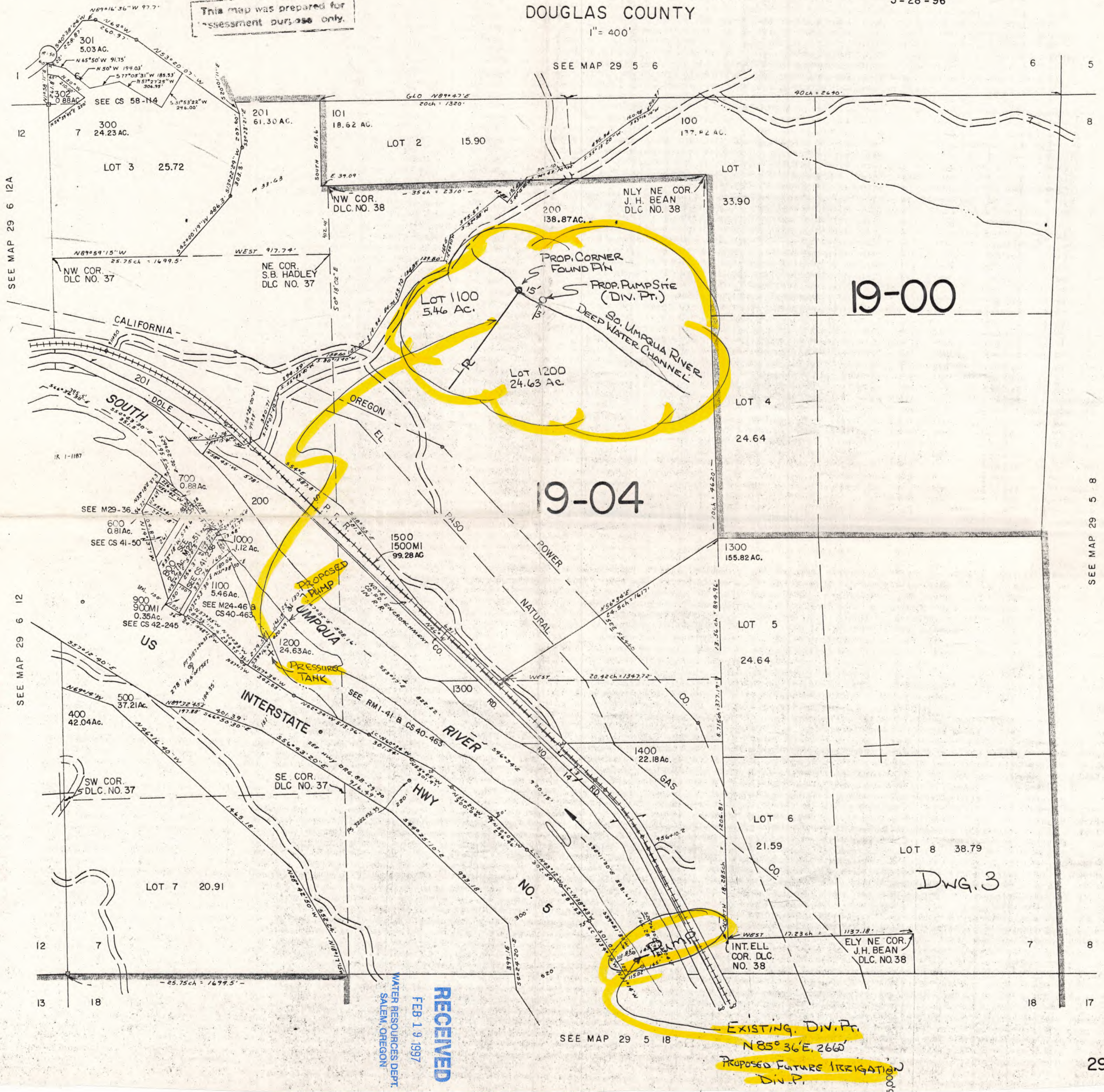
SEE MAP 29 5 18

EXISTING DIV. PT.
N85°36'E 266'



