

FILE#: S 84852  
 SOUTH UMPQUA WATER  
 ASSOC.; QUINN, RAY  
 2080 SHOESTRING RD  
 RIDDLE, OR 97469

Application No. 84852

Permit No. S-53867

Certificate No. \_\_\_\_\_

Stream Index, Page No. \_\_\_\_\_

Date filed \_\_\_\_\_

Priority \_\_\_\_\_

Action suspended until 007

Return to applicant \_\_\_\_\_

Date of approval \_\_\_\_\_

#### CONSTRUCTION

Date for beginning 12-6-03

Date for completion \_\_\_\_\_

Extended to \_\_\_\_\_

Date for application of water 10-1-07

Extended to \_\_\_\_\_

#### PROSECUTION OF WORK

Form "A" filed \_\_\_\_\_

Form "B" filed \_\_\_\_\_

Form "C" filed \_\_\_\_\_

#### FINAL PROOF

Blank mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Date Certificate issued \_\_\_\_\_

FEES PAID		
Date	Amount	Receipt No.
08/23/01	210.00	47737
9/18/02	175.00	55617
5-18-2020	\$ 670.00	132537
Cert. Fee		
FEES REFUNDED		
Date	Amount	Check No.

ASSIGNMENTS				
Date	To Whom	Address	Volume	Page

#### REMARKS

Do you  
 want Mary  
 to send  
 Co-Op  
 2547  
 hrs? kyle

return  
to sender

fee due

621

PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300

4/15p  
Oregon

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

ADDRESS SERVICE REQUESTED

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

RECEIVED

JUN 23 2020

OWRD

333 446  
S-46924, S-60959 & S-84852  
DODGE SURVEYING & PLANNING  
RUSS S DODGE  
333 PARK AVENUE - SUITE 3  
COOS BAY, OR 97420

DODG333 974205013-1620 06/12/20P  
FORM 3547  
DODGE SURVEYING & PLANNING  
656 S 12TH CT  
COOS BAY OR 97420-1338

|||||

U.S. POSTAL SERVICE  
PS FORM 3547

1621



Application: S-84852

Permit: S-53867

Public Notice Route Slip ... New Application Extension of Time  
per Division 315 Rules... (Extensions received on July 1, 2001 or after)

Applicant/Permit

Holder(s)

South Umpqua Water Ass  
ATTN Robert T. Aton  
P.O. Box 143  
Riddle OR 97469

Proposed Completion Date: 10-1-2040

☒ WRIG...Money Received on: 5-18-2020

☐ Extension Specialist ...

☐ Added to tracking spreadsheet

After fee is receipted and app is added to spreadsheet, route to...

☒ Tonya Miller...

☒ Recent Assignment (Check WRIS for Update)

☒ Publish on Public Notice (initial 30-day comment): Date of  
notice 6/2/2020

☒ Update WRIS Database

☒ In the "PNotice Date" field... Enter the date the Extension Application  
was published on the Public Notice.

☒ In the "Ext Filed" field... Enter the date the Extension Application was  
received.

☐ Yes or ☐ No: Return file to Extension Specialist after PN \_\_\_\_\_

NOTES:



# Municipal or Quasi-Municipal

## Extension PFO Checklist for Water Use Permits

issued after November 2, 1998  
(OAR 690-315-0010 through OAR 690-315-0060)

Application: S-84852 Permit: S-53867 Permit Amendment? No ☐ Yes ☐ T-  
Permit Holder's Name: South Umpqua Water Assoc.  
Permit Holder's Mailing Address: P.O. Box 143 Riddle OR 97469  
Phone Number 541-874-2905  
POD Location: Township 30s Range 6w Section 24  $\frac{1}{4}$  SW NE  
Drainage Basin: Umpqua County: Douglas Watermaster District: IS

Date Permit was issued: 12-6-2002 Priority Date: 8-23-2001 Date of PN: 6-2-2020  
Source: Galesville Res., Filed under Per. No. R-99164, a trib of Cow Creek  
Use: ☐ Municipal ☒ Quasi-Municipal  
"Q": 20.0 AF @ 0.67 cfs  
Orig "A" Date: NA Orig "B" Date: 10-1- NA Orig "C" Date: 10-1- 2007  
Extension request received: 5-18-2020 Last Authorized "B" Date: 10-1- NA Last Authorized "C" Date: 10-1- NA  
Request Number (1, 2, 3...): 1 Proposed "B" Date: 10-1- NA Proposed C Date: 10-1- 2040

### Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
		<u>meter</u>
		<u>fish screen</u>
		<u>contract</u>
		<u>WMCP</u>

### Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0080(4)]:

Yes No

- ☐ ☐ Work was accomplished within the time allowed in the permit or previous extension  
☐ ☐ Water right permit holder conformed with the permit or previous extension conditions  
☐ ☐ Beneficial use made of the water during the permit or previous extension time limits

• Permit holder has beneficially used \_\_\_\_\_ cfs/gpm/af Undeveloped portion \_\_\_\_\_ cfs/gpm/af

- ☐ ☐ Financial investments were made toward developing the beneficial water use.

• Amount Invested to date: \$ \_\_\_\_\_ Estimated Remaining Cost: \$ \_\_\_\_\_

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes ☐ No ☐

Population 725 As of (Year) 2020 ☐ Growth \_\_\_\_\_ % ☐ Population \_\_\_\_\_ by (Year) \_\_\_\_\_ Calculated? Yes ☐

Peak Demand 0.33 (cfs/gpm) As of (Year) 2020 ☐ Peak Demand \_\_\_\_\_ cfs/gpm by (Year) \_\_\_\_\_ Calculated? Yes ☐

GW REVIEW: Y N \_\_\_\_\_

MITIGATION REVIEW: Y N \_\_\_\_\_



Application \_\_\_\_\_ - Permit \_\_\_\_\_ - Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_

**Determination of the market and the present demand for water or power to be supplied:**

Ground Water Permits: Identify the closest surface water or localized water basin. \_\_\_\_\_  
Is it located...  
Surface Water Permits: Is the POD located...

- Yes No
- ☐ ☐ within or above a state scenic waterway? Source: OWRD "Areas Above State Scenic Waterways" Map
- ☐ ☐ within a stream segment designated as a federal wild and scenic river? Source: [www.rivers.gov/wildriverslist.html#or](http://www.rivers.gov/wildriverslist.html#or)
- ☐ ☐ within a critical or limited Ground Water Area? Name of area \_\_\_\_\_
- ☐ ☐ within a sensitive, threatened or endangered species area source: "/>gisdata/dev/projects/salmon/div33map.aml"
- ☐ ☐ in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list \_\_\_\_\_
- ☐ ☐ within an area ranking low / medium / high (circle one) for stream flow restoration needs Source: OWRD "Streamflow Restoration Needs" Maps (by region)

Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. ☐ Approval of Extension Request

No ... "Good Cause" cannot be found. ☐ Denial of Extension Request

Conditions to be included in Extension PFO (if applicable)? Yes ☐ No ☐

(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

- ☐ Max "Q" Development Limitations and Div. 856 Water Management and Conservation Plan
- ☐ Other: \_\_\_\_\_

Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

- ☐ **COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987**  
"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."
- ☐ **COBU Requirement - Surface Water - post July 9, 1987**  
"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."
- ☐ **COBU Requirement - Ground Water - post July 9, 1987**  
"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

**NOTES:**

need: update on system costs  
update on compliance (meter, fish screen)  
PDD & Population to 2040  
Need WMCP Prior to EOT  
Need Water Use

**Extension "PFO" Dates**

Mailing / Issuance Date: \_\_\_\_\_ Protest Deadline Date: \_\_\_\_\_

Reviewer's Name: \_\_\_\_\_ Date: \_\_\_\_\_



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **132537**

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

INVOICE # \_\_\_\_\_

RECEIVED FROM: Russ Dodge - DDA Dodge  
BY: Surveying Planning

APPLICATION	5.84852
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 1643 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 670.00

**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 \$ 670.00

**WATER RIGHTS:**

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

**WELL CONSTRUCTION**

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

OTHER (IDENTIFY) \_\_\_\_\_

**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: **132537**

DATED: 5-18-2020 BY: [Signature]





Oregon  
Kate Brown, Governor

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

June 1, 2020

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: S-84852 (Permit S-53867)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

You may continue the use of water under your water right until the Water Resources Department formally takes action on your extension application. If your permit includes conditions, water use reporting, water level measurement reporting, etc., you are required to comply with the conditions.

Any additional development that occurs after the expired completion date, identified on the permit or an extension order, can only be claimed upon an approved extension application.

If you have questions concerning your extension of time application, please contact Jeffrey Pierceall at (503) 986-0802. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's website at: [www.wrd.state.or.us](http://www.wrd.state.or.us).

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WATER RESOURCES DEPARTMENT  
ATTN: WATER RIGHT PERMIT EXTENSION  
725 SUMMER STREET NE, SUITE A  
SALEM, OREGON 97301-1266

May 5, 2020

*DEPARTMENT OF*  
WATER RIGHT PERMIT EXTENSION;

Please find the enclosed Three (3) Applications for the Extension of Time. Submitted for the City of Riddle and the South Umpqua Water Association.

I have included separate checks for the Application Review Fee.

Please let me know if you have any questions and or if I need to make any changes.  
Please call me at (541) 404-3799, or email at [rdodge@hgel.com](mailto:rdodge@hgel.com).

Thank you,

*Russ Dodge*  
Russ Dodge

*dodge surveying & planning*  
333 S. 4<sup>th</sup> Street - Suite 3  
Coos Bay, Oregon 97420  
(541) 404-3799  
[rdodge@hgel.com](mailto:rdodge@hgel.com)



Submitted TO:  
Oregon Water Resources Department  
Application for Extension:

Applicant: South Umpqua Water Association  
Application: 84852  
Permit: 53867  
Reservoir: R 9964  
Partial Transfer: T-9543  
Certificate: 75970

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SUBMITTALS:

EXTENSION APPLICATION W/FEE ATTACHED  
Existing Application & Permit (Copies)  
EXISTING Extension Approvals (2)

**Additional / Background Information:**

Permit S-53867 is in the name of South Umpqua Water Association with a Priority Date of August 23, 2001, with a Maximum volume of 20.00 Acre Feet at a rate of 0.67 cfs. The Source of Water being the Galesville Reservoir filed under Permit R-9964. The Point of Diversion is located at the Existing City of Riddle Water Treatment Plant. The Intake located at the Water Treatment Plant has a screened inlet, which is checked regularly.

A Certificate of Water Right [75970] was issued in the name of Douglas County Water Resources Survey, dated January 22, 1999. This Certificate included a Transfer in character of use maintaining minimum stream flows. A number of Stipulated Facts were acknowledged and or adopted by ODFW and Douglas County. The result was a reservation of 4,450 Acre Feet for Municipal Use.

Application REFERENCE 14 –

Water Right Permit S-45405 did not contain any stated conditions, however the City of Riddle and SUWA acknowledge the existence of and the necessity to protect listed fish species and other habitat that depend upon the volume and quality of the waters of the entire subject areas. These include vegetation dependent upon the waterways along with fish species, (salmon among others), frogs, turtles, and owls, to name a few.

- This Water Right has been used with no idle periods Per Water Use Report 12066.  
Upon Approval of this Extension the City will submit a Water Management & Conservation Plan.

*dodge surveying & planning*

333 S. 4<sup>th</sup> Street – STE 3  
Coos Bay, Oregon 97420

(541) 404-3799

May 04, 2020



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

## Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits

Make use of this form, *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits*, only if the permit uses the word "Municipal" or "Quasi-municipal" in the description of the purpose or use to which water is to be applied.

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

A separate extension application must be submitted for each permit as per OAR 690-315-0070(2). This page, with an original signature by the permit holder of record, must accompany the extension of time application.

*This application and a summary of review criteria and procedures that are generally applicable to this application are available at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>*

**I, SOUTH UMPQUA WATER ASSOCIATION**

NAME OF PERMIT HOLDER [OAR 690-315-0070(1) and (3)(a)]

**ROBERT TILTON**

NAME OF CONTACT

P.O. BOX 143

ADDRESS

RIDDLE

CITY

OR

STATE

97469

ZIP

(541) 874-2905

PHONE

corpwrt@frontier.com

E-MAIL ADDRESS

**RECEIVED**

the permit holder of:

Application Number S-84852

**MAY 18 2020**

Permit Number S-53867

[OAR 690-315-0070(3)(b)]

**OWRD**

do hereby request that the time in which to:

- ☒ complete construction (of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water), which time now expires on October 1, 1987, be extended to October 1, 2040,

and/or the time in which to:

- ☒ apply water to full beneficial use under the terms and conditions of the permit, which time now expires on October 1, 1987, be extended to October 1, 2040.

I am the permittee, or have written authorization from the permittee, to apply for an extension of time under this permit. I certify that the information I have provided in this application is true and correct to the best of my knowledge.

[Signature]

Signature

5-11-20

Date



**Before submitting, make sure the following items are included:**

- Completed Application for Extension of Time
- Statutory fee of \$670. Application received without the correct fee of \$670.00 will be returned.
- Signature page (page 1 of application) for Application for Extension of Time
- All supporting documentation and/or evidence referenced in the Application for Extension of Time

**RECEIVED**

**MAY 18 2020**

**OWRD**

**MAIL COMPLETED APPLICATION**

**along with the**

**STATUTORY FEE (ORS 536.050) TO:**

**Water Resources Department  
Attn: Water Right Permit Extensions  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266**

**GENERAL TIPS:****OWRD**

- A separate Application for Extension of Time must be submitted for each permit. OAR 690-315-0070(2).
- Request the reasonable amount of time necessary to fully develop the permit and complete the project. If you don't request enough time, OWRD may be unable to find that you can complete the project within the time requested.
- Permit extensions for Municipal and Quasi-Municipal permits are evaluated under OAR Chapter 690, Division 315. Except under limited circumstances (see OAR 690-315-0090), upon issuance of an order approving an extension of time, the permit holder will be required to submit a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86 within 3 years. Diversion of water beyond the maximum rate currently diverted under the permit shall only be authorized upon approval of a WMCP. These rules may be viewed at: <http://www.wrd.state.or.us/OWRD/LAW/index.shtml>.
- The Application for Extension of Time includes detailed tips and instructions to help you respond to each item of the application. Oregon water law and administrative rules require the OWRD to consider each of these items when reviewing a municipal or quasi-municipal water use Application for Extension of Time. However, please feel free to provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 315-0070(3)(p).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights and Adjudications Division.
- Once an Application for Extension of Time is received by OWRD, it will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0080(1)(a).

**Reference Materials Needed to Complete this Application**

Below is a listing of the items that must be reviewed and considered when completing an Application for Extension of Time for a Municipal or Quasi-Municipal water use permit:

- The subject water right permit. If needed, a copy of the water right permit can be downloaded from the Department's Website at <http://apps.wrd.state.or.us/apps/wr/wrinfo/> (the link to the Water Rights Information System (WRIS)). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- Water Management and Conservation Plan (OAR Chapter 690, Division 86), *if applicable*, per OWRD.



- Water System Master Plan, *if applicable*, per Oregon Health Division.
- Documentation which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; a long-term alternative water supply plan; a plan to monitor the effect of water use on ground water aquifers utilized under the permit, etc.).
- All other water rights (certificates, permits, permit amendments, transfers, and/or new applications) held by the applicant.

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### **Definitions Pertinent to this Application for Extension of Time**

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**Actual Construction** - any physical work performed toward completion of the water system which demonstrates the water right permit holder's good faith and intention to complete the project with reasonable diligence. Actual construction does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, or surveying. This definition applies to quasi-municipal permit holders, required under the applicable statute, and for municipal water use permits issued on or after June 29, 2005. OAR 690-315-0070(3)(c) and (d), and OAR 690-315-0020(3)(d)(A) and (B).

**C-Date** – the date specified in the permit or previous extension of time for complete application of water.

**Permitted Time Period** - period of time between the date when the permit was signed *and* the date specified in the permit for complete application of water

**Time Period of the Previous Extension** – *For the 2nd Application for Extension of Time* - period of time between the date specified in the permit for complete application of water and the new “extended to date” for complete application of water specified in the 1st approved extension.

*For the 3<sup>rd</sup>, 4<sup>th</sup>, or . . . n<sup>th</sup> Application for Extension of Time* - period of time between the “extended from date” for complete application of water and the “extended to date” for complete application of water specified in the most recently approved extension.

**Undeveloped Portion of the Permit** - the portion of the permit that is the difference between the maximum rate, or duty if applicable, specified in the permit and the maximum rate, or duty if applicable, diverted for beneficial use by June 29, 2005, or the C-date of the permit, whichever is later. (ORS 537.230(3)(d) and ORS 537.630(3)(d))

**Work and Actions Accomplished** - includes both physical work and other activities associated with the development of the water right, such as: water management planning; conservation planning; development of a water master plan for the Oregon Health Division; planning of a diversion system; demand forecasting; flow or water quality monitoring; source evaluation; entry into intergovernmental agreements for water delivery; property acquisition; engagement in governmental permitting or project financing; procurement of planning, design or construction services; surveying; and any physical work performed toward completion of the system and development of the right (e.g., pumps; pipes; well construction; treatment plant/facilities; transmission systems; distribution systems; and/or intake structures). OAR 690-315-0080(4).



# Completing the Extension of Time Application for Quasi-Municipal or Municipal Use Permits

Please provide the information requested by item numbers 1-13. OWRD will use this information to evaluate your Application for Extension of Time.



TIP:

*When making a reference to any document, report, and/or plan:*

- (1) reference the source document along with any page number(s), table(s) and/or chart(s) used in the response, and*
- (2) include a copy of the source document (or appropriate pages) with the extension application.*

[OAR 690-315-0070(3)]

1. **Submit the appropriate extension of time fee (\$670), as specified under ORS 536.050.**  
If the extension application fee has already been paid, please provide indicate why and when it was paid. *The statute for this fee may be viewed at*  
[http://www.oregonlegislature.gov/bills\\_laws/lawsstatutes/2013ors536.html](http://www.oregonlegislature.gov/bills_laws/lawsstatutes/2013ors536.html)

[OAR 690-315-0070(3)(c)]

2. **For Quasi-Municipal water use permit holders, provide evidence of the actions taken to begin actual construction on the project if required under the applicable statute.** All Quasi-Municipal permits issued prior to October 23, 1999, are generally required to begin actual construction within one (1) year.



TIP:

*See Definition of "Actual Construction"*

**Begin Date:** 8/2001. **Construction of** INSTALLATION OF SYSTEM **began.**  
(month/year) (details)

[OAR 690-315-0070(3)(d)]

3. **For Municipal water use permits issued on or after June 29, 2005, evidence of the actions taken to begin actual construction on the project.**



TIP:

*See definition of "Actual Construction"*

**Begin Date:** \_\_\_\_\_. **Construction of** \_\_\_\_\_ **began.**  
(month/year) (details)

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### CHART-I

QWRD



CHART-I (continued)		
INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED DURING THE MOST RECENT EXTENSION OF TIME GRANTED <i>For Other than 1<sup>st</sup> Application for Extension of Time: List any work/actions done during the time period most recent extension.</i>	COST
10/1/	Date of the last "Extended From Date" for complete application of water (used on the most recently approved extension of time).	RECEIVED
		MAY 18 2020
		OWRD
10/1/	Last "Extended To" date for complete application of water (resulting from the most recently approved extension of time).	
INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED AFTER THE MOST RECENT EXTENSION OF TIME GRANTED <i>List work/actions done after the last authorized date for complete application of water has passed.</i>	COST
Total Cost to Date		

[OAR 690-315-0070(3)(f)]

5. Provide evidence of compliance with conditions contained in the original permit, in any previous extension(s), and/or in any permit amendments (Chart II), or the reason the condition was not satisfied (Chart III).

Conditions requiring a response in the extension of time application include those which:

- Stipulate a specific date by which the permit holder was to accomplish a specific action, such as a condition that requires plans and specifications for a reservoir, a Water Management and Conservation Plan, a ground water monitoring plan or some other document which "...shall be submitted...within two years of permit issuance." If your permit requires submittal of a Water Conservation and Management Plan, please indicate the date the plan was submitted to or approved by OWRD, or whether it is still being drafted, etc.;
- and/or
- Are triggered by the use of water, but do not stipulate a specific date. These conditions represent a milestone in development of the project and use of water, such as the permit holder, "shall install...a water meter or other suitable measuring device approved by the Director...before any use of water begins." Another common condition triggered by the use of water is that; "fish screens are to be installed according to Oregon Department of Fish and Wildlife specifications."





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**TIP:**

Any supporting documentation submitted to demonstrate compliance with time-sensitive permit conditions or any conditions from prior permit extension(s) must be clearly referenced and may include, but is not limited to: well construction logs; static water level measurement reports, annual water use reports; a Water Management and Conservation Plan; an alternative long-term water supply plan; and/or a plan to monitor the effect of water use on ground water aquifers utilized under the permit. If needed, please contact OWRD for assistance in identifying and/or interpreting which conditions in the water permit are pertinent to the Application for Extension of Time.

- 5-A) Describe how each condition has been complied with. Include conditions contained in the original permit (and, if applicable, each condition contained in any order approving a permit amendment and/or a final order approving a prior extension of time). Include the date when the condition was satisfied.**

### CHART-II

Condition No.**	Date Satisfied	Describe How Permit Condition Has Been Satisfied
1 (a)		Meter Installation
2		Intake Fish Screening
3		Preperation of Water Management & Conservation Plan

\*\* Condition No: Attach a copy of the permit and, if applicable, any prior permit extensions or permit amendments with conditions identified and hand-numbered in a continuous number sequence throughout all such documents. Responses to Items 5-A and 5-B should reference each condition by number to correspond with the hand-written number sequence on the attached documents containing permit conditions.

- 5-B) If applicable conditions have NOT complied with all, explain the reasons why and indicate with a date certain (in the near future) when compliance will occur.**

### CHART-III

Condition No.**	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied



6. Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit. Report water use as of June 29, 2005, or the C-Date of the permit (whichever is later).



**TIP:** Documentary evidence substantiating the maximum instantaneous rate, or duty if applicable, of water appropriated may include, but is not limited to: water meter records; dedicated electrical meter records; business records; and/or a sworn affidavit.

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**6-A) For Surface Water Permit Extensions:**



**TIP:** Report in the same units of measurement as specified in the permit. In this section, report only water use made under THIS permit:

**Maximum instantaneous rate (as of June 29, 2005, or C-date (whichever is later))**

= \_\_\_\_\_ cfs, or  
(cubic feet per second)

**Maximum instantaneous rate (as of June 29, 2005, or C-date (whichever is later))**

= \_\_\_\_\_ gpm, or  
(gallons per minute)

**Acre Feet stored as of June 29, 2005, or C-date (whichever is later) = Unknown**

AF

**6-B) For Ground Water Permit Extensions:**



**TIP:** Include information from ALL wells that pertain to this permit, including drilled wells not currently used.

CHART-IV

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED						
			Well Log Number E.g. MULT 60493	Well Tag Number E.g. # 40151 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment? (See below)	Maximum instantaneous rate used by June 29, 2005, or C-date (whichever is later) -- from this well -- under this permit only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	If yes, provide the rate used from this well under each water right. (Typically the total of all uses from a single well will not exceed the well's pumping capacity.)	
								Permit, Certificate, or Transfer No.	Rate (CFS or GPM)
		Yes <input type="checkbox"/>			Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	-	
		No <input type="checkbox"/>			No <input type="checkbox"/>		No <input type="checkbox"/>	-	
		Yes <input type="checkbox"/>			Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	-	



	No <input type="checkbox"/>		No <input type="checkbox"/>		No <input type="checkbox"/>	-
	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	-
	No <input type="checkbox"/>		No <input type="checkbox"/>		No <input type="checkbox"/>	-
	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	-
	No <input type="checkbox"/>		No <input type="checkbox"/>		No <input type="checkbox"/>	-
Total instantaneous rate from all wells utilized under this permit used as of June 29, 2005, or C-date (whichever is later)						

6-C) If the drilled location of a well is not authorized on this permit, please specify its location below, or provide a map showing its location. Has or will a permit amendment application been/be filed with OWRD? Yes ☐ No ☐

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If a Permit Amendment Application has been filed: Transfer No. T-\_\_\_\_\_

Well #\_\_\_\_\_: Actual location: \_\_\_\_\_

Well #\_\_\_\_\_: Actual location: \_\_\_\_\_

[OAR 690-315-0070(3)(h)]

7. Provide an estimate of the current population served under this permit and a description of the methodology(ies) used to make the estimate.

Estimate the current population that is supplied water by the municipality or quasi-municipality and if applicable, current population served under this permit. Describe how that estimate was derived, or cite the source document from which the data was obtained. Include any calculations, formulas, supporting documentation, including copies of source documents.

**Current Population: 725 as of Year: 2020**

Methodology used to estimate current population served: City of Riddle WMP

[OAR 690-315-0070(3)(p)]

8. Report the current peak water demand of the current population served, and a description of the methodology(ies) used to make the estimate.

Identify the total rate, or duty if applicable, of water being used to meet the current peak demand for water from all water rights held by the municipal or quasi-municipal entity. This must be reported in the same units of measurement as specified in the permits, being cfs (cubic feet per second), gpm (gallons per minute), and/or AF (acre-feet – usually only specified on a reservoir right to store water). This total rate should be based on the information provided on "Attachment A" in the column named "Max Amount of Beneficial Water Used to Date" [under Item 10-A (a)].

**Current Peak Water Demand: 0.33cfs as of Year: 2020**



Methodology used to estimate current peak demand: City of Riddle WMP (BASED ON A PER CAPITA VALUE (0.00045 CFS))

[OAR 690-315-0070(3)(k)]

9. Provide a summary of any events that delayed completion of the water development or application of water to full beneficial use, including other governmental requirements (if any), relating to the project that have significantly delayed completion of construction or perfection of the right.



TIP:

*Such events may include, but are not limited to: the size and scope of the project; financing and/or cash flow issues; local referendums or initiatives; actual growth rates; economic downturns; loss of territory to annexation; water conservation efforts; the need to meet other governmental requirements relating to the project; natural disasters and severe weather; and/or any other events over which the water right permit holder had no control and which delayed development under the permit.*

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The City of Riddle is in the process of the preparation of a Water Master Plan, this includes an evaluation of the South Umpqua Water Association (Rights). the WMP will provide an evaluation of the System in it's entirety. This Permit includes R-9946, T 9543, and evidenced bvy Certificate 75970. It is subject to STIPULATED FACTS. (Copy Attached)

[OAR 690-315-0070(3)(l)]

- 10-A. Provide an estimated demand projection and a description of the methodology(ies) used for the subject water right permit, considering the other water rights held by the municipal or quasi-municipal water use permit holder, and a date by which the water development is anticipated to be completed and water put to full beneficial use.

In developing your estimated demand projections for the permit being extended, you should include the following items:

a) Inventory of Water Rights Held

List all water rights held, including this permit, currently held by the permit holder. Use the format shown in "Attachment A" (see last page of this Application for Extension of Time). A link to the Water Rights Information System (WRIS), accessed through OWRD's website at <http://apps.wrd.state.or.us/apps/wr/wrinfo/> may be a helpful source for compiling this information.

Use the "Use Limitations" column to identify and explain why any water right is not currently utilized to meet current peak water demands, or which is used only in a limited capacity.



TIP:

*Use limitations include any factors affecting the use of a water right, such as: used for system redundancy; used for emergency back-up water*

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*supply; climate patterns or turbidity result in seasonal unavailability;  
not used due to water quantity issues, etc.*

b) Water Supply Contracts and/or Agreements

List any water supply contracts or agreements for water that will be supplied by the permit holder to other entities.

None

List any water supply contracts or agreements for water that will be supplied from other entities that the permit holder will depend on to meet its own current or anticipated future water needs.

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c) Projected Population

Identify the projected population growth rate. The population projection must be extended out, at a minimum, to the year requested for complete application of water. Describe the methodology used to create the population projections such as historical growth rates or any factors affecting growth trends.

**Population Growth Rate: 0.0%**

**Projected Population: 725 as of Year: 2030**

Methodology used to estimate projected population and population growth rate: City of Riddle WMP

d) Future Peak Water Demands

Identify the projected peak water. The peak water demand projection must be extended out, at a minimum, to the year requested for complete application of water. Describe the methodology used to create the water demand projection, such as historical growth rates or any factors affecting growth trends. Include a summary of how the subject permit, and other water rights and /or supply contracts held by the permit holder are planned or expected to be used to meet anticipated future water needs

**Projected Peak Water Demand: 0.33 cfs as of Year: 2030**

Methodology used to estimate peak water demand: City of Riddle WMP

e) Potential Growth

Describe the potential for growth of the service area (such as the annexation of lands or new industrial and/or commercial ventures locating within the service area) and describe how those projects are expected to affect future water demands.



The Potential for Growth within the boundaries of the South Umpqua Water Association is relatively low. It is characterized by scattered larger parcel sizes.

f) Completion Date

Provide the date by which the water development is anticipated to be completed and water put to full beneficial use. **October 1, 2030**

[OAR 690-315-0070(3)(l)]

- 10-B. Application for Extension of Time requests for greater than 50 years must include documentation that the demand projection is consistent with the amount and types of lands and uses proposed to be served by the permit holder.**



*TIP: If you are requesting an extension of greater than 50 years, it is very important to provide all available documentation (including estimates, projections, other related information, and all associated data) supporting the position that the demand projection is consistent with the amount and type of lands and uses to be served by the permit holder.*

Show that permit holder's potential for future growth and expansion is feasible and consistent with the amounts and types of lands and uses proposed to be served. Information that may be addressed includes, but is not limited to: land use plan(s); current service area(s) in relation to the urban growth boundary; amounts of lands currently un-served and available for future development; and/or low-density vs. high-density areas.

The South Umpqua Water Association boundary or service area does contain unserved areas available for future development. An adequate water supply does exist providing water for future development. It is a low-density area, rural in nature.

[OAR 690-315-0070(3)(j) and OAR 690-315-0070(3)(m)]

- 11. Provide an estimate of the costs to complete water development and summary of the future plan and schedule to complete construction and/or perfect the water right.**

Considering the demand projections in Item 10-A, describe major future work and actions that must be accomplished in order to fully develop and perfect the subject permit. Provide a list of the major planning, work and/or actions needed, the approximate time frames, and estimated costs anticipated to complete the water development within the parameters of this permit. The review of a Capital Improvement Plan (CIP) or other system infrastructure improvement plans may help when formulating a response.

## CHART-V



APPROXIMATE DATE RANGE	WORK AND ACTIONS TO BE ACCOMPLISHED	ESTIMATED COST
	Continued Maintenance is included in the City of Riddle	N/A
Year: <u>2030</u>	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Estimated Total Cost to Complete Development		\$0.00

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[OAR 690-315-0070(3)(n)]

12. Justify the time requested to complete the project and/or apply the water to full beneficial use.

A justification should integrate information from Items 5-B, 6-A or 6-B, 9, 10-A, and 11 of this application, and should include any other information or evidence to establish that the requested amount of time is reasonable, and that you will be able to complete the project within the amount of time requested.

The South Umpqua Water Association future is dependent upon the City of Riddle's future in terms of upgrading existing facilities and the yearly maintenance plan.

[OAR 690-315-0070(3)(o)]

13. Provide any other information you wish OWRD to consider while evaluating the Application for Extension of Time

\_\_\_\_\_

[OAR 690-315-0070(3)(q)]

14. For Municipal water use permits issued before November 2, 1998, for the first extension issued after June 29, 2005, provide a copy of any agreements regarding use of the undeveloped portion of the permit between the permit holder and a federal or state agency that include conditions or required actions that maintain the persistence of listed fish species in the portions of the waterways affected by water use under the permit.



