

FILE#: S 85071
 ROBERT GALLOWAY
 GALLOWAY, KAY
 PO BOX 2278
 ROSEBURG, OR 97470

Application No. S 85071
 Permit No. 54074
 Certificate No. _____

FEES PAID		
Date	Amount	Receipt No.
<i>EXAM</i> 3-8-02	204.50	51362
6-8-04	250.00	67827
6-17-16	175.00	120189
		Cert. Fee
FEES REFUNDED		
Date	Amount	Check No.

Stream Index, Page No. _____
 Date filed _____
 Priority _____
 Action suspended until C08
 Return to applicant _____
 Date of approval _____

ASSIGNMENTS				
Date	To Whom	Address	Volume	Page

CONSTRUCTION
 Date for beginning _____
 Date for completion _____
 Extended to _____
 Date for application of water 10-1-08
 Extended to _____

REMARKS				

PROSECUTION OF WORK
 Form "A" filed _____
 Form "B" filed _____
 Form "C" filed _____

FINAL PROOF
 Blank mailed _____
 Proof received COBU 6/17/2016
 Date Certificate issued _____

54074

STATE OF OREGON

COUNTY OF DOUGLAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROBERT & KAY GALLOWAY
PO BOX 2278
ROSEBURG, OREGON 97470

(541) 672-5425

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

APPLICATION FILE NUMBER: S-85071

SOURCE OF WATER: GALESVILLE RESERVOIR, CONSTRUCTED UNDER PERMIT R-9964, A TRIBUTARY OF SOUTH UMPQUA RIVER

PURPOSE OR USE: IRRIGATION OF 6.5 ACRES

MAXIMUM VOLUME: 14.5 ACRE FEET EACH YEAR

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 8, 2002

POINT OF DIVERSION LOCATION: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T27S, R6W, W.M.;
500 FEET NORTH & 1650 FEET EAST FROM C1/4 CORNER, SECTION 9

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5.1 ACRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.4 ACRES

SECTION 9

TOWNSHIP 27 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.

Application S-85071 Water Resources Department

PERMIT 54074

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

There shall be no overland flow due to excessive irrigation.

The use of water under this right is subject to the terms and conditions of contract No. I-2002-7, or a satisfactory replacement, between the Bureau of Reclamation and the applicant, a copy of which is 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

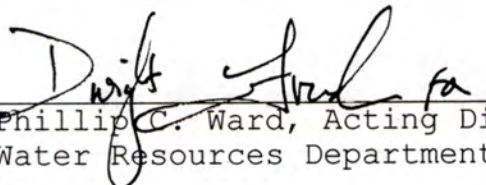
sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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, 2008. 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 June 23, 2004


Phillip C. Ward, Acting 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

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

June 23, 2016

Kay Galloway
PO Box 2278
Roseburg OR 97470

On June 17, 2016 the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application S-85071 Permit S-54074

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

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

http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

Customer Service phone: (503) 986-0801

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

Cc: file

FITZGERALD Kate M

S-85071 11/9

From: SAUTER Jerry K
Sent: Tuesday, November 24, 2015 2:10 PM
To: Nathan R. Reed
Cc: FITZGERALD Kate M
Subject: RE: S-54074

Thanks Nathan, I appreciate the update. Please let me know when you have a definite time.
JK

J.K. (Jerry) Sauter | Water Rights Program Analyst
Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph. 503.986.0817 | Fax 503.986.0901
Information Requests may be made to : customerservice@wrdd.state.or.us

From: Nathan R. Reed [<mailto:nrreed@co.douglas.or.us>]
Sent: Tuesday, November 24, 2015 2:00 PM
To: SAUTER Jerry K
Subject: S-54074

