



June 5, 2008

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WATER RESOURCES DEPT.  
SALEM, OREGON

MR. RUBEN OCHOA  
STATE OF OREGON WATER RESOURCES DEPT  
NORTH MALL OFFICE BUILDING  
725 SUMMER STREET NE, SUITE A  
SALEM, OR 97301-1271

GOVERNMENT

**Re: Surface Water Usage Permit, Water Storage Permit and Draft Intergovernmental Agreement**

OFFICES

Dear Mr. Ochoa:

2 3 7 1

Enclosed please find the Tribe's executed Surface Water Usage and Water Storage permit applications and related processing fees. Execution of the documents, as noted and initialed on the signature pages, is conditional on the completion of our Intergovernmental Agreement related to the Tribe's Creekside reservoirs. This was the agreement reached between the State of Oregon under the authority of Governor Kulongoski via Mike Carrier in our establishing meeting in Salem with, among others, Oregon WRD, DOJ and DSL represented. The Tribal Chairman and Tribal Board of Directors have asked me to emphasize this point so that it is clear that the Tribe's filing of these documents, as a partnership accommodation to the processing procedures and timelines within WRD, does not supercede our reliance on Oregon's agreement and commitment to conclude the Intergovernmental Agreement process.

NE STEPHENS

Also enclosed is the penultimate draft of the Intergovernmental Agreement for comment and finalization. It has been fine tuned over a long period to remain clear, concise and true to the need and spirit of our partnership and agreements. I hope that we can conclude this process expeditiously. I would suggest that if it is necessary to push the Intergovernmental Agreement through another full round of WRD and/or DOJ review, that we call a face to face meeting for a wrap up session with any remaining sign-off parties available and attending.

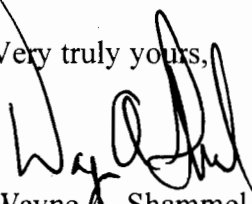
STREET

The Tribe is pleased to be a partner with the State of Oregon and the WRD and we look forward to our continued positive association.

SUITE 100

Very truly yours,

ROSEBURG

  
Wayne A. Shammel  
General Counsel

OREGON

9 7 4 7 0

(541) 672-9405

FAX NUMBER

jr  
Enc.

cc: Tribal Board  
Governor Kulongoski

(541) 673-0432

**DRAFT**

**INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE COW CREEK BAND OF UMPQUA TRIBE OF INDIANS  
AND  
THE STATE OF OREGON BY AND THROUGH THE  
OREGON WATER RESOURCES DEPARTMENT**

This Intergovernmental Agreement ("Agreement") is entered into between the Cow Creek Band of Umpqua Tribe of Indians, a federally recognized Indian Tribe, hereinafter referred to as "the Tribe," and the State of Oregon, hereinafter referred to as "the State", by and through the Oregon Water Resources Department, hereinafter referred to as "WRD." The Tribe and the State are jointly referred to as "the Parties." The parties hereby agree as follows:

**I. Introduction**

This Agreement is entered into pursuant to ORS 190.110.

The Tribe is developing an off-channel reservoir near Canyonville, Oregon ("the reservoir") on tribal trust ground. The Tribe intends to fill the reservoir with surplus water from the South Umpqua River. The Tribe and the State agree that off-channel storage projects, such as the reservoir near Canyonville, should be fostered and encouraged to the greatest extent possible.

**II. General Provisions**

A. Interests and Responsibilities of the Tribe

1. The Tribe asserts that WRD does not have authority to require the Tribe to obtain a state water right for the appropriation and use of surplus water from the South Umpqua River for storage and use on lands held in trust by the federal government for the Tribe.
2. In recognition of the Parties' mutual interest in the region's water resources and government-to-government cooperation, the Tribe agrees to file State of Oregon water right applications and other supporting documents related to the diversion, storage and use of water, in conjunction with this Agreement.

B. Interests and Responsibilities of WRD

1. WRD asserts that it does not have authority to authorize the appropriation and use of water solely through an intergovernmental agreement.