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# Water Rights Inventory for (Name of Entity)

## SOUTH UMPQUA WATER ASSOCIATION

(List of All Permits, Permit Amendments, Certificates, Transfers, New Applications)

**Ground Water**

Application No.	Permit No.	Priority Date	Certificate No.	P.A. <sup>1</sup> or Transfer No.	Source of water identified in water right	Facility Name used by entity	Use	Rate identified in water right (cfs or AF)	Actual Diversion	Author Complete Date
									Maximum Instantaneous Rate Diverted to Date (cfs)	

**Surface Water**

Application No.	Permit No.	Priority Date	Certificate No.	P.A. or Transfer No.	Source of water identified in water right	Facility Name used by entity	Use	Rate identified in water right (cfs or AF)	Actual Diversion	Author Complete Date
									Maximum Instantaneous Rate Diverted to Date (cfs)	
46924	35103	4/29/70			COW CREEK	SUWA	QM	cfs		
84852	53867	AUGUST 23, 2001			COW CREEK	SUWA	QM	AF		

**Pending New Water Right Applications**<sup>1</sup> P.A. = Permit Amendment<sup>2</sup> Date by which full application of water is to be made within the terms and conditions of the permit (date will be specified in the permit or on the last extension)<sup>3</sup> If a particular water right certificate, permit, or transfer is not being utilized to meet current demands, or its use is somehow limited due to quality, seasonal, or diversion rate is less than a certificated rate, please explain why.



Application No.	Priority Date	Source	Proposed Use	Proposed Rate

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Attachment "A"  
For Extension of

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STATE OF OREGON

COUNTY OF DOUGLAS

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PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RAY QUINN FOR SOUTH UMPQUA WATER ASSOC.  
2080 SHOESTRING RD  
RIDDLE, OREGON 97469

(541) 874-2387

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

APPLICATION FILE NUMBER: S-84852

SOURCE OF WATER: GALESVILLE RESERVOIR, FILED UNDER PERMIT NUMBER R-9964,  
A TRIBUTARY OF COW CREEK

PURPOSE OR USE: QUASI-MUNICIPAL USE

MAXIMUM VOLUME AND RATE: 20.0 ACRE FEET EACH YEAR TO BE DIVERTED AT A  
RATE OF 0.67 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: AUGUST 23, 2001

POINT OF DIVERSION LOCATION: SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SECTION 24, T30S, R6W, W.M.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SECTIONS 15, 16, 17, 18,  
19, 20, 21, 22,  
27, 28, 29, 30,  
31, 32, 33, 34  
TOWNSHIP 30 SOUTH, RANGE 5 WEST

SECTIONS 13, 14, 22, 23,  
24, 25, 26, 27,  
28, 29, 30, 31,  
32, 33, 34, 35,  
36  
TOWNSHIP 30 SOUTH, RANGE 6 WEST

SECTIONS 1, 2, 3, 4, 5, 6  
TOWNSHIP 31 SOUTH, RANGE 6 WEST, W.M.



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Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The permittee may submit evidence that the Oregon Department of Fish and Wildlife (ODFW) has determined screens and/or fishways are not necessary. The required screens and fishways are to be in place, functional, and approved by ODFW before diversion of any water.

The use of water under this right is subject to the terms and conditions of contracts U&I 2001-4 and U&I 2001-6, or a satisfactory replacement, between Douglas County Public Works and the applicant, copies of which are on file in the records of the Water Resources Department.

On or before October 1, 2007, the permittee shall submit a Water Management and Conservation Plan consistent with OAR Chapter 690, Division 86. The Director may approve an extension of this timeline to complete the required Water Management and Conservation Plan.

#### STANDARD CONDITIONS

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



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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.

Complete application of the water to the use shall be made on or before October 1, 2007. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued December 4, 2002

  
Paul R. Cleary, Director  
Water Resources Department

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the

Application S-84852  
Basin 16

Water Resources Department  
Volume 4A COW CR MISC

PERMIT 53867  
District 15



purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

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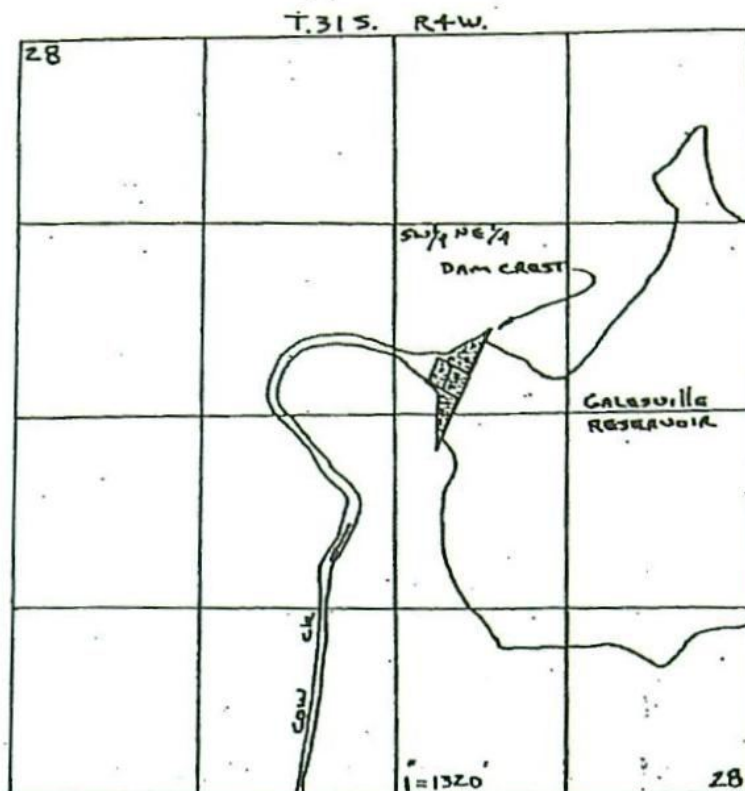
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Application S-84852  
Basin 16

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Volume 4A COW CR MISC

PERMIT 53867  
District 15



DAM (Pod) = 2920' N. ; 2060' W. From SE COR. S. 28

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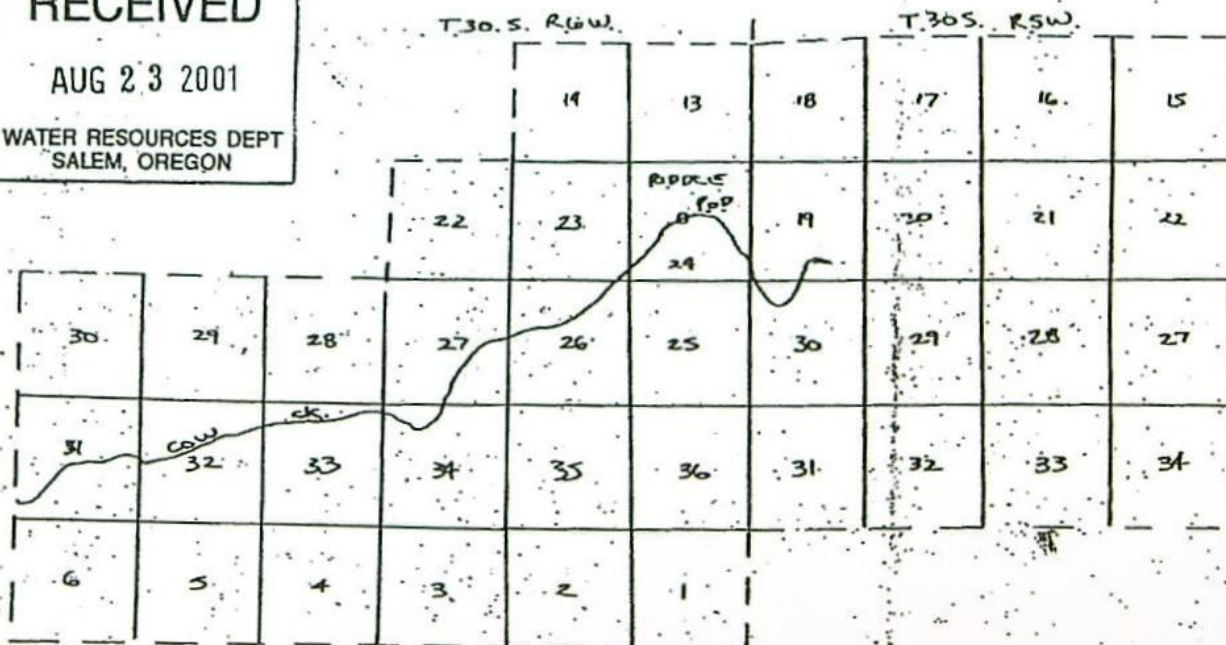
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AUG 23 2001

WATER RESOURCES DEPT  
SALEM, OREGON



— — — — — = DISTRICT BOUNDARY = PLACE OF USE

Pod = 2140' S. ; 2240' E. From NW COR. S. 24, T.30 S. R.6 W.

Application No. 84852  
Permit No. 53867





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## STATE OF OREGON

OWRD

County of DOUGLAS

# PERMIT to CONSTRUCT a RESERVOIR and to STORE for BENEFICIAL USE the PUBLIC WATERS

This is to certify that I have examined APPLICATION R-61641 and do hereby grant the same SUBJECT TO EXISTING RIGHTS AND THE FOLLOWING LIMITATIONS AND CONDITIONS:

This permit is issued to Douglas County Water Resources Survey of Room 103, Justice Building, Roseburg, Oregon 97470, phone 440-4255, for the construction of Galesville Reservoir and storage of water from Cow Creek to be appropriated under Application 61642, Permit 48635 for the use of 4000 acre-feet for fish enhancement, and permits to be issued approving applications to be filed to provide for the use \* The dam will be LOCATED in the: SW 1/4 NE 1/4 of Section 28, Township 31 South, Range 4 West, WM, in the County of Douglas.

The maximum height will be 167 feet above the stream bed or ground surface at the centerline. The top width will be 954 feet, slope of upstream face Vert., slope of downstream face 1:8, and height of dam above water line when full 16.0 feet

The area submerged by the reservoir, when full, will be 635 acres, and the maximum depth of water will be 132 feet

\* of 4450 acre-feet for municipal use, 2400 acre-feet for industrial use, 14,951 acre-feet for irrigation and 16,424 acre-feet for recreation,

The location and dimensions of the spillway are: Around the dam, the bottom width of the spillway will be 175 feet. The top width of the spillway will be 175 feet. The distance between the crest of the dam and the crest of the spillway will be 16.0 feet.

The location and dimension of the outlet conduit will be: The outlet works will be located to the right of the spillway and will consist of three conduits embedded at the base of the dam. Two of the conduits will be controlled by 54-inch butterfly valves, and will be connected to intakes which move in the vertical. The third conduit will be controlled by a 66-inch butterfly valve, and will be connected to a stationary low level intake. The three conduits will merge into a single conduit controlled by a 60-inch Howell-Bunger valve. Two 36-inch diameter penstocks controlled by butterfly valves will branch off from the conduit controlled by the Howell-Bunger valve.

The structure is in the channel.

The dam will be roller compacted concrete.

The right hereunder shall be limited to the storage of 42,225 acre-feet

The PRIORITY DATE of this permit is May 6, 1981 for 38,000 af and February 23, 1982 for 4,225 af

Actual construction work shall begin on or before August 14, 1985, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1985. Extended to October 1, 1987

Witness my hand this 14th day of August

1984

/s/ WILLIAM H. YOUNG

WATER RESOURCES DIRECTOR

This permit, when issued, is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

APPLICATION R-61641

"CERTIFICATE NO.

75970

PERMIT

R 9964



FEB 26 2008



T315 R4W S27				
	NE1/4	NW1/4	100	X
	SE1/4	NW1/4	100	X
LOT-5	SE1/4	NW1/4	100	X
LOT-6	NW1/4	NE1/4	100	X
	SW1/4	SE1/4	200	X
	SW1/4	SE1/4	300	X
		SW1/4	200	X
			500	X
			700	X

T315 R4W S35	SW1/4 NW1/4	201	X
	W1/2 SW1/4	100	X

NW1/4	NW1/4	501	X
SW1/4	NW1/4	501	X
SE1/4	NW1/4	601	X
SW1/4	NE1/4	700	X

LOCATED 1539.52 FEET SOUTH AND 1293.40  
FEET EAST FROM THE NORTHWEST CORNER OF  
SECTION 1; BEING WITHIN THE SW¼ NW¼ OF  
SECTION 1, TOWNSHIP 32 SOUTH, RANGE 4  
WEST, W.M. DOUGLAS COUNTY.

CAGING STATION  
14.3089.90 \ /

SW/NW

MAY 18 2020

OWRD

**JORDAN ENGINEERING**  
460 JORDAN LANE  
ROSEBURG, OR 97470  
(541) 673-1931  
020708

LOCATED 2345.95 FEET SOUTH AND 3116.50 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 28; BEING WITHIN THE SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> OF SECTION 28, TOWNSHIP 31 SOUTH, RANGE 4 WEST, W.M. DOUGLAS COUNTY.

GALESVILLE DAM (RESERVOIR) OUTLET: FOD-1 IS LOCATED 180' NORTH AND 255' EAST FROM THE WEST QUARTER CORNER OF SECTION 28, BEING WITHIN THE SW¼ NW¼ OF SECTION 28, TOWNSHIP 31 SOUTH, RANGE 4 WEST, W.M. DOUGLAS COUNTY.

PERMIT No. R-9964      CERTIFICATE No. 75970

TOWNSHIPS 31 AND 32 SOUTH, RANGE 4 WEST, W.M.

565°47'18.05"W, 122°01'89"

FROM NW COR OF THE NE QUARTER

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UPPER CONCRETE NO.  
Ca. 34

[illegible]

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LOCATIONS PER N N ARE DERIVED BY ASSUMED FIT  
OF AERIAL PHOTO ORIENTATION TO GROUND SURVEYS  
AND/OR TAX ASSESSOR MAPS.

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.



STATE OF OREGON  
COUNTY OF DOUGLAS  
CERTIFICATE OF WATER RIGHT

RECEIVED

MAY 18 2020

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THIS CERTIFICATE ISSUED TO

DOUGLAS COUNTY WATER RESOURCES SURVEY  
ROOM J - 103 JUSTICE BUILDING  
ROSEBURG, OREGON 97470

confirms the right to store the waters of COW CREEK, a tributary of SOUTH UMPQUA RIVER, in GALESVILLE RESERVOIR, appropriated under Permit 48635 AND SUBSEQUENT PERMITS FOR FISH ENHANCEMENT, MUNICIPAL USE, INDUSTRIAL USE, IRRIGATION AND RECREATION.

The right to store these waters was perfected under Reservoir Permit R-9964. The date of priority is MAY 6, 1981 FOR 38,000 ACRE-FEET (AF) AND FEBRUARY 23, 1982 FOR 4225 AF. The amount of water entitled to be stored each year under this right is not more than 42,225 AF; BEING 4000 AF FOR FISH ENHANCEMENT, 4450 AF FOR MUNICIPAL USE, 2400 AF FOR INDUSTRIAL USE, 14,951 AF FOR IRRIGATION AND 14,626 FOR RECREATION.

The dam is located as follows:

SW 1/4 NE 1/4  
NW 1/4 SE 1/4  
SECTION 28  
TOWNSHIP 31 SOUTH, RANGE 4 WEST, W.M.

The area inundated by the reservoir is located within:

SW 1/4 NE 1/4	N 1/4
NW 1/4 NW 1/4	E 1/4 SE 1/4
S 1/4 NW 1/4	SECTION 34
SW 1/4	
W 1/4 SE 1/4	SW 1/4 NW 1/4
SECTION 27	W 1/4 SW 1/4
	SECTION 35
NE 1/4 NE 1/4	
S 1/4 NE 1/4	
SE 1/4	
SECTION 28	
TOWNSHIP 31 SOUTH, RANGE 4 WEST, W.M.	
S 1/4 NE 1/4	NE 1/4 NE 1/4
NW 1/4 NW 1/4	SECTION 3
S 1/4 NW 1/4	
SECTION 2	
TOWNSHIP 32 SOUTH, RANGE 4 WEST, W.M.	

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

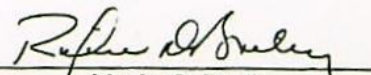
WITNESS the signature of the Water Resources Director, affixed JANUARY 22, 1999.

SUPERSEDED BY

CERT. NO. 91396

Cancelled due to  
T. 2542 Sp. Or.  
Vol 64 P. 553

R-61641.SB

  
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75970.

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No Final Proof Map available

No Permit Map available



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## BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

IN THE MATTER OF APPLICATION FOR )  
 EXTENSION OF TIME IN WHICH TO )  
 COMPLETE CONSTRUCTION WORK AND )  
 MAKE COMPLETE APPLICATION OF )  
 WATER UNDER CERTAIN PERMITS )

ORDER

OWRD

The above entitled matter now coming on for the consideration of the Water Resources Director, and it appearing that:

The holders of the following water right permits issued by the Water Resources Director have submitted applications for extensions of time limits within which to complete the construction work and make complete application of water to beneficial use under their respective water right permits;

The Water Resources Director is authorized under the provisions of ORS 537.230 to grant extensions of time for good cause shown, within which to complete work or perfect a right under a water right permit;

The statements in the applications for extensions filed regarding completion of the projects indicate that each has shown such reasonable diligence as entitles him to an extension of time; and

No protest or objections to the granting of an extension under any of the following permits have been filed by any subsequent permit holders;

NOW, THEREFORE, it hereby is ORDERED that extensions of time are granted as follows:

Name	Permit Number	To Complete Work	To Apply Water
City of Silverton	3226	October 1, 1990	October 1, 1990
City of Warrenton	5070	October 1, 1990	October 1, 1990
City of Medford	6703	October 1, 1990	October 1, 1990
City of Medford	6884	October 1, 1990	October 1, 1990
City of Hood River	8387	October 1, 1990	October 1, 1990
The City of Cascade Locks	18134	October 1, 1990	October 1, 1990
Mr. Richard B. McCulley			
City of Lincoln City	18293	October 1, 1990	October 1, 1990
The City of Sweet Home	20525	October 1, 1990	October 1, 1990
City of Medford	23210	October 1, 1990	October 1, 1990
The City of Rogue River	26594	October 1, 1990	October 1, 1990
International Paper Co.	26724	October 1, 1990	October 1, 1990
Gardiner Paper Mill			
City of Eugene, by and through the Eugene Water and Electric Board	27441	October 1, 1990	October 1, 1990
Crown Zellerbach Corp.	30138	October 1, 1990	October 1, 1990



Tillamook Water Commission	30192	October 1, 1990	October 1, 1990
Big Creek Ditch Co.	30974	October 1, 1989	October 1, 1989
Big Creek Ditch Co.	30975	October 1, 1989	October 1, 1989
Alsea Co. Service Dist.	31214	October 1, 1990	October 1, 1990
Umpqua Basin Water Association, Inc.	31555	October 1, 1990	October 1, 1990
Clackamas Water District	33586	October 1, 1990	October 1, 1990
Winston-Dillard Water Dist.	34106	October 1, 1990	October 1, 1990
Clackamas Water District	34426	October 1, 1990	October 1, 1990
City of Drain	35252	October 1, 1990	October 1, 1990
Oak Lodge Water District	35297	October 1, 1990	October 1, 1990
Boeing Agri Industrial Co.	35425	October 1, 1990	October 1, 1990
Boeing Agri Industrial Co.	35426	October 1, 1990	October 1, 1990
Archie McVay	35534	October 1, 1988	October 1, 1988
Frank Akin			
City of Corvallis	35551	October 1, 1990	October 1, 1990
Bureau of Reclamation	35792	October 1, 1990	October 1, 1990
City of Adair Village	35819	October 1, 1990	October 1, 1990
City of Cave Junction	36172	October 1, 1990	October 1, 1990
Umpqua Basin Water Association, Inc.	36186	October 1, 1990	October 1, 1990
Pacific City Water District	36881	October 1, 1990	October 1, 1990
C and B Livestock Co.	37108	October 1, 1982	October 1, 1982
Boeing Agri Industrial Co.	37346	October 1, 1990	October 1, 1990
City of Lincoln City	37605	October 1, 1990	October 1, 1990
Welches Water Company	37730	October 1, 1986	October 1, 1986
Portland General Electric Co.	39188	October 1, 1990	October 1, 1990
Richard E. Sasek	39252	October 1, 1985	October 1, 1985
Benson J. Benjamin	39252		October 1, 1986
Family Trust			
City of Boardman	40336	October 1, 1990	October 1, 1990
Boeing Agri Industrial Co.	40920	October 1, 1990	October 1, 1990
Fat Elk Drainage District	41158	October 1, 1990	October 1, 1990
Boeing Agri Industrial Co.	41314	October 1, 1990	October 1, 1990
Boeing Agri Industrial Co.	41644	October 1, 1990	October 1, 1990
Boeing Agri Industrial Co.	41645	October 1, 1990	October 1, 1990
Star Mountain Ranch	42689	October 1, 1985	October 1, 1985
Miller, William E.	42781	October 1, 1988	October 1, 1988
Parkdale Water Company	42929	October 1, 1987	October 1, 1987
Santiam Water Control Dist.	43080	October 1, 1986	October 1, 1986
City of Canyonville	43119	October 1, 1990	October 1, 1990
City of Myrtle Creek	43121	October 1, 1990	October 1, 1990
City of Gladstone	43170	October 1, 1990	October 1, 1990
Boeing Agri Industrial Co.	43325	October 1, 1990	October 1, 1990
East Fork Irrigation Dist.	43395	October 1, 1988	October 1, 1988
City of Ontario	43401	October 1, 1990	October 1, 1990
Cape Meares Water Co-op System	43812	October 1, 1990	October 1, 1990
Harbor Rural Water District	43837	October 1, 1990	October 1, 1990
City of Bay City	43858	October 1, 1990	October 1, 1990

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Umpqua Basin Water Association, Inc.	43898	October 1, 1990	October 1, 1990
City of Roseburg	44018	October 1, 1990	October 1, 1990
Lynn Geelan	44410	October 1, 1985	October 1, 1985
Robert and Shirley Mai	44719	October 1, 1985	October 1, 1985
Wally Nusbaum and Gregory S. Jeffrey	44732	October 1, 1985	October 1, 1986
Becraft, Everett J. and Dorothy L.	44753	October 1, 1986	October 1, 1986
Dan E. Maynard	44902	October 1, 1986	October 1, 1986
Edward W. Earnest	44923	October 1, 1985	October 1, 1985
Stanley R. Hokenson	45695	October 1, 1986	October 1, 1986
J.R. Harris	45814		October 1, 1985
City of Grants Pass	45827	October 1, 1989	October 1, 1989
Department of Fish and Wildlife	45828	October 1, 1985	October 1, 1985
David Elliott Cunningham	45843	October 1, 1986	October 1, 1986
Delia H. Spuhler	45903	October 1, 1986	October 1, 1986
Greg and Paula Jackson	45966	October 1, 1986	October 1, 1986
Mark D. Hurst	46233	October 1, 1985	October 1, 1985
Florence M. Sexton	46249	October 1, 1986	October 1, 1986
Michael J. Goe	46314		October 1, 1987
Lake Shore Development Co.	46332	October 1, 1985	October 1, 1985
Homer Mitchell	46392	October 1, 1985	
Paul G. Wares	46449	October 1, 1986	October 1, 1987
Anthony E. and Patricia J. Sowers	46479	October 1, 1988	October 1, 1988
Carroll, Michael Patrick	46481	October 1, 1986	October 1, 1986
Norton L. Smith	46627	October 1, 1986	October 1, 1986
Holmes, David H.	46644	October 1, 1986	October 1, 1986
Forrest E. Drake	46663	October 1, 1987	October 1, 1987
East Fork Irrigation District	46707	October 1, 1988	October 1, 1988
Jack Rhoden	46760	October 1, 1986	October 1, 1986
Harvey W. Buche	46783	October 1, 1987	October 1, 1987
Rice, William L.	46815		October 1, 1986
City of Lincoln City	46867	October 1, 1990	October 1, 1990
Lakeshore Water and Development Coop	46961	October 1, 1989	October 1, 1989
Hammond Ranches Inc.	46978	October 1, 1987	October 1, 1987
Kevin and Kayle Smith	47021	October 1, 1986	
Robert and Carolyn Powell	47040	October 1, 1986	October 1, 1986
Raymond Manning O'Connor	47077	October 1, 1987	October 1, 1987
Glenn A. Walters	47083		October 1, 1986
Bette M. Tucker	47088		October 1, 1986
City of Boardman	47091		October 1, 1987
Koos, John R. and Sons	47116		October 1, 1986
Otto V. Epping	47229	October 1, 1986	October 1, 1986
Jeanette W. and Hughes	47249	October 1, 1986	October 1, 1986
David M. Cooley			
Anthony E. and Patricia J. Sowers	47267	October 1, 1988	October 1, 1988

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Devils Lake Golf Club, Inc.	47281	October 1, 1986	October 1, 1986
Horace Arthur Daum	47436	October 1, 1987	October 1, 1988
John Harry Jacobson	47448	October 1, 1987	October 1, 1987
Walter McEwen	47505	October 1, 1987	October 1, 1988
Suma Shaaзмunda	47516	October 1, 1986	
Stanciu, Wallace and Lorin	47517	October 1, 1986	
Roger A. Fox	47524	October 1, 1987	October 1, 1987
Derby, Wallace N.	47543	October 1, 1986	
William B. Kenny	47550	October 1, 1988	October 1, 1988
Cleland, Glenn	47584	October 1, 1986	
Mildred L. Frick	47637	October 1, 1987	October 1, 1987
UNC Cornucopia Mining Co.	47653	October 1, 1987	October 1, 1988
John F. Hamel	47657	October 1, 1986	
Darwin and Jeanne Secord	47661	October 1, 1986	
Spike Ranch Inc.	47673	October 1, 1986	
Iseli Nursery Inc.	47675	October 1, 1986	
Robert F. Olson	47716	October 1, 1987	October 1, 1987
City of Brownsville	47733	October 1, 1990	October 1, 1990
Clinton Dennis Brown	47923	October 1, 1986	
Robert C. Sheehy	47884	October 1, 1987	October 1, 1988
Greg Ballard	47890	October 1, 1986	October 1, 1987
Paulsen, Edna M.	47958	October 1, 1987	October 1, 1987
Gladys O. Philpott	48032	October 1, 1987	October 1, 1987
Gerald D. Hebard	48055	October 1, 1986	
Pearcy, Martha Jane	48098	October 1, 1986	
Ralph H. Jacobs	48143	October 1, 1986	October 1, 1987
Norman G. Kurz	48149	October 1, 1986	
Robert and Vera Martin	48150	October 1, 1986	
Karel and Herta Vitu	48199	October 1, 1986	
Langley, Ivan B.	48229	October 1, 1986	
Langley, Ivan B.	48230	October 1, 1986	
Vince LaRocco	48256	October 1, 1986	
Lawrence G. Knox	48259	October 1, 1986	
Oregon State Parks and Recreation	48309	October 1, 1986	
Douglas County Water Resources Survey	48635	October 1, 1987	October 1, 1988
City of Drain	R-5652	October 1, 1990	
John A. Pettus	R-6091	October 1, 1983	
Boeing Agri Industrial Co.	R-6605	October 1, 1990	
Miller, William E.	R-6892	October 1, 1988	
Robert and Shirley Mai	R-8001	October 1, 1985	
Paul G. Wares	R-8361	October 1, 1986	
Harvey W. Buche	R-8443	October 1, 1987	
John Harry Jacobson	R-8667	October 1, 1987	
Greg Ballard	R-8897	October 1, 1986	
Jerry A. and Linda K. Miller	R-8899	October 1, 1987	
Virgel L. Clark	R-9389	October 1, 1986	
Douglas County Water Resources Survey	R-9964	October 1, 1987	

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City of Salem	G-734	October 1, 1989	October 1, 1989
Coos Bay - North Bend Water Board	G-1389	October 1, 1990	October 1, 1990
Willamette Water Co.	G-2643	October 1, 1989	October 1, 1989
Roats Water Systems Inc.	G-3128	October 1, 1986	October 1, 1986
Rivergrove Water District	G-3182	October 1, 1990	October 1, 1990
Shenandoah Home Owners	G-3388	October 1, 1987	October 1, 1987
West Interlachen Water Co-op	G-3862	October 1, 1988	October 1, 1988
Luckiamute Domestic Water Cooperative	G-4480	October 1, 1990	October 1, 1990
Metolius Meadows Property Owner Association	G-5218	October 1, 1989	October 1, 1989
Rivergrove Water District	G-6023	October 1, 1990	October 1, 1990
City of Jordan Valley	G-6030	October 1, 1988	October 1, 1988
Luckiamute Domestic Water Water Cooperative	G-6093	October 1, 1990	October 1, 1990
City of Troutdale	G-6881	October 1, 1989	October 1, 1989
City of Spray	G-7606	October 1, 1990	October 1, 1990
Rainbow Rock Service Association	G-7658	October 1, 1989	October 1, 1989
City of Cottage Grove	G-7724	October 1, 1990	October 1, 1990
City of Echo	G-8546	October 1, 1990	October 1, 1990
Theodore R. Tiaht Double Tree Ranches	G-8551	October 1, 1987	October 1, 1987
Charles Wavra	G-8948		October 1, 1985
Strubhar, Timothy J.	G-9123	October 1, 1986	October 1, 1986
Ronald D. and Suzanne E. Johnson	G-9168	October 1, 1985	October 1, 1985
Donald and Alice Bowden	G-9170	October 1, 1986	October 1, 1986
William W. and Laurena Z.	G-9202	October 1, 1986	October 1, 1986
Birch Circle Farms, Inc.	G-9229	October 1, 1986	October 1, 1986
David and Galyn Roth	G-9261	October 1, 1985	October 1, 1986
Birch Circle Farms, Inc.	G-9275	October 1, 1986	October 1, 1986
William E. Rodgers	G-9399	October 1, 1985	October 1, 1985
Willie A. and Linda S. Olson	G-9421	October 1, 1986	October 1, 1986
Richard B. Anderson	G-9567	October 1, 1985	October 1, 1985
Walter Hulden and Darrell Hanan	G-9579	October 1, 1987	October 1, 1987
Carol Ann Binkley	G-9582		October 1, 1985
Nolan O. Higley	G-9593	October 1, 1985	October 1, 1985
Robert Jennings Sanders	G-9644	October 1, 1986	October 1, 1986
Hazelwood Water District	G-9772	October 1, 1989	October 1, 1989
Emily Lewis	G-9782	October 1, 1985	October 1, 1986
Hillview Dairy Inc.	G-9811	October 1, 1985	October 1, 1985
City of Lincoln City	G-9827	October 1, 1990	October 1, 1990
City of Troutdale	G-9866	October 1, 1989	October 1, 1989
City of Troutdale	G-9867	October 1, 1989	October 1, 1989
Christopherson, K. Neal and Pam	G-9903		October 1, 1986
Bailey, Richard J.	G-9906	October 1, 1986	October 1, 1986

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City of Wilsonville	G-9957	October 1, 1990	October 1, 1990
Benson, Mary C.	G-9964		October 1, 1986
Stockhoff, Robert L.	G-9974	October 1, 1987	October 1, 1987
Avion Water Co., Inc.	G-9975	October 1, 1989	October 1, 1989
John Kevin O'Leary	G-10061	October 1, 1985	
Cecil James	G-10079	October 1, 1986	October 1, 1986
Lorenzen Ranches, Inc.	G-10087	October 1, 1986	October 1, 1986
The Idaho First National Bank	G-10096		October 1, 1986
The Idaho First National Bank	G-10101		October 1, 1986
City of Portland	G-10124	October 1, 1991	October 1, 1991
Bureau of Water Works			
David Cheney	G-10135	October 1, 1986	
Flowerree Farms, Inc.	G-10160	October 1, 1986	
Flowerree Farms, Inc.	G-10161	October 1, 1986	
Flowerree Farms, Inc.	G-10163	October 1, 1986	
Flowerree Farms, Inc.	G-10164	October 1, 1986	
Anthony A. Urbanski	G-10189	October 1, 1987	October 1, 1987
Comyford, J.P.	G-10190	October 1, 1987	October 1, 1987
Ralph J. Doty	G-10192	October 1, 1987	October 1, 1987
Richard T. and Osie N.	G-10197	October 1, 1986	
Van Santen			
Arthur W. Pullen	G-10233	October 1, 1988	October 1, 1988
Ashdown Woods Water Company	G-10270	October 1, 1988	October 1, 1988
Murphy, Donald W. and Doris R.	G-10274	October 1, 1986	
Frederick G. Graser	G-10276	October 1, 1986	
Golden Rule Farms, Inc.	G-10277	October 1, 1986	
Stockhoff, Robert L.	G-10326	October 1, 1987	October 1, 1987
Buwalda, Robert L.	G-10334	October 1, 1986	
Kenneth Hudson	G-10338	October 1, 1986	October 1, 1987
The Port of Portland	G-10343	October 1, 1987	October 1, 1987
Pierce, Rex	G-10368	October 1, 1986	
Odgen Martin Systems of Marion Inc.	G-10393	October 1, 1986	
PomeRoy G. Sorum	G-10402	October 1, 1986	
Barlow Ranches	G-10411	October 1, 1987	October 1, 1987
Caudill, Charles R.	G-10417	October 1, 1986	
Barlow Ranches	G-10420	October 1, 1987	
City of Portland	G-10455	October 1, 1991	October 1, 1991
Bureau of Water Works			

Dated at Salem, Oregon, this 21 day of March, 1986.