Jerry,

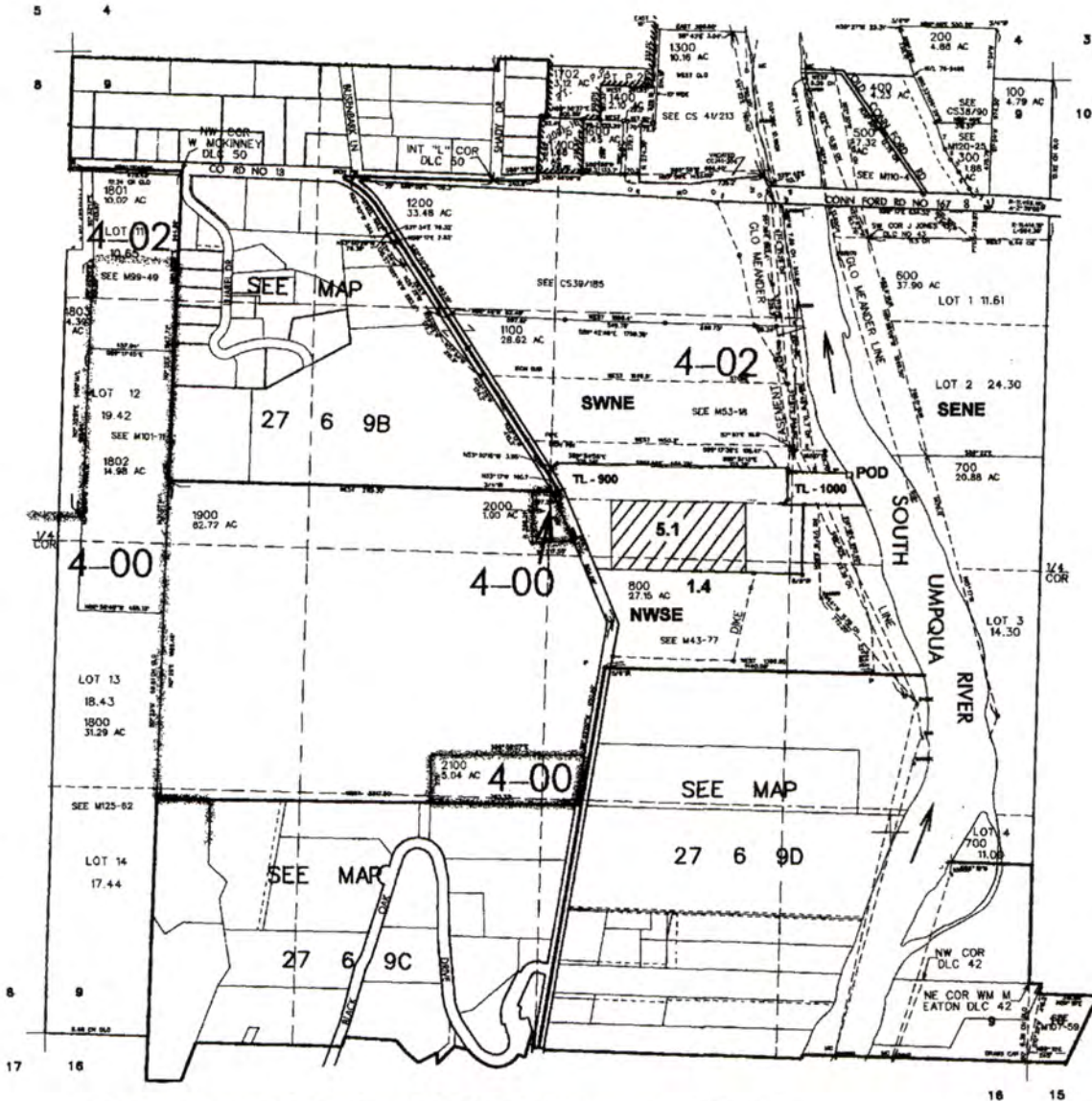
Thank you for returning my call. I have been hired to be the CWRE for permit S-54074. Since it past the irrigation period and system has most likely been stored for winter. I will perform the COBU the next irrigation season in 2016.

Sincerely,

Nathan R. Reed, P.E., CWRE
Hydrologist / Hydroelectric Plant Manager
Douglas County Public Works
Natural Resources Division
1036 SE Douglas, Room 306
Roseburg, OR 97470
(tel.) 541.440.4344
(fax) 541.440.6264
nrreed@co.douglas.or.us

SEC. 9 T.27S. R.6 W W.M.
DOUGLAS COUNTY

Scale: 1" = 1000'



POD is located 500 ft. N. and 1650 ft. E. from center of Sec. 9

Application No. 5-85071
Permit No. S 84074

RECEIVED
MAR 08 2002
WATER RESOURCES DEPT.
SALEM, OREGON



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

NOTE: For water rights information and useful forms, please see our web site at www.oregon.gov/OWRD

November 9, 2015

Certified mail number 7015 0640 0006 1641 2252
Return receipt requested

ROBERT GALLOWAY
KAY GALLOWAY
PO BOX 2278
ROSEBURG, OR 97470

Reference: Application S-85071, Permit S-54074

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, 2008.