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2. The State has established a system under the Oregon Water Code for regulating the use of water within the State through the water right permitting process, the purpose of which includes the orderly allocation of water and the protection of senior water rights. The State has a strong interest in the comprehensiveness of this system.
3. In recognition of the Parties' mutual interest in the region's water resources and government-to-government cooperation, WRD agrees to enter into this Agreement concurrently with the issuance of any permits resulting from the Tribe's applications referred to in paragraph A.2. above.
4. WRD agrees to accept and process the Tribe's water right applications filed pursuant to paragraph A.2. above and to work closely with the Tribe to assure that the applications and related information satisfy the minimum WRD application requirements. WRD agrees to process the Tribe's applications as promptly as possible in accordance with the standards and processes established in applicable statutes and rules.

C. Agreement of the Parties

1. The circumstances of the Parties in entering this Agreement are unique. Hence, this Agreement is limited to the present circumstances, and it binds only the Parties to this Agreement.
2. The Parties agree that the Tribe intends to use water according to the following terms.
  - a. The Tribe will divert water from the South Umpqua River from points of diversion located as described in Attachment A.
  - b. The diverted water will be conveyed via pipeline from the point of diversion described in paragraph II.C.2.a. to be stored in a reservoir located as described in Attachment A.
  - c. The reservoir will store a maximum of 365 acre feet and the reservoir will be maintained full during the withdrawal season (November 1 through June 30).
  - d. The Tribe will divert water from the South Umpqua River pursuant to this Agreement and the related permits or certificates at a rate not to exceed 600 gallons per minute (gpm) for quasi-municipal use, and 600 gpm for reservoir maintenance.

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- e. The Tribe will divert water from the South Umpqua River for storage in the reservoir from November 1 through June 30 of each year, and only at times when sufficient water is available to satisfy all prior rights (including any prior Oregon water rights of the Tribe), including prior rights for maintaining instream flows.
- f. The Tribe will divert live flow from the South Umpqua River for quasi-municipal and reservoir maintenance from November 1 through June 30 of each year, and only at times when sufficient water is available to satisfy all prior rights (including any prior Oregon water rights of the Tribe), including prior rights for maintaining instream flows.
- g. The Tribe will use the water stored in the reservoir year round for quasi-municipal purposes.
- h. The Tribe will use water for quasi-municipal purposes in the place of use described in Attachment A.
- i. The Tribe will install a meter at the surface water point of diversion identified in paragraph II.C.2.a., and maintain the meter in good working order. The Tribe will allow the watermaster access to the meter upon reasonable notice.
- j. The Tribe will install and maintain a measuring device in the reservoir at a reasonably accessible location, and will allow the watermaster access to the measuring device after reasonable notice.
- k. The Tribe will keep, maintain and provide annually to WRD a record of the amount (volume) of water diverted and used, general water use information, the periods of water use and the place and nature of use of water under the permit and provide a copy to WRD annually.
- l. The Tribe will install, maintain, and operate fish screening and bypass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards.
- m. Within one year after putting all of the water to the proposed use, the Tribe will submit claims of beneficial use to WRD signed off by an Oregon licensed engineer.

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3. The Tribe will provide WRD with a map identifying the source of water and location of water use, and clearly indicating the township, range, section, quarter/quarter section of the proposed reservoir location, place of use and tax lot numbers, as appropriate.

**III. Administration**

A. Authority

Each Party represents that the person who executes this Agreement on its behalf has the authority to enter into this Agreement on behalf of that Party.

B. Counterparts

This Agreement may be executed simultaneously or with separate signature pages and in more than one counterpart, each of which will be deemed an original, and all of which together shall constitute one and the same Agreement.

C. No Waiver of Sovereign Immunity

Nothing in this Agreement is intended to be a waiver of the sovereign immunity of either party to this Agreement.

D. Reservation of Rights

Nothing in this Agreement is intended to prejudice either the Tribe's right to claim a federal reserved water right in the future or the State's right to dispute any such claim in the future.

E. Amendment of this Agreement

This Agreement may be modified only by the mutual written agreement of the Parties.