$$I'' = 400'$$

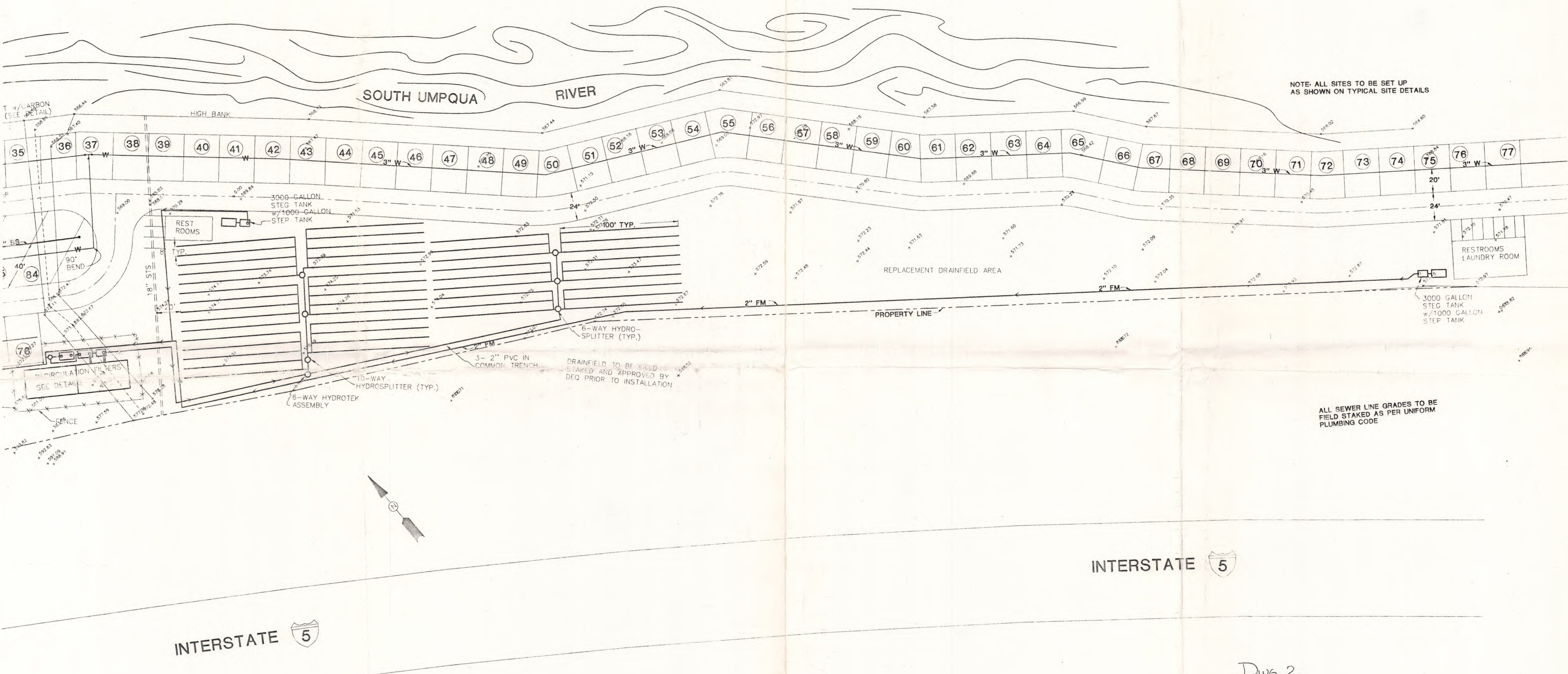
SEE MAP 29 5 6



SuperSeal

RECEIVED
FEB 19 1997
WATER RESOURCES DEPT
SALEM, OREGON

- EXISTING DIV. PT.
N 85° 36' E, 266'
PROPOSED FUTURE IRRIGATION
DIV. PT.



NOTE: ALL SITES TO BE SET UP AS SHOWN ON TYPICAL SITE DETAILS

ALL SEWER LINE GRADES TO BE FIELD STAKED AS PER UNIFORM PLUMBING CODE

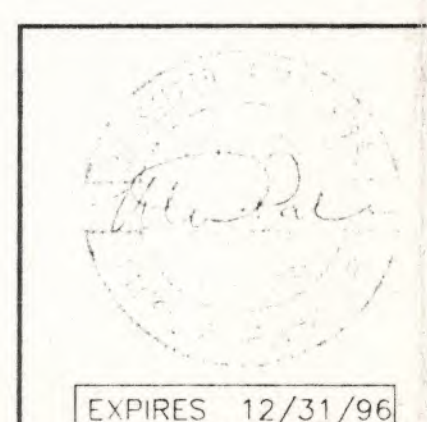
INTERSTATE 5

INTERSTATE 5

Dwg. 2

LEGEND

- SS PROPOSE SANITARY SEWER
- W PROPOSE WATER LINE
- FM PROPOSE SEWER FORCE MAIN
- SANITARY SEWER CLEANOUT w/CARBON FILTER
- STANDARD SANITARY SEWER CLEANOUT
- ① SITE NUMBER
- X SPOT ELEVATION