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, 2008. 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 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 (January 8, 2016) 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 \$450.00 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 Corey Courchane by telephone at 503-986-0825, Machel Bamberger 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 S-85071
OWRD Watermaster District 15



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

- Extension pending _____
- Assignment is pending _____
- Cancellation has been requested _____

None 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

Send letter

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 10-1-2008 BASIN NUMBER 16 WM # 15
 CWRE or AGENT None

3. AOI Yes _____ NO X If Yes, name of AOI _____

Property Details for Property ID: R10097**Owner Information :**

Owner Name: GALLOWAY, ROBERT S & KAY ANN
 Owner Address #1: PO BOX 2278
 Owner Address #2:
 Owner Address # 3: Alternate Account #: 8844.01
 Owner City/State/Zip: ROSEBURG, OR 97470 Account Status: A

Property Information :

Township: 27	Situs Address: 6035 OLD MELROSE RD ROSEBURG, OR 97471
Range: 06W	Map ID: 27060900900
Section: 09	County Property Class: 5121
Quarter:	Legal Acreage: 16.23
Sixteenth:	Code Area: 00402
Maintenance Area: 5	Neighborhood Code: KVR
Year Built: 1948	Living Area: 4884
Bedrooms: 5	Baths: L.TUB
Exemption Code:	Exemption Desc.:
MFD Home ID:	

Value Information : 2014-2015 Certified Values and Tax Information

Improvement Appr. Value: \$291,996.00	Total Appr. Value: \$318,943.00
Land Appr. Value: \$26,947.00	Exemption Value: \$0.00
Land Market Value: \$263,619.00	Total Assessed Value: \$312,217.00
Total Real Market Value: \$555,615.00	Taxes Imposed: \$3,157.27

Sales Information :

Deed No:
 Sale Price: \$0.00 Sale Date:

DISCLAIMER

The information provided here is for convenience ONLY. For All Commercial, Industrial, and Multi-Family Properties visit the Douglas County Assessor's Office. The records located at the Douglas County Assessor's office are the one and only legal instruments for Assessment purposes. Although reasonable attempts are made to maintain this information as accurate as possible, these documents are being provided as an informational convenience ONLY. Douglas County in no way will be liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Douglas County Assessor's Office.

Mailing List for Permit Copies

Application # S-85071

Mailing List Print Date: June 10, 2004

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

Applicant: ROBERT & KAY GALLOWAY, PO BOX 2278,
ROSEBURG, OREGON 97470

For Permit only - Permit Copies sent to (Remember to reduce copy margins):

1. WRD - File # S-85071
2. WRD - Ken Stahr
3. WRD - Data Center
4. Watermaster District #15
5. WRD - Dave Jarrett
6. Regional Manager: SWR

Copies Mailed	
By: <u> JWJ² </u>	(SUPPORT STAFF)
on: <u> 6/24/04 </u>	(DATE)

caseworker: gaineyjw



Oregon

Theodore R. Kuflongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

CERTIFIED MAIL Return Receipt Requested

May 18, 2004

Robert and Kay Galloway
PO Box 2278
Roseburg, Oregon 97470

Reference: Application S-85071

Dear Mr. and Mrs. Galloway:

On October 1, 2002, the Water Resources Department (Department) issued a Final Order with a draft permit, for application S-85071. The Final Order indicated that upon payment of outstanding permit recording fees in the amount of **\$175.00**, application S-85071 shall be approved. Further, the final order indicated that failure to pay the required permit recording fees within 60 days from the date of the Final Order may result in the proposed rejection of application S-85071.

House Bill 2268 was enacted by the 2003 Legislature Assembly increasing the permit recording fees to \$250.00 and became effective on October 1, 2003. As of the date of this letter, the Department has not received the requested permit recording fees. Since you have failed to pay the permit recording fees of \$175.00 within 60 days from the date of the Final Order of October 1, 2002, the new permit recording fees will be assessed, being **\$250.00**.

Please submit the required permit recording fees, **\$250.00** by **June 14, 2004** and reference the application number when sending any correspondence regarding this application. If we do not receive the information requested by this date, we will issue a final order rejecting the above referenced application consistent with ORS 537.153. If your application is rejected, the priority date associated with your applications 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) 986-0812.

Sincerely,


Jerry W. Gainey
Water Right Application Caseworker

cc: David Williams, Watermaster District #15
File S-85071



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

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Water Right Application Caseworker

cc: David Williams, Watermaster District #15
File S-85071

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number S-85071

Final Order

Application History

On MARCH 8, 2002, ROBERT & KAY GALLOWAY submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on June 25, 2002. The protest period closed August 9, 2002, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest.

Order

Upon payment of outstanding permit recording fees, Application S-85071 shall be approved as proposed by the Proposed Final Order and as provided on the attached draft permit.

Permit recording fees are required in the amount of \$175.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order may result in the proposed rejection of Application S-85071.

If you need to request additional time to submit the required fees, the written request should be received in the Salem office of the Department by the deadline above. The Department will evaluate the request and determine whether or not the request may be granted.

DATED October 1, 2002


Paul R. Cleary, Director

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 Russell W. Klassen. 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 266.

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

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

ROBERT & KAY GALLOWAY
PO BOX 2278
ROSEBURG, OREGON 97470

(541) 672-5425

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

APPLICATION FILE NUMBER: S-85071

SOURCE OF WATER: GALESVILLE RESERVOIR, CONSTRUCTED UNDER PERMIT R-9964,
A TRIBUTARY OF SOUTH UMPQUA RIVER

PURPOSE OR USE: IRRIGATION OF 6.5 ACRES

MAXIMUM VOLUME: 14.5 ACRE FEET EACH YEAR

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 8, 2002

POINT OF DIVERSION LOCATION: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T27S, R6W, W.M.; 500
FEET NORTH & 1650 FEET EAST FROM C1/4 CORNER, SECTION 9

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5.1 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.4 ACRES
SECTION 9
TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.

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- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as

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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 _____, 2002

DRAFT - THIS IS NOT A PERMIT

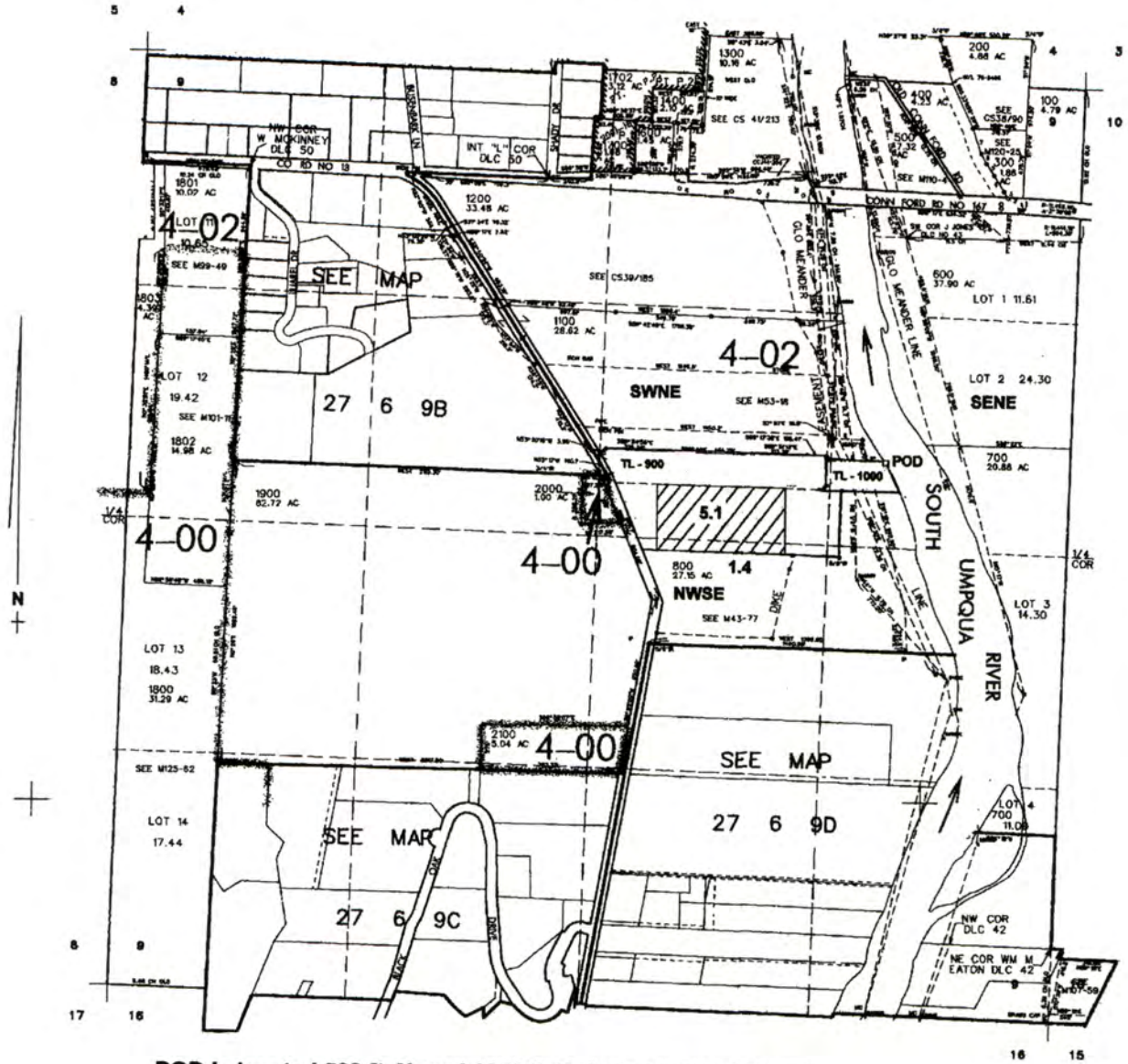
Paul R. Cleary, Director
Water Resources Department

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.

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SEC. 9 T.27S. R.6 W. W.M.
DOUGLAS COUNTY

Scale: 1" = 1000'



POD is located 500 ft. N. and 1650 ft. E. from center of Sec. 9

Application No. 5-85071
Permit No.

RECEIVED
MAR 08 2002
WATER RESOURCES DEPT.
SALEM, OREGON

Mailing List for FO Copies

Application # S-85071

Mailing List Print Date: September 16, 2002

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

Applicant: ROBERT & KAY GALLOWAY, PO BOX 2278,
ROSEBURG, OREGON 97470

For FO w/Draft Permit - Copies sent to:

1. WRD - File # S-85071
2. WRD - Ken Stahr

CASEWORKER: RWK

Copies Mailed	
By: _____	(SUPPORT STAFF)
on: <u>10/2/02</u>	(DATE)

Oregon Water Resources Department
Water Rights Division



Water Rights Application
Number S-85071

Proposed Final Order

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

Application History

On MARCH 8, 2002, ROBERT & KAY GALLOWAY submitted an application to the Department for the following water use permit:

- Amount of Water: 14.5 ACRE-FEET (AF)
- Use of Water: IRRIGATION OF 6.5 ACRES
- Source of Water: GALESVILLE RESERVOIR, CONSTRUCTED UNDER PERMIT R-9964, A TRIBUTARY OF SOUTH UMPQUA RIVER
- Area of Proposed Use: DOUGLAS County within SECTION 9, TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.

On April 5, 2002, the Department mailed the applicant notice of its Initial Review, determining that "*The use of 14.5 acre-feet from Galesville Reservoir, a tributary of South Umpqua River, for irrigation of 6.5 acres is allowable from March 1 through October 31 of each year.*" The applicant did not notify the Department to stop processing the application within 14 days of that date.

On April 23, 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.

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 the use of water for irrigation.

Senior water rights exist on Galesville Reservoir, a tributary of South Umpqua River, or on downstream waters.

Galesville Reservoir, a tributary of South Umpqua River, is not within or above a State Scenic Waterway.

Water is determined to be available for further appropriation from water legally authorized for storage under permit R-9964.

The Department finds that the amount of water requested, 14.5 af, 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:

There shall be no overland flow due to excessive irrigation.

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

Screen material openings for ditch (gravity) and pump screens must provide a minimum of 27% open area:

Perforated plate: Openings shall not exceed 3/32 or 0.0938 inches (2.38 mm).

Mesh/Woven wire screen: Square openings shall not exceed $3/32$ or 0.0938 inches (2.38 mm) in the narrow direction, e.g., $3/32$ inch x $3/32$ inch open mesh.

Profile bar screen/Wedge wire: Openings shall not exceed 0.0689 inches (1.75 mm) in the narrow direction.

Screen area must be large enough not to cause fish impact. Wetted screen area depends on the water flow rate and the approach velocity.

Screen approach velocity for ditch and active pump screens shall not exceed 0.4 fps (feet per second) or 0.12 mps (meters per second). The wetted screen area in square feet is calculated by dividing the maximum water flow rate in cubic feet per second (1 cfs = 449 gpm) by 0.4 fps.

Screen sweeping velocity for ditch screens shall exceed the approach velocity. Screens greater than 4 feet in length must be angled at 45 degrees or less relative to flow. An adequate bypass system must be provided for ditch screens to safely and rapidly collect and transport fish back to the stream.

Screen approach velocity for passive pump screens shall not exceed 0.2 fps or 0.06 mps. The wetted screen area in square feet is calculated by dividing the maximum water flow rate by 0.2 fps. Pump rate should be less than 1 cfs.

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 June 25, 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 **August 9, 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 Russell W. Klassen. 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 266.

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

DRAFT

This is not a permit!!!
STATE OF OREGON

DRAFT

COUNTY OF DOUGLAS

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

ROBERT & KAY GALLOWAY
PO BOX 2278
ROSEBURG, OREGON 97470

(541) 672-5425

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

APPLICATION FILE NUMBER: S-85071

SOURCE OF WATER: GALESVILLE RESERVOIR, CONSTRUCTED UNDER PERMIT R-9964,
A TRIBUTARY OF SOUTH UMPQUA RIVER

PURPOSE OR USE: IRRIGATION OF 6.5 ACRES

MAXIMUM VOLUME: 14.5 ACRE FEET EACH YEAR

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 8, 2002

POINT OF DIVERSION LOCATION: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T27S, R6W, W.M.; 500
FEET NORTH & 1650 FEET EAST FROM C1/4 CORNER, SECTION 9

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5.1 ACRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.4 ACRES

SECTION 9

TOWNSHIP 27 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

Application S-85071 Water Resources Department

PERMIT DRAFT

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

There shall be no overland flow due to excessive irrigation.

The use of water under this right is subject to the terms and conditions of contract No. I-2002-7, or a satisfactory replacement, between the Bureau of Reclamation and the applicant, a copy of which is 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

\$204.50



State of Oregon
Water Resources Department
158 12th Street NE, Salem, OR 97310
(503)378-8455 • (800)624-3199
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.

RECEIVED

MAR 08 2002

WATER RESOURCES DEPT.
SALEM, OREGON

1. APPLICANT INFORMATION

A. Individuals

Applicant: ROBERT GALLOWAY
First Last

Co-applicant: KAY GALLOWAY
First Last

Mailing address: P.O. BOX 2278
ROSEBURG OR 97470
City State Zip

Phone: 541-672-5425
Home Work Other

*Fax: _____ *E-Mail address: _____

B. Organizations

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

Name of organization: _____

Name and title of person applying: _____

Mailing address of organization: _____

_____ City State Zip

Phone: _____
Day Evening

*Fax: _____ *E-Mail address: _____

*Optional information

For Department Use		
App. No. <u>S-85071</u>	Permit No. _____	Date <u>3-8-02</u>

Application No. S-85071
Permit No.

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: GALESVILLE RES. 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.*

**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
GALESVILLE RES.	IRRIGATION	14.5 <input type="text" value="af"/>
		<input type="text" value="af"/>
		<input type="text" value="af"/>
		<input type="text" value="af"/>

C. Period of Use

Indicate the time of year you propose to use the water: MARCH 1 - OCT. 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: 6.5 ACRES
 (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) 15 HP CENTRIFUGAL
- 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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SALEM, OREGON

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 5" MAINLINE Length 1500'

- Other (describe) _____

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.

PUMP AND PIPE SEEMS TO BE THE MOST
EFFICIENT WAY TO DIVERT AND DELIVER THE
WATER. DRIP IRRIGATION IS NOT FEASIBLE
FOR THIS TYPE OF CROP.

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.

Application No. 5-85071
Permit No.

Diversion will be screened to prevent uptake of fish and other aquatic life.

Describe planned actions: _____
DIVERSION WILL BE SCREENED TO ODFW
SPECIFICATIONS

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

_____ N/A

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe: _____

_____ N/A

Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe: _____

_____ N/A

Other: _____

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 MARCH 1, 2002

Proposed date construction will be completed OCT 31, 2003

Proposed date beneficial water use will begin MARCH 1, 2004

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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WATER RESOURCES DEPT.
SALEM, OREGON

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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:

X Robert J. Gallaway 3/6/02
Signature of Applicant Date