**COW CREEK BAND OF UMPQUA TRIBE OF INDIANS**

Dated: \_\_\_\_\_ By: \_\_\_\_\_

**STATE OF OREGON  
BY AND THROUGH THE OREGON WATER RESOURCES DEPARTMENT**

Dated: \_\_\_\_\_ By: \_\_\_\_\_

Phillip C. Ward,  
Director

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SALEM, OREGON**



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

# Application for 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. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).*

## 1. APPLICANT INFORMATION

### A. Individuals

Applicant:  N/A   
First Last

Mailing address:  N/A   
 N/A   N/A   N/A   
City State Zip

Phone:  N/A   N/A   N/A   
Home Work Other

\*Fax:  N/A  \*E-Mail address:  N/A

### B. Organizations

*(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)*

Name of organization:  Cow Creek Band of Umpqua Tribe of Indians

Name and title of person applying:  Wayne A. Shammel, General Counsel

Mailing address of organization:  2371 NE Stephens, Suite 100

Roseburg   OR   97470   
City State Zip

Phone:  (541) 677-5535   
Day Evening

\*Fax:  (541) 677-5527  \*E-Mail address:  wshammel@cowcreek.com

\* Optional information

For Department Use		
App. No. _____	Permit No. _____	Date _____

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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: S. Umpqua River Tributary to: Umpqua River  
Source 2: S. Umpqua River Tributary to: Umpqua River  
Source 3: S. Umpqua River Tributary to: Umpqua River  
Source 4: \_\_\_\_\_ Tributary to: \_\_\_\_\_

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name). pending permit for reservoir; pending intergovernmental agreement.

**B. Applications to Use Stored Water**

Complete this section if any source listed in item 2A above is stored water.

Do you, or will you, own the reservoir(s) described in item 2A above?

- Yes.
- No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator. *This applies only if the operator of the reservoir is not the reservoir owner.*)

If *all* sources listed in item 2A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

- By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:
- A copy of a signed non-expired contract or other agreement with the owner of the reservoir to impound the volume of water you propose to use in this application.
  - A copy of your written agreement with the party delivering the water from the reservoir to you. (This applies only if the party delivering the water is not the reservoir owner.)

**C. 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 easement permitting access.

Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

List the names and mailing addresses of all affected landowners.

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**3. WATER USE**

*Please read the instruction booklet for more details on "type of use" definitions, how to express how much 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 provided 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**

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**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	Type of use	Amount	
1.	Cow Creek Reservoir 1	Quasi-Municipal	365	<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
2.	S. Umpqua River	Quasi-Municipal	600	<input type="checkbox"/> cfs <input checked="" type="checkbox"/> gpm <input type="checkbox"/> af
3.	S. Umpqua River	Reservoir Maintenance	600	<input type="checkbox"/> cfs <input checked="" type="checkbox"/> gpm <input type="checkbox"/> af
				<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

**C. Period of Use**

Indicate the time of year you propose to use the water: 1. Year Round; 2. & 3. Dec 1 - June 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): 65 Hp. Submersible
- 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 means (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  No

Pipe (give diameter and total length):

Diameter 6" Length Approx. 1 mile

Other (describe) \_\_\_\_\_

**D. Application/Distribution Method**

What equipment will you use to apply water to your place of use? Quasi-Municipal  
distribution system.

Irrigation or land application method (check all that apply): N/A

- 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

Both  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. If you need additional space, attach a separate sheet.

Closed system inspected regularly for leaks according to municipal water  
management best practices.

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5. RESOURCE PROTECTION

**A. 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 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.

Diversion will be screened to prevent uptake of fish and other aquatic life. Describe planned actions: Oregon Dept. of Fish & Wildlife approved screens as required.

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions: Will minimize any excavation or clearing of banks.

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe: Will manage and time to prevent damages to aquatic life.

Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe: Will employ best management practices to prevent erosion and run-off.

Other: N/A

**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: May 1, 2004

Proposed date construction will be completed: June 30, 2007

Proposed date beneficial water use will begin: January 30, 2007

**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.*

Pending intergovernmental agreement.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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.