Rev.	Date	Dwg	Description

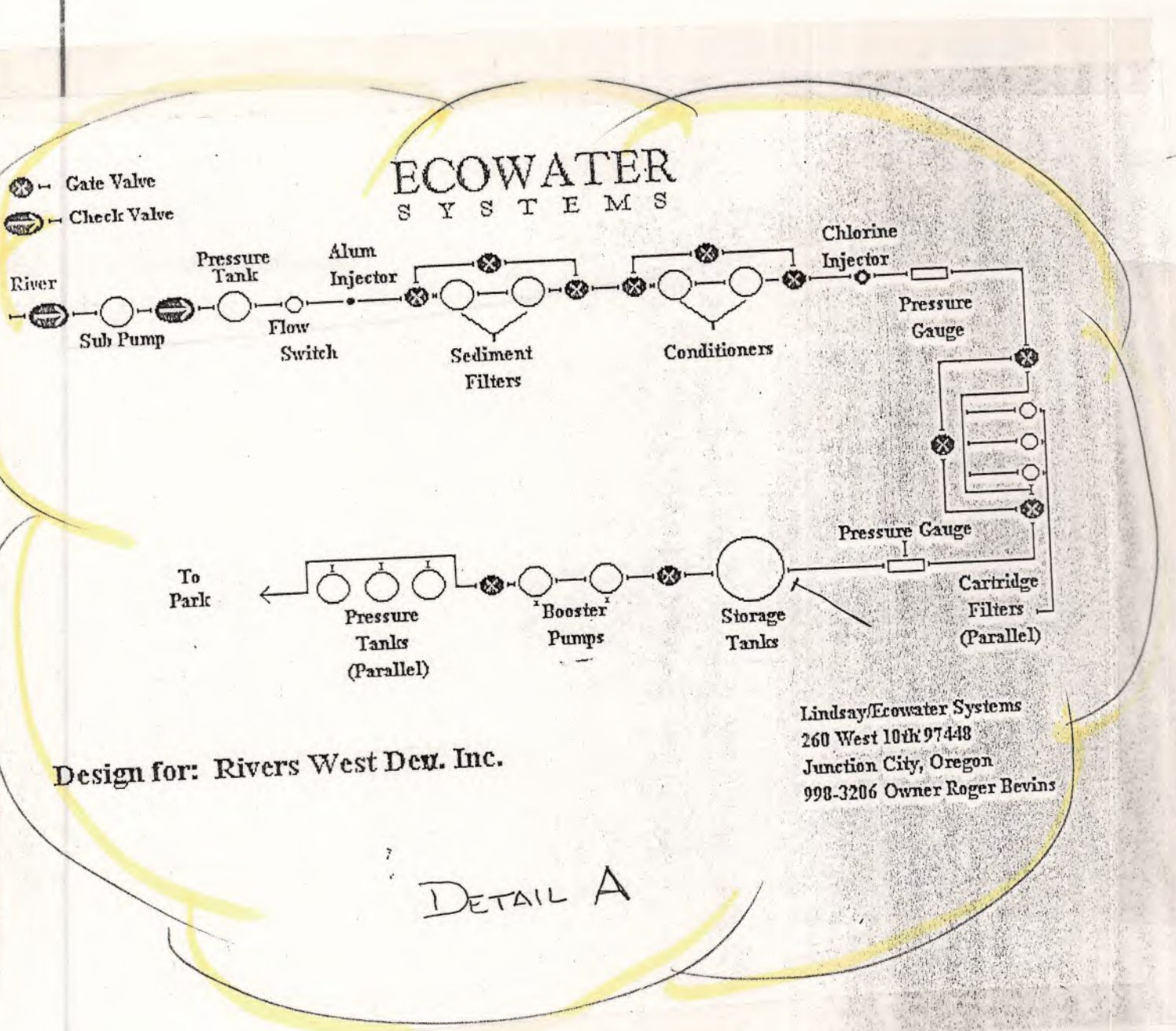
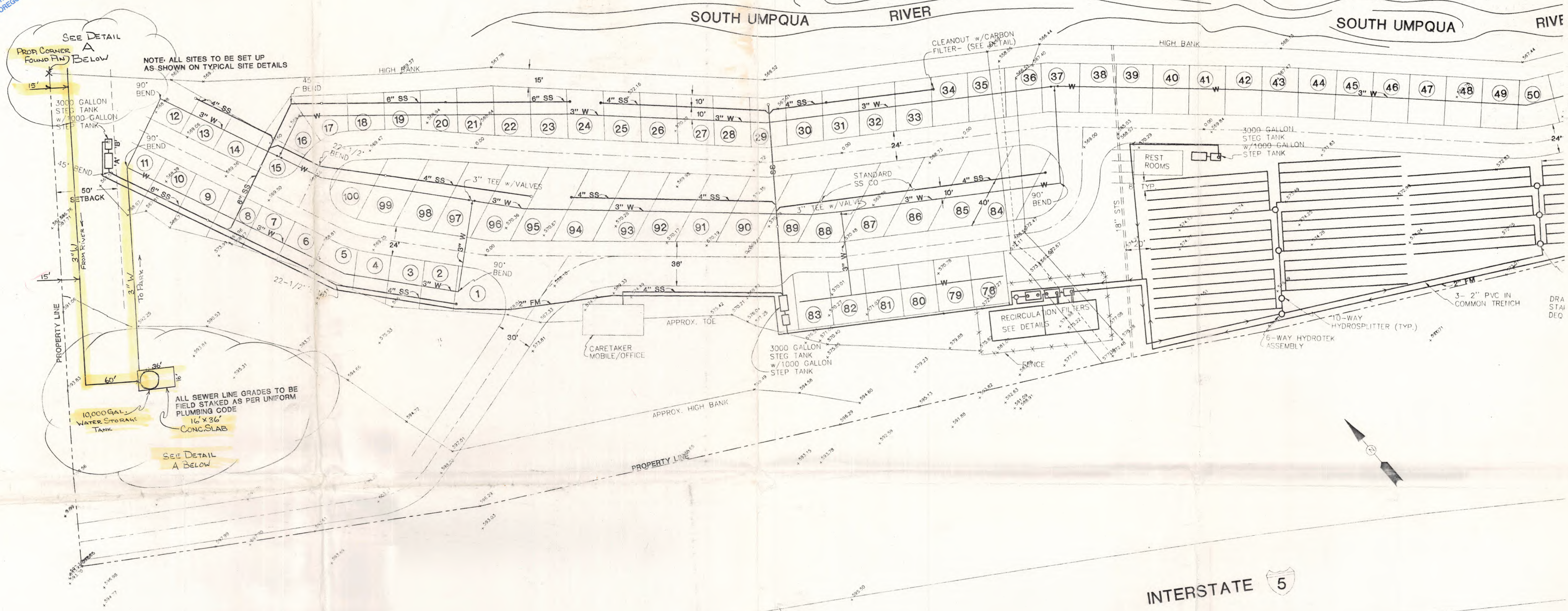
i.e.
ENGINEERING
548 SE Jackson Street
Roseburg, Oregon 97470
PHONE (541) 673-0166
FAX (541) 440-9392

Project Name:
**SOUTH UMPQUA
CAMPGROUND & RV PARK**

Title:	
DES. SNL	PROJECT NO. 1270-01
DWG. FLB	DATE: MAY 1996
CHK. MAP	SCALE: 1" = 40'
APP. MAP	SHEET 3 OF 7

RECEIVED
FEB 19 1997
WATER RESOURCES DEPT.
SALEM, OREGON

Superseded



INTERSTATE 5

DWG. 1

WATER SUPPLY SYSTEM UPPER LEFT -
PARK TOTAL SPACES
50 FULL HOOK-UPS (WATER, SEWER, POWER)
50 PARTIAL HOOK-UPS (WATER, POWER)
20 TENT SITES
EST. WATER USAGE PER D.E.Q.
12,000 GAL. PER DAY

LEGEND

- SS PROPOSE SANITARY SEWER
- W PROPOSE WATER LINE
- FM PROPOSE SEWER FORCE MAIN
- SANITARY SEWER CLEANOUT w/CARBON FILTER
- ① STANDARD SANITARY SEWER CLEANOUT
- SITE NUMBER
- × SPOT ELEVATION

INTERSTATE 5

i.e.
ENGINEERING
548 SE Jackson Street
Roseburg, Oregon 97470
PHONE (541) 673-0166
FAX (541) 440-9392

Project Name:
SOUTH UMPQUA
CAMPGROUND & RV PARK
Title:

SITE PLAN

DES. SNL PROJECT NO. 1270-01
DWG. FLB DATE: MAY 1996
CHK. MAP SCALE: 1" = 40'
APP. MAP SHEET 2 OF 7

EXPIRES 12/31/96

Supersedes

This map was prepared for
assessment purposes only.

