

# DEQ DIVISION 33 APPLICATION REVIEW SHEET

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

Application #: S-87193  
R-87192  
Applicant's Name: Cow Creek Band of Umpqua Tribe of Indians

1) Is there a connection to a 303(d) listed water quality limited water body?  NO  YES

Explain: South Umpqua 303(d) listed for bacteria, temperature, Aquatic Weeds/Algae and pH. TMDLs approved for all parameters noted

2) What is the potential for this use to impact a water quality limited water body:  HIGH  MEDIUM  LOW

Explain: As I understand requests. Waters will be appropriated from the South Umpqua only when other water rights/instream needs will not be harmed - Dec 1 through June 30th - no withdrawal June 30th to Nov. 30th

3) If the answer to question (2) is HIGH or MEDIUM, will the proposed use still result in diminution of water quality for the habitat of sensitive, threatened, or endangered fish species?  NO  YES

If YES, how? NA - if water is diverted from South Umpqua River Dec 1 - June 30th, and flow does not injure prior water rights

4) Can conditions be applied to mitigate the impact of the use?  NO  YES

Which conditions are recommended? (select from Menu of Conditions)  
TIMING AS NOTED ALSO FOR RESOURCE PROTECTION APPLY CONDITIONS OF METERING, MAINTENANCE, INSPECTION, FISH SCREENS, fishcft, fishapprove, fish div 33, b57, riparian & wq.

5) If conditions cannot be identified to offset impacts, would the proposed use affect the Habitat of Sensitive, Threatened, or Endangered Fish Species?  NO  YES

If YES, please explain: NA - OFFER CTR

6) If a permit is issued, are there any conditions you would like to see included in the permit?

AS NOTED IN ITEM 4 ABOVE

7) Your recommendation under OAR 690-033-0330 (2):  Approval with conditions  
 Approval without conditions  
 Denial

DEQ Representative signature: Paul Hulsey Date: 9/30/08

WRD Contact: Caseworker: Brook Gatten Water Rights Division, 503-986-0900 / Fax 503-986-0901

Brook I will mail you the original signed copy