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## Oregon Water Resources Department

### 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: Umpqua Indian Utility Cooperative

Name and size of area to be served: Cow Creek Tribal Lands and Canyonville area 2 sq. miles  
(in square miles) 1 sq. miles

Present population of service area: Approx 2000:

(Contact county planning staff, if needed.)

Projected population in 20 years: Approx 10,000:

(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:
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Pending storage and surface water applications for quasi-municipal use.

#### Water Use

Average yearly demand: 280 AFY Year: 2007

Per-capita daily consumption (in gallons): 125 gallons per person per day

(Divide average annual water sales by population to arrive at consumption, then divide by 365 to get daily values.)

Peak season (by month/day): Apr 1 to Oct 31 Total peak season demand: 165 Acre-feet

Peak season per-capita daily consumption: 128 gallons per person per day

(Divide total peak season demand by population and the number of days during the peak.)

Annual amount of water:

produced: 182,500,000 gallons per year  
(diverted or pumped)

delivered: 182,500,000 gallons per year

Is your system fully metered?  Yes  No

Describe your rate structure: Staggered pricing based on consumption (Higher use = Higher rate)

(e.g. flat rate, increasing or decreasing block rate or combination of different systems)

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**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): Lack of existing Quasi-Municipal sources; City of Canyonville system insufficient to supply regional needs.

B. How long is the amount of water requested in this application expected to meet future needs?

(e.g. until the year 2040) 2030

C. Briefly discuss operation of water system and the most constraining component of the system:

The system is operated by the Umpqua Indian Utility Cooperative, a tribally chartered entity. The largest constraint on the water components of the system is the availability of surplus water in the South Umpqua River.

D. Percentage of water use by type:

Residential: <u>10%</u>	Commercial: <u>40%</u>
Public Authority: <u>10%</u>	Agricultural: <u>10%</u>
Unaccounted for use: _____	Industrial: <u>30%</u>
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.)*

100 % it is enclosed, lined and fully metered.

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# Oregon Water Resources Department

## FORM M

### FOR MUNICIPAL AND QUASI MUNICIPAL WATER SUPPLIES

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#### Background Information

Name of water supplier: Umpqua Indian Utility Cooperative

Name and size of area to be served: Cow Creek Tribal Lands and Canyonville area 2 sq. miles  
(in square miles) 1 sq. miles

Present population of service area: Approx 2000; transient population approx.  
(Contact county planning staff, if needed.) (See attached Map)

Projected population in 20 years: Approx 10,000; transient population approx.  
(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:

Pending storage and surface water applications for quasi-municipal use.

#### Water Use

Average yearly demand: 280 AFY Year: 2007

Per-capita daily consumption (in gallons): 125 gallons per person per day  
(Divide average annual water sales by population to arrive at consumption, then divide by 365 to get daily values.)

Peak season (by month/day): Apr 1 to Oct 31 Total peak season demand: 165 Acre-feet

Peak season per-capita daily consumption: 128 gallons per person per day  
(Divide total peak season demand by population and the number of days during the peak.)

Annual amount of water:

produced: 182,500,000 gallons per year  
(diverted or pumped)

delivered: 182,500,000 gallons per year

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Is your system fully metered?  Yes  No

Describe your rate structure: Staggered pricing based on consumption (Higher use = Higher rate)

(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): Lack of existing Quasi-Municipal sources; City of Canyonville system insufficient to supply regional needs.

B. How long is the amount of water requested in this application expected to meet future needs?

(e.g. until the year 2040) 2030

C. Briefly discuss operation of water system and the most constraining component of the system:

The system is operated by the Umpqua Indian Utility Cooperative, a tribally chartered entity. The largest constraint on the water components of the system is the availability of surplus water in the South Umpqua River.

D. Percentage of water use by type:

Residential:	<u>10%</u>	Commercial:	<u>40%</u>
Public Authority:	<u>10%</u>	Agricultural:	<u>10%</u>
Unaccounted for use:	<u>          </u>	Industrial:	<u>30%</u>
Other (specify use):	<u>          </u>		

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.)*

100% -- it is enclosed, lined and fully metered.