SECTION 7 T.29S. R.5W. WM.
DOUGLAS COUNTY

REVISED ON
5-28-96

29 5 7

SEE MAP 29 6 12A

SEE MAP 29 6 12

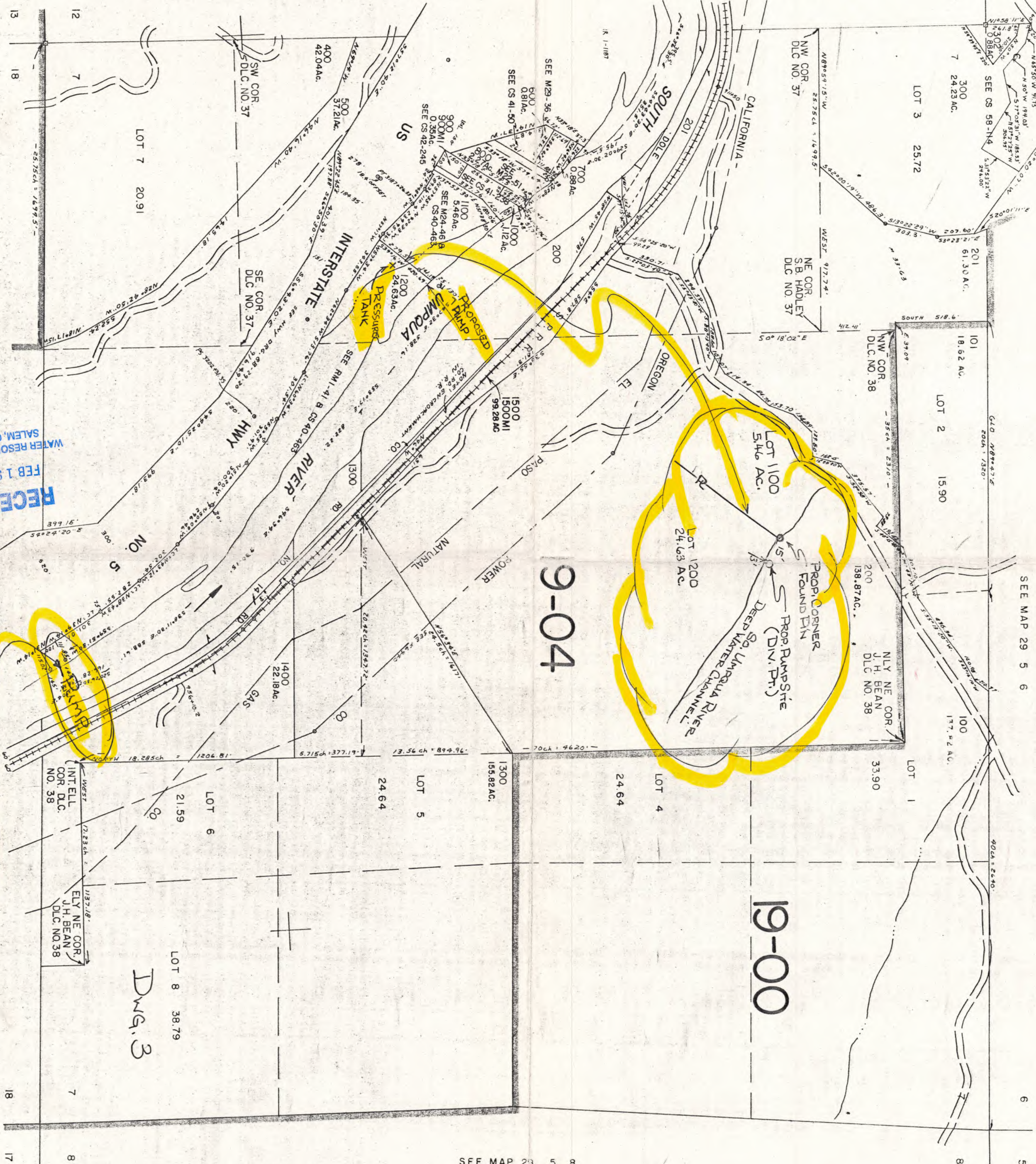
1" = 400'

SEE MAP 29 5 6

SEE MAP 29 5 8

19-00

9-04

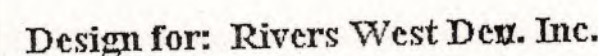
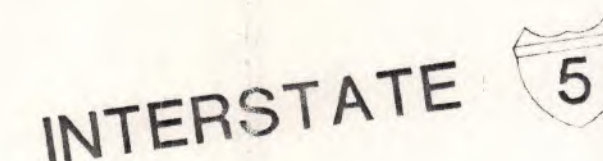


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WATER RESOURCES DEPT.
SALEM, OREGON


EXISTING DIV. PT.
N 85° 36' E, 266'

DWG. 3

Super Sealed

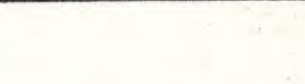


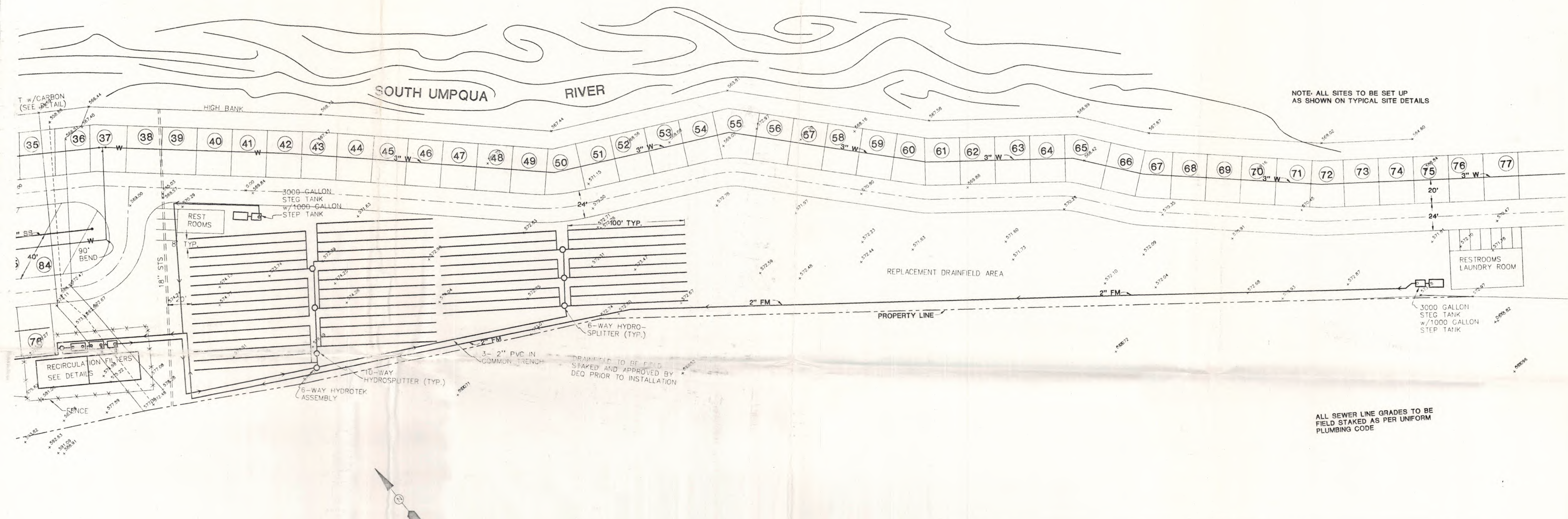
Lindsay/Ecowater Systems
260 West 10th 97448
Junction City, Oregon
998-3206 Owner Roger Bevins

INTERSTATE 

- WATER SUPPLY SYSTEM UPPER LEFT -
- PARK TOTAL SPACES
- 50 FULL HOOK-UPS (WATER, SEWER, POWER)
- 50 PARTIAL HOOK-UPS (WATER, POWER)
- 20 TENT SITES
- EST. WATER USAGE PER D.E.Q.
- 12,000 GAL. PER DAY

SS	PROPOSE SANITARY SEWER
W	PROPOSE WATER LINE
FM	PROPOSE SEWER FORCE MAIN
●	SANITARY SEWER CLEANOUT w/CARBON FILTER
○	STANDARD SANITARY SEWER CLEANOUT
①	SITE NUMBER
X	SPOT ELEVATION

	Rev.	Date	Dwg	Description	CAMPGROUND & RV PARK	
					Title:	
					SITE PLAN	
					DES. SNL	PROJECT NO. 1270-01
					DWG. FLB	DATE: MAY 1996
					CHK. MAP	SCALE: 1" = 40'
EXPIRES 12/31/96					APP. MAP	SHEET 2 OF 7



NOTE: ALL SITES TO BE SET UP AS SHOWN ON TYPICAL SITE DETAILS

ALL SEWER LINE GRADES TO BE FIELD STAKED AS PER UNIFORM PLUMBING CODE

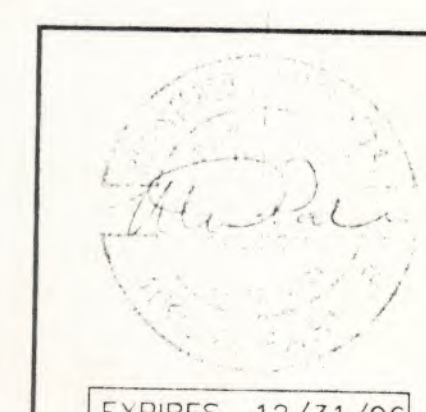
INTERSTATE 5

INTERSTATE 5

Dwg. 2

LEGEND

- SS PROPOSE SANITARY SEWER
- W PROPOSE WATER LINE
- FM PROPOSE SEWER FORCE MAIN
- SANITARY SEWER CLEANOUT w/CARBON FILTER
- STANDARD SANITARY SEWER CLEANOUT
- ① SITE NUMBER
- X SPOT ELEVATION



Rev.	Date	Dwg	Description

i.e. ENGINEERING
 548 SE Jackson Street
 Roseburg, Oregon 97470
 PHONE (541) 673-0166
 FAX (541) 440-9392

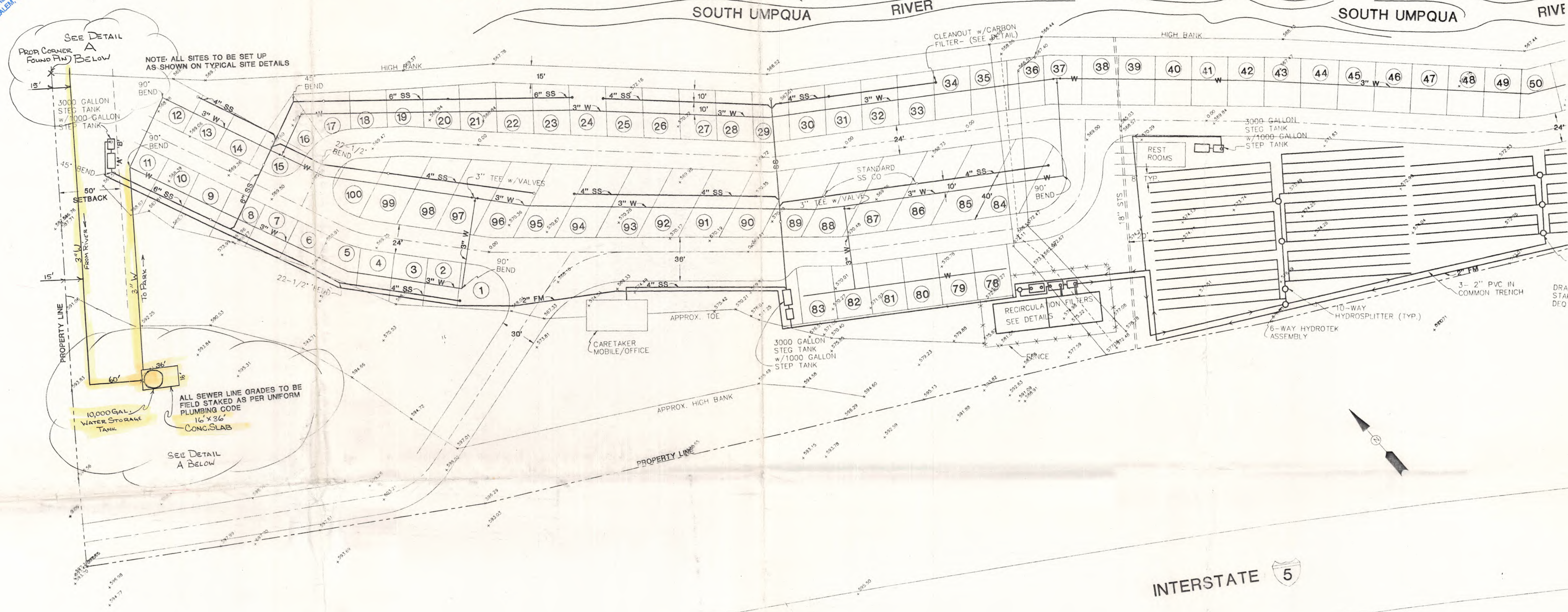
Project Name:
SOUTH UMPQUA CAMPGROUND & RV PARK

Title:
SITE PLAN

DES SNL PROJECT NO. 1270-01
 DWG FLB DATE: MAY 1996
 CHK MAP SCALE: 1" = 40'

RECEIVED
FEB 19 1997
WATER RESOURCES DEPT.
SALEM, OREGON

Superseded



INTERSTATE 5

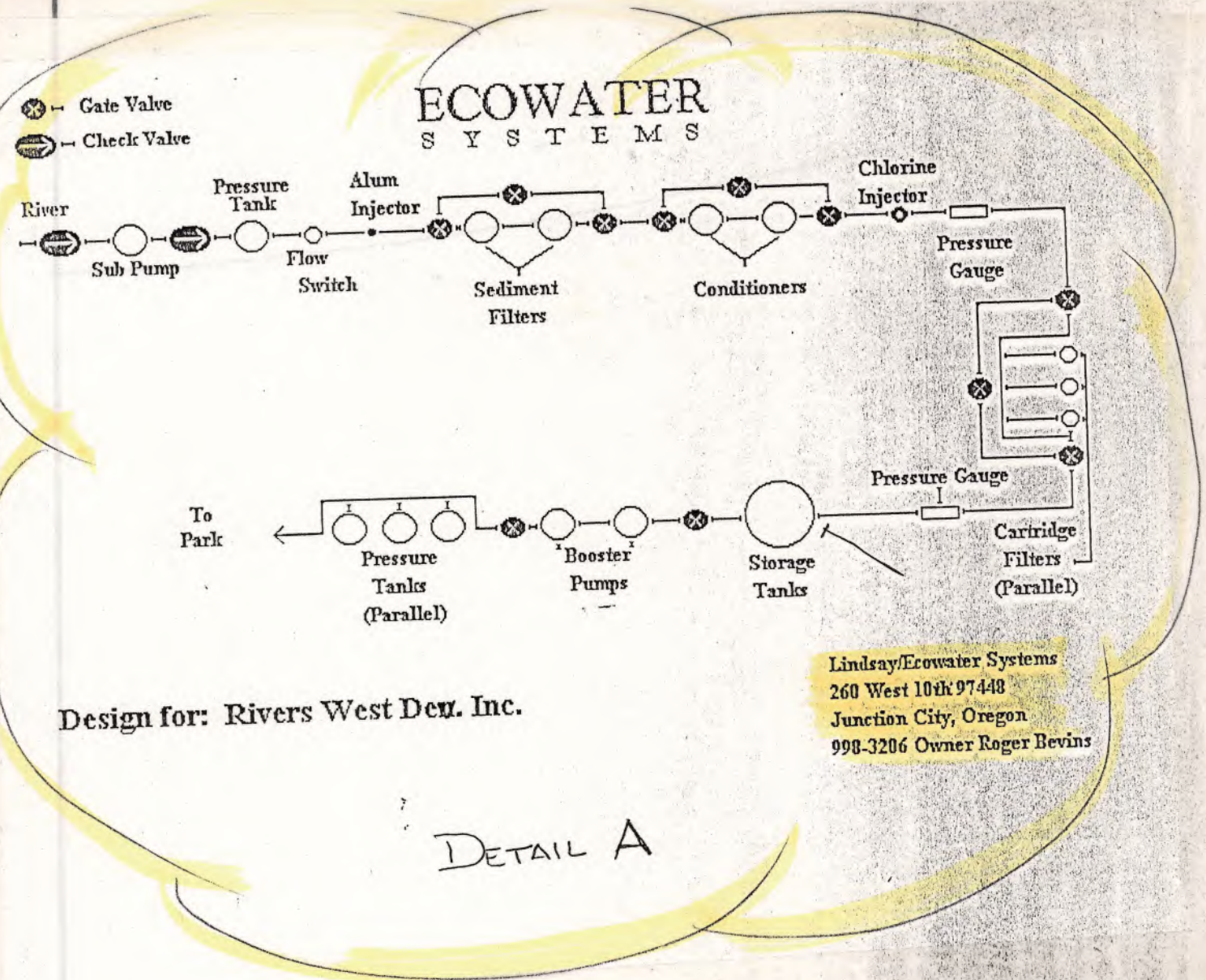
INTERSTATE 5

DWG. 1

— WATER SUPPLY SYSTEM UPPER LEFT —
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- — SANITARY SEWER CLEANOUT w/CARBON FILTER
- — STANDARD SANITARY SEWER CLEANOUT
- ① — SITE NUMBER
- X — SPOT ELEVATION

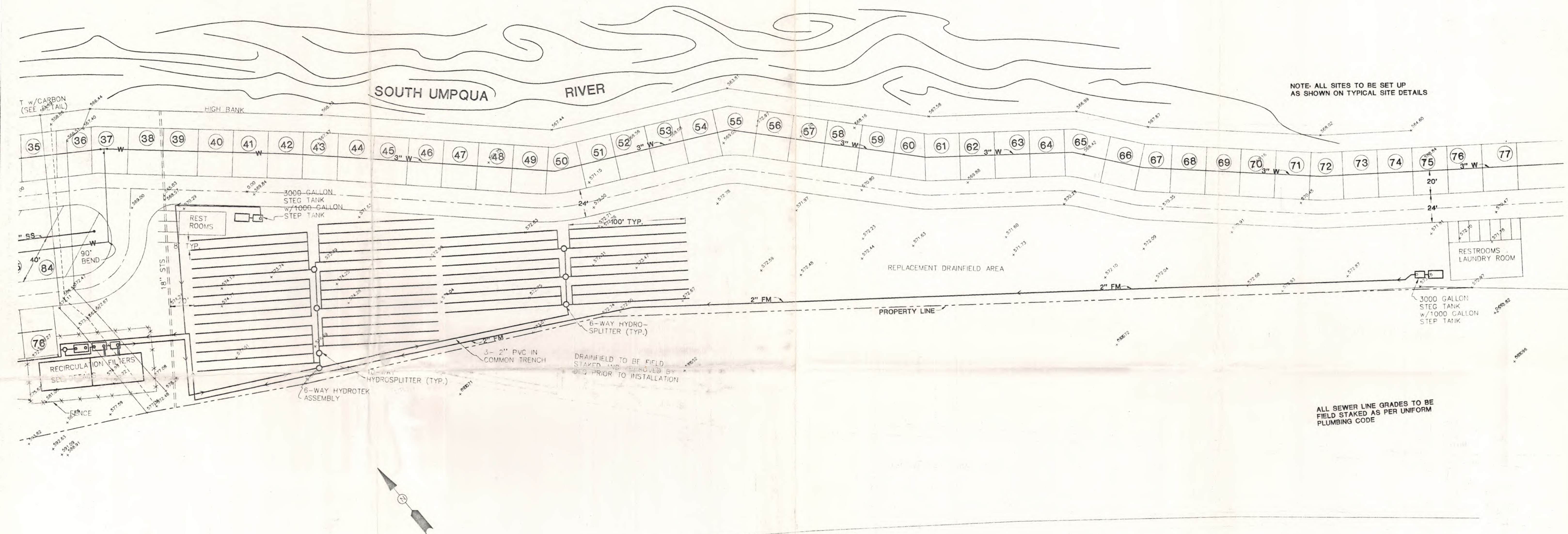


i.e.
ENGINEERING
Project Name: SOUTH UMPQUA CAMPGROUND & RV PARK
Title: SITE PLAN
DES. SNL PROJECT NO. 1270-01
DWG. FLB DATE: MAY 1996
CHK. MAP SCALE: 1" = 40'
APP. MAP SHEET 2 OF 7

548 SE Jackson Street
Roseburg, Oregon 9747
PHONE (541) 673-016
FAX (541) 440-9392

EXPIRES 12/31/96

Super sealed



NOTE: ALL SITES TO BE SET UP
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ALL SEWER LINE GRADES TO BE
FIELD STAKED AS PER UNIFORM
PLUMBING CODE

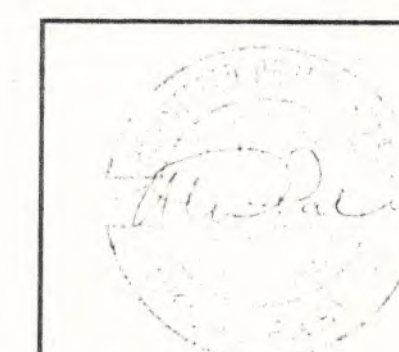
INTERSTATE 5

INTERSTATE 5

Dwg. 2

LEGEND

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- ① SITE NUMBER
- X SPOT ELEVATION



Rev.	Date	Dwg	Description

i.e.
ENGINEERING
548 SE Jackson Street
Roseburg, Oregon 97470
PHONE (541) 673-0166
FAX (541) 440-9392

Project Name:
**SOUTH UMPQUA
CAMPGROUND & RV PARK**

Title:

SITE PLAN

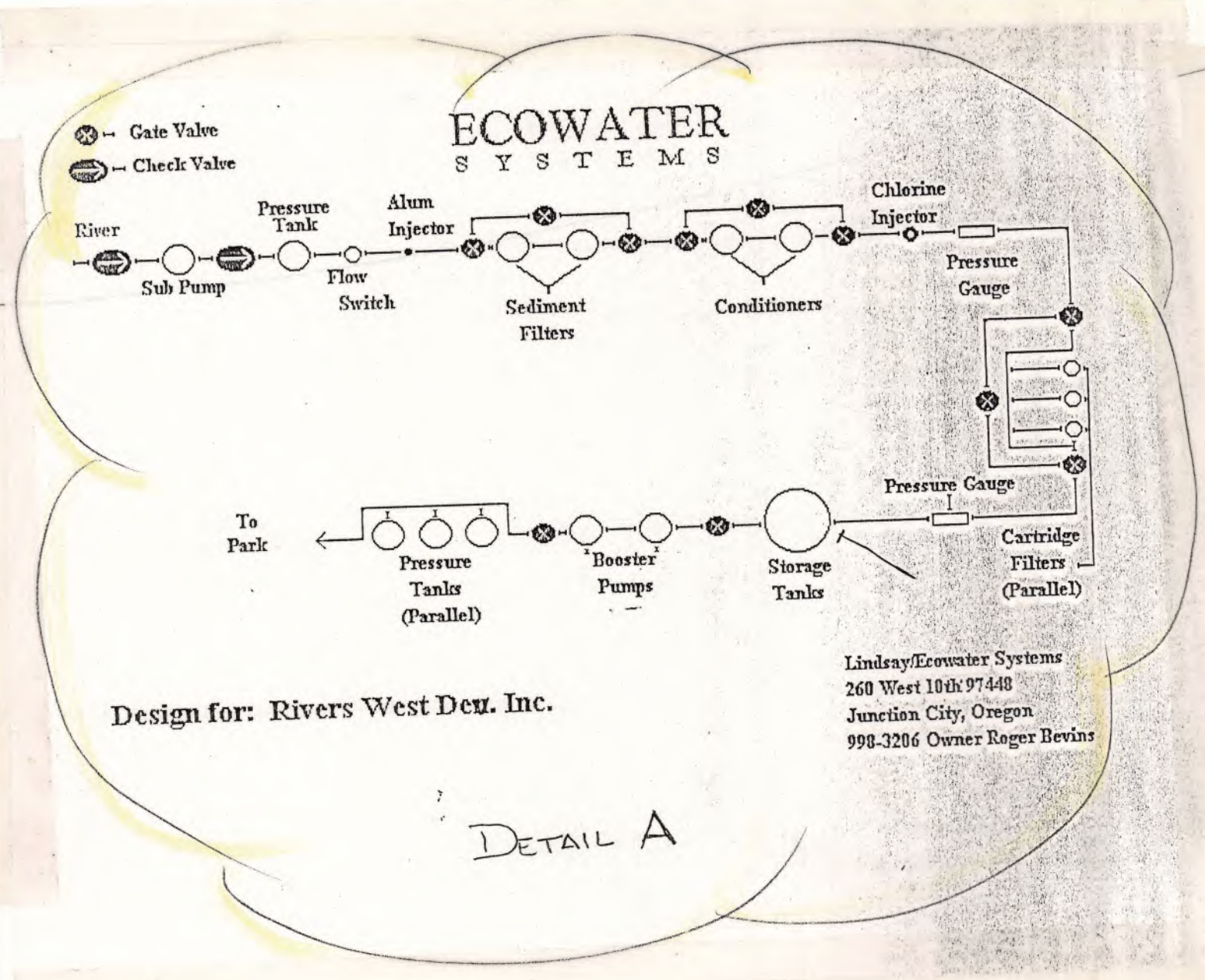
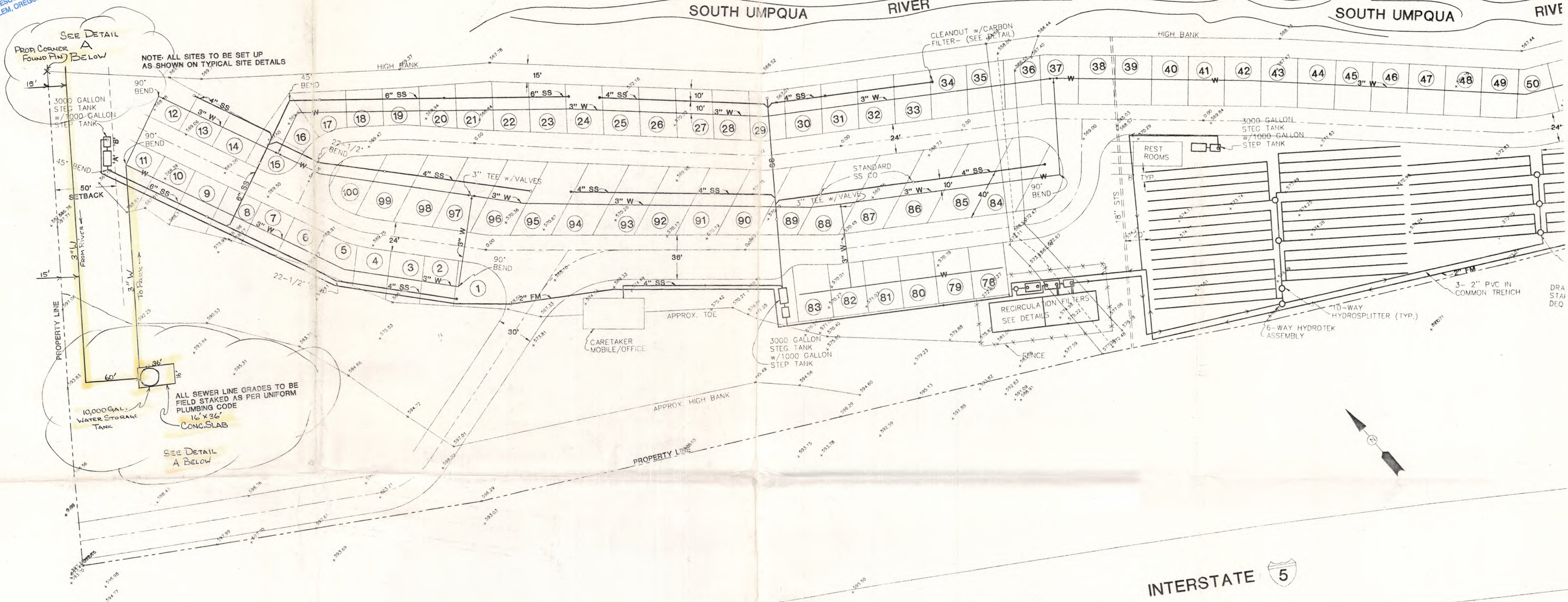
DES SNL PROJECT NO. 1270-01

DWG FLB DATE: MAY 1996

CHK MAP SCALE: 1" = 40'

APP MAP SHEET 2 OF 7

RECEIVED
FEB 19 1997
WATER RESOURCES DEPT.
SALEM, OREGON



INTERSTATE 5

DWG. 1
- WATER SUPPLY SYSTEM UPPER LEFT -
PARK TOTAL SPACES
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Rev.	Date	Dwg	Description

EXPIRES 12/31/96

Project Name:
**SOUTH UMPQUA
CAMPGROUND & RV PARK**

SITE PLAN

DES SNL PROJECT NO. 1270-01

DWG FLB DATE: MAY 1996

CHK MAP SCALE: 1" = 40'

APP MAP SHEET 2 OF 7