*William H. Young*  
WILLIAM H. YOUNG  
Director

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BEFORE THE WATER RESOURCES DEPARTMENT OF OREGON

IN THE MATTER OF THE CONVERSION OF )	FINAL ORDER DISMISSING
THE MINIMUM STREAMFLOW ON COW CREEK,)	PROCEEDING AND CONVERTING
<u>UMPQUA BASIN, DOUGLAS COUNTY, OREGON)</u>	MINIMUM STREAMFLOW TO
	INSTREAM WATER RIGHT

STATEMENT

Pursuant to ORS 537.346, the Water Resources Commission was directed to convert all existing minimum streamflows to instream water rights.

Douglas County Water Resources Survey filed a protest against conversion to an instream water right of the minimum streamflow between RM 58.2 on Cow Creek to its confluence with Windy Creek. Douglas County Water Resources Survey alleged that direct conversion without conditions would not be in the public interest. It further alleged that while the minimum streamflow set for this stretch was set for 60 cfs between November through April, the Oregon Department of Fish and Wildlife (ODFW) had determined that a better flow would be 40 cfs, with the remaining 20 cfs to be left as a minimum streamflow administered by ODFW.

Following receipt of this protest, the Commission directed that a hearing be held to determine whether the conversion would adversely affect the public interest. Notice of Hearing was sent on November 2, 1989, to Douglas County Water Resources Survey and to 26 owners of lands contiguous to the affected stretch of Cow Creek. Notice was also published for two consecutive weeks in the Roseburg News-Review. The hearing was set for December 6, 1989, in Roseburg, Oregon.

ODFW filed a request for full party status on November 13, 1989. No other petitions for party status were filed within the time allowed.

The parties were directed to address two issues for hearing: 1) should the Commission include a condition in the instream water right that would allow temporary enforcement of the right at reduced levels in low water years to allow for storage of water for later release for benefit of aquatic life, and if so, to set out proposed language for such a condition; and 2) on what basis may the Commission find that such a condition would be in the public interest as defined in ORS 537.170 and OAR Chapter 690 Division 11.

As the parties had indicated that their goals were the same in this matter and that they intended to settle, times for filing settlement agreement and legal memoranda were also given.



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The hearing was postponed on November 24, 1989 following receipt of a written request for postponement by the parties, who indicated that they were nearing agreement but needed additional time, and that satisfactory resolution of the matter would benefit from such a postponement.

The matter was postponed a second time until February 1, 1990. Prior to the hearing, the parties filed a document entitled Stipulated Facts, and the Douglas County Water Resources Survey withdrew its protest of the conversion.

The hearing was convened on February 1, 1990 for the purpose of entering the Stipulated Facts, Proposed Condition and Withdrawal of Protest into the record. Neither Douglas County Water Resources Survey nor ODFW had anything further to enter into the record. Testimony was taken from Doug Parrow, Conservation Program Manager for the Water Resources Department regarding the stipulated facts and proposed condition, the possible need for further action to realize the benefits of the instream water right as conditioned, and to review those standards set out in OAR 690-77-045(2)(a-e) as they relate to this proceeding.

Judicial notice was taken of the Umpqua Basin Plan and Program, and of the finding of public interest made by the Commission in adoption of the minimum stream flow on Cow Creek and contained in that Basin Program.

Based on the record, the Director now makes the following

#### FINDINGS OF FACT

1. All facts set forth in the Statement are hereby incorporated as findings of the Director.

2. The facts stipulated to by the parties are hereby incorporated as findings of the Director and are attached hereto.

The minimum streamflow subject to conversion is established in the Umpqua Basin Program as follows:

3. Cow Creek--to be maintained from USGS-State Engineer Gage 14-3090 at stream mile 58.2 (NE ¼ Section 4, Township 32 South, Range 4 West) to its confluence with Windy Creek (stream mile 48.1, SW¼ Section 33, Township 32 South, Range 6 West)

Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept
1-15											
10											
16-31											
30	60	60	60	60	60	60	40	20	10	10	10

Priority date: 3/26/74



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4. The statement in Douglas County's Withdrawal of Protest that conversion from the minimum streamflow to an instream water right of 60 cfs in Cow Creek from rivermile 58.2 to rivermile 41.6, subject to the condition set out below, is in the public interest is incorporated as a finding of the Director.

5. Conversion of this minimum streamflow to an instream water right, as conditioned, will not take away or impair any permitted, certificated, or decreed right to any waters or to the use of any vested waters by altering the availability and timing of water to any user with an earlier priority date.

6. There are no known planned uses with a reasonable chance of being developed that would provide a greater benefit to the public from the use of the unappropriated water available than would be provided by this water right.

7. There are no other instream water rights in this stretch of Cow Creek. The cumulative total of instream water rights in Cow Creek does not exceed the amount needed to support public uses.

8. In conjunction with approval of an application by Douglas County and/or ODFW for storage between November and April and later release of 20 cfs for the benefit of aquatic life, the instream water right, as conditioned, will allow water to be used for a higher public purpose expected to provide greater benefits to the public.

9. The estimated average natural flow is substantially higher than the amount required for this instream water right. The instream water right does not exceed the estimated average natural flow.

#### CONCLUSIONS OF LAW

The conversion of the minimum streamflow on Cow Creek from rivermile 58.2 to its confluence with Windy Creek at rivermile 41.6, Umpqua Basin, Douglas County, Oregon, to an instream water right is not contrary to any standards set out in ORS 537.170. The instream water right, as conditioned, is in the public interest.

#### ORDER

The minimum streamflow on Cow Creek, as described in the Umpqua Basin Program, is hereby converted to an instream water right, conditioned as follows:

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The Water Resources Department may temporarily enforce this instream water right at reduced levels in order to store water in Galesville Reservoir for release for aquatic life. Temporary enforcement at reduced levels shall only take place from January 1 through April 30 and only when the Galesville Reservoir elevation is less than rule curve during that period of time.

The additional water stored for aquatic life shall be released only for aquatic life at the direction of the Oregon Department of Fish and Wildlife. Temporary enforcement at reduced levels shall occur only on written request from the Director of the Department of Fish and Wildlife or the ODFW Director's designee. The request to enforce at reduced levels shall be made to the Water Resources Department's Director or the WRD Director's designee.

The ODFW Director, or the ODFW Director's designee, may request cancellation or modification of the temporary enforcement at any time. Upon cancellation of the temporary enforcement, the Water Resources Department shall enforce this instream water right at the levels specified in the certificate of instream water right.

During the temporary enforcement described above, the instream water right shall be enforced at no less than 40 cfs at USGS Gage 14-3090.

It is further ORDERED that a certificate for said instream water right, containing the above condition and with a priority date of March 26, 1974, shall be issued.

DATED and SIGNED this 6<sup>th</sup> day of February, 1990.

*William H. Young*

WILLIAM H. YOUNG  
Director



BEFORE THE WATER RESOURCES DEPARTMENT OF OREGON

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IN THE MATTER OF THE CONVERSION OF )  
THE MINIMUM STREAM FLOW ON COW ) STIPULATED FACTS  
CREEK, DOUGLAS COUNTY, OREGON )

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The following facts are stipulated by the Department of Fish and Wildlife and Douglas County:

1. Douglas County has been granted water storage permit R-9964, priority date of May 6, 1981, for 38,000 acre feet and February 23, 1982, for 4,225 acre feet, at the Galesville Reservoir on Cow Creek, a tributary of the South Umpqua River in Douglas County, for the primary purposes of irrigation, municipal-industrial water supplies and fish enhancement. Secondary purposes include flood control, recreation and power development.

2. A minimum perennial streamflow has been established on Cow Creek to be maintained from USGS station 14-3090 to its confluence with Windy Creek. The priority date of the minimum perennial streamflow is March 26, 1974. The purpose of the minimum perennial streamflow is the maintenance of aquatic life. The minimum perennial streamflow will be converted to an instream water right with the same priority date.

3. Administration of flows in Cow Creek from the reservoir are based on gaged inflow as a measure of water available to meet vested, inchoate, statutory rights and the established minimum flow. The amount of monthly storage releases equals the sum of minimum flow requirements for vested, inchoate, and statutory ~~and~~ water rights and storage requirements for irrigation, municipal, industry and fishery. Whenever the inflow is less than the minimum flow requirements, however, the amount of reservoir release required is the inflow plus storage releases for irrigation, municipal, industry and fishery requirements. The storage of a portion of the converted instream water right in the reservoir will not interfere with vested, inchoate or statutory water rights and the established minimum perennial flows.

4. 14,951 acre feet of capacity has been set aside in the Galesville Reservoir for irrigation use. This capacity is sufficient to serve current and future users. Irrigation water is released during the irrigation season which is May through September. Irrigation releases will not be affected by the storage of a portion of the converted instream water right in the reservoir.

5. 4,450 acre feet of capacity has been set aside in the Galesville Reservoir for municipal use. This capacity is sufficient to serve current and future users. Municipal water requirements from the project are supplemental, occurring as communities need additional supplies during the low flow season.

1-STIPULATED FACTS (bcm\cowcreek.stp)

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The monthly distribution of these requirements reflect some water needs in June, large requirements in July and August due to peak needs and lesser requirements in September and October. The acre feet allotted for municipal use from the Galesville project presently serves or is capable of serving in the future these users: Glendale, South Umpqua Water District, Riddle, the area of Tri City, Clarks Branch Water District, and Roberts Creek Water District. Municipal releases will not be affected by the storage of a portion of the converted instream water right in the reservoir.

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6. 2,400 acre feet of capacity has been set aside in the Galesville Reservoir for industrial use. Current industrial water users utilize reservoir water supplies during low flow periods to maintain their industrial operations without interruption. The reserved capacity is sufficient to serve current and future users. Industrial releases will not be affected by the storage of a portion of the converted instream water right in the reservoir.

7. The construction of the Galesville Dam resulted in a considerable reduction of flood stage at Glendale and Riddle and a lesser but significant reduction at Brockway on the South Umpqua River. During less severe flooding episodes, the flood control capacity of the Galesville reservoir is able to keep Cow Creek within its banks. The dam is operated for flood control from October to February each year. The retention of releases by ODFW for the converted instream water right during the months of January through April will never result in storage exceeding the flood curve and will not affect the existing flood control beneficial use.

8. Hydropower is generated only when the reservoir water surface is above elevation 1809. No other potential for hydropower development exists that would be affected by this conversion. The storage of a portion of the converted instream water right in the reservoir will not affect the existing Galesville hydropower generation.

9. 4,000 acre feet of capacity has been set aside in the Galesville Reservoir for downstream flows for fish enhancement. This volume is utilized by the Oregon Department of Fish and Wildlife (ODFW), at its direction, to maintain appropriate flows and temperatures for downstream fish. The outlet works of the Galesville Dam make controlled releases for the various functions for downstream uses and allow for selected release of stored waters from different temperature and turbidity horizons within the reservoir as required to meet fish habitat needs.

10. Cow Creek supports a fish population consisting of three species of anadromous fish: winter steelhead, coho salmon and chinook salmon.

2-STIPULATED FACTS (bcm\cowcreek.stp)



11. The temperature of water released from the Galesville Dam is projected on computer modeling of reservoir temperature profiles. Temperature is controlled by use of multiple level intakes to achieve target release temperatures. Resulting water temperatures downstream are projected using a computer program that considered factors such as solar radiation, local lateral inflow, diversions, shade factors and travel time. In general, as the release proceeds farther downstream, it is subject to a warming trend caused by heat absorption during daytime and heat losses during nighttime. Losses of water in the natural channel of Cow Creek from the reservoir to the place of use have been included in the computer projections.

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12. Cow Creek is generously provided with good habitat for anadromous fish such as spawning gravels, riffles and pools. Because of the lowered water temperature and increased flows in the summer as a result of the Galesville Dam, the habitat for steelhead and chinook salmon have been greatly enhanced below the dam. In addition, there has been an increased rearing of juvenile coho in the main stem of Cow Creek below the dam after construction.

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13. By allowing ODFW to request temporary enforcement of reduced releases for the converted instream water right during the months of January through April, additional waters over the amount currently allocated for fish enhancement will be stored for later release in low flow months. The additional amounts released will enhance to an even a greater extent the improvement of habitat for anadromous fish. In some years the amount of water available for such purposes could be triple the amount now reserved for such purposes.

14. The ODFW approves the means and methods of protection of the fishery resource and will enter into an agreement with the petitioner for the protection of fish resources for the additional discharge of water.

15. The proposed use is consistent with the provisions of the Water Use Program for the Umpqua Basin.

#### ULTIMATE FACTS

ORS 537.170(3a) through (3g) directs the Water Resources Commission to determine whether the proposed use would impair or be detrimental to the public interest.

A. The control to be exercised by ODFW of the converted instream water right in the months of January through April will not affect and therefor will allow the continuance of the beneficial use of stored water for municipal, industrial, irrigation,

3-STIPULATED FACTS (bcm\cowcreek.stp)

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vested, inchoate, and statutory uses, and for flood control, recreation and power development .

B. The resident and anadromous fishery in Cow Creek is an important economic and recreational asset and contributes to the well being of the Umpqua Basin fishery as a whole. Fishery enhancement is a primary purpose of the proposed use.

C. The anadromous fish population will be enhanced and due regard has been given to the means and methods for the protection of the fishery resource. The releases controlled by ODFW for the instream water right can be efficiently and beneficially used and such use complies with the Basin Program.

D. Cow Creek supports runs of wild anadromous and hatchery fish of value to the State of Oregon. Project facilities and operational measures meeting the specifications of the Department of Fish and Wildlife will provide protection to the fish life in the river and enhancement of their habitat.

E. No other uses or potential uses for these waters have been identified nor is there any shown in the program statement which would conflict with this proposed use. The proposed use is not wasteful.

F. Consideration has been given for the integration and coordination of uses of available water and the potential for augmentation of existing supplies in the South Umpqua Subbasin. The proposed use does not preclude or substantially interfere with maximum economic development.

G. There is no evidence in the record that the use represents a wasteful, uneconomic, impracticable or unreasonable use of the water involved.

Stipulated to this \_\_\_\_\_ day of \_\_\_\_\_, 1990, by the Oregon Department of Fish and Wildlife and Douglas County.

DEPARTMENT OF FISH AND WILDLIFE

By Penny H. Harrison

Title: Counsel for (ODFW)

the Oregon Department of  
Fish and Wildlife

DOUGLAS COUNTY, OREGON

By Paul Nutter

Title: County Counsel

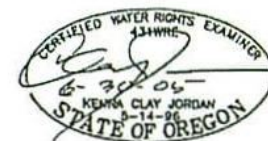
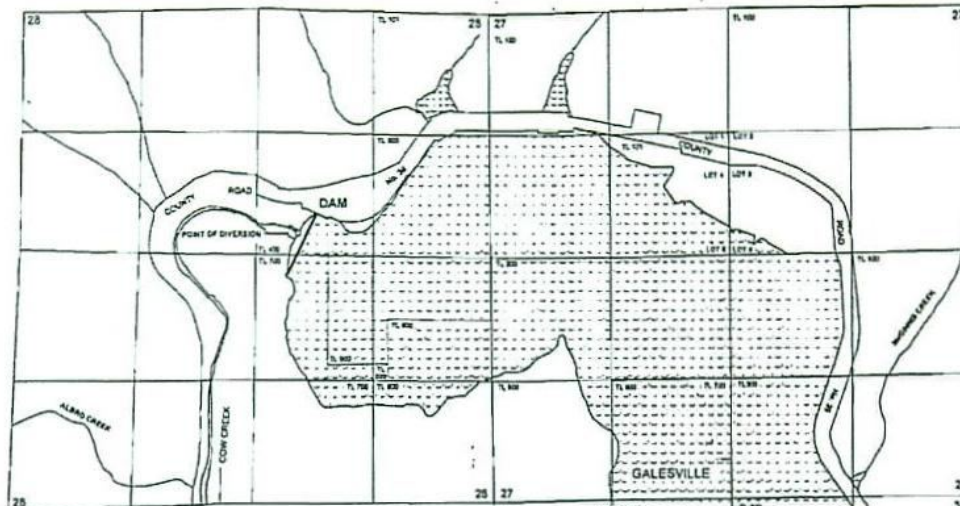
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**APPLICATION FOR A WATER RIGHT TRANSFER  
IN THE NAME OF  
DOUGLAS COUNTY NATURAL RESOURCES**

**PERMIT No. R - 9964**

**CERTIFICATE No. 75970**

**TOWNSHIPS 31 AND 32 SOUTH, RANGE 4 WEST, W.M.**

THE GALESVILLE DAM (RESERVOIR) OUTLET OR POINT OF DIVERSION IS LOCATED 180 FEET NORTH AND 3030 FEET EAST FROM THE WEST QUARTER CORNER OF SECTION 28; BEING WITHIN THE SW¼ NE¼ OF SECTION 28, TOWNSHIP 31 SOUTH, RANGE 4 WEST, W.M.; DOUGLAS COUNTY.

THE COUNTY PROPOSES TO TRANSFER 4000 ACRE FEET OF IRRIGATION STORAGE TO 4000 ACRE FEET OF MULTI-PURPOSE STORAGE.

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**SEP 08 2003**

**WATER RESOURCES DEPT.  
SALEM, OREGON**

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**AUG 28 2003**

**WATER RESOURCES DEPT.  
SALEM, OREGON**

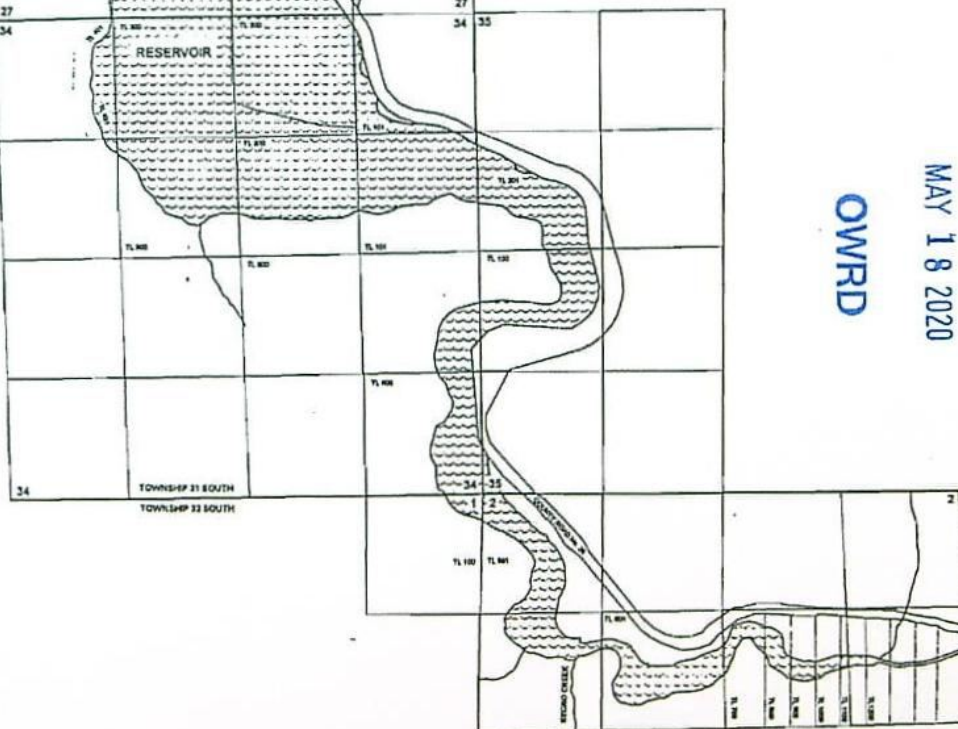
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**SEP 15 2003**

**WATER RESOURCES DEPT.  
SALEM, OREGON**

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.

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BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING CHANGE
T-9543, Douglas County	)	IN CHARACTER OF USE
	)	

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

DOUGLAS COUNTY NATURAL RESOURCES  
1036 SE DOUGLAS AVE. RM 306  
ROSEBURG OR 97470

**Findings of Fact**

1. On 9-8-2003, DOUGLAS COUNTY NATURAL RESOURCES filed a transfer application to change the character of use under Certificate 75970. The Department assigned the application number T-9543.
2. The portion the right to be transferred is as follows:  
**Certificate:** 75970 in the name of DOUGLAS COUNTY WATER RESOURCES SURVEY (perfected under Permit R-9964)  
**Use:** STORAGE FOR IRRIGATION  
**Priority Date:** MAY 6, 1981  
**Rate:** 4000 ACRE FEET  
**Limit/Duty:** 4000 acre-feet  
**Source:** COW CR, tributary to S UMPQUA R

**Authorized Point of Diversion:**

Tw	Rng	Mer	Sec	Q-Q	Survey Coordinates
31 S	4 W	WM	28	SW NE	DAM LOCATION
31 S	4 W	WM	28	NW SE	DAM LOCATION

This is a final order in other than 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 you may either petition for judicial review or 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.



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## Authorized Place of Use:

STORAGE							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
31 S	4 W	WM	27	SW NE			N/A
31 S	4 W	WM	27	NW NW			N/A
31 S	4 W	WM	27	SW NW			N/A
31 S	4 W	WM	27	SE NW			N/A
31 S	4 W	WM	27	NE SW			N/A
31 S	4 W	WM	27	NW SW			N/A
31 S	4 W	WM	27	SW SW			N/A
31 S	4 W	WM	27	SE SW			N/A
31 S	4 W	WM	27	NW SE			N/A
31 S	4 W	WM	27	SW SE			N/A
31 S	4 W	WM	28	NE NE			N/A
31 S	4 W	WM	28	SW NE			N/A
31 S	4 W	WM	28	SE NE			N/A
31 S	4 W	WM	28	NE SE			N/A
31 S	4 W	WM	28	NW SE			N/A
31 S	4 W	WM	28	SW SE			N/A
31 S	4 W	WM	28	SE SE			N/A
31 S	4 W	WM	34	NE NE			N/A
31 S	4 W	WM	34	NW NE			N/A
31 S	4 W	WM	34	SW NE			N/A
31 S	4 W	WM	34	SE NE			N/A
31 S	4 W	WM	34	NE NW			N/A
31 S	4 W	WM	34	NW NW			N/A
31 S	4 W	WM	34	SW NW			N/A
31 S	4 W	WM	34	SE NW			N/A
31 S	4 W	WM	34	NE SE			N/A
31 S	4 W	WM	34	SE SE			N/A
31 S	4 W	WM	35	SW NW			N/A
31 S	4 W	WM	35	NW SW			N/A
31 S	4 W	WM	35	SW SW			N/A
32 S	4 W	WM	2	SW NE			N/A
32 S	4 W	WM	2	SE NE			N/A
32 S	4 W	WM	2	NW NW			N/A
32 S	4 W	WM	2	SW NW			N/A
32 S	4 W	WM	2	SE NW			N/A
32 S	4 W	WM	3	NE NE			N/A

3. Application T-9543 proposes to change the character of use to MULTIPLE PURPOSE.
4. Douglas County Natural Resources Division, submitted a letter, received on February 9, 2005, requesting transfer application 9543 be amended to specify the quantity of water being transferred as 4,000 acre feet.
5. There are inadvertent scrivener's errors in the application supplemental sheet and on the application map related to the authorized place of use that are inconsistent with the certificated water right. Finding of Fact #2 correctly describes the authorized place of use.



6. Certificate 75970 contains a scrivener's error in describing the quantity of water stored for RECREATION PURPOSES. The Certificate lists 14,626 acre feet. The correct quantity is 16,424 acre feet.
7. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
8. Water has been used within the last five years according to the terms and conditions of the rights, and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
9. A diversion structure and reservoir sufficient to use the full amount of water allowed under the existing right are present.
10. The proposed change would not result in enlargement of the right
11. The proposed change would not result in injury to other water rights.
12. Douglas County Natural Resources Division, submitted a letter (FAX) received on March 3, 2005, giving their approval to proceed with issuance of the Preliminary Determination for transfer 9543.

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#### Conclusions of Law

The proposed change in character of use in application T-9543 is consistent with the requirements of ORS 540.505 to 540.580, and OAR 690-380-5000.

#### Now, therefore, it is ORDERED:

1. The change in character of use proposed in application T-9543 is approved.
2. Water right certificate 75970 is cancelled.
3. The right to store and use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 75970 and any related decree.
4. The proposed change shall be completed on or before October 1, 2006.
5. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2007.
6. The water user shall maintain and operate gaging stations or other suitable devices for measuring and recording inflow to and releases from the reservoir and shall make the data available at the request of the watermaster. The water user shall obtain the Department's approval prior to modifying the measuring devices or maintenance and operational protocols.



7. When satisfactory proof of the completed changes is received, a new certificate describing the portion of the right not affected by this transfer, confirming the rights transferred, and correcting the scrivener's error will be issued.

Dated at Salem, Oregon this 26<sup>th</sup> day of May 2005.

  
For Phillip C. Ward, Director

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Mailing date: MAY 31 2005



## STATE OF OREGON

## COUNTY OF DOUGLAS

## CERTIFICATE OF WATER RIGHT

RECEIVED

MAY 18 2020

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THIS CERTIFICATE ISSUED TO

DOUGLAS COUNTY WATER RESOURCES SURVEY  
1036 SE DOUGLAS AVE. ROOM 306  
ROSEBURG OR 97470

confirms the right to store the waters of COW CREEK, a tributary of SOUTH UMPQUA RIVER, in GALESVILLE RESERVOIR, appropriated under Permit S-48635 AND SUBSEQUENT PERMITS FOR FISH ENHANCEMENT, MUNICIPAL USE, INDUSTRIAL USE, IRRIGATION AND RECREATION.

This right to store these waters was perfected under Reservoir Permit R-9964. The date of priority is MAY 6, 1981 FOR 38,000 ACRE-FEET (AF) AND FEBRUARY 23, 1982 FOR 4225 AF. The amount of water entitled to be stored under this right is shall not exceed 38,225 AF; BEING 4000 AF FOR FISH ENHANCEMENT, 4450 AF FOR MUNICIPAL USE, 2400 AF FOR INDUSTRIAL USE, 10,951 AF FOR IRRIGATION AND 16,424 AF FOR RECREATION

The dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q
31 S	4 W	WM	28	SW NE
31 S	4 W	WM	28	NW SE

The area inundated by the reservoir is located within:

Twp	Rng	Mer	Sec	Q-Q	GLot
31 S	4 W	WM	27	SW NE	6
31 S	4 W	WM	27	NW NW	
31 S	4 W	WM	27	SW NW	
31 S	4 W	WM	27	SE NW	5
31 S	4 W	WM	27	NE SW	
31 S	4 W	WM	27	NW SW	
31 S	4 W	WM	27	SW SW	
31 S	4 W	WM	27	SE SW	
31 S	4 W	WM	27	NW SE	
31 S	4 W	WM	27	SW SE	
31 S	4 W	WM	28	NE NE	
31 S	4 W	WM	28	SW NE	
31 S	4 W	WM	28	SE NE	
31 S	4 W	WM	28	NE SE	
31 S	4 W	WM	28	NW SE	
31 S	4 W	WM	28	SW SE	
31 S	4 W	WM	28	SE SE	
31 S	4 W	WM	34	NE NE	
31 S	4 W	WM	34	NW NE	
31 S	4 W	WM	34	SW NE	
31 S	4 W	WM	34	SE NE	
31 S	4 W	WM	34	NE NW	
31 S	4 W	WM	34	NW NW	
31 S	4 W	WM	34	SW NW	
31 S	4 W	WM	34	SE NW	

Twp	Rng	Mer	Sec	Q-Q	GLot
31 S	4 W	WM	34	NE SE	
31 S	4 W	WM	34	SE SE	
31 S	4 W	WM	35	SW NW	
31 S	4 W	WM	35	NW SW	
31 S	4 W	WM	35	SW SW	
32 S	4 W	WM	2	SW NE	
32 S	4 W	WM	2	SE NE	
32 S	4 W	WM	2	NW NW	
32 S	4 W	WM	2	SW NW	
32 S	4 W	WM	2	SE NW	
32 S	4 W	WM	3	NE NE	

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

This certificate describes that portion of the water right confirmed by Certificate 75970, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered May 26, 2005 approving Transfer Application 9543 AND correctly identifies the quantity of water that may be stored for RECREATION.

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.

Issued JUN 03 2016

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



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

S-84852  
 South Umpqua Water Association  
 2080 Shoestring Rd.  
 Riddle, OR. 97469



9590 9402 4402 8248 9854 79

2. Article Number (Transfer from service label)

7018 0680 0002 0041 4674

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Susie Quian*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

*Susie Quian*

C. Date of Delivery

*5-31-19*

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

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3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

USPS TRACKING#



9590 9402 4402 8248 9854 79

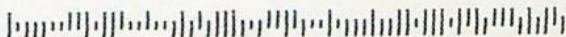


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Oregon Water Resources Department  
725 Summer St. NE., Ste. A  
Salem, OR. 97401







# Oregon

Kate Brown, Governor

March 3, 2020

South Umpqua Water Association  
Attn: Susan Quinn  
2080 Shoestring Road  
Riddle, OR 97469

Water Resources Department  
North Mall Office Building  
725 Summer St NE, Ste A  
Salem, OR 97301  
Phone: 503-986-0900  
Fax: 503-986-0904  
[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

## 3rd Notice

REFERENCE: PAST DUE Requirement for submittal of a Water Management and Conservation Plan (WMCP)

Dear Ms. Quinn:

This notification is provided to you as a 3rd courtesy reminder of a requirement related to South Umpqua Water Association's (Association) Water Management and Conservation Plan (WMCP).

On December 6, 2002, the Oregon Water Resources Department (Department) issued a final order approving Permit #S-53867. A condition contained within the permit specified that the Association submit a WMCP meeting the requirements of OAR Chapter 690, Division 086 to the Department no later than October 1, 2007.

To date, the Department has not received the Association's required WMCP. *Your WMCP is now past due.*

**Additionally, Permit S-53867 required the Association to complete application of the water to use by October 1, 2007 and Permit S-35103 required complete application of water by October 1, 1998.** In order for the Association to legally develop the permits, the Association will need to file an application for an extension of time for each permit. Please be aware a review of the extension applications will include a review of the Association's compliance with the WMCP condition. An extension of time would grant the Association additional time to put water allocated in the permits to full beneficial use.

Please remember if you are required to have a WMCP and you intend to apply for grant or loan funding from Water Project Grants and Loans (SB 839 – Water Supply Development Account), you must have an approved WMCP prior to submitting your grant/loan application as required by ORS 541.569. If you do not have an approved WMCP, your funding application will not be accepted or considered for funding.

If you have any questions related to this notification, please do not hesitate to contact me by telephone at 503-986-0919 or by e-mail at [Kerri.H.Cope@oregon.gov](mailto:Kerri.H.Cope@oregon.gov).

Sincerely,

Kerri H. Cope  
Water Management and Conservation Analyst  
Water Right Services Division

cc: WMCP File  
Application S-46924/Permit S-35103  
Application S-84852/Permit S-53867



## Riddle Water Rights:

### App S-379; Permit S-162; Cert 727

Source: Judd Creek

Max Q: 0.5 cfs

Use: Municipal and Domestic Supply for City of Riddle

Priority Date: November 1, 1909

Ownership Update received on April 25, 2019. Development of this right was completed in 1914. There is no further action required in the development of this right. The City may continue to utilize this right for municipal purposes in the auxiliary water system, and as a back-up redundant supply.

### App S-2230; Permit S-1121; Cert 1647

Source: Wilson Creek (AKA Russell Creek), tributary of Cow Creek

Max Q: 1.0 cfs

Use: Municipal Supply

Priority Date: April 22, 1912

Development of this right was completed in 1917. The City will need to apply for a transfer to change the point of diversion downstream to the location of the diversion that is used on Cow Creek to supply the treatment facility. Estimated time to review a transfer application should be 12-14 months.

### App S-22947; Permit S-18084; Cert 65129

Source: Cow Creek, tributary of South Umpqua River

Max Q: 1.0 cfs

Use: Municipal Use

Priority Date: December 11, 1947

Development of this right was originally completed in 1952, and Certificate 20855 was issued. Transfer T-5924 was approved on June 15, 1987, authorizing the change in point of diversion to the location of the water treatment facility. The change was perfected by Certificate 65129. No further action is required under this right.



**App 60959; Permit S-45405; Cert N/A**

Source: Cow Creek, tributary of South Umpqua River

Max Q: 3.0 cfs

Use: Municipal

Priority Date: October 31, 1980

Permit was issued January 26, 1981, and had an original completion date of October 1, 1983. The permit has been extended four times, with the most recent date for completion being October 1, 2003. Continued development of this permit relies on gaining an additional extension of time. If approved, the extension of time will include a condition requiring the City to submit a Water Management and Conservation Plan (WMCP) within 3-years of the Final Order. The condition will also place a limitation of the diversion under this permit, where the undeveloped portion of the permit could not be used until the WMCP is approved, and "green-light" water is authorized. The limitation will be based on the maximum diversion rate that has been utilized under this right between the date the permit was issued (January 26, 1981) and June 29, 2005, (*ORS 537.230(1) defines the undeveloped portion of a permit as the difference between the maximum rate or duty specified in a water right permit and the maximum rate or duty diverted as of the later of: (a) June 29, 2005; (b) The time specified in the permit to perfect the water right; or (c) The time specified in the last-approved extension of time to perfect the water right.*) Additionally, the undeveloped portion of the permit will be reviewed by Oregon Department of Fish and Wildlife, and if necessary, additional conditions may be applied to the use of that undeveloped portion to maintain the persistence of listed fish species. These conditions, if applicable, generally amount to restrictions on the diversion of the undeveloped portion during times when stream flows fall below a threshold ODFW establishes in their review.

The time to complete the extension of time process is unknown as there is a reliance on ODFW to review the application, and it may take 2-3 years to complete the process.

**WMCP:**

If an extension of time is approved for Permit S-45405, the required WMCP will be due to be received by the Department within three years from the date the Final Order on the extension of time is issued. If the City intends to develop any of the undeveloped portion of the permit, the WMCP will need to include a request for "green-light" water.

## SUWA water rights:

### App S-46924; Permit S-35103; Cert N/A:

Source: Cow Creek, tributary of South Umpqua River

Max Q: 1.0 cfs

Use: quasi-municipal

Priority Date: April 29, 1970

Permit was issued on April 29, 1971, and had an original completion date of October 1, 1973. Six previous extensions have been granted for the permit, with the most recent extending the completion date to October 1, 2008. This extension was approved by Final Order on August 30, 1999, and was conditioned to require the installation of fish screen at the POD, and that fish screen was to be approved, in writing, by ODFW by October 1, 2000. **THE FILE DOES NOT CONTAIN THIS APPROVAL DOCUMENTATION.** The extension was also conditioned to require the submittal of a Progress Report in October 2003. A Progress report was submitted September 23, 2003, satisfying this condition. Information in the file would suggest that SUWA has diverted 0.23 cfs under this permit. To continue development under this permit, SUWA will need to submit an Application for Extension of Time.

### App S-84852; Permit S-53867; Cert N/A

Source: Galesville Reservoir

Max Q: 20.0 acre-feet of **STORED WATER ONLY**, at a rate not to exceed 0.67 cfs

Use: quasi-municipal

Priority Date: August 23, 2001

Permit was issued on December 6, 2002, and has a completion date of October 1, 2007. The permit is conditioned to require the installation of a fish screen, which was to be approved by ODFW prior to the diversion of any water. **THE FILE DOES NOT CONTAIN THIS APPROVAL DOCUMENTATION.** The permit requires the maintenance of a water supply contract for release of water from Galesville Reservoir. **THE INFORMATION IN THE FILE ONLY SHOW A CONTRACT THAT IS VALID THROUGH 2010.** The permit also required the submittal of a WMCP on or before October 1, 2007. **TO DATE, THE DEPARTMENT HAS NOT RECEIVED THE REQUIRED WMCP.** This permit will require an extension of time, regardless of how much water has been developed under the permit. The extension will be necessary for SUWA to keep this permit, as they cannot



make proof under this permit as the condition requiring submittal of a WMCP has not been complied with. The Department intends to contact SUWA to inform them that they will need to submit an Application for Extension of Time, or they risk cancellation of the permit. In order for an extension to be approved, SUWA will be required to submit an acceptable WMCP prior to the Department processing the extension request. The Department may be willing to work with SUWA on the timing of any final order of approval of a WMCP so not to be required to submit a new one within three years.

## Douglas County Rights:

### Application S-69164; Permit S-50867; Cert N/A

Source: Cow Creek; and Galesville Reservoir

Max Q: 0.67 cfs live flow from Cow Creek; and 10.0 acre-feet stored water from Galesville Reservoir

Use: quasi-municipal use

This permit is held by Douglas County for use by SUWA. The file indicates that the development of this project is complete (C-Form filed). The County may choose to hire a CWRE to prepare a COBU for this permit if there is a desire to receive a certificate, otherwise, the file will remain open until such a time when the Department has staff available to complete the proof survey.

### App 72336; Permit S-52931; Cert N/A

Source: Cow Creek; and Galesville Reservoir

Max Q: 0.07 cfs of live flow from Cow Creek, and 10.0 acre-feet of stored water from Galesville Reservoir

Use: municipal use

Priority Date: April 20, 1990

This permit is a bit more complicated, as it includes uses other than municipal. The above information is only the portion of the permit that applies to the city of Riddle municipal use. Permit was issued October 30, 1996. Information in the file indicates that development is complete for this permit. A COBU was submitted on October 20, 2000. The COBU is in the process of being reviewed by Department staff, and is at the point where a proposed certificate has been issued. The proposed certificate identifies that 0.07 cfs from Cow Creek and 10.0 acre-feet from Galesville Reservoir have been beneficially used under the permit.



Summary:

Based on this information, it does appear that Riddle and SUWA are both in need of filing for an Extension of Time for a few permits with development that has not been completed. One of the essential elements of the Application for Extension of Time is determining at what rate water has been diverted under each of these rights individually. Because all of these permits in question divert water from the same POD, determining the rate for each take into account water diverted under the other permits and certificated rights that draw from the same POD. The files indicate that 1.0 cfs has been diverted under Certificate 65129; 0.23 cfs has been diverted under Permit S-35103; 20.0 acre-feet has been diverted under Permit S-53867; 0.67 cfs and 10.0 acre-feet under Permit S-50867; and 0.07 cfs and 10.0 acre-feet under Permit S-52931; and it is unknown what rate has been diverted under Permit S-45405. Combined, this would suggest that a total of 1.97 cfs has been diverted under all the permits except S-45405, which leave whatever has been diverted beyond 1.97 cfs was likely diverted under Permit S-45405.

July 5, 2019 Update:

Spoke with Robert Tilton of Riddle, he has retained Russ Dodge to address the water right issues for the City, and for SUWA. He indicated that the funds are now available to move forward on the necessary transactions to ensure all the water rights are properly developed. He anticipates 1-2 months for submittal of the different applications.

-JP-



# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone (503) 986-0900  
Fax (503) 986-0904  
[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

June 4, 2019

South Umpqua Water Association  
P.O. Box 106  
Riddle, OR 97469

Reference: Permits S-35103, and S-53867

Dear Susie,

Thank you for contacting the Department today in regard to the two South Umpqua Water Association water right permits that are in need of an extension of time. Enclosed, please find two Applications for Extension of Time for Municipal and Quasi-Municipal Water Use Permits. I was unable to send these to you via fax because the final page is of a size paper that is too large to pass through the machine.

As a courtesy, I have completed portions of the Applications with information that is available to me. These portions include the application and permit numbers, and relevant dates and permit conditions. Please review these Applications for accuracy, and complete the remaining portions.

If you have any questions or concerns, please do not hesitate to contact me at 503-986-0802.

Sincerely,

Jeffrey Pierceall

Extension Specialist

Oregon Water Resources Department





# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

*NOTE: For water rights information and useful forms, please see our web site at*

[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

May 23, 2019

Certified mail number 7018 0680 0002 0041 4674

Return receipt requested

### SOUTH UMPQUA WATER ASSOCIATION

2080 SHOESTRING RD

RIDDLE, OR 97469

Reference: Application S-84852, Permit S-53867

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by **October 1, 2007**. You have been identified as the owner of the land that has this permit. Please see the enclosed 'Resource Sheet' to access the assignment form if you wish to continue using this water.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2007. The fee for submitting a claim of beneficial use is \$200.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$575.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

**If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (July 26<sup>th</sup>, 2019) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$520.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.**

Should you have any questions, please contact Jeffrey Pierceall by telephone at 503-986-0802 or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Mary Bjork  
Water Rights Program Analyst

Enclosures (1)

cc: File S-84852

OWRD Watermaster District 15



PERMIT STATUS REVIEW BY Mary Björk DATE 5-9-19 FILE # 5-84852

1. Per Dwight French, do not send "C" DATE NOTICE PACKET if: update appropriate db

NO Extension pending \_\_\_\_\_

NO Assignment is pending \_\_\_\_\_

NO Cancellation has been requested \_\_\_\_\_

NO Dept. has already sent a certified 60-Day Compliance letter (date \_\_\_\_\_, # \_\_\_\_\_)

Was 60 days notice allowed? Y N If No, How Much Time? \_\_\_\_\_

Was mail deliverable as addressed? Y N date \_\_\_\_\_

If mail returned, online/www check? Y N date \_\_\_\_\_ successful? Y N

Re-send Cert. Letter? Y N date \_\_\_\_\_

Send cancellation order Y N

NO Claim of beneficial use and final proof map (COBU) have been received by Department

Date information received \_\_\_\_\_

2. IF NONE OF THE ABOVE APPLY

☒ Send certified "C" date notice packet to permit holder.

"C" DATE 10-1-07 BASIN NUMBER 16 WM # 15

CWRE or AGENT \_\_\_\_\_

3. AOI Yes \_\_\_\_\_ NO ☒ If Yes, name of AOI \_\_\_\_\_

S:\groups\wr\PERMIT C jdc-date-checklist.doc

file rec'd fr. JP 5-9-19, per DWF start  
CN process. HBB





# Oregon

Kate Brown, Governor

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

*NOTE: For water rights information and useful forms, please see our web site at  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)*

January 11, 2018

Certified mail number 7016 0340 0000 0163 0972  
Return receipt requested

Name and Address

Reference: Application [App Number], Permit [Per Number]

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by [C-date].

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2011. The fee for submitting a claim of beneficial use is \$200.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$670.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (March 12, 2018) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$520.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.

Should you have any questions, please contact your local watermaster Corey Courchane by telephone at 503-986-0825, Jeffrey Pierce by telephone at 503-986-0802, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter

Water Rights Program Analyst

Enclosures (1)

cc: File [App Number]  
OWRD Watermaster District [WM Number]

Hi Tonya,

Pls. be sure that the  
letter for these 2 files  
have the upds (highlighted)  
Again w/ these, I'd like  
to watch you process to  
learn the steps.  
THNX! Mary



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## Business Entity Data

05-09-2019  
09:41

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
083660-15	DCOOP	ACT	OREGON	06-20-1968	06-20-2019	YES
Entity Name	SOUTH UMPQUA WATER ASSOCIATION					
Foreign Name						

## Online Renewal:

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## Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS		
Addr 1	132 MAIN ST			
Addr 2				
CSZ	RIDDLE	OR	97469	0000 Country UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	09-01-1994	Resign Date	
Name	SUSIE	QUINN				
Addr 1	2080 SHOESTRING RD					
Addr 2						
CSZ	RIDDLE	OR	97469		Country	UNITED STATES OF AMERICA

Type	MAL	MAILING ADDRESS		
Addr 1	PO BOX 106			
Addr 2				
CSZ	RIDDLE	OR	97469	Country UNITED STATES OF AMERICA



Type	PRE	PRESIDENT			Resign Date	
Name	DAVE		MEYER			
Addr 1	1265 EVERGREEN RIDGE RD					
Addr 2						
CSZ	RIDDLE	OR	97469		Country	UNITED STATES OF AMERICA



Type	SEC	SECRETARY			Resign Date	
Name	CINDY		MILLER			
Addr 1	PO BOX 532					
Addr 2						
CSZ	RIDDLE	OR	97469		Country	UNITED STATES OF AMERICA

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Business Entity Name	Name Type	Name Status	Start Date	End Date
SOUTH UMPQUA WATER ASSOCIATION	EN	CUR	06-20-1968	

Please [read](#) before ordering [Copies](#).

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Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	06-19-2018		FI		
	ANNUAL REPORT	07-11-2017		FI		
	ANNUAL REPORT	06-16-2016		FI		
	ANNUAL REPORT	06-15-2015		FI		
	AMENDED ANNUAL REPORT	06-13-2014		FI		
	ANNUAL REPORT PAYMENT	06-10-2013		SYS		
	ANNUAL REPORT PAYMENT	06-11-2012		SYS		
	ANNUAL REPORT PAYMENT	06-14-2011		SYS		
	ANNUAL REPORT PAYMENT	06-08-2010		SYS		
	ANNUAL REPORT PAYMENT	06-08-2009		SYS		
	ANNUAL REPORT PAYMENT	06-09-2008		SYS		
		05-18-2007		SYS		



	ANNUAL REPORT PAYMENT					
	ANNUAL REPORT PAYMENT	06-12-2006		SYS		
	ANNUAL REPORT PAYMENT	06-14-2005		SYS		
	ANNUAL REPORT PAYMENT	05-10-2004		SYS		
	ANNUAL REPORT PAYMENT	06-06-2003		SYS		
	ANNUAL REPORT PAYMENT	06-10-2002		SYS		
	ANNUAL REPORT PAYMENT	06-11-2001		SYS		
	STRAIGHT RENEWAL	06-21-2000		FI		
	CHANGED RENEWAL	06-24-1999		FI		
	STRAIGHT RENEWAL	06-08-1999		FI		
	STRAIGHT RENEWAL	07-20-1998		FI		
	CHANGED RENEWAL	07-20-1998		FI		
	STRAIGHT RENEWAL	06-06-1997		FI		
	STRAIGHT RENEWAL	05-10-1996		FI		
	AMENDED RENEWAL	06-20-1995		FI		
	REINSTATEMENT	09-01-1994		FI		
	AGENT/AUTH REP CHNG	09-01-1994		FI		
	INVOL DISSOLUTION	02-08-1982		FI		

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## Riddle Water Rights:

### App S-379; Permit S-162; Cert 727

Source: Judd Creek

Max Q: 0.5 cfs

Use: Municipal and Domestic Supply for City of Riddle

Priority Date: November 1, 1909

Ownership Update received on April 25, 2019. Development of this right was completed in 1914. There is no further action required in the development of this right. The City may continue to utilize this right for municipal purposes in the auxiliary water system, and as a back-up redundant supply.

### App S-2230; Permit S-1121; Cert 1647

Source: Wilson Creek (AKA Russell Creek), tributary of Cow Creek

Max Q: 1.0 cfs

Use: Municipal Supply

Priority Date: April 22, 1912

Development of this right was completed in 1917. The City will need to apply for a transfer to change the point of diversion downstream to the location of the diversion that is used on Cow Creek to supply the treatment facility. Estimated time to review a transfer application should be 12-14 months.

### App S-22947; Permit S-18084; Cert 65129

Source: Cow Creek, tributary of South Umpqua River

Max Q: 1.0 cfs

Use: Municipal Use

Priority Date: December 11, 1947

Development of this right was originally completed in 1952, and Certificate 20855 was issued. Transfer T-5924 was approved on June 15, 1987, authorizing the change in point of diversion to the location of the water treatment facility. The change was perfected by Certificate 65129. No further action is required under this right.

App 60959; Permit S-45405; Cert N/A

Source: Cow Creek, tributary of South Umpqua River

Max Q: 3.0 cfs

Use: Municipal

Priority Date: October 31, 1980

Permit was issued January 26, 1981, and had an original completion date of October 1, 1983. The permit has been extended four times, with the most recent date for completion being October 1, 2003. Continued development of this permit relies on gaining an additional extension of time. If approved, the extension of time will include a condition requiring the City to submit a Water Management and Conservation Plan (WMCP) within 3-years of the Final Order. The condition will also place a limitation of the diversion under this permit, where the undeveloped portion of the permit could not be used until the WMCP is approved, and "green-light" water is authorized. The limitation will be based on the maximum diversion rate that has been utilized under this right between the date the permit was issued (January 26, 1981) and June 29, 2005, (*ORS 537.230(1) defines the undeveloped portion of a permit as the difference between the maximum rate or duty specified in a water right permit and the maximum rate or duty diverted as of the later of: (a) June 29, 2005; (b) The time specified in the permit to perfect the water right; or (c) The time specified in the last-approved extension of time to perfect the water right.*) Additionally, the undeveloped portion of the permit will be reviewed by Oregon Department of Fish and Wildlife, and if necessary, additional conditions may be applied to the use of that undeveloped portion to maintain the persistence of listed fish species. These conditions, if applicable, generally amount to restrictions on the diversion of the undeveloped portion during times when stream flows fall below a threshold ODFW establishes in their review.

The time to complete the extension of time process is unknown as there is a reliance on ODFW to review the application, and it may take 2-3 years to complete the process.

WMCP:

If an extension of time is approved for Permit S-45405, the required WMCP will be due to be received by the Department within three years from the date the Final Order on the extension of time is issued. If the City intends to develop any of the undeveloped portion of the permit, the WMCP will need to include a request for "green-light" water.



## SUWA water rights:

### App S-46924; Permit S-35103; Cert N/A:

Source: Cow Creek, tributary of South Umpqua River

Max Q: 1.0 cfs

Use: quasi-municipal

Priority Date: April 29, 1970

Permit was issued on April 29, 1971, and had an original completion date of October 1, 1973. Six previous extensions have been granted for the permit, with the most recent extending the completion date to October 1, 2008. This extension was approved by Final Order on August 30, 1999, and was conditioned to require the installation of fish screen at the POD, and that fish screen was to be approved, in writing, by ODFW by October 1, 2000. **THE FILE DOES NOT CONTAIN THIS APPROVAL DOCUMENTATION.** The extension was also conditioned to require the submittal of a Progress Report in October 2003. A Progress report was submitted September 23, 2003, satisfying this condition. Information in the file would suggest that SUWA has diverted 0.23 cfs under this permit. To continue development under this permit, SUWA will need to submit an Application for Extension of Time.

### App S-84852; Permit S-53867; Cert N/A

Source: Galesville Reservoir

Max Q: 20.0 acre-feet of **STORED WATER ONLY**, at a rate not to exceed 0.67 cfs

Use: quasi-municipal

Priority Date: August 23, 2001

Permit was issued on December 6, 2002, and has a completion date of October 1, 2007. The permit is conditioned to require the installation of a fish screen, which was to be approved by ODFW prior to the diversion of any water. **THE FILE DOES NOT CONTAIN THIS APPROVAL DOCUMENTATION.** The permit requires the maintenance of a water supply contract for release of water from Galesville Reservoir. **THE INFORMATION IN THE FILE ONLY SHOW A CONTRACT THAT IS VALID THROUGH 2010.** The permit also required the submittal of a WMCP on or before October 1, 2007. **TO DATE, THE DEPARTMENT HAS NOT RECEIVED THE REQUIRED WMCP.** This permit will require an extension of time, regardless of how much water has been developed under the permit. The extension will be necessary for SUWA to keep this permit, as they cannot

make proof under this permit as the condition requiring submittal of a WMCP has not been complied with. The Department intends to contact SUWA to inform them that they will need to submit an Application for Extension of Time, or they risk cancellation of the permit. In order for an extension to be approved, SUWA will be required to submit an acceptable WMCP prior to the Department processing the extension request. The Department may be willing to work with SUWA on the timing of any final order of approval of a WMCP so not to be required to submit a new one within three years.



## Douglas County Rights:

### Application S-69164; Permit S-50867; Cert N/A

Source: Cow Creek; and Galesville Reservoir

Max Q: 0.67 cfs live flow from Cow Creek; and 10.0 acre-feet stored water from Galesville Reservoir

Use: quasi-municipal use

This permit is held by Douglas County for use by SUWA. The file indicates that the development of this project is complete (C-Form filed). The County may choose to hire a CWRE to prepare a COBU for this permit if there is a desire to receive a certificate, otherwise, the file will remain open until such a time when the Department has staff available to complete the proof survey.

### App 72336; Permit S-52931; Cert N/A

Source: Cow Creek; and Galesville Reservoir

Max Q: 0.07 cfs of live flow from Cow Creek, and 10.0 acre-feet of stored water from Galesville Reservoir

Use: municipal use

Priority Date: April 20, 1990

This permit is a bit more complicated, as it includes uses other than municipal. The above information is only the portion of the permit that applies to the city of Riddle municipal use. Permit was issued October 30, 1996. Information in the file indicates that development is complete for this permit. A COBU was submitted on October 20, 2000. The COBU is in the process of being reviewed by Department staff, and is at the point where a proposed certificate has been issued. The proposed certificate identifies that 0.07 cfs from Cow Creek and 10.0 acre-feet from Galesville Reservoir have been beneficially used under the permit.

Summary:

Based on this information, it does appear that Riddle and SUWA are both in need of filing for an Extension of Time for a few permits with development that has not been completed. One of the essential elements of the Application for Extension of Time is determining at what rate water has been diverted under each of these rights individually. Because all of these permits in question divert water from the same POD, determining the rate for each take into account water diverted under the other permits and certificated rights that draw from the same POD. The files indicate that 1.0 cfs has been diverted under Certificate 65129; 0.23 cfs has been diverted under Permit S-35103; 20.0 acre-feet has been diverted under Permit S-53867; 0.67 cfs and 10.0 acre-feet under Permit S-50867; and 0.07 cfs and 10.0 acre-feet under Permit S-52931; and it is unknown what rate has been diverted under Permit S-45405. Combined, this would suggest that a total of 1.97 cfs has been diverted under all the permits except S-45405, which leave whatever has been diverted beyond 1.97 cfs was likely diverted under Permit S-45405.



## Riddle Water Rights:

### App S-379; Permit S-162; Cert 727

Source: Judd Creek

Max Q: 0.5 cfs

Use: Municipal and Domestic Supply for City of Riddle

Priority Date: November 1, 1909

Ownership Update received on April 25, 2019. Development of this right was completed in 1914. There is no further action required in the development of this right. The City may continue to utilize this right for municipal purposes in the auxiliary water system, and as a back-up redundant supply.

### App S-2230; Permit S-1121; Cert 1647

Source: Wilson Creek (AKA Russell Creek), tributary of Cow Creek

Max Q: 1.0 cfs

Use: Municipal Supply

Priority Date: April 22, 1912

Development of this right was completed in 1917. The City will need to apply for a transfer to change the point of diversion downstream to the location of the diversion that is used on Cow Creek to supply the treatment facility. Estimated time to review a transfer application should be 12-14 months.

### App S-22947; Permit S-18084; Cert 65129

Source: Cow Creek, tributary of South Umpqua River

Max Q: 1.0 cfs

Use: Municipal Use

Priority Date: December 11, 1947

Development of this right was originally completed in 1952, and Certificate 20855 was issued. Transfer T-5924 was approved on June 15, 1987, authorizing the change in point of diversion to the location of the water treatment facility. The change was perfected by Certificate 65129. No further action is required under this right.

App 60959: Permit S-45405: Cert N/A

Source: Cow Creek, tributary of South Umpqua River

Max Q: 3.0 cfs

Use: Municipal

Priority Date: October 31, 1980

Permit was issued January 26, 1981, and had an original completion date of October 1, 1983. The permit has been extended four times, with the most recent date for completion being October 1, 2003. Continued development of this permit relies on gaining an additional extension of time. If approved, the extension of time will include a condition requiring the City to submit a Water Management and Conservation Plan (WMCP) within 3-years of the Final Order. The condition will also place a limitation of the diversion under this permit, where the undeveloped portion of the permit could not be used until the WMCP is approved, and "green-light" water is authorized. The limitation will be based on the maximum diversion rate that has been utilized under this right between the date the permit was issued (January 26, 1981) and June 29, 2005, (*ORS 537.230(1) defines the undeveloped portion of a permit as the difference between the maximum rate or duty specified in a water right permit and the maximum rate or duty diverted as of the later of: (a) June 29, 2005; (b) The time specified in the permit to perfect the water right; or (c) The time specified in the last-approved extension of time to perfect the water right.*) Additionally, the undeveloped portion of the permit will be reviewed by Oregon Department of Fish and Wildlife, and if necessary, additional conditions may be applied to the use of that undeveloped portion to maintain the persistence of listed fish species. These conditions, if applicable, generally amount to restrictions on the diversion of the undeveloped portion during times when stream flows fall below a threshold ODFW establishes in their review.

The time to complete the extension of time process is unknown as there is a reliance on ODFW to review the application, and it may take 2-3 years to complete the process.

**WMCP:**

If an extension of time is approved for Permit S-45405, the required WMCP will be due to be received by the Department within three years from the date the Final Order on the extension of time is issued. If the City intends to develop any of the undeveloped portion of the permit, the WMCP will need to include a request for "green-light" water.



## SUWA water rights:

### App S-46924; Permit S-35103; Cert N/A:

Source: Cow Creek, tributary of South Umpqua River

Max Q: 1.0 cfs

Use: quasi-municipal

Priority Date: April 29, 1970

Permit was issued on April 29, 1971, and had an original completion date of October 1, 1973. Six previous extensions have been granted for the permit, with the most recent extending the completion date to October 1, 2008. This extension was approved by Final Order on August 30, 1999, and was conditioned to require the installation of fish screen at the POD, and that fish screen was to be approved, in writing, by ODFW by October 1, 2000. **THE FILE DOES NOT CONTAIN THIS APPROVAL DOCUMENTATION.** The extension was also conditioned to require the submittal of a Progress Report in October 2003. A Progress report was submitted September 23, 2003, satisfying this condition. Information in the file would suggest that SUWA has diverted 0.23 cfs under this permit. To continue development under this permit, SUWA will need to submit an Application for Extension of Time.

### App S-84852; Permit S-53867; Cert N/A

Source: Galesville Reservoir

Max Q: 20.0 acre-feet of **STORED WATER ONLY**, at a rate not to exceed 0.67 cfs

Use: quasi-municipal

Priority Date: August 23, 2001

Permit was issued on December 6, 2002, and has a completion date of October 1, 2007. The permit is conditioned to require the installation of a fish screen, which was to be approved by ODFW prior to the diversion of any water. **THE FILE DOES NOT CONTAIN THIS APPROVAL DOCUMENTATION.** The permit requires the maintenance of a water supply contract for release of water from Galesville Reservoir. **THE INFORMATION IN THE FILE ONLY SHOW A CONTRACT THAT IS VALID THROUGH 2010.** The permit also required the submittal of a WMCP on or before October 1, 2007. **TO DATE, THE DEPARTMENT HAS NOT RECEIVED THE REQUIRED WMCP.** This permit will require an extension of time, regardless of how much water has been developed under the permit. The extension will be necessary for SUWA to keep this permit, as they cannot

make proof under this permit as the condition requiring submittal of a WMCP has not been complied with. The Department intends to contact SUWA to inform them that they will need to submit an Application for Extension of Time, or they risk cancellation of the permit. In order for an extension to be approved, SUWA will be required to submit an acceptable WMCP prior to the Department processing the extension request. The Department may be willing to work with SUWA on the timing of any final order of approval of a WMCP so not to be required to submit a new one within three years.



## Douglas County Rights:

### Application S-69164; Permit S-50867; Cert N/A

Source: Cow Creek; and Galesville Reservoir

Max Q: 0.67 cfs live flow from Cow Creek; and 10.0 acre-feet stored water from Galesville Reservoir

Use: quasi-municipal use

This permit is held by Douglas County for use by SUWA. The file indicates that the development of this project is complete (C-Form filed). The County may choose to hire a CWRE to prepare a COBU for this permit if there is a desire to receive a certificate, otherwise, the file will remain open until such a time when the Department has staff available to complete the proof survey.

### App 72336; Permit S-52931; Cert N/A

Source: Cow Creek; and Galesville Reservoir

Max Q: 0.07 cfs of live flow from Cow Creek, and 10.0 acre-feet of stored water from Galesville Reservoir

Use: municipal use

Priority Date: April 20, 1990

This permit is a bit more complicated, as it includes uses other than municipal. The above information is only the portion of the permit that applies to the city of Riddle municipal use. Permit was issued October 30, 1996. Information in the file indicates that development is complete for this permit. A COBU was submitted on October 20, 2000. The COBU is in the process of being reviewed by Department staff, and is at the point where a proposed certificate has been issued. The proposed certificate identifies that 0.07 cfs from Cow Creek and 10.0 acre-feet from Galesville Reservoir have been beneficially used under the permit.

**Summary:**

Based on this information, it does appear that Riddle and SUWA are both in need of filing for an Extension of Time for a few permits with development that has not been completed. One of the essential elements of the Application for Extension of Time is determining at what rate water has been diverted under each of these rights individually. Because all of these permits in question divert water from the same POD, determining the rate for each take into account water diverted under the other permits and certificated rights that draw from the same POD. The files indicate that 1.0 cfs has been diverted under Certificate 65129; 0.23 cfs has been diverted under Permit S-35103; 20.0 acre-feet has been diverted under Permit S-53867; 0.67 cfs and 10.0 acre-feet under Permit S-50867; and 0.07 cfs and 10.0 acre-feet under Permit S-52931; and it is unknown what rate has been diverted under Permit S-45405. Combined, this would suggest that a total of 1.97 cfs has been diverted under all the permits except S-45405, which leave whatever has been diverted beyond 1.97 cfs was likely diverted under Permit S-45405.





# Oregon

Kate Brown, Governor

Water Resources Department  
North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone (503) 986-0900  
Fax (503) 986-0904  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

February 28, 2017

South Umpqua Water Association  
Attn: Susan Quinn  
2080 Shoestring Road  
Riddle, OR 97469

## 2<sup>nd</sup> Notice

REFERENCE: PAST DUE Requirement for submittal of a Water Management and Conservation Plan (WMCP)

Dear Ms. Quinn:

This notification is provided to you as a 2<sup>nd</sup> courtesy reminder of a requirement related to South Umpqua Water Association's (Association) Water Management and Conservation Plan (WMCP).

On December 6, 2002 the Oregon Water Resources Department (Department) issued a final order approving Permit #S-53867. A condition contained within the permit specified that the Association submit a WMCP meeting the requirements of OAR Chapter 690, Division 086 to the Department no later than **October 1, 2007**. To date, the Department has not received the Association's required WMCP. *Your WMCP is now past due.*

Additionally, the permit required the Association to complete application of the water to use by **October 1, 2007**. In order for the Department to issue a water right certificate, the Association needs to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. Furthermore, the Association will need to have approved WMCP on file prior to the issuance of a water right certificate.

In the case that the Association has not completed the development of water under this permit, the Association will need to file an application for an extension of time. An extension of time would grant the Association additional time to put water allocated in the permit to full beneficial use. In the event you are no longer using water as allowed by this permit, the Association should request to cancel it.

If you have any questions related to this notification, please do not hesitate to contact me by telephone at 503-986-0919 or by e-mail at [Kerri.H.Cope@oregon.gov](mailto:Kerri.H.Cope@oregon.gov).

Sincerely,

Kerri H. Cope  
Water Management and Conservation Analyst  
Water Right Services Division

cc: WMCP File





Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number S-84852

Final Order

*Application History*

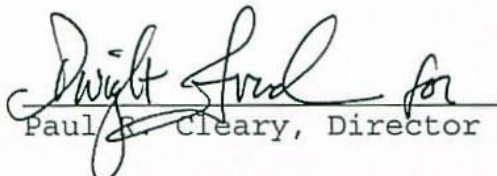
On AUGUST 23, 2001, RAY QUINN FOR SOUTH UMPQUA WATER ASSOC. submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on September 3, 2002. The protest period closed October 18, 2002, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to correctly describe conditions. The Department has determined that on or before October 1, 2007, the permittee shall submit a Water Management and Conservation Plan consistent with OAR Chapter 690, Division 86. The Director may approve an extension of this timeline to complete the required Water Management and Conservation Plan.

Order

Application S-84852 therefore is approved with the above modifications to the Proposed Final Order, and Permit Number 53867 is issued as limited by the conditions set forth therein.

DATED December 6, 2002

  
Paul J. Cleary, Director

*Hearing and Appeal Rights*

Under the provisions of ORS 527.170 and ORS 537.622, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 537.153(6) or ORS 527.621(7) to the Department within 14 days after the date of mailing of this order as shown below. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issued based on the above modifications to the proposed final order may be addressed.

ORS 536.075 allows for additional appeal rights for other than contested case. 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 of this order must be filed within the 60 day time period specified by ORS 183.484(2).



This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the final order is not subject to judicial review.

*This document was prepared by Anita Huffman. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 1-503-378-8455 extension 229.*

*If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her extension number is 239.*

*If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-2496*

STATE OF OREGON

COUNTY OF DOUGLAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RAY QUINN FOR SOUTH UMPQUA WATER ASSOC.  
2080 SHOESTRING RD  
RIDDLE, OREGON 97469

(541) 874-2387

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

APPLICATION FILE NUMBER: S-84852

SOURCE OF WATER: GALESVILLE RESERVOIR, FILED UNDER PERMIT NUMBER R-9964,  
A TRIBUTARY OF COW CREEK

PURPOSE OR USE: QUASI-MUNICIPAL USE

MAXIMUM VOLUME AND RATE: 20.0 ACRE FEET EACH YEAR TO BE DIVERTED AT A  
RATE OF 0.67 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: AUGUST 23, 2001

POINT OF DIVERSION LOCATION: SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SECTION 24, T30S, R6W, W.M.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SECTIONS 15, 16, 17, 18,  
19, 20, 21, 22,  
27, 28, 29, 30,  
31, 32, 33, 34  
TOWNSHIP 30 SOUTH, RANGE 5 WEST

SECTIONS 13, 14, 22, 23,  
24, 25, 26, 27,  
28, 29, 30, 31,  
32, 33, 34, 35,  
36  
TOWNSHIP 30 SOUTH, RANGE 6 WEST

SECTIONS 1, 2, 3, 4, 5, 6  
TOWNSHIP 31 SOUTH, RANGE 6 WEST, W.M.



Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The permittee may submit evidence that the Oregon Department of Fish and Wildlife (ODFW) has determined screens and/or fishways are not necessary. The required screens and fishways are to be in place, functional, and approved by ODFW before diversion of any water.

The use of water under this right is subject to the terms and conditions of contracts U&I 2001-4 and U&I 2001-6, or a satisfactory replacement, between Douglas County Public Works and the applicant, copies of which are on file in the records of the Water Resources Department.

On or before October 1, 2007, the permittee shall submit a Water Management and Conservation Plan consistent with OAR Chapter 690, Division 86. The Director may approve an extension of this timeline to complete the required Water Management and Conservation Plan.

**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.

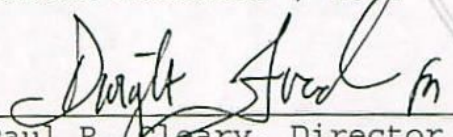
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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.

Complete application of the water to the use shall be made on or before October 1, 2007. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued December 4, 2002

  
Paul R. Cleary, Director  
Water Resources Department

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the



purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.



# Oregon

John A. Kitzhaber, MD, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone (503) 986-0900  
Fax (503) 986-0904  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

October 13, 2014

SOUTH UMPQUA WATER ASSOC.  
2080 SHOESTRING RD  
RIDDLE OR 97469

Reference: Application S-84852, Permit S-53867

Dear Permit Holder:

This letter is in regard to your water use permit referenced above. The Department would like to help you succeed in completing the development of your water use permit. Your permit required you to complete the development of your water use by 10/1/2007.

If you have not yet finished the development of your water use permit (water system construction and beneficial water use) you need to file an application for an extension of time. The Department's approval of an extension of time request provides more time to complete permit development. The current fee for filing an extension of time is \$575.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

If you have completed development of the water use permit, *within the development timelines in the permit or previous extension of time*, you may be ready to seek a water right certificate. A certificate is the final stage in the water right development process and provides the highest level of certainty and protection for your water rights. To obtain a water right certificate you are required to hire a certified water rights examiner (CWRE) to prepare and submit a claim of beneficial use that includes a final proof survey map of the water right development. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you no longer want the water use permit you may voluntarily cancel it, which will help the Department maintain accurate records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

I encourage you to either: (1) file for an extension of time; (2) work with a CWRE to develop and submit a claim of beneficial use; (3) voluntarily cancel the permit; or (4) contact our office in the next 90 days to discuss your plans and a schedule for progress. If you decide to take none of these four actions within 90 days of this letter, the Department may begin the process of cancelling the permit for you in accordance with the provisions of ORS 537.260 and ORS 174.160.

I have included contact information for my staff on the back of this letter so we may assist you efficiently. Should you have any questions, you may contact me directly at the address above or by telephone at 503-986-0819.

Sincerely,

Dwight French  
Water Right Services Division Administrator  
Oregon Water Resources Department

Enclosures (1)

cc: File S-84852  
OWRD Watermaster 15



Contact information for WRD staff

**Claims of Beneficial Use**

Gerry Clark: 503-986-0811

**Permit Extensions**

Municipal: Ann Reece 503-986-0834

Quasi-Municipal: Steven Parrett 503-986-0825

**Permit Cancellations**

Jerry Sauter: 503-986-0817

*NOTE: For water rights information and useful forms, please see our web site at  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)*

# Mailing List for FO Copies

Application # 84852

Mailing List Print Date: November 19, 2002

Original mailed to (when permit issued, include copy of permit map) :

Applicant: SOUTH UMPQUA WATER ASSN; RAY QUINN, 2080  
SHOESTRING RD, RIDDLE, OR 97469

**For FO w/Permit - Copies sent to:**

1. WRD - File # 84852
2. WRD - Ken Stahr

**For FO w/ Permit - FO and Map Copies sent to (Remember to  
reduce copy margins):**

3. WRD - Data Center
4. WRD - Watermaster District #:15, DAVE WILLIAMS
5. WRD - Regional Manager: AL COOK, SWR
6. ODFW District Biologist: Jim Brick

For FO w/Draft Permit, w/Permit, or for Denial - Copies to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_

For FO w/Draft Permit or w/Permit - "\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

1. \_\_\_\_\_
2. \_\_\_\_\_

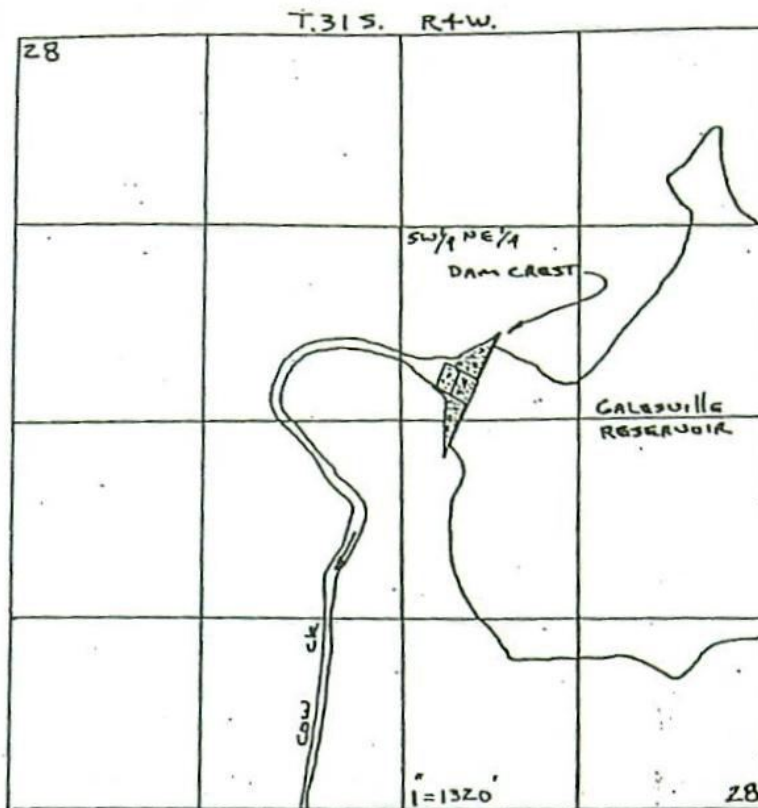
CASEWORKER: AMH

Copies Mailed	
By: _____	(SUPPORT STAFF)
on: _____	(DATE)

**REMINDER TO CASEWORKER:**

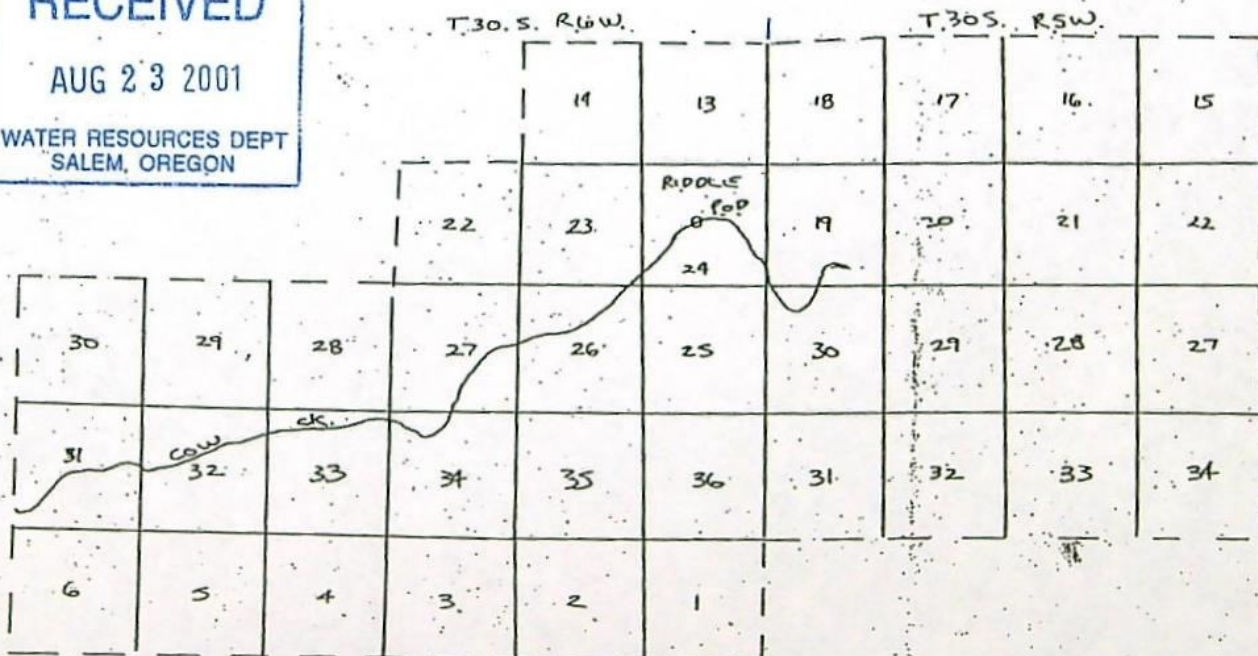
If this application has a fish screening requirement, include a copy of the ODFW fish screen requirement sheet at  
s:\groups\wr\Resource Center -  
permits\forms\general\fishscreencriteria.wpd





DAM (POD) = 2920' N. ; 2060' W. From SE COR. S. 28

RECEIVED  
AUG 23 2001  
WATER RESOURCES DEPT  
SALEM, OREGON



----- = DISTRICT BOUNDARY = PLAGE OF USE  
POD = 2140' S. ; 2240' E. FROM NW COR. S. 24, T.30 S. R.6 W.

Application No. 84852  
Permit No. 53867

# FO CHECKLIST

FILE # 84852  
PFO WEEK # 372  
FO WEEK # 359

PFO TO FO CONVERSION

REVIEW DATE: 11/19/02  
INITIALS: AM  
WM District: 15  
Region Mgr: Alcorn/Sure  
ODFW Bio: Jim Brink

☒ ~~Y~~ ☐ N Has applicant name and/or address changed; or has the file been assigned?

If new: \_\_\_\_\_

In preparing to create the FO, you should check the following:

1. ☒ ~~Y~~ ☐ N Were comments received? If so, from whom and when? WRO add DIV 86/5412  
Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)

2. ☒ On the PFO CC list, verify names and mailing addresses of ALL commentors (regardless of comment date, affected landowners, and those who paid the \$10 fee.

3. ☒ ~~Y~~ ☐ N / NA Have affected land owners been notified? If not, refer to #8.

4. ☒ ~~Y~~ ☐ N / NA Has ODFW asked for self certification of screening condition? If yes, include fish screening form.

5. ☒ Correct PFO errors (such as POD or POU location (verify from map)

6. ☒ ~~Y~~ ☐ N Are requested GW conditions included in permit? If no, add condition(s): \_\_\_\_\_

7. ☒ 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.

Exam Fee Paid	<u>100</u>
Q fee	<u>110</u>
Subtotal	<u>210</u>
Recording Fee	<u>175</u>
Total	<u>385</u>
Amount Paid	<u>385</u>
Amount due/refund	<u>0</u>

1" CFS/AF 100  
Addnl. 10  
TOTAL Q 110

8. ☒ ~~Y~~ ☐ N Is further processing possible? If not state reason: \_\_\_\_\_

FO Type: (circle types) DENIAL

FO MOD

FO w/o PERMIT (REASON: Lacks Fees Lacks Easement Lacks Approved Dam Plans and Specifications)

FO & PERMIT (Permit # 53867)

Once FO document is completed:

9. ☒ Save WordPerfect document in S:\GROUPS\WR\FO\WEEK 359

10. ☒ Print final draft of document and submit for peer review. Peer Reviewer: Corey Engle

11. Complete routing list

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above.

The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production

S:\groups\wr\fo\form\fo check list\_revised.wpd



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **55617**

158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Umpqua Water Association  
BY: \_\_\_\_\_

APPLICATION	S-84852
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 96-505 ☒ OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 175.00

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY) \_\_\_\_\_

\$

OTHER: (IDENTIFY) \_\_\_\_\_

\$

**REDUCTION OF EXPENSE**

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

**0427 WRD OPERATING ACCT**

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) \_\_\_\_\_

\$

(New) TC162 DEPOSIT LIAB. (IDENTIFY) \_\_\_\_\_

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$ 175.00

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

\$

**0467 HYDRO ACTIVITY**

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HRDRO APPLICATION

\$

RECEIPT # **55617**

DATED: 9/18/02 BY: K. Hall

Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

To: Bob Rice <Robert.D.Rice@wrд.state.or.us>  
Subject: Re: Application S-84852; S. Umpqua Water Assoc.  
Cc: Dave Williams <Dave.S.WILLIAMS@wrд.state.or.us>

Hi Bob,

No problem adding the condition. I'll make it have the 5 year time frame. I will be processing the final order sometime in November and I'll be sure to cc you again.

Also, at our next buy off meeting I plan to discuss ensuring the routing of these types of files to the appropriate regional liason for comment.

At 08:48 AM 9/23/02 -0700, Bob Rice wrote:

Hi Anita,

Dave Williams and I have discussed the PFO for the above application, and we would like to see a requirement that a Div. 86 WM&CP be part of the permit. We would be amenable to whatever time frame the applicant is comfortable with, not exceeding 5 years. Please let me know if you have any questions.

Many thanks!

--Bob

Bob Rice  
Field Services Division

Oregon Water Resources Department  
158 12th ST NE, Salem OR 97301-4172  
(503) 378-8455 x 238  
FAX: (503) 378-8130

Water Resources Dept.  
*homepage/website address - <http://www.wrд.state.or.us>*



## SOUTH UMPQUA WATER ASSOCIATION

2080 Shoestring Road  
Riddle, Oregon 97469  
(541) 874-2387 - Office  
(541) 874-3648 - fax  
(541) 874-2759 - emergency only

**fax** transmittal

To: Anita Huffman  
From: South Umpqua Water Assoc.  
Fax: 503-378-8130  
Date: Sept 15, 2002  
Re: Affidavit of Notification  
Pages: 2 - including cover

Notes: Anita - Please find copy of  
notification of publication - as  
agreed -

Suzie

## Affidavit of Publication

**The News-Review**  
OF DOUGLAS COUNTY

Roseburg, Oregon

ISSUED DAILY EXCEPT SATURDAY

STATE OF OREGON  
COUNTY OF DOUGLAS } ss.

I, CATHARINA BURGESS, being first duly sworn, depose and say that I am the Business Manager, of The News-Review, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Roseburg in the aforesaid county and state; that the \_\_\_\_\_

#2505 Notice of Water Use Request \_\_\_\_\_

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 successive and consecutive weeks in the following issues: \_\_\_\_\_

August 27, 2002 \_\_\_\_\_

September 3, 10, 2002 \_\_\_\_\_

The fee actually charged by such newspaper for such publication is \$ 60.24.

*Catharina Burgess*

Subscribed and sworn to before me this 10th day of September, 2002.

*Cindy L. Newton*

Notary Public of Oregon



## NOTICE OF WATER USE REQUEST

Regarding application: S-84852

The Oregon Water Resources Department is evaluating the request by South Umpqua Water Association to use 20.0 Acre-Foot, being diverted at a rate of 0.67 Cubic Foot per Second of the waters of Galesville Reservoir, a tributary of Cow Creek for Quasi-Municipal purposes. The proposed source of water is located within Douglas County, Township 30S, Range 6W. This process is to determine if the request is in compliance with state water laws and regulations. Public participation and comment is encouraged.

ORS 537.130 (3) requires notice to all affected landowners. ORS 537.130 (4) allows this notice to be made through publication for three consecutive weeks in a local newspaper if there are more than 25 landowners involved. For further information contact the Water Resources Department Water Rights Information Group at (503) 378-8455 extension 201. Written information requests may be addressed to the Oregon Water Resources Department at 158 12th Street NE, Salem, Oregon 97301-4172. #2505, Pub. Dates: August 27, September 3 and 10, 2002.



Oregon Water Resources Department  
Water Rights Division

RECEIVED

SEP 18 2002

WATER RESOURCES DEPT.  
SALEM, OREGON

Water Rights Application  
Number S-84852

Proposed Final Order

Prior to issuance of a permit, permit recording fees in the amount of \$175.00 must be submitted to the Department. In order to expedite the processing of the Final Order and permit, you may wish to submit \$175.00 prior to the protest deadline of October 25, 2002. Please include your application number on your check made out to the Oregon Water Resources Department. If this fee is not paid prior to October 25, 2002, issuance of your permit will be delayed until all fees are paid.

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

*Application History*

On AUGUST 23, 2001, RAY QUINN FOR SOUTH UMPQUA WATER ASSOC. submitted an application to the Department for the following water use permit:

- Amount of Water: 20.0 ACRE FEET TO BE DIVERTED AT A RATE OF 0.67 CUBIC FOOT PER SECOND
- Use of Water: QUASI-MUNICIPAL USE
- Source of Water: GALESVILLE RESERVOIR, A TRIBUTARY OF COW CREEK
- Area of Proposed Use: DOUGLAS County within the District boundaries of the South Umpqua Water Association, SECTIONS 15 THROUGH 22 AND SECTIONS 27 THROUGH 34, TOWNSHIP 30 SOUTH, RANGE 5 WEST; AND SECTIONS 13, 14, AND 22 THROUGH 36, TOWNSHIP 30 SOUTH, RANGE 6 WEST; AND SECTIONS 1 THROUGH 6, TOWNSHIP 31 SOUTH, RANGE 6 WEST, W.M.

# Mailing List for PFO Copies

---

Application #S-84852

PFO Date September 10, 2002

**Original mailed to:**

Applicant: RAY QUINN FOR SOUTH UMPQUA WATER ASSOC., 2080 SHOESTRING RD, RIDDLE, OREGON 97469

Copies sent to:

- 1. WRD - File # S-84852
- 2. Water Availability: Ken Stahr

PFO and Map Sheet Copies sent to:

- 3. WRD - Watermaster # District 15
- 4. Regional Manager: SWR
- 5. ODFW District Biologist: Jim Brick
- 6. DEQ: John Blanchard (W Region)
- 7. DOA: Jim Johnson
- 8. WRD: Bob Rice, SWR Liason

Copies Mailed
By: <u>708</u>
(SUPPORT STAFF)
on: <u>9/11/02</u>
(DATE)

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

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

CASEWORKER: huffmaam WEEK 371



Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number S-84852

**Proposed Final Order**

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On March 22, 2002, the Department mailed the applicant notice of its Initial Review, determining that "The use of 20.0 ACRE-FEET, BEING DIVERTED AT A RATE OF 0.67 CUBIC FOOT PER SECOND from GALESVILLE RESERVOIR, A TRIBUTARY OF COW CREEK for QUASI-MUNICIPAL USE is allowable year-round subject to the availability of a contract to use stored water from the Galesville Reservoir Storage Project." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On April 9, 2002, 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. The applicant submitted two contracts to purchase stored water from Douglas County.

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
- any comments received

#### *Findings of Fact*

The Umpqua Basin Program allows MUNICIPAL USE.

Senior water rights exist on GALESVILLE RESERVOIR, A TRIBUTARY OF COW CREEK, or on downstream waters.

GALESVILLE RESERVOIR, A TRIBUTARY OF COW CREEK is not within or above a State Scenic Waterway.

The Department finds that the amount of water requested, 20.0 AF, TO BE DIVERTED AT A RATE OF 0.67 CUBIC FOOT PER SECOND, is an acceptable amount.

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 recommended that additional limitations or conditions of use be imposed on this application as follows:

The suction intake shall be adequately screened with 3/32 inch mesh screen to protect juvenile salmonids

#### *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) (i.e. the use of water is human consumption or livestock), 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, or a 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 other rules of the Water Resources Commission not otherwise described above.

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 September 10, 2002

  
Dwight French  
Water Rights Section Manager

*If you have any questions,  
please check the information  
box on the last page for the  
appropriate names and  
phone numbers.*

#### Protest Rights and Standing

Under the provisions of 537.621(7), you have the right to protest 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 a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.

- If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.

#### Requests for Standing

Under the provisions of 537.153(5), persons other than the applicant who support a proposed final order may request standing for purposes of participating in any contested case proceeding on the proposed final order or for judicial review of a final order. A request for standing shall be in writing, include a statement that the requester supports the proposed final order, and a statement of how the requester would be harmed if the proposed final order is modified. The fee required at the time of submitting this request is \$50.00. If a hearing is scheduled, an additional fee of \$150.00 must be submitted along with a request for intervention. Forms to request standing are available from the Department.

Your protest or request for standing must be received in the Water Resources Department no later than **October 25, 2002**.

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.

*This document was prepared by Anita Huffman. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 1-503-378-8455 extension 229.*

*If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her extension number is 239.*

*If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201. Address all other correspondence to:*

Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301  
Fax: (503)378-6203

huffmaam-WEEK 372



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

RAY QUINN FOR SOUTH UMPQUA WATER ASSOC.  
2080 SHOESTRING RD  
RIDDLE, OREGON 97469

(541) 874-2387

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

APPLICATION FILE NUMBER: S-84852

SOURCE OF WATER: GALESVILLE RESERVOIR, FILED UNDER PERMIT NUMBER R-9964,  
A TRIBUTARY OF COW CREEK

PURPOSE OR USE: QUASI-MUNICIPAL USE

MAXIMUM VOLUME AND QUANTITY: 20.0 ACRE FEET EACH YEAR TO BE DIVERTED AT  
A RATE OF 0.67 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: AUGUST 23, 2001

POINT OF DIVERSION LOCATION: SW ¼ NE ¼, SECTION 24, T30S, R6W, W.M.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

WITHIN THE BOUNDARIES OF THE SOUTH UMPQUA WATER ASSOCIATION  
SECTIONS 15, 16, 17, 18, 19, 20,  
21, 22, 27, 28, 29, 30, 31, 32, 33, 34  
TOWNSHIP 30 SOUTH, RANGE 5 WEST

SECTIONS 13, 14, 22, 23, 24, 25  
26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36  
TOWNSHIP 30 SOUTH, RANGE 6 WEST

SECTIONS 1, 2, 3, 4, 5, 6  
TOWNSHIP 31 SOUTH, RANGE 6 WEST, W.M.



Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The permittee may submit evidence that the Oregon Department of Fish and Wildlife (ODFW) has determined screens and/or fishways are not necessary. The required screens and fishways are to be in place, functional, and approved by ODFW before diversion of any water.

The use of water under this right is subject to the terms and conditions of contracts U&I 2001-4 and U&I 2001-6, or a satisfactory replacement, between Douglas County Public Works and the applicant, copies of which are on file in the records of the Water Resources Department.

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.

Complete application of the water to the use shall be made on or before October 1, 2006. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued \_\_\_\_\_, 2002

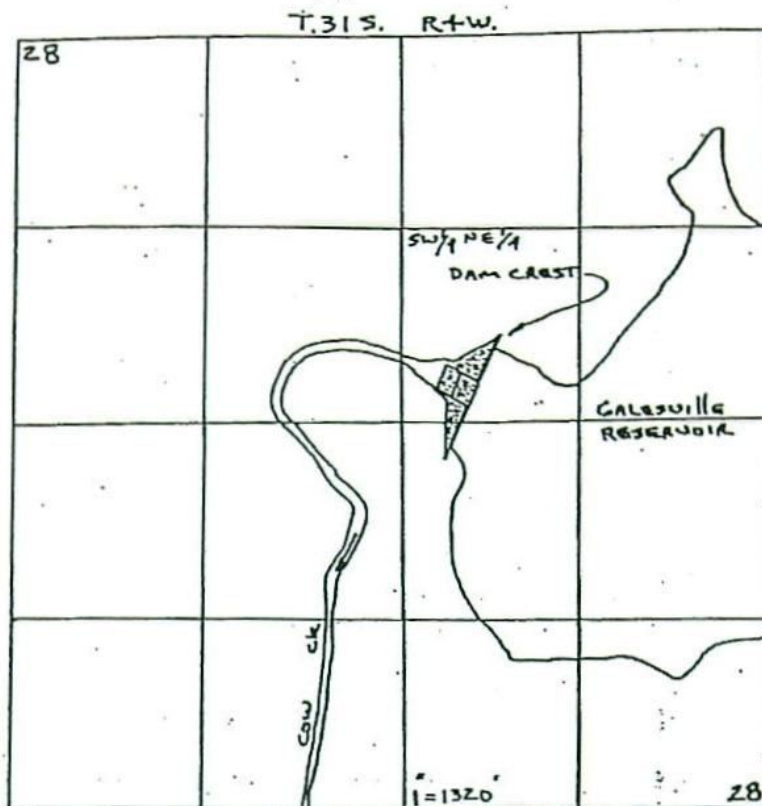
DRAFT - THIS IS NOT A PERMIT

Paul R. Cleary, Director  
Water Resources Department

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.



CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

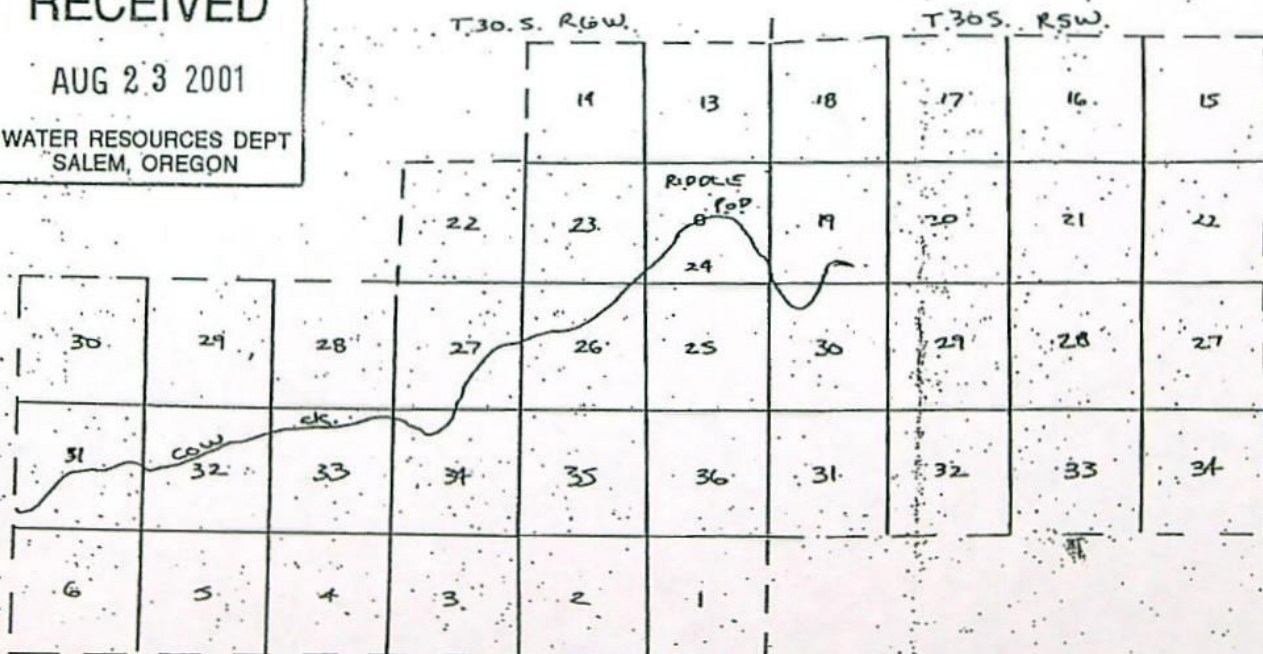


DAM (POD) = 2920' N. ; 2060' W. From SE COR. S. 28

RECEIVED

AUG 23 2001

WATER RESOURCES DEPT  
SALEM, OREGON



----- = DISTRICT BOUNDARY = PLACE OF USE

POD = 2140' S. & 2240' E. FROM NW COR. S. 24, T.30 S., R.6 W.

Application No. 84852  
Permit No.



# PFO CHECKLIST

PFO WEEK # 370

10. IR Date S-84852 8/19/02 Public Notice Date 4/9/02 Comment Rec'd yes - ODFW/wm.

20. Filed after 10/23/99? (Y) / N (if N A date should be included)

Changes from IR determinations: \_\_\_\_\_

Rec'd contract.  
ODFW - fish screening.

POD      315 4W 28  
              305 6W 24

Agencies and Additional People to Notify: \_\_\_\_\_

- ✓ 30. Shortcomings preventing PFO, FO, or permit? Y / (N) Should process continue (Y) / N
- 40. Is second groundwater review necessary? Y / (N) complete? N/A / N
- ✓ 50. IR identifies as on DEQ 303d List? Y / (N) NA Comments received? Y / N

initials: [Signature] Date: 8/29/02

Revised 3/7/02

Contract # U&I 2001-6  
10AF.



# OREGON DEPARTMENT FISH & WILDLIFE

4192 NORTH UMPQUA HWY - ROSEBURG OR 97470

(541)440-3353 FAX (541)673-0372

FAX TRANSMITTAL

Date 4/5/02

Pages 1 including cover ☐

To: *Anita Huffman*

From: *Jim Bueh*

Subject: *R84852*

Special Instructions:



**DIVISION 33 APPLICATION REVIEW SHEET FOR USE BY ODFW**

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Date: 3/22/02 21 day Deadline Date: 4/12/02 Application # R84852

Applicant's Name: South Umpqua Water Association

1) Will the proposed use occur in an area that may affect the essential habitat of sensitive, threatened, or endangered fish species? [690-33-330(1)]

NO / YES Species: Coho Status: Sensitive, Threatened, Endangered

IF ANSWER TO QUESTION (1) IS YES, CONTINUE ON THIS PAGE TO QUESTION (2),  
IF ANSWER IS NO, FILL OUT PUBLIC INTEREST REVIEW SHEET (PAGE 2)

What stage or value is at risk (circle all that apply): Spawning, Incubation, Rearing, Passage, Habitat Value

2) Will the proposed use result in a LOSS in the essential habitat of THREATENED OR ENDANGERED SPECIES or a NET LOSS in the habitat of a SENSITIVE SPECIES?

NO / YES

A) Standard of NET LOSS applies to sensitive species statewide. [690-33-330(2)(a)]

B) Standard of LOSS applies to T or E species outside the Columbia Basin. [690-33-330(2)(b)]

3) Can conditions be applied to mitigate the impact to the essential habitat of a S, T or E species?

NO / YES [690-33-330(3)]

Which conditions are recommended? Remove  
No in-channel structure to divert water shall  
be allowed. ODFW requests that the suction intake be adequately screened with  
3/32 inch mesh screen to protect juvenile salmonids.

8/19/02  
per telephone  
conversation w/  
Jim Brick ODFW  
Remove "no-in-channel  
structure" condition.  
Keep screening  
condition

4) If conditions cannot be identified to offset impacts to the essential habitat of S, T or E species, would the proposed use harm the species?

NO / YES [690-33-330(4)]

If YES, please explain:

**ODFW RECOMMENDATION:**

X Approval with fishery conditions.

Approval without fishery conditions.

Denial.

ODFW Representative: Name: Jim Brick Date: 3/26/02

WRD Contact: Anita Huffman, Water Rights Division  
503-378-8455 ext: 229 / Fax: 503-378-6203 / e-mail: Anita.M.HUFFMAN@wrdd.state.us



# WATERMASTER DIVISION 33 APPLICATION WORK SHEET

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species,  
OAR 690-33-310 through 340.

Date: 3/22/02 21 day Deadline Date: 4/12/02 Application # 584832

Applicant's Name: 8. Umpqua Water Assn.

SOURCE OF WATER: ☐ GROUNDWATER ☐ SURFACE WATER ☒ STORAGE

DESCRIPTION OF THE SOURCE: GALESVILLE RESERVOIR  
(A spring, well, sump, exempt pond, unnamed stream, etc.)

1) If from surface water, does the water at the proposed diversion location flow into another water body?

☐ YES ☐ NO ☐ SOMETIMES NOT APPLICABLE

If sometimes, describe the time period, Between: \_\_\_\_\_ and \_\_\_\_\_.

2) Does the source ever go dry in the area of the proposed diversion?

☐ YES ☒ NO

3) 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 ☒ NO

If YES, please explain: \_\_\_\_\_

APPLICATION IS FOR GALESVILLE  
STORED WATER ONLY

4) 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 ☐ NO

Who: \_\_\_\_\_ Agency: \_\_\_\_\_ Date: \_\_\_\_\_

5) Did you meet with staff from another agency to discuss this application?

☐ YES ☒ NO

6) Is mitigation an option?

☐ YES ☐ NO

If YES, please explain: \_\_\_\_\_

UNKNOWN

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name: Jack B. Williams Date: 4-1-02 Title: WATERMASTER, DIST. 15

WRD Contact: Caseworker: Anita Huffman, Water Rights Division  
503-378-8455 ext: 229 / Fax: 503-378-6203 / e-mail: Anita.M.HUFFMAN@wrdr.state.or.us

S:\groups\wr\Resource Center - permits\forms\ir\wmform 02-26-02.wpd

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APR 13 2002  
WATER RESOURCES DEPT.  
SALEM, OREGON



# Mailing List for IR Copies

Lower Columbia/Statewide

Application # 84852

IR Date: March 22, 2002

## Original mailed to:

Applicant: SOUTH UMPQUA WATER ASSOC.;  
QUINN, RAY, 2080 SHOESTRING RD,  
RIDDLE, OREGON 97469

Review Forms completed and Copies Mailed

By: TCB  
(Support Staff)

on: 3/22/02  
(Date)

Due date: 4/12/02

## Copies sent to:

- 4. WRD - File # 84852
- 5. WRD - Water Availability: Ken Stahr

## IR, Map, Fact Sheet — Copies sent to:

- 6. WRD - Regional Manager (not SCR or NWR for district 16): SWR

**Note to Support:** Complete top portion of Division 33 Review Forms —  
Date Sent, Due Date (28 days after date sent), application number and name —  
and staple form to front of copy packet for the following:

- 1) Watermaster
- 2) ODFW
- 3) DEQ (if indicated below)

## Mail Copies of IR, Map, Fact Sheet, and Basin Map to the following:

- 6. WRD - Watermaster # 15 + **Watermaster Form**
- 7. ODFW District Biologist: Jim Brick + **ODFW Form 2 (L. Col./Statewide)**
- 8. DEQ W-J. Blanchard + **DEQ Form**
- 9. DOA (Salem): Jim Johnson

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

10. \_\_\_\_\_

11. \_\_\_\_\_

12. \_\_\_\_\_

ID#

COPY511T IR

Route to Support for database tracking \_\_\_\_\_

AH



SOUTH UMPQUA WATER ASSOCIATION  
2080 Shoestring Rd. — Riddle, OR 97469  
(503) 874-2387

March 28, 2002

State of Oregon  
Water Resources Department  
158 12<sup>th</sup> Street NE  
Salem, Oregon 97301-4172

RE: Application File #S-84852

Anita:

Please find enclosed copies of our contracts with Douglas County, in regards to use of water from Galesville Reservoir. I have also enclosed a copy of the paperwork you sent us requesting this information.

If any further information or paperwork is needed, please let me know as soon as possible.

Sincerely,

SOUTH UMPQUA WATER ASSOCIATION

---

Susie Quinn  
Bookkeeper

encs

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MAR 29 2002

WATER RESOURCES DEPT.  
SALEM, OREGON



01 AUG 23 PH 2:20

DOYLE SHAVER JR.  
DOUGLAS COUNTY CLERK  
**CONTRACT FOR PURCHASE OF MUNICIPAL, QUASI MUNICIPAL  
OR GROUP DOMESTIC WATER  
FROM GALESVILLE PROJECT**

This contract is made on August 21, 2001 between  
Douglas County, a political subdivision of the State of Oregon, (County), and  
South Umpqua Water Association, (Customer).

**COUNTY AND CUSTOMER AGREE:**

**1. TERM AND RENEWAL:**

1.1. The initial term of this contract shall begin on August 21, 2001 and end on December 31, 2010, 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 modifications required to comply with any contract between County and the United States concerning

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SALEM, OREGON



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 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 10.00 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 (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 Customer's point

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SALEM, OREGON



of diversion of record by County with equipment installed and maintained by County.

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 County no later than November 30th of 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 municipal, quasi-municipal or group domestic uses. 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 Oregon State Water Resources Department (OWRD). Once installed, it shall be the Customer's responsibility to maintain such device in good working order. If requested by OWRD, Customer shall maintain a record of the amount of water use and report water use on such periodic schedule as may be established by 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 by the requirer, prior to 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 municipal 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 \$ 742.50 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 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, 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 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 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:

South Umpqua Water Association  
2080 Shoestring Road, Riddle, Oregon 97469

**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**

Name South Umpqua Water

By [Signature]

Title President - Bd of Dir

**BOARD OF COUNTY COMMISSIONERS  
OF DOUGLAS COUNTY, OREGON  
JIM ERWIN, DIRECTOR  
PUBLIC WORKS DEPARTMENT**

By [Signature]

Frank Nielsen  
Division Manager  
Natural Resources Division

Fed ID No. 93-0640930

**FOR COUNTY USE ONLY:**

**REVIEWED AS TO CONTENT**

By [Signature]  
County Department Head

Date 8-27-01

Coding \_\_\_\_\_

**REVIEWED AS TO FORM**

By [Signature]  
Paralegal

Date \_\_\_\_\_

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SALEM, OREGON

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SALEM, OREGON

Security enhanced document. See back for details.


**SOUTH UMPQUA WATER ASSOC.**  
RIDDLE, OR 97469

5770



PAY TO THE ORDER OF Douglas Co Public Works DATE Aug 21, 2001 96-505/1232 40

Seven hundred forty two & 50/100 \$ 742.50

DOLLARS Security features are included. Details on back.

 1-800-557-7872

FOR Galesville 10 AC FT Dave Meyer NP

Records have been redacted or withheld pursuant to the exemption for financial transfer records specified in ORS 192.345(27).



DOYLE SHAYER, JR.  
DOUGLAS COUNTY CLERK**CONTRACT FOR PURCHASE OF MUNICIPAL, QUASI MUNICIPAL  
OR GROUP DOMESTIC WATER  
FROM GALESVILLE PROJECT**

This contract is made on August 6, 20 01 between  
Douglas County, a political subdivision of the State of Oregon, (County), and  
South Umpqua Water Association, (Customer).

**COUNTY AND CUSTOMER AGREE:****1. TERM AND RENEWAL:**

1.1. The initial term of this contract shall begin on August 6, 20 01 and  
end on December 31, 2010, 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 modifications  
required to comply with any contract between County and the United States concerning

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WATER RESOURCES DEPT.  
SALEM, OREGON



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 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 10.00 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 (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 Customer's point

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SALEM, OREGON



of diversion of record by County with equipment installed and maintained by County.

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 County no later than November 30th of 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 municipal, quasi-municipal or group domestic uses. 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 Oregon State Water Resources Department (OWRD). Once installed, it shall be the Customer's responsibility to maintain such device in good working order. If requested by OWRD, Customer shall maintain a record of the amount of water use and report water use on such periodic schedule as may be established by 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 by the requirer, prior to 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 municipal 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 \$ 742.50 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 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, 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 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 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.

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MAR 29 2002

WATER RESOURCES DEPT.  
SALEM, OREGON



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:

South Umpqua Water Association

2080 Shoestring, Riddle, Oregon 97469

**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**

Name South Umpqua Water

By [Signature]

Title President So Ump Water

**BOARD OF COUNTY COMMISSIONERS  
OF DOUGLAS COUNTY, OREGON**

**JIM ERWIN, DIRECTOR  
PUBLIC WORKS DEPARTMENT**

By [Signature]

Frank Nielsen  
Division Manager  
Natural Resources Division

Fed ID No. 93-0640930

**FOR COUNTY USE ONLY:**

REVIEWED AS TO CONTENT	REVIEWED AS TO FORM
By <u>[Signature]</u>	By <u>[Signature]</u>
County Department Head	Paralegal
Date <u>8-20-01</u>	Date <u>8-17-01</u>
Coding _____	

RECEIVED

MAR 29 2002

WATER RESOURCES DEPT.  
SALEM, OREGON


Security enhanced document. See back for details.

**SOUTH UMPQUA WATER ASSOC.**  
RIDDLE, OR 97469

5769

DATE Aug 7, 2001 96-505/1232  
46

PAY TO THE ORDER OF Water Resources \$ 742.50  
Seven hundred forty two & 50/100 DOLLARS

 1-800-557-7872  
SOUTH UMPQUA  
BANK

FOR 10 acre fut - Galesville Dave Meyer  
[Redacted] [Redacted]

GUARANTEE & INCORPORATED

Records have been redacted or withheld pursuant to the exemption for financial transfer records specified in ORS 192.345(27).

RECEIVED  
MAR 29 2002  
WATER RESOURCES DEPT.  
SALEM, OREGON



S-84852

Oregon

WATER  
RESOURCES  
DEPARTMENT

## FAX COVER SHEET

Watermaster  
District 15DATE: 3/25/02TO: Anita HusClaine  
Dave WilliamsDEPT:     

Watermaster

FAX NO: (503)

541-440-6264

     PLEASE RE

S, INCLUDING COVER

*Please  
file  
S-84852*

Attached South  
Umpqua Assoc. Hillsville  
Contract requested in your  
letter of 3/22/02

Rm 306 Courthouse  
Roseburg, OR 97470-1719  
(503) 440-4255  
FAX (503) 440-6264

S-84852

Oregon

WATER  
RESOURCES  
DEPARTMENTWatermaster  
District 15

## FAX COVER SHEET

DATE: 3/25/02TO: Anita Huffman

FROM:

Claine  
Dave Williams

DEPT: \_\_\_\_\_

DEPT: Watermaster

FAX NO: (503) 378-6203

FAX NO: 541-440-6264

\_\_\_\_ PLEASE RESPOND ASAP

10 PAGES, INCLUDING COVER

## MESSAGE

Attached is a copy of South  
Umpqua Water Assoc. Hillsville  
Contract requested in your  
letter of 3/22/02

Rm 306 Courthouse  
Roseburg, OR 97470-1719  
(503) 440-4255  
FAX (503) 440-6264





# Oregon

John A. Kitzhaber, M.D., Governor

**CERTIFIED MAIL**  
**Return Receipt Requested****Water Resources Department**Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130  
www.wrd.state.or.us

March 22, 2002

SOUTH UMPQUA WATER ASSOCIATION  
RAY QUINN  
2080 SHOESTRING RD  
RIDDLE, OR 97469

Reference: Application File #S-84852

Dear Applicant:

Your Initial Review has been processed, and I found that additional information is required to complete your application for water use. The Department will not proceed with a positive Proposed Final Order and will not issue a permit approving the proposed use, as requested under this Application #84852, until a contract authorizing the appropriation of stored water is obtained from Douglas County for the use of water stored in Galesville Reservoir.

Please submit this information no later than Thursday, May 9, 2002. If you are unable to submit the above listed information, you may request a "Time Out from Processing" for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If a time out is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the items requested above by this date, or you do not request a "Time Out from Processing," we may reject your application consistent with ORS 537.153. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

Should you have any questions regarding your application or the required materials listed above, or if you need to request an extension of time, please call me at (503) 378-8455, extension 229

Sincerely,

Anita M. Huffman  
Senior Water Rights Techniciancc: Watermaster Dist 15  
File



01 AUG 23 PM 2:20

DOYLE SHAWER JR.  
DOUGLAS COUNTY CLERK**CONTRACT FOR PURCHASE OF MUNICIPAL, QUASI MUNICIPAL  
OR GROUP DOMESTIC WATER  
FROM GALESVILLE PROJECT**

This contract is made on August 21, 2001 between  
Douglas County, a political subdivision of the State of Oregon, (County), and  
South Umpqua Water Association, (Customer).

**COUNTY AND CUSTOMER AGREE:****1. TERM AND RENEWAL:**

1.1. The initial term of this contract shall begin on August 21, 2001 and end on December 31, 2010, 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 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 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 10.00 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 (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 Customer's point



of diversion of record by County with equipment installed and maintained by County.

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 County no later than November 30th of 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 municipal, quasi-municipal or group domestic uses. 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 Oregon State Water Resources Department (OWRD). Once installed, it shall be the Customer's responsibility to maintain such device in good working order. If requested by OWRD, Customer shall maintain a record of the amount of water use and report water use on such periodic schedule as may be established by 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 by the requirer, prior to 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 municipal 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 \$ 742.50 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 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, 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 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 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:

South Umpqua Water Association

2080 Shoestring Road, Riddle, Oregon 97469

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**

Name South Umpqua Water

By [Signature]

Title President - Bd of Dir

**BOARD OF COUNTY COMMISSIONERS  
OF DOUGLAS COUNTY, OREGON  
JIM ERWIN, DIRECTOR  
PUBLIC WORKS DEPARTMENT**

By [Signature]  
Frank Nielsen  
Division Manager  
Natural Resources Division

Fed ID No. 93-0640930

**FOR COUNTY USE ONLY:**

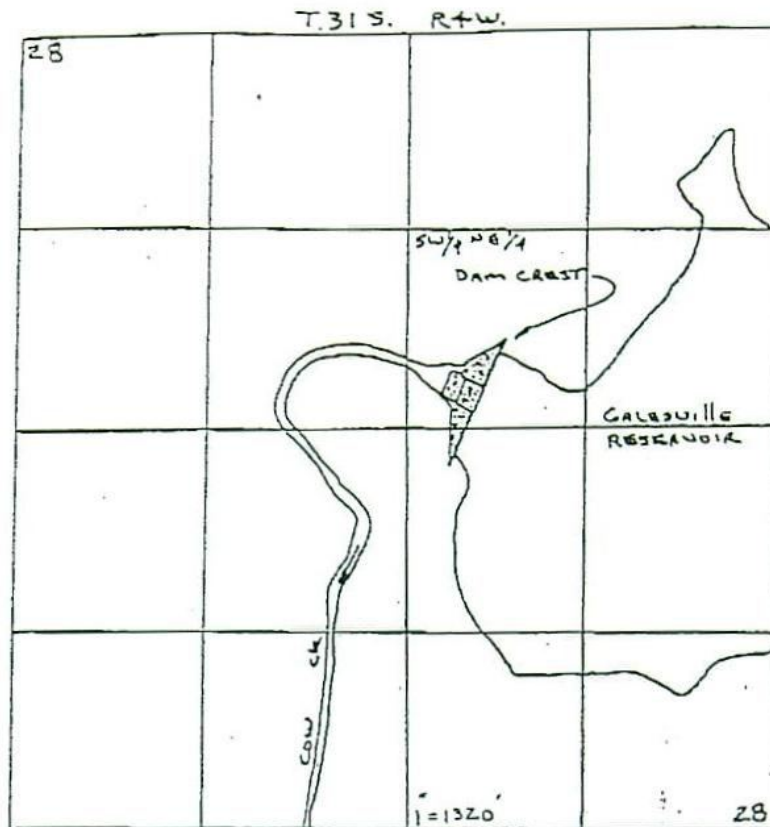
**REVIEWED AS TO CONTENT**

By [Signature]  
County Department Head  
Date 8-22-01  
Coding \_\_\_\_\_

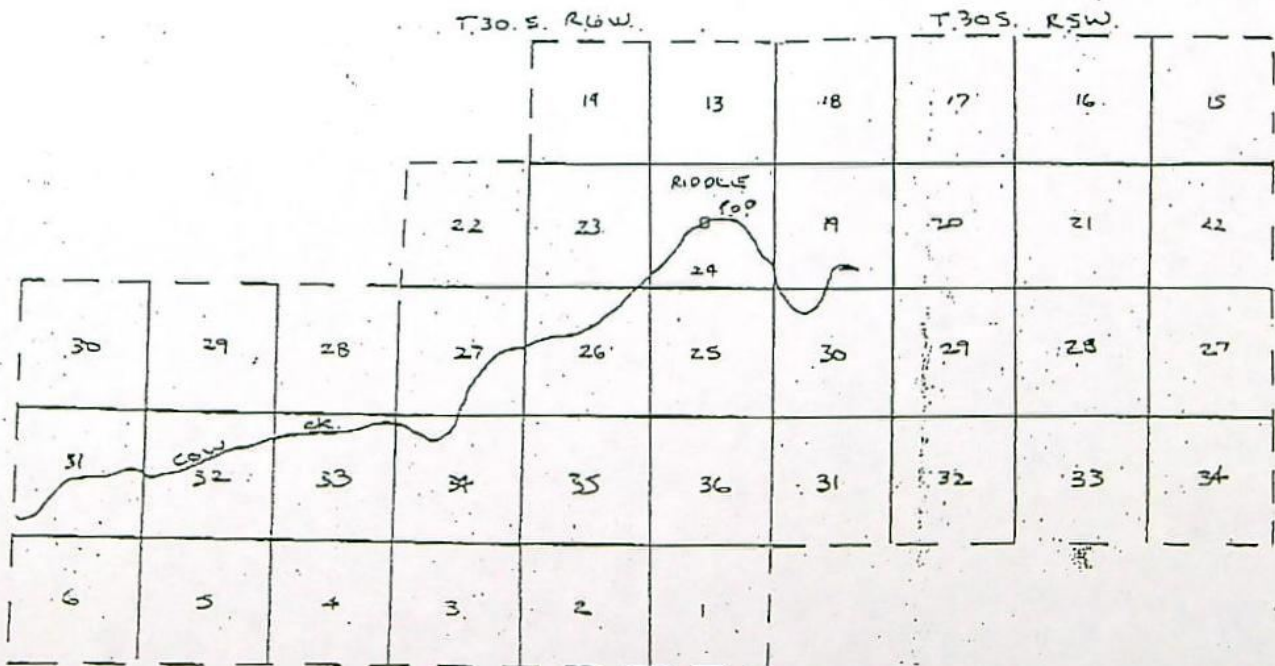
**REVIEWED AS TO FORM**

By [Signature]  
Paralegal  
Date \_\_\_\_\_





DAM (POD) = 2920' N. ; 2060' W. FROM SE COR. S. 28



— — — — — = DISTRICT BOUNDARY = PLACE OF USE  
 POD = 2140' S. ; 2240' E. FROM N.W. COR. S. 24, T.30 S, R.6 W

84852

## SOUTH UMPQUA WATER ASSOCIATION

2080 Shoestring Road  
Riddle, Oregon 97469  
(541) 874-2387 - Office  
(541) 874-3648 - fax  
(541) 874-2759 - emergency only

fax transmittal

To: Arita Huffman  
From: South Umpqua Water  
Fax: 503-378-8130  
Date: August 28, 2002  
Re: Newspaper notification  
Pages: 2-including cover

Notes:

Arita - Here is copy of  
actual article -

I will forward affidavit of  
publication when received -

Suzie



...until terminated in similar order of the  
State Forester or an authorized representative.  
#2504. Pub. Date: August 27, 2002.

DN

**NOTICE OF WATER USE REQUEST**

Regarding application: S-84852

The Oregon Water Resources Department is evaluating the request by South Umpqua Water Association to use 20.0 Acre-Feet, being diverted at a rate of 0.67 Cubic Foot per Second of the waters of Galesville Reservoir, a tributary of Cow Creek for Quasi-Municipal purposes. The proposed source of water is located within Douglas County, Township 30S, Range 6W. This process is to determine if the request is in compliance with state water laws and regulations. Public participation and comment is encouraged.

ORS 537.130 (3) requires notice to all affected landowners. ORS 537.130 (4) allows this notice to be made through publication for three consecutive weeks in a local newspaper if there are more than 25 landowners involved.

For further information contact the Water Resources Department Water Rights Information Group at (503) 378-8455 extension 201. Written information requests may be addressed to the Oregon Water Resources Department at 158 12th Street NE, Salem, Oregon 97301-4172.

#2505. Pub. Dates: August 27, September 3 and 10, 2002.

**PUBLIC NOTICE  
BID #801**

EIGHT (8) ...

## SOUTH UMPQUA WATER ASSOCIATION

2080 Shoestring Road  
Riddle, Oregon 97469  
(541) 874-2387 - Office  
(541) 874-3648 - fax  
(541) 874-2759 - emergency only

fax transmittal

To: Anita Huffman  
From: South Umpqua Water  
Fax: 503-378-8130  
Date: August 24, 2002  
Re: Newspaper notification  
Pages: 2, including cover

Notes: Anita - Please find our cover letter to News Review - the comment circled. The first notice will run Tuesday, the 27th - then the 3rd + the 10th. I will for-ward copy of first publication - then affidavit of publication when completed -  
A user



Aug 25 02 08:35a  
Aug 23 02 09:27a

Suzie Quinn  
News Review Office

541-874-3648  
541-957-4264

p.2  
p.1

FROM : TCW

FAX NO. : 8635277

Aug. 23 2002 07:57AM P1

## SOUTH UMPQUA WATER ASSOCIATION

2080 Shoestring Road  
Riddle, Oregon 97469  
(541) 874-2387 - Office  
(541) 874-3648 - fax  
(541) 874-2759 - emergency only

**fax** transmittal

To: News Review - Rose  
From: Suzie/South Umpqua Water  
Fax: 957-4264  
Date: August 23, 2002  
Re: Legal - Public  
Pages: 2 - including cover

*Suzie,*  
*I am sending you*  
*Confirmation of Dates!*  
*It is set to*  
*run starting*  
*Aug 27!*  
*Thanks, Rose!*  
*Have a great*  
*Weekend!!*

Notes: *Rose - Please run*  
*Tuesday - August 27, 2002*  
*Thursday - Sept - 3, 2002*  
*Thursday - Sept - 10, 2002*  
*Please fax confirmation of receipt*  
*to 863-5277 Thank You Suzie*

# OREGON WATER RESOURCES DEPARTMENT



State of Oregon  
Water Resources Department  
158 12<sup>th</sup> ST NE, Salem, OR 97301  
(503) 378-8455  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

**FAXED**  
8/22/02

## FAX TRANSMITTAL

TO: Ray Quinn FAX NUMBER: 541-874-3648  
DATE: 8/22/02 PAGES: 2, INCLUDING COVER SHEET  
FROM: Anita Huffman PHONE: (503) 378-8455 EXT. 229

COMMENTS:

This is what the notice should read.  
it must run 3 consecutive weeks. When  
you've gotten your receipt, send it to me.  
and/or let me know when the 1<sup>st</sup> publication  
will be so I can start the proposed final order.

**DIRECTOR'S OFFICE**

- Water Resources Commission
- Legislation and Rules
- Public Information

**FIELD & TECHNICAL  
SERVICES**

- Hydrographics
- Ground Water
- Information Services
- GIS/Mapping

FAX: (503) 378-2496

**ADMINISTRATIVE SERVICES**

- Fiscal / Accounting
- Human Resources / Personnel
- Water Development Loan Fund
- Support Services

**FIELD & TECHNICAL  
SERVICES**

- Dam Safety
- Enforcement
- Regional Liaisons
- Transfers

FAX: (503) 378-8130

**WATER RIGHTS**

- Water Rights information
- Adjudications
- Hydroelectric
- Certifications / Final Proofs
- Hearings / Contested Cases

**NORTHWEST REGION**

- District 16 Watermaster

FAX: (503) 378-6203



FAXED  
8/22/01

NOTICE OF WATER USE REQUEST

Regarding application: S-84852

The Oregon Water Resources Department is evaluating the request by South Umpqua Water Association to use 20.0 Acre-Feet, being diverted at a rate of 0.67 Cubic Foot per Second of the waters of Galesville Reservoir, a tributary of Cow Creek for Quasi-Municipal purposes. The proposed source of water is located within Douglas County, Township 30S, Range 6W. This process is to determine if the request is in compliance with state water laws and regulations. Public participation and comment is encouraged.

ORS 537.130 (3) requires notice to all affected landowners. ORS 537.130 (4) allows this notice to be made through publication for three consecutive weeks in a local newspaper if there are more than 25 landowners involved.

For further information contact the Water Resources Department Water Rights Information Group at (503)378-8455 extension 201. Written information requests may be addressed to the Oregon Water Resources Department at 158 12th Street NE, Salem, Oregon 97301-4172.



# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 20, 2002

SOUTH UMPQUA WATER ASSOC.  
RAY QUINN  
2080 SHOESTRING RD  
RIDDLE, OREGON 97469

(541) 874-2387

Reference: File S-84852

Dear Mr. Quinn:

On March 22, 2002, the Department completed the Initial Review for the above referenced application. The Initial Review identified that publication of the proposed water use must be provided for three consecutive weeks in a local newspaper if more than 25 landowners are involved with the proposed use.

At this time the Department has not received notice that the publication has run. This publication must run prior to, or concurrent with the protest/comment period allowed under ORS 537.153(7), which is 45 days after the publication of the Proposed Final Order.

The application is ready to proceed to Proposed Final Order at this time. Please submit evidence that you have provided publication, such as a receipt of publication, to the Department so that the Proposed Final Order may be processed. If we do not receive an initial notice of publication by September 3, 2002, your application *may be* denied at the next phase of processing.

If you have any questions, please contact me at (503) 378-8455 extension 229, or you may e-mail me at [Anita.M.HUFFMAN@wrdd.state.or.us](mailto:Anita.M.HUFFMAN@wrdd.state.or.us).

Sincerely,

Anita M. Huffman  
Senior Water Rights Technician

cc: Watermaster District 15  
FILE





# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130  
www.wrd.state.or.us

### CERTIFIED MAIL Return Receipt Requested

March 22, 2002

SOUTH UMPQUA WATER ASSOCIATION  
RAY QUINN  
2080 SHOESTRING RD  
RIDDLE, OR 97469

Reference: Application File #S-84852

Dear Applicant:

Your Initial Review has been processed, and I found that additional information is required to complete your application for water use. The Department will not proceed with a positive Proposed Final Order and will not issue a permit approving the proposed use, as requested under this Application #84852, **until a contract authorizing the appropriation of stored water is obtained from Douglas County for the use of water stored in Galesville Reservoir.**

Please submit this information no later than Thursday, May 9, 2002. If you are unable to submit the above listed information, you may request a "Time Out from Processing" for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If a time out is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the items requested above by this date, or you do not request a "Time Out from Processing," we may reject your application consistent with ORS 537.153. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

Should you have any questions regarding your application or the required materials listed above, or if you need to request an extension of time, please call me at (503) 378-8455, extension 229

Sincerely,

Anita M. Huffman  
Senior Water Rights Technician

cc: Watermaster Dist 15  
File





# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130  
www.wrd.state.or.us

March 22, 2002

SOUTH UMPQUA WATER ASSOC.  
RAY QUINN  
2080 SHOESTRING RD  
RIDDLE, OREGON 97469



(541) 874-2387

Reference: File S-84852

Dear Applicant:

### **THIS IS NOT A PERMIT AND IS SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the favorable preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

#### Initial Review Determinations:

1. The proposed use is not prohibited by law or rule.
2. The use of water from GALESVILLE RESERVOIR, A TRIBUTARY OF COW CREEK for QUASI-MUNICIPAL USE is **allowable** under OAR 690-516-001(1)(e), the Umpqua Basin Program.
3. Water in the amount of 20.0 ACRE FEET, BEING DIVERTED AT A RATE OF 0.67 CUBIC FOOT PER SECOND for QUASI-MUNICIPAL USE is **available** subject to the availability of a contract to use stored water from the Galesville Reservoir Storage Project.
4. The Department has determined that additional information is required to process the application further. Please refer to the **ADDITIONAL INFORMATION OPPORTUNITY** section below for details.



### Summary of Initial Determinations

The use of 20.0 ACRE-FEET, BEING DIVERTED AT A RATE OF 0.67 CUBIC FOOT PER SECOND from GALESVILLE RESERVOIR, A TRIBUTARY OF COW CREEK for QUASI-MUNICIPAL USE is allowable year-round subject to the availability of a contract to use stored water from the Galesville Reservoir Storage Project.

Because of these favorable determinations, the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

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.

#### 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.

#### 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 **Tuesday, April 5, 2002**. For your convenience you may use the enclosed "STOP PROCESSING" form.

#### Additional Information Required:

The Department will not proceed with a positive Proposed Final Order and will not issue a permit approving the proposed use, as requested under this Application #84852, **until a contract authorizing the appropriation of stored water is obtained from Douglas County for the use of water stored in Galesville Reservoir.**

**Please submit this information no later than Thursday, May 9, 2002.** *If you are unable to submit the above listed information, you may request a "Time Out from Processing" for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If a time out is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.*

If we do not receive the items requested above by this date, or you do not request a "Time Out from Processing," we **may** reject your application consistent with ORS 537.153. If your application is rejected, any fees submitted in excess of the examination fee will be refunded;



however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

**PLEASE NOTE:** You are required to make notice to all affected landowners involved with the proposed use. ORS 537.130 (4) allows this notice to be made through publication for three consecutive weeks in a local newspaper if there are more than 25 landowners involved. The following is a template for language you may use for publication:

---

### NOTICE OF WATER USE REQUEST

Regarding application: \_\_\_\_\_

The Oregon Water Resources Department is evaluating the request by \_\_\_\_\_ to use \_\_\_\_\_ cubic feet per second of the waters of \_\_\_\_\_ for \_\_\_\_\_ purposes. The proposed source of water is located within \_\_\_\_\_ County, Township \_\_\_\_\_, Range \_\_\_\_\_. This process is to determine if the request is in compliance with state water laws and regulations. Public participation and comment is encouraged.

ORS 537.130 (3) requires notice to all affected landowners. ORS 537.130 (4) allows this notice to be made through publication for three consecutive weeks in a local newspaper if there are more than 25 landowners involved.

For further information contact the Water Resources Department Water Rights Information Group at 1-800-624-3199 extension 201. Written information requests may be addressed to the Oregon Water Resources Department at 158 12th Street NE, Salem, Oregon 97301-4172.

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#### 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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
  - 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.
2. You may be required to install fish screens at the point of 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 a contract between 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 23, 2001.

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.

The water source identified in your application is in an area that has an approved Agricultural Water Quality Management Area Plan. These plans have been developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders. These plans help make sure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to contact Paul Measeles, (503) 986-4778 at the ODA to learn more about the plan and how it may affect your proposed water use.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at (503) 378-8455 extension 201. Feel free to call me at (503) 378-8455 extension 229 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-6203.

Sincerely,



Anita M. Huffman  
Senior Water Rights Technician

cc: Regional Manager, Watermaster District 15, Water Availability Section  
enclosures: Flow Chart of Water Right Process  
Stop Processing Form

S-84852  
wab 16-  
pou 16-  
gw

# APPLICATION FACT SHEET

Mail to: *Applicant, Watermaster, District Biologist (ODFW)*  
*If necessary, also mail to : Regional Water quality manager (DEQ), and DOA*

Application File Number: S-84852

Applicant: SOUTH UMPQUA WATER ASSOC.; QUINN, RAY

County: DOUGLAS

Watermaster: District 15

Priority Date: AUGUST 23, 2001

Source: GALESVILLE RESERVOIR, A TRIBUTARY OF COW CREEK

Use: QUASI-MUNICIPAL USE

Quantity: 20.0 ACRE-FEET, BEING 0.67 CUBIC FOOT PER SECOND

Basin Name & Number: Umpqua, #16

Stream Index Reference: Volume 4A COW CR MISC

Point of Diversion Location: SWNE, SECTION 28, T31S, R4W, W.M.; DAM LOC-2920 FEET NORTH & 2060 FEET WEST FROM SE CORNER, SECTION 28: Pumping POD: SENE, SECTION 24, T30S, R6W, W.M.; 2140 FEET SOUTH & 2240 FEET EAST FROM NW CORNER, SECTION 24

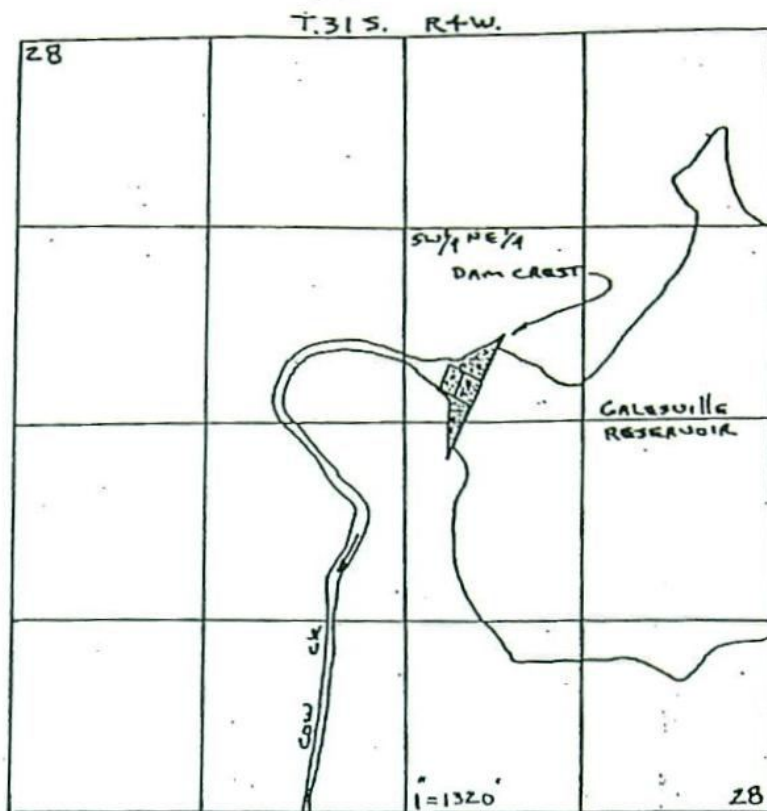
Place of Use:, WITHIN THE DISTRICT BOUNDARIES OF THE SOUTH UMPQUA WATER ASSOCIATION. TOWNSHIP 30 SOUTH, RANGE 5 WEST, W.M. , SECTIONS 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34; TOWNSHIP 30 SOUTH, RANGE 6 WEST, W.M., SECTIONS 13, 14, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; TOWNSHIP 31 SOUTH, RANGE 6 WEST, W.M., SECTIONS 1, 2, 3, 4, 5, 6.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, April 5, 2002

PUBLIC NOTICE DATE: Tuesday, April 9, 2002

30 DAY COMMENT DEADLINE DATE: Thursday, May 9 2002



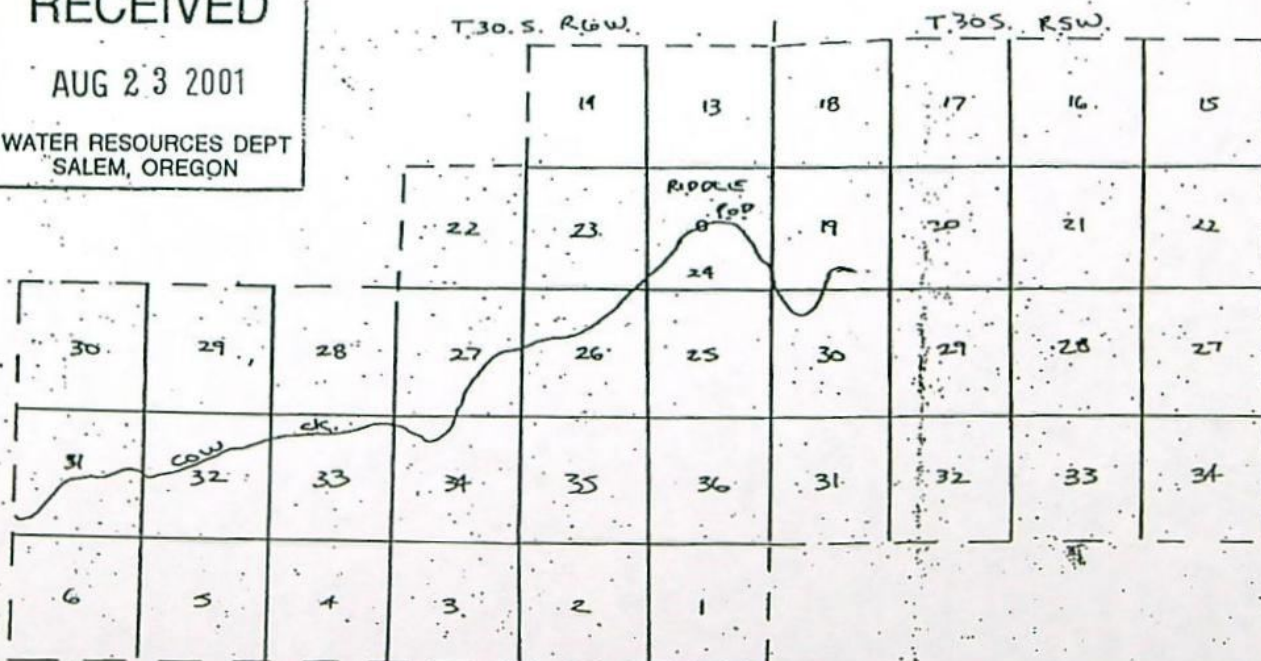


DAM (POD) = 2920' N.; 2060' W. FROM SE COR. S. 28

RECEIVED

AUG 23 2001

WATER RESOURCES DEPT  
SALEM, OREGON



----- = DISTRICT BOUNDARY = PLACE OF USE

POD = 2140' S.; 2240' E. FROM N.W. COR. S. 24, T.30 S., R.6 W.

Application No. 84852  
Permit No.

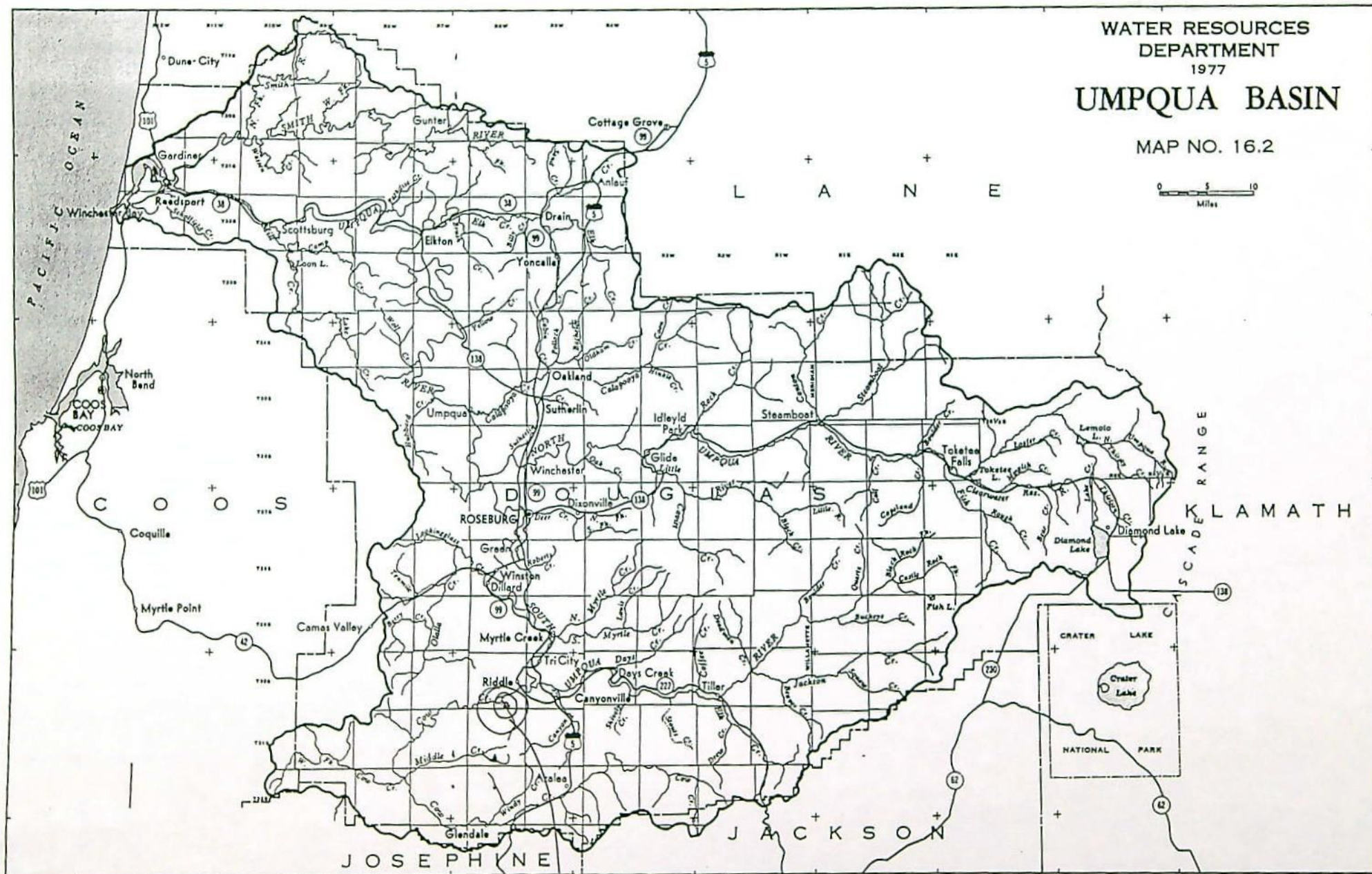


WATER RESOURCES  
DEPARTMENT  
1977

# UMPQUA BASIN

MAP NO. 16.2

0 5 10  
Miles



POD IN COW CK 7 S. UMPQUA R 7 UMPQUA R  
SOURCE IS  
GAINESVILLE RES

This map has been prepared by WRD  
to assist you in the review of this  
application. The dot in the center of  
the bullseye is a close approximation  
of the proposed diversion.



# IR CHECKLIST

Application #: S 84852  
 Diversion Info: County DOUG Basin: 16-UMPOUA WID: N/A Galesville  
 Township 30S Range 5W Section 1/4 1/4 15-22, 27-34

- N/A 2. Groundwater Review POD 2140' S 2740' E NW COR SEC 34 31S 5W 1-6  
+ 30S 12W 30S 6W 13/14, 22-36  
 a. PSI A B C D River/Stream Name \_\_\_\_\_  
 b. Groundwater Availability A B C \_\_\_\_\_  
 c. Is the well located in a GWLA or CGWA? Y / N (If in an area include map showing POD) \_\_\_\_\_
- D/A 3. Is the well located in T1N R3E Sec 20, 21, 28, 29 Y / N \_\_\_\_\_
6. Allowed under Basin Program Y N Limitations? Y N 1690-576-001(1)(e) \_\_\_\_\_
7. Withdrawn? Y / N season allowed \_\_\_\_\_
5. SWW Y / N (If Y notify state parks) \_\_\_\_\_
9. Water Availability (80% live flow / 50% storage) NA Galesville Res. Need contract \_\_\_\_\_
14. DIVISION 33 Y / N / NA Above Bonn Y / N (7/17/92) Below Bonn Y / N (8/8/94) Statewide Y / N (6/3/94) map date \_\_\_\_\_
10. Rate/Duty/Season Requested Quasi-Muni 20° AF (0.67 cfs)  
 Allowable \_\_\_\_\_
13. B.O.R. or Doug Co. project Y / N contract # NONE IN FILE \_\_\_\_\_
17. Condition S ( $\leq 0.1, \leq 9.2$ ), M ( $\geq 0.1$  or  $\leq 1.5$  CFS, or  $\geq 9.2$  or  $\leq 100$  AF), L ( $\geq 1.5, \geq 100$ ), BOR, GW, etc. Y / N \_\_\_\_\_
18. Land use approval OK'd needs approval county notified NA \_\_\_\_\_
19. Watermaster Dist: (1 2 16 18 20 - NWR) (3 4 5 21 - NCR) (6 8 9 10 - ER) (11 12 17 - SCR) (13 14 15 19 - SWR) \_\_\_\_\_
15. DOA 1010 Y / N adopted 303D Y / N \_\_\_\_\_
16. Is the use located within Oregon Streamflow Restoration Area? Y / N / NA \_\_\_\_\_
20. Letter format = Good = Limited = Bad = Bad w/ IRshort = Bad w/ HC Opportunity \_\_\_\_\_
21. CWRE, representative, etc. to notify? Y / N \_\_\_\_\_

NEEDS: Public Notice 25/more L.O's  
CONTRACT

Name: AT Date: 3/6/02

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above.

The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.



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

John A. Kitzhaber, M.D., Governor

**CERTIFIED MAIL**  
**Return Receipt Requested**

Water Resources Department  
Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130  
www.wrd.state.or.us

March 22, 2002

SOUTH UMPQUA WATER ASSOCIATION  
RAY QUINN  
2080 SHOESTRING RD  
RIDDLE, OR 97469

Reference: Application File #S-84852

Dear Applicant:

Your Initial Review has been processed, and I found that additional information is required to complete your application for water use. The Department will not proceed with a positive Proposed Final Order and will not issue a permit approving the proposed use, as requested under this Application #84852, **until a contract authorizing the appropriation of stored water is obtained from Douglas County for the use of water stored in Galesville Reservoir.**

**Please submit this information no later than Thursday, May 9, 2002.** *If you are unable to submit the above listed information, you may request a "Time Out from Processing" for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If a time out is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.*

If we do not receive the items requested above by this date, or you do not request a "Time Out from Processing," we **may** reject your application consistent with ORS 537.153. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

Should you have any questions regarding your application or the required materials listed above, or if you need to request an extension of time, please call me at (503) 378-8455, extension 229

Sincerely,

Anita M. Huffman  
Senior Water Rights Technician

cc: Watermaster Dist 15  
File

RECEIVED

MAR 29 2002

WATER RESOURCES DEPT.  
SALEM, OREGON





# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130  
www.wrd.state.or.us

March 22, 2002

SOUTH UMPQUA WATER ASSOC.  
RAY QUINN  
2080 SHOESTRING RD  
RIDDLE, OREGON 97469



(541) 874-2387

Reference: File S-84852

Dear Applicant:

### **THIS IS NOT A PERMIT AND IS SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the favorable preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

#### Initial Review Determinations:

1. The proposed use is not prohibited by law or rule.
2. The use of water from GALESVILLE RESERVOIR, A TRIBUTARY OF COW CREEK for QUASI-MUNICIPAL USE is **allowable** under OAR 690-516-001(1)(e), the Umpqua Basin Program.
3. Water in the amount of 20.0 ACRE FEET, BEING DIVERTED AT A RATE OF 0.67 CUBIC FOOT PER SECOND for QUASI-MUNICIPAL USE is **available** subject to the availability of a contract to use stored water from the Galesville Reservoir Storage Project.
4. The Department has determined that additional information is required to process the application further. Please refer to the **ADDITIONAL INFORMATION OPPORTUNITY** section below for details.

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MAR 29 2002

WATER RESOURCES DEPT.  
SALEM, OREGON



### Summary of Initial Determinations

The use of 20.0 ACRE-FEET, BEING DIVERTED AT A RATE OF 0.67 CUBIC FOOT PER SECOND from GALESVILLE RESERVOIR, A TRIBUTARY OF COW CREEK for QUASI-MUNICIPAL USE is allowable year-round subject to the availability of a contract to use stored water from the Galesville Reservoir Storage Project.

Because of these favorable determinations, the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

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SALEM, OREGON



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NOTICE OF WATER USE REQUEST

Regarding application: \_\_\_\_\_

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RECEIVED  
MAR 29 2002  
WATER RESOURCES DEPT.  
SALEM, OREGON



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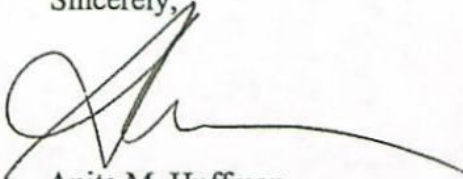
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Anita M. Huffman  
Senior Water Rights Technician

cc: Regional Manager, Watermaster District 15, Water Availability Section  
enclosures: Flow Chart of Water Right Process  
Stop Processing Form

S-84852  
wab 16-  
pou 16-  
gw

RECEIVED

MAR 29 2002

WATER RESOURCES DEPT.  
SALEM, OREGON



RECEIVED

MAR 29 2002

WATER RESOURCES DEPT.  
SALEM, OREGONSTATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # 47737

158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

INVOICE #

RECEIVED FROM: South Umpqua Water  
BY: Association

APPLICATION	584852
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☒ 96-505 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$210.00

## 0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY)

\$

OTHER: (IDENTIFY)

\$

## REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

## 0427 WRD OPERATING ACCT

66111

MISCELLANEOUS

0407 COPY &amp; TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

New) TC162 DEPOSIT LIAB. (IDENTIFY)

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$210.00

0202

RECORD FEE

\$

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

\$

## 0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FWWRD)

\$

0231 HYDRO LICENSE FEE (FWWRD)

\$

HYDRO APPLICATION

\$

RECEIPT # 47737

DATED: 8/23/01 BY: C. Vance

Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal



State of Oregon  
Water Resources Department  
158 12th Street NE, Salem, OR 97310  
(503)378-8455 • (800)624-3199  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

# Application for a Permit to Use Surface Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

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WATER RESOURCES DEPT  
SALEM, OREGON

## 1. APPLICANT INFORMATION

### A. Individuals

Applicant: \_\_\_\_\_

Co-applicant: \_\_\_\_\_

Mailing address: \_\_\_\_\_

\_\_\_\_\_

City State Zip

Phone: \_\_\_\_\_

\*Fax: \_\_\_\_\_ \*E-Mail address: \_\_\_\_\_

## B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: SOUTH UMPQUA WATER ASSOCIATION

Name and title of person applying: RAY QUINN

Mailing address of organization: 2080 SHOESTORINS ROAD  
RIDDLE OREGON 97469  
City State Zip

Phone: 541-874-2387 541-874-2759  
Day Evening

\*Fax: 541-874-3648 \*E-Mail address:

*\*Optional information*

For Department Use

App. No. 84852

Permit No. \_\_\_\_\_

Date 8-22-01



## 2. SOURCE AND PROPERTY OWNERSHIP

### A. The Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: SALESVILLE RESERVOIR Tributary to: COW CREEK

Source 2: \_\_\_\_\_ Tributary to: \_\_\_\_\_

Source 3: \_\_\_\_\_ Tributary to: \_\_\_\_\_

Source 4: \_\_\_\_\_ Tributary to: \_\_\_\_\_

### B. Property Ownership

Do you own all the land where you propose to divert, transport, and use water?

☐ Yes (Skip to section 3 "Water Use.")

☒ No Please check the appropriate box below.

☒ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or an easement permitting access.

List the names and mailing addresses of all affected landowners.\*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Application No. 84852  
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\*If more than 25 landowners are involved, a list is not required. See instructions.

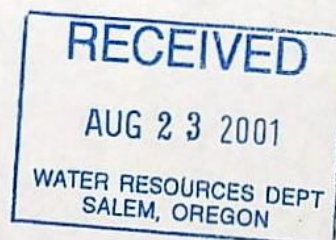
## 3. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express the amount of water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

### A. Type(s) of Use(s)

See list of beneficial uses in the instructions.

- ☐ • If your proposed use is **domestic**, indicate the number of households to be supplied with water: \_\_\_\_\_
- ☐ • If your proposed use is **irrigation**, please attach Form I
- ☐ • If your proposed use is **mining**, attach Form R
- ☒ • If your proposed use is **municipal or quasi-municipal**, attach Form M
- ☐ • If your proposed use is **commercial/industrial**, attach Form Q





## B. Amount of Water

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

Source	Use	Amount
SALESVILLE RESERVOIR	QUASI MUNICIPAL	0.67 CFS
		af
		20 ACFT
		af
		af
		af

## C. Period of Use

Indicate the time of year you propose to use the water: JANUARY 1 - DECEMBER 31  
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

## D. Acreage

If you will be applying water to land, indicate the total number of acres where water will be applied or used: N/A  
(This number should be consistent with your application map.)

## 4. WATER MANAGEMENT

### A. Diversion

What method will you use to divert water from the source?

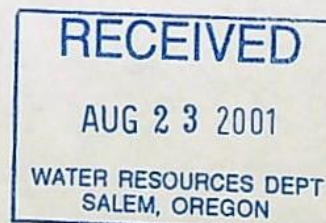
- ☒ Pump (give horsepower and pump type) PUMPED FROM CITY OF OREGON DIVERSION/TREATMENT PLANT
- ☐ Head-gate (give dimensions) \_\_\_\_\_
- ☐ Other means (describe) \_\_\_\_\_

### B. Monitoring

How will you monitor your diversion to be sure you are within the limits of your water right (allowed rate and duty) and you are not wasting water?

- ☐ Weir ☒ Meter ☐ Periodic Sampling
- ☐ Other (describe) \_\_\_\_\_

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### C. Transport

How will you transport water to your place of use?

- ☐ Ditch or canal (give average width and depth)

Width \_\_\_\_\_ Depth \_\_\_\_\_

Is the ditch or canal to be lined? ☐ Yes

- ☒ Pipe (give diameter and total length)

Diameter 6", 4", 2" Length APPROXIMATELY 10 MILES

- ☐ Other (describe) \_\_\_\_\_

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### D. Application/Distribution Method

What equipment will you use to apply water to your place of use?

Irrigation or land application method (check all that apply):

- ☐ Flood

- ☒ High-pressure sprinkler

- ☒ Low pressure sprinkler

- ☐ Drip

- ☐ Water cannons

- ☐ Center pivot system

- ☐ Hand lines

- ☐ Wheel lines

- ☐ Siphon tubes or gated pipe with furrows

- ☐ Other, describe \_\_\_\_\_

Distribution method

- ☒ Direct pipe from source

- ☒ In-line storage (tank or pond)

- ☐ Open canal

### E. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain.

DISTRIBUTION SYSTEM IS MAINTAINED  
IN GOOD CONDITION WITH LOSS KEPT  
TO A MINIMUM

## 5. RESOURCE PROTECTION

### Protection Practices

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See the instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

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☒ Diversion will be screened to prevent uptake of fish and other aquatic life.

Describe planned actions: \_\_\_\_\_

INFILTRATION GALLERY

☒ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions: \_\_\_\_\_

☒ Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe: \_\_\_\_\_

☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe: \_\_\_\_\_

☐ Other: BMP'S WILL BE USED AT ALL  
TIMES TO MINIMIZE IMPACTS TO  
WATERWAYS

#### 6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin COMPLETE

Proposed date construction will be completed COMPLETE

Proposed date beneficial water use will begin ASAP

#### 7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

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Permit No. \_\_\_\_\_

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## 8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed points of diversion and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

## 9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:

  
Signature of Applicant

8-21-01  
Date

\_\_\_\_\_  
Signature of Co-applicant

\_\_\_\_\_  
Date

Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

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84852





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SALEM, OREGONOregon Water Resources Department  
Land Use Information Form

W/S 2001-1118

\$20.00

Rept. 2375

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, or used only on federal lands.

## To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

## A. Applicant

Name: South Umpqua Water AssociationAddress: 2080 Shoestring RoadCity: Riddle State: OR Zip: 97469 Day Phone: 874-2387

## B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
R34526; 34634 35530; 41514 41442	Rural Residential - 2 Acre (RR)	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
	Agriculture - Woodlot (AW)	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. \_\_\_\_\_

## C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Supply residential waterBriefly describe: Supply residents with water for domestic use

## D. Source

Indicate the source for the proposed water use:

☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water Cow Creek - Galasville  
(source) Reservoir

## E. Quantity

Indicate the estimated quantity of water the use will require:

20 0.67 ☒ CFS ☐ GPM ☒ Acre-Feet

## Receipt for Request for Land Use Information

State of Oregon  
Water Resources Department  
Commerce Bldg.  
158 12th St. NE  
Salem, OR 97310-0210  
(503) 378-8455



### For Local Government Use Only

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 or feel free to copy.

#### A. Allowed Use

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); 3.6.000; 3.9.000. Go to section B "Approval" below
- ☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

**Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

#### B. Approval

Please provide printed name and written signature.

Name: Jeff Lehrbach Date: 8/21/01  
 Title: Planner Phone: (541) 440-4289

Signature: Jeff Lehrbach

DOUGLAS COUNTY PLANNING DEPARTMENT  
 ROOM 106, JUSTICE BUILDING  
 DOUGLAS COUNTY COURTHOUSE  
 ROSEBURG, OR 97470

#### C. Additional Comments

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

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**Note:** If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

### Receipt for Request for Land Use Information

Name of water right applicant: \_\_\_\_\_

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included in the application for a water right permit if the local government cannot provide the requested land use information while the applicant waits.

City or County: \_\_\_\_\_

Staff contact: \_\_\_\_\_ Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

**Permit No.**  
**Application No. 84852**





# Oregon Water Resources Department

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SALEM, OREGON

## FORM M

### FOR MUNICIPAL AND QUASI MUNICIPAL WATER SUPPLIES

Unless otherwise noted, water use information should be in acre-feet per year (AFY).

1 acre-foot is equal to 325,851 gallons.

#### Background Information

Name of water supplier: SOUTH UMPQUA WATER ASSOCIATION

Name and size of area to be served: 39 SQUARE MILES  
(in square miles)

Present population of service area: 275 METERED CUSTOMERS  
(Contact county planning staff, if needed.)

Projected population in 20 years: 350 METERED CUSTOMERS  
(Cite source and year. For example: "20,595 Based upon 1995 Portland State University projections.")

List present water rights and permits held:

Date of Issuance:	Natural Source of Water:	Amount Permitted:	Utilization:
<u>P#35103 4-29-70</u>	<u>CAD CREEK</u>	<u>0.67 CFS</u>	<u>40%</u>
<u>P#50867 6-29-87</u>	<u>SALESVILLE RES. COW CREEK</u>	<u>10 ACFT</u>	<u>40%</u>

Application No. 84852  
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#### Water Use

Average yearly demand: 20,000,000 AFY Year: 1999

Per-capita daily consumption (in gallons): 190 gallons  
(Divide average annual water sales by population to arrive at consumption, then divide by 365 to get daily values.)

Peak season (by month/day): 7/1 to 9/30 Total peak season demand: 15 Acre-feet

Peak season per-capita daily consumption: 218 gallons  
(Divide total peak season demand by population and the number of days during the peak.)

Annual amount of water:  
produced: 21,210,000 gallons  
(diverted or pumped)

delivered: 19,080,000 gallons

Is your system fully metered? ☒ Yes ☐ No

Describe your rate structure: 4,000 gallon min - + per thous overage  
(e.g. flat rate, increasing or decreasing block rate or combination of different systems)



## Request for Water

A. Discuss the reason(s) for your request for additional water

(e.g. loss of current supply, peak demand, growth, or other): WE ARE REGULATED

OFF OUR 1970 COW CREEK LIVE FLOW RIGHT  
WHEN THE 1958 ISWR IS NOT MET, WE  
NEED ADDITIONAL STORED WATER WHEN LIVE FLOW  
IS NOT AVAILABLE.

B. How long is the amount of water requested in this application expected to meet future needs?

(e.g. until the year 2040) 2020

C. Briefly discuss operation of water system and the most constraining component of the system:

To pump, store and distribute domestic  
water to rural water users.

D. Percentage of water use by type:

Residential: 100%

Commercial: \_\_\_\_\_

Public Authority: \_\_\_\_\_

Agricultural: \_\_\_\_\_

Unaccounted for use: \_\_\_\_\_

Industrial: \_\_\_\_\_

Other (specify use): \_\_\_\_\_

E. List cost to implement proposed request.

Compare cost and benefits with other water supply, or combination of supply options. This should include water efficiency measures such as replacing current showerheads with low-flow types. (Attach documentation, as available.)

N/A

F. How and by how much will your proposed water use efficiency programs increase efficiency?

(Express as a percentage of per-capita consumption.)

N/A

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# Abstract of Permit No. 35103

Application No. 46924 Certificate No.

Name South Umpqua Water Association

Address Riddle, Oregon

Source of water supply Cow Creek

Use Quasi-municipal use

Point of diversion 2140' S. & 2240' E. from NW cor. Sec. 24, being within SE $\frac{1}{2}$  NW $\frac{1}{2}$ , Sec. 24, T. 30 S., R. 6 W., W. M., county of

Number of acres Douglas R.M. 2.05

## DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
30S	5W	15	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
		16	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
		17	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
		18	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
		19	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
		20	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
		21	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
		22	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
		27	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x

Priority date April 29, 1970 ✓

Amount of water 0.67 c.f.s.

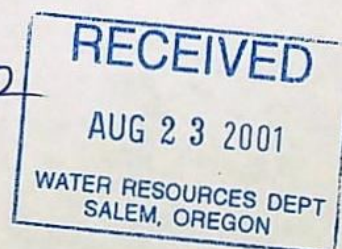
Time limit to begin construction April 26, 1972

Time limit to complete construction 10-1-72 extended to 10-1-93 extended to 10-1-2008

Time limit to completely apply water 10-1-73 extended to 10-1-93 extended to 10-1-2008

Remarks:

Application No. 84852  
Permit No.





STATE OF OREGON  
COUNTY OF DOUGLAS  
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DOUGLAS COUNTY WATER RESOURCES SURVEY  
ROOM 103 JUSTICE BUILDING  
ROSEBURG, OREGON 97470

503-440-4255

to use the waters of COW CREEK AND GALESVILLE RESERVOIR, constructed under Permit R-9964, tributaries of SOUTH UMPQUA RIVER, for QUASI-MUNICIPAL USE by the South Umpqua River Association.

This Permit is issued approving Application 69164. The date of priority is JUNE 29, 1987. The use is limited to not more than 0.67 CUBIC FOOT PER SECOND AND 10.0 ACRE-FEET STORED WATER ONLY, or its equivalent in case of rotation, measured at the points of diversion from the sources.

The points of diversion are located as follows:

GALESVILLE RESERVOIR SW 1/4 NE 1/4, SECTION 28, T 31 S, R 4 W, W.M.; 2920 FEET NORTH AND 2060 FEET WEST FROM SE CORNER, SECTION 28.

RIDDLE DIVERSION SE 1/4 NW 1/4, SECTION 24, T 30 S, R 6 W, W.M.; 2140 FEET SOUTH AND 2240 FEET EAST FROM NW CORNER, SECTION 24.

Water shall not be appropriated from direct flow during the period from July 15 to September 30 of each year, except for human and livestock consumption.

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

A description of the proposed place of use under the Permit is as follows:

SECTIONS 15 THROUGH 22, AND 27 THROUGH 34  
TOWNSHIP 30 SOUTH, RANGE 5 WEST, W.M. ✓

SECTIONS 1 THROUGH 6  
TOWNSHIP 31 SOUTH, RANGE 5 WEST, W.M. ✓

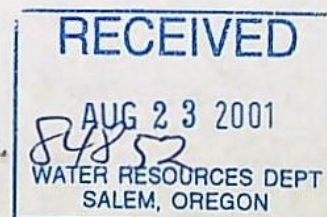
SECTIONS 13, 14, AND 22 THROUGH 36  
TOWNSHIP 30 SOUTH, RANGE 6 WEST, W.M. ✓

Actual construction work shall begin on or before FEBRUARY 9, 1991, and shall be completed on or before October 1, 1991. Complete application of the water to the use shall be made on or before October 1, 1992. 1996

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.

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PAGE TWO

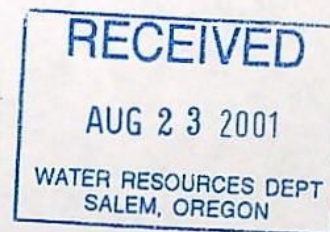
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Issued this date, FEBRUARY 9, 1990.

William H. Young  
Water Resources Department  
William H. Young  
Director

Application No. 84852







BYLAWS  
of  
SOUTH UMPQUA WATER ASSOCIATION  
ARTICLE I

General Purposes

The purpose for which this association is formed and the powers which it may exercise are set forth in the Articles of Incorporation of the association.

ARTICLE II

Name and Location

Section 1. The name of this association is the SOUTH UMPQUA WATER ASSOCIATION, a cooperative.

Section 2. The principal office of this association shall be located on the system of SOUTH UMPQUA WATER ASSOCIATION, County of Douglas, State of Oregon, but the association may maintain offices and places of business at such other places within or without the state as the board of directors may determine.

ARTICLE III

Seal

Section 1. The seal of the association shall have inscribed thereon the name of the association, the year of its organization, and the words, "A Stock Association, Oregon."

Section 2. The secretary of the association shall have custody of the seal.

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Section 3. The seal may be used by causing it or a facimile thereof to be impressed or affixed or reproduced or otherwise.

#### ARTICLE IV

##### Fiscal Year

The fiscal year of the association shall begin the first day of July in each year.

#### ARTICLE V

##### Ownership

Section 1. The holders of common or membership stock certificates of this association are its members. Any bona fide occupant of a residence having reasonable accessibility to the source of and who is in need of having water supplied for domestic, livestock and garden purposes from the water system operated by the association and who receives the approval of the board of directors may be admitted to membership upon subscribing for or otherwise acquiring a certificate of membership stock and by signing such agreements for the purchase of water as may be provided and required by the association; provided that no person otherwise eligible shall be permitted to subscribe for or acquire a certificate of membership stock of the association if the capacity of the association's water system is exhausted by the needs of its existing members.

Section 2. When holders of mortgages on farms or rural residences of members, which farms and rural residences are served by the association, give notice in writing to the association of the existence of such mortgages, then the holders of said mortgages shall receive copies of all communications sent by the association to the members on whose farms or rural residences the mortgages exist. If the holders of these mortgages by purchase at a foreclosure sale or through voluntary conveyance by the member obtain



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title to the farm or rural residence, they shall be admitted to membership in the association, provided they agree to purchase water from the association. Persons who purchase a farm or rural residence from mortgage holders who have thus acquired title to the farm or rural residence shall also become members of the association if they sign the agreement mentioned in Section 2C of Article VI of the Bylaws. If a sale is held when the mortgage is foreclosed, the purchaser shall be entitled to become a member of the association if he signs the above mentioned agreement. If a farm or rural residence is sold in more than one parcel, the board of directors shall determine which parcel shall entitle the owner thereof to membership in the association.

Section 3. In case of the death of a member, or if a member ceases to be eligible to hold membership as provided in Section 1, or willfully fails to comply with these Bylaws and other requirements, or willfully obstructs the purposes and proper activities of the association, the association, through the board of directors, may elect to purchase his membership stock and terminate his membership upon tender to him or his heirs or legal representatives of the fair book value of his membership stock as determined by the board of directors, together with any dividends due and unpaid, less any indebtedness then due from him to the association. Any member whose membership is so terminated for cause other than that of ceasing to be eligible may appeal from the action of the board of directors to a vote of the members at the next regular meeting of the members or special meeting of the members called for such purpose.

## ARTICLE VI

### Stock Certificates

Section 1. The certificate of the common capital stock (membership stock) of this association shall be in such form not inconsistent with the Articles of Incorporation, and shall be prepared and approved by the Board of Directors.

Section 2. The membership stock certificate shall be issued to each holder of fully paid membership and shall be numbered consecutively in accordance with the order of issue.

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(a) This membership stock certificate No. \_\_\_\_\_ is issued and accepted in accordance with and subject to the conditions and restrictions stipulated in the Articles of Incorporation and Bylaws and amendments to the same of the Glide Water Cooperative Users Association.

(b) Transfers of membership stock certification shall be made only upon the books of the association, only to persons eligible to become members, only with the approval of the Board of Directors and only when the member transferring indebtedness to the association is cleared.

(c) No member of this association shall be entitled to more than one vote at meetings of the members, but may hold one stock certificate for each meter purchased from the association. Every member upon becoming a member of this association agrees to sign such agreement for the purchase of a meter from the association as may from time to time be provided and required by the association and agrees in case he desires to dispose of his membership stock certificate, to first offer the same to the association at its fair book value and that he will make no offer of assignment or sale of the same unless the association shall fail after 30 days notice in writing to purchase the membership certificate.

(d) In the event the Board of Directors of the Cooperative shall find, following a hearing, that any of the membership stock of this association has come in to the hands of any person who is not eligible for membership, or that the holder thereof has ceased to become an eligible member, he shall have no rights or privileges on account of such stock, or vote or voice in the management or affairs of the association, other than the right to participate in accordance with the law in the case of dissolution, and the cooperative shall have the right at its option(s) to purchase such stock at its fair book value, as determined by the Board of Directors of the association; or (b) to require the transfer of any such stock at such book or par value to any person eligible to hold it.

Section 3. Each members agrees to sign such water users agreements as the association shall from time to time provide and require.

Section 4. The price at which the membership stock shall be initially sold to the member shall be determined by the

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Board of Directors but shall not be less than the cost to the association of hooking up the members including the cost of the meter and shut-off valve and installation.

## ARTICLE VII

### Meetings of Members

Section 1. The annual meeting of the members of this association shall be held in either the City of Riddle, or the City of Canyonville, County of Douglas, State of Oregon, at 7:00 pm, on the 1st Tuesday in the month of September of each year, if not a legal holiday, on the next business day following.

Section 2. Special meetings of the members of the association may be called at any time by the secretary upon request of the Board of Directors, or upon the filing of a petition with the secretary, which is signed by at least ten percent of the membership of the association. The purpose of every special meeting shall be stated in the notice thereof, and no business shall be transacted thereat except such as is specified in the notice.

Section 3. Notice of meetings of members of the association may be given by a notice mailed to each member of record, directed to the address shown upon the books of the association, at least ten days prior to the meeting. Such a notice shall state the nature, time, place and purpose of the meeting, but no failure or irregularity of notice of any annual meeting, regularly had, shall affect any proceedings taken thereat.

Section 4. The members present at any meetings of the members shall constitute a quorum at any meeting of the of the association for the transaction of business. The voting powers of the members of this association shall be equal, each member shall have one vote only, and no voting by proxy shall be allowed.

Section 5. Directors of this association shall be elected at the annual meeting of the members.

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Section 6. The order of business at the regular meetings and so far as possible at all other meetings shall be:

1. Calling to order and proof of quorum
2. Proof of notice of meeting
3. Reading and action on any unapproved minutes
4. Reports of officers and committees
5. Election of directors
6. Unfinished business
7. New business
8. Adjournment

#### ARTICLE VIII

##### Directors and Officers

Section 1. The Board of Directors of this association shall consist of five members, all of whom shall be members of the association. At the first meeting of the members, the members shall elect five directors who shall serve until the next regular meeting of the members, at which time the members shall elect three directors for a term of two years, and two directors for a term of one year. There after each director shall be elected for a term of two years. Each director shall hold office until his successor has been elected and qualified and entered upon the discharge of his duties.

Section 2. The Board of Directors shall meet within ten days after the annual election of directors and shall elect by ballot a president and vice-president from among themselves and a secretary-treasurer, each of whom shall hold office until the next annual meeting and until the election and qualification of his successor unless sooner removed by death, resignation, or for cause.

Section 3. If the office of any director becomes vacant by reason of death, resignation, retirement, disqualification, or otherwise, except by removal from office, a majority of the remaining directors, though less than a quorum, shall, by majority vote, choose a successor who shall hold office for the unexpired term of the director whose place he fills, the disqualification of a director as a member of the association shall operate to disqualify him as a director and to create a vacancy in the office of director.

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Section 4. A majority of the Board of Directors shall constitute a quorum at any meeting of the board. The Board of Directors shall meet in regular meeting without notice once each month at the office of the association at such time and on such date as they shall select by resolution each year at the meeting provided in Section 2 above; and shall meet in such special meetings at such time and place as the President or any three Directors shall select and call upon two (2) days actual notice to each director physically present within geographical boundaries of the association area the time of giving such notice. In all other respects the calling or holding of regular or special meetings of the Board of Directors shall be governed by the provision of Section 62.285 O.R.S.

Section 5. Compensation of officers may be fixed at any regular or special meeting of the members of the association. Directors shall receive no compensation for their services as such.

Section 6. Any member bringing charges against an officer or director shall file them in writing with the secretary of the association' and the secretary shall immediately notify the officer or director of the charges filed against him. The officer or director may then file with the secretary a statement giving concisely his defense against the charges made. The Board of Directors shall take the matter up at its next meeting and take such action as it deems to be requesting the removal of the officer or director, signed by ten percent of the members, and are filed with the secretary at least fourteen days previous to any general or special meeting, the secretary shall prepare and mail to each member with the regular notice a ballot calling for a vote upon the removal of the officer or director. Accompanying the notice and ballot the secretary shall enclose a statement giving the charges against the officer or director; and at the request of the accused officer or director, the secretary shall enclose with this statement to each member a copy of the written defense as filed. By a vote of the majority of the total membership present or represented by ballot the association may remove the officer or director and fill the vacancy.

ARTICLE IIX

Duties of Directors

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Section 1. The Board of Directors, subject to restric-



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tions of law, the articles of Incorporation, or these Bylaws, shall exercise all of the powers of the association, and, without prejudice to or limitation upon their general powers it is hereby expressly provided that the Board of Directors shall have, and are hereby given, full power and authority (to be exercised by resolution adopted by a majority vote of all the members) in respect to the matters and as hereinafter set forth:

(a) To pass upon the qualifications of members, and to cause to be issued appropriate certificates of membership.

(b) To elect and appoint all officers, agents, or employees of the association, or remove such officers, agents, or employees of the association for just cause, prescribe such duties and designate such powers as may not be consistent with these Bylaws, fix their compensation and pay for faithful services.

(c) To borrow from any source, money, goods, or services, and to make and issue notes and other negotiable and transferable instruments, mortgages, deeds of trust and trust agreements, and to do every act and thing necessary to effectuate the same.

(d) To prescribe, adopt and amend, from time to time, such equitable uniform rules and regulations as, in their discretion, may be deemed essential or convenient for the conduct of the business and affairs of the association and the guidance and control of its officers and employees, and to prescribe adequate penalties for the breach thereof.

(e) To order, at least once each year, an audit of the books and accounts of the association by a competent public auditor or accountant. The report prepared by such auditor or accountant shall be submitted to the members of the association at the annual meeting.

(f) To fix the charges to be paid by each member for services rendered by the association to him, the time of payment and the manner of collection.

(g) To require all officers, agents and all employees charged with responsibility for the custody of any of the funds of the association to give adequate bonds, the cost thereof to be paid by the association and it shall be mandatory upon the directors to so require.

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(h) To select one or more banks to act as depositories of the funds of the association and to determine the manner of receiving, depositing, and disbursing the funds of the association and the signing of checks and the person or persons by whom the same shall be signed, with the power to change such banks and the person or persons signing such checks and the form thereof at will.

## ARTICLE IX

### Duties of Officers

Section 1. Duties of President. The president shall preside over all meetings of the association and the Board of Directors, call special meetings of the Board of Directors, perform all acts and duties usually performed by an executive and presiding officer, and sign all membership certificates and such other papers of the association as he may be authorized or directed to sign by the Board of Directors, provided the Board of Directors may authorize any person to sign any or all checks, contracts and other instruments in writing on behalf of the association. The president shall perform such other duties as may be prescribed by the Board of Directors.

Section 2. Duties of the Vice-President. In the absence or disability of the president, the vice-president shall perform the duties of the president; provided; however, that in case of death, resignation, or disability of the president, the Board of Directors may declare the office vacant and elect his successor.

Section 3. Duties of the Secretary-Treasurer. The secretary-treasurer shall keep a complete record of the meetings of the association and of the Board of Directors and shall have general charge and supervision and the books and records of the association. He shall sign all membership certificates with the president and such other papers pertaining to the association as he may be authorized or directed to do so by the Board of Directors. He shall serve all notices required by law and by these Bylaws and shall make a full report of all matters and business pertaining to his office to the members at the annual meeting. He shall keep the corporate seal and membership certificate records of the association, complete and countersign all certificates issued, and affix said corporate seal to all papers requiring the seal. He shall keep a proper membership certificate record, showing the name of each member of the association, and date of issuance, surrender, cancellation, or for



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feiture. He shall make all reports required by law and shall perform such other duties as may be required of him by the association or the Board of Directors. Upon the election of his successor, the secretary-treasurer shall turn over to him all books and other property belonging to the association that he may have in his possession. He shall also perform such duties with respect to the finances of the association as may be prescribed by the Board of Directors.

## ARTICLE X

### Benefits and Duties of Members

Section 1. The association will install, maintain and operate a main distribution pipeline or lines from the source of the water supply and service lines from the main distribution pipeline or lines to the property line of each member of the association, at which points, designated as delivery points, meters to be purchased, installed, owned and maintained by the association shall be placed. The cost of the service line or lines from the main distribution pipeline or lines of the association to the property line of each member shall be paid by the association. The association will also purchase and install a cut-off valve in each service line from its main distribution line or lines; such cut-off valve to be owned and maintained by the association and to be installed on some portion of the service line owned by the association. The association shall have the sole and exclusive right to use such cut-off valve and to turn it on and off.

Section 2. Each member shall be intitled to not to exceed one service line of \_\_\_\_\_ size from the associations meter system, provided that the member shall be required to pay a fee according to the then existing hook-up schedule as determined by the Board of Directors for the size of each service line, for each service line in excess of one. If the first service line to a members property is larger than \_\_\_\_\_, the member shall pay to the association the difference in price according to said existing hook-up schedule. No new service line or change in an existing service line may be made which will interfere with an



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service line of the delivery of water therein. Each service line shall connect with the associations water system at the nearest available place to the place of desired use by the member if the associations water system shall be of sufficient capacity to permit the delivery of water through a service line at that place without interfering with the delivery of water through a prior service line. If the associations water system shall be inadequate to permit the delivery of water through a service line installed at such place without interfering with the delivery of water through a prior service line, then such service line shall be installed at such place as may be designated by the association. Each member shall be required to dig or have dug a ditch for the connection of the service line or lines from the property line of the member to his dwelling or other portion of his premises and will also be required to purchase and install the portion of the service line or lines from his property line to the place of use on his premises and to maintain such portion of such service line or lines which shall be owned by the member, at his own expense, provided that the association may, if the Board of Directors so determine, purchase the pipe for the installation of such portion of such service line or lines, the cost of which will, however, be paid by the individual members.

Section 3. Each member shall be entitled to purchase from the association, pursuant to such agreements as may from time to time be provided and required by the association, such water for domestic, livestock, and garden purposes as a member may desire, subject, however, to the provisions of these Bylaws and to such rules and regulations as may be prescribed by the Board of Directors. Each member shall be entitled to have delivered to him through a single service line only such water as may be necessary to supply the needs of the persons residing in a single dwelling and of the livestock owned by such persons and to irrigate a garden of not to exceed one acre. The water delivered through such service line shall be metered and the charges for such water shall be determined separately, irrespective of the number of service lines owned by a member.

Section 4. In the event the total water supply shall be insufficient to meet all of the needs of the members or in the event there is a shortage of water, the association

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may probate the water available among the various members on such basis as is deemed equitable by the Board of Directors and may also prescribe a schedule of hours covering use of water for garden purposes by particular members and require adherence thereto, or prohibit the use of water for garden purposes; provided that if at any time the total water supply shall be insufficient to meet all of the needs of all of the members for domestic, livestock, and garden purposes, the association must first satisfy all of the needs of all of the members for domestic purposes before supplying any water for livestock purposes and must satisfy all of the needs of all of the members for both domestic and livestock purposes before supplying any water for garden purposes.

Section 5. The Board of Directors shall, prior to the beginning of each calendar year, determine the flat minimum monthly rate to be charged each member during the following calendar year for a specified quantity of water, such flat minimum monthly rate to be payable irrespective of whether or not any water is used by a member during any month, and the amount of additional charges, if any, for additional water which may be supplied the members, shall fix the date for payment of such charges, and shall notify each member of the amount of such charges and the dates for the amount thereof. A member to be entitled to the delivery of water shall pay such charges at the office of the association at or prior to the dates fixed by the board of directors. The failure to pay water charges duly imposed shall result in the automatic imposition of the following penalties;

(a) Non-payment for thirty days after due. The water shall be cut off from the delinquent members property.

(b) Non-payment for sixty days. Membership in this association shall be terminated and the membership certificate purchased as provided for in Article V, Section 3 of these Bylaws.

Section 6. The Board of Directors shall be authorized to require each member to enter into a "Water User's Agreement" which shall embody the principles set forth in the foregoing sections of this article.





## ARTICLE XI

### Non-Profit Corporation

Section 1. The association shall at all times be operated on a cooperative non-profit basis for the mutual benefit of its members. No interest or dividends shall be paid or payable by the association on any capital, furnished by its members. It is expressly understood that amounts paid for water in excess of the cost of service are furnished by members as capital, and each member shall be credited with the capital so furnished, as provided in these Bylaws.

Section 2. In the furnishing of water, the associations operations shall be so conducted that all members will, through their patronage, furnish capital for the association. In order to induce patronage and to assure that the association will operate on a non-profit basis, the association is obligated to act on a patronage basis to all its members for all amounts received and receivable from the furnishing of water in excess of operating costs and the expenses properly chargeable against the furnishing of water. All such amounts in excess of operating costs and expenses at the moment of receipt by the association are received with the understanding that they are furnished by the members as capital. The association is obligated to pay by credits to a capital account for each member all such amounts in excess of operating costs and expenses. The books and records of the association shall be set up and kept in such a manner that at the end of each fiscal year the amount of capital, if any, so furnished by each member is clearly reflected and credited in an appropriate record to the capital account of each member, and the association shall, within a reasonable time after the close of the fiscal year, notify each member of the amount of capital so credited to his account. In the event of dissolution or liquidation of the association, after all outstanding indebtedness of the association shall have been paid, outstanding capital credit shall be retired without priority on a pro rate basis before any payments are made on account of property rights of members. If at any time prior to dissolution or liquidation, the Board of Directors shall determine that the financial condition of the association will not be impaired, thereby the capital then credited to members' accounts may be retired in full or in part provided the member is in no manner financially indebted to the association. Any such retirements of capital shall be furnished and credited; the capital first received by the association being first retired. In no event, however,



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may any such capital be retired unless after the proposed retirement the liquid assets of the association, after deducting therefrom the total of current liabilities of the association, will (1) equal at least 40% of the reserves for depreciation applicable to properties of the association; or (2) equal to two years; debt service upon all outstanding debts, obligations, notes and mortgages or other evidences of indebtedness then outstanding, together with an amount sufficient for two years dividend payments upon outstanding preferred stock, whichever of (1) or (2) is larger. Provided, however, that in no event will the association make any such payment, retirement of distribution if there remains unpaid any installment of principal or interest then due on any of said evidences or indebtedness.

Capital credited to the account of each member shall be assignable only on the books of the association pursuant to (1) written instructions of the assignor member: (2) laws of descent and distribution; (3) other process of law.

Subject to the other provisions of these Bylaws, the Board of Directors at its discretion shall have the power at any time upon the death of a member, if the legal representative of his estate shall request in writing that the capital credited to any such patron be retired prior to the time such capital would otherwise be retired under the provisions of these Bylaws, to retire capital credited to any such member immediately upon such terms and conditions as the Board of Directors, acting under policies of general application and the legal representatives of such member's estate shall agree upon, provided, however, that the financial condition of the association will not be impaired thereby.

Section 3. The members of the association by dealing with the association acknowledge that the terms and provisions of the Articles of Incorporation and the Bylaws shall constitute and be a contract between the association and each member, and both the association and the members are bound by such contract as fully as though each member had individually signed a separate instrument containing such terms and provisions. Each member of the association shall be furnished a copy of these Bylaws.





## ARTICLE XII

In the event of dissolution or liquidation of the cooperative, the assets shall be distributed as follows:

Section 1. All of the debts of the cooperative including the expense of liquidation shall first be paid.

Section 2. Capital credits shall be retired without priority on a pro rate basis.

Section 3. Any balance remaining shall be divided equally among holders of the common or membership stock.

## ARTICLE XIII

### Amendments

Section 3. (Page 11) Each member shall be entitled to purchase from the association, pursuant to such agreements as may from time to time be provided and required by the association, such water for domestic, livestock, and garden purposes as a member may desire, subject, however, to the provisions of these Bylaws and to such rules and regulations as may be prescribed by the Board of Directors. Each member shall be entitled to have delivered to him, through a single service line, only such water as may be necessary to supply the needs of the persons residing in a single dwelling and of the livestock owned by such persons and to irrigate a garden of not to exceed one acre. However, where a second dwelling is required for an immediate family hardship, and uses the same meter, the hardship case shall be charged one-half the regular meter fee. The second dwelling will also be charged an additional minimum monthly fee. When the hardship necessity ceases, the dwelling shall be removed within thirty (30) days. Before approval by the Board of Directors can be given, all cases must be reviewed. The Board must be supplied with written medical and financial statements related to the hardship case. The water delivered through such service line shall be metered and the charges for such water shall be determined separately, irrespective of the number of service lines owned by a member.



# Standard Application "Completeness" Checklist

Minimum Requirements (OAR 690-310-040)

Application # - 84852

Priority Date: 8-23-01

Use(s): Municipal

Rate: 0.67 CFS  
20 AF/Stored Reservoir

County: Douglas

Township: 30 South

Range: 5 & 6 West

Section: \_\_\_\_\_

POD ¼ ¼: 31 South 4 West NONE

POU ¼ ¼: SEE MAP

☒ Applicant/Organization Name, Mailing Address and Telephone Number. If applicant is other than a private landowner, Organizations section must be completed.

☒ Source and tributary listed? \_\_\_\_\_

☒ Property ownership indicated? If applicant does not own all the land, is the affected landowner's name and mailing address listed? (Including: Lands, not owned by applicant, upon which the source is located .....or..... any Lands, not owned by applicant, which are crossed by the diversion works.) **NOTE:** An easement or agreement DOES NOT need to be submitted at this time, but will be required before a permit will be issued.

☒ If a groundwater application...is the groundwater development section completed? \_\_\_\_\_

☒ Proposed Use of the water.... Is each proposed use identified? \_\_\_\_\_

☒ Has the appropriate "Supplemental Form" for each proposed use been completed?

\_\_\_ Form I (Irrigation)

☒ Form M (Municipal or Quasi-Municipal)

\_\_\_ Form R (Mining)

\_\_\_ Form Q (Commercial or Industrial)

\_\_\_ Spring Description Sheet (if source is a Spring)

☒ Amount of water from each source listed in GPM, CFS or AF? 0.67 CFS

☒ Acreage being proposed, if applicable. NA



- ☒ Season being requested by applicant. \_\_\_\_\_
- ☒ The water management section has been completed? If system has not been designed, the applicant may estimate this information. \_\_\_\_\_
- ☒ Resource protection system completed on Surface Water application? \_\_\_\_\_
- ☒ Are the dates of construction indicated? \_\_\_\_\_  
If system already completed, applicant should indicate existing.
- ☒ Is the application signed in ink by the applicant? If the application is in the name of an organization or corporation, the authorized agent must sign the application.
- ☐ Is a copy of the deed, land sales contract or title insurance policy included? We cannot accept a copy of the tax bill.
- ☒ A completed Land-Use Form or receipt signed by the appropriate planning department officials enclosed? Does the use on land-use form match the proposed use on the application? \_\_\_\_\_
- ☒ Does the map meet map requirements of OAR 690-310-050? \_\_\_\_\_
- ☐ Town, Range, Sec, 1/4 and Tax Lot # ☒ Scale of the Map ☒ Reference corner on map
- ☒ North Directional Symbol ☒ 1/4's clearly identified ☒ POD clearly identified
- ☒ POU clearly identified ☒ Location Coordinates for each POD
- ☐ Location of House, if Domestic ☐ Number of acres per 1/4, if Irrigation
- ☐ Location of Bldg, if Comm/Indus ☐ Location of Stock Tanks, if Livestock
- ☒ Muni/Quasi-Muni Service Boundaries ☐ Other \_\_\_\_\_
- ☐ Correct fees enclosed? Refer to worksheet to calculate fees.
- Total Paid \$ 210<sup>00</sup> Base Fee \$ 100<sup>00</sup>
- Total Amount of Water Requested: 0.67 CFS plus 100<sup>00</sup>
- 20 AF plus 10<sup>00</sup>
- Total Exam Fee \$ 210<sup>00</sup>

Total Exam Fee \$ 210<sup>00</sup> AM Recording Fee \$ 175<sup>00</sup> to be received

Completeness Check by: AM

Date: 8-24-01

FILE#: S 84852

SOUTH UMPQUA WATER  
ASSOC.; QUINN, RAY  
2080 SHOESTRING RD  
RIDDLE, OR 97469

FILE#: S 84852

SOUTH UMPQUA WATER  
ASSOC.; QUINN, RAY  
2080 SHOESTRING RD  
RIDDLE, OR 97469

FILE#: S 84852

SOUTH UMPQUA WATER  
ASSOC.; QUINN, RAY  
2080 SHOESTRING RD  
RIDDLE, OR 97469



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**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **47737**

158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

INVOICE # \_\_\_\_\_

RECEIVED FROM: South Umpqua Water Association

BY: \_\_\_\_\_

APPLICATION	584852
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☒ 96-505 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 210.00

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS

PUBLICATIONS / MAPS

OTHER: (IDENTIFY) \_\_\_\_\_

OTHER: (IDENTIFY) \_\_\_\_\_

\$
\$
\$
\$

**REDUCTION OF EXPENSE**

CASH ACCT.

PCA AND OBJECT CLASS

VOUCHER #

\$
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**0427 WRD OPERATING ACCT**

66111

MISCELLANEOUS

0407 COPY & TAPE FEES

0410 RESEARCH FEES

0408 MISC REVENUE: (IDENTIFY) \_\_\_\_\_

(New) TC162 DEPOSIT LIAB. (IDENTIFY) \_\_\_\_\_

WATER RIGHTS:

0201 SURFACE WATER

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY) \_\_\_\_\_

EXAM FEE

\$ 210.00

\$

\$

EXAM FEE

\$

0202

0204

0206

0219

0220

RECORD FEE

\$
----

\$
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\$
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LICENSE FEE

\$
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\$
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**0437 WELL CONST. START FEE**

0211 WELL CONST START FEE

0210 MONITORING WELLS

OTHER (IDENTIFY) \_\_\_\_\_

\$
\$

CARD #
CARD #

**0539 LOTTERY PROCEEDS**

1302 LOTTERY PROCEEDS

\$
----

**0467 HYDRO ACTIVITY**

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

0231 HYDRO LICENSE FEE (FW/WRD)

HRDRO APPLICATION


\$
\$

\$
----

RECEIPT # **47737**

DATED: 8/23/01 BY: C. Vance

## New Application Route Slip

**CASEWORKER  
ASSIGNED:**

Receipting C. U.

Data Center SO 8-31-01

ANITA

Ground Water YES \_\_\_\_\_ NO \_\_\_\_\_

Bill Fujii \_\_\_\_\_ YES \_\_\_\_\_ NO \_\_\_\_\_ → If for "Municipal" or "Quasi-Muni,"

John Falk \_\_\_\_\_ YES \_\_\_\_\_ NO \_\_\_\_\_ → Please Note — if application is for:

A "Standard Reservoir" storing 9.2 acre-feet or more of water, or has a dam height of 10.0 feet or greater, make a copy of application & supplemental forms and Route to: John Falk, Dam Safety

Water Rights  
Support

29  
Mark contents of Application File; Update Powerbuilder with caseworker, etc.; **Route to filing cabinet**