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## Oregon Water Resources Department Land Use Information Form

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. WRD will use this and other information to evaluate the water use application. THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water right transfer, allocation of conserved water, or exchange and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm use zone.

### To Be Completed By Applicant

This section must be completed by the individual or group that is filing an application with the Water Resources Department. Attach a copy of the map from the application to this form.

**A. Applicant**

Name: Cow Creek Band of Umpqua Tribe of Indians  
 Address: 2371 NE Stephens Street, Suite 100  
 City: Roseburg State: OR Zip: 97470 Day Phone: (541) 677-5535

**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)	Proposed Land Use
	<u>See Exhibit A.</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
		<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 Proposed Use**

Indicate the type of application to be filed with the Water Resources Department.

Water Use Permit     Water Right Transfer     Allocation of Conserved Water     Exchange

Indicate the intended use of water and describe the key characteristics of the project.

Commercial     Industrial     Instream     Irrigation  
 Municipal     Quasi-municipal     Domestic (indicate number of households) \_\_\_\_\_  
 Other \_\_\_\_\_

Briefly describe: Operation of a water supply system and usual and ordinary municipal water use.

Indicate the source of the water to be used.

Reservoir/Pond     Ground Water     Surface Water S. Umpqua River

Indicate the estimated quantity of water the use will require: 200  CFS     GPM     Acre-Feet

Last revised: 04/06/04

Receipt for Request for Land Use Information

State of Oregon  
 Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, OR 97301-1271  
 (503) 986-0900

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WATER RESOURCES DEPT.  
SALEM, OREGON

**For Local Government Use Only**

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In 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): \_\_\_\_\_ 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/land use decision and accompanying findings are sufficient.)

**B. Approval**

Please provide printed name and written signature.

Name: Sue M. Shaffer Date: 6/9/08  
 Title: Chairman Phone: 541-672-9405  
 Signature: Sue M. Shaffer

**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.

**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 may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

**Receipt for Request for Land Use Information**

Name of applicant: Cow Creek Band Of Umpqua Tribe of Indians

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 with the application filed with the Water Resources Department if the local government cannot provide the requested land use information while the applicant waits.

City or County: Douglas Co.  
 Staff contact: Wayne A. Shammie Phone: 541-677-5535  
 Signature: [Signature] Date: 6/9/08

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LAND USE INFORMATION FORM  
Exhibit A

Property ID No.	Property Name	Tax Lot	Water to be:			Land Use
			Diverted	Conveyed	Used	
R31658	Block	1800		X	X	
R31674		2200			X	
R31738		1900	X	X	X	
R31754		2000		X	X	
R31762		2100		X	X	
R30850	Brint	900			X	
R31050	Canyonville Storage	800		X	X	
R30994	Creekside 1	1110			X	
R30962		400			X	
R30970		502		X	X	
R33346		501		X	X	
R30914		501		X	X	
R30954		1111		X	X	
R30874		1101			X	
R30746		800			X	
R33498		200			X	
R30882		500				
R119530		Creekside 2 (rights of way)	1112			X
R119531	1112				X	
R119532	504				X	
R35454	Creekside 3	4200			X	
R30826	Erickson	300			X	
R32834	Evergreen	2700			X	
R32850		2800			X	
R30842	Fat Harvey's	500		X	X	
R30906		500			X	
R30922		500			X	
R30930		500			X	
R30858		800			X	
R30890	Gilstrap	1100			X	
R30834	Hunt	400		X	X	

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Property ID No.	Property Name	Tax Lot	Water to be:			Land Use
			Diverted	Conveyed	Used	
R30818	Irwin	1000			X	
R31154	Klenke	1800		X	X	
R31122		900		X	X	
R31130		900		X	X	
R32866	Masonic	2901			X	
R32922		101				
R31666	McNeil Casino	1700			X	
R31786	Rigsby	2500			X	
R31794		2501			X	
R30762	Riverside	400			X	
R31218		600			X	
R31210	Valley View	2200	X	X	X	
R31202		2100	X	X	X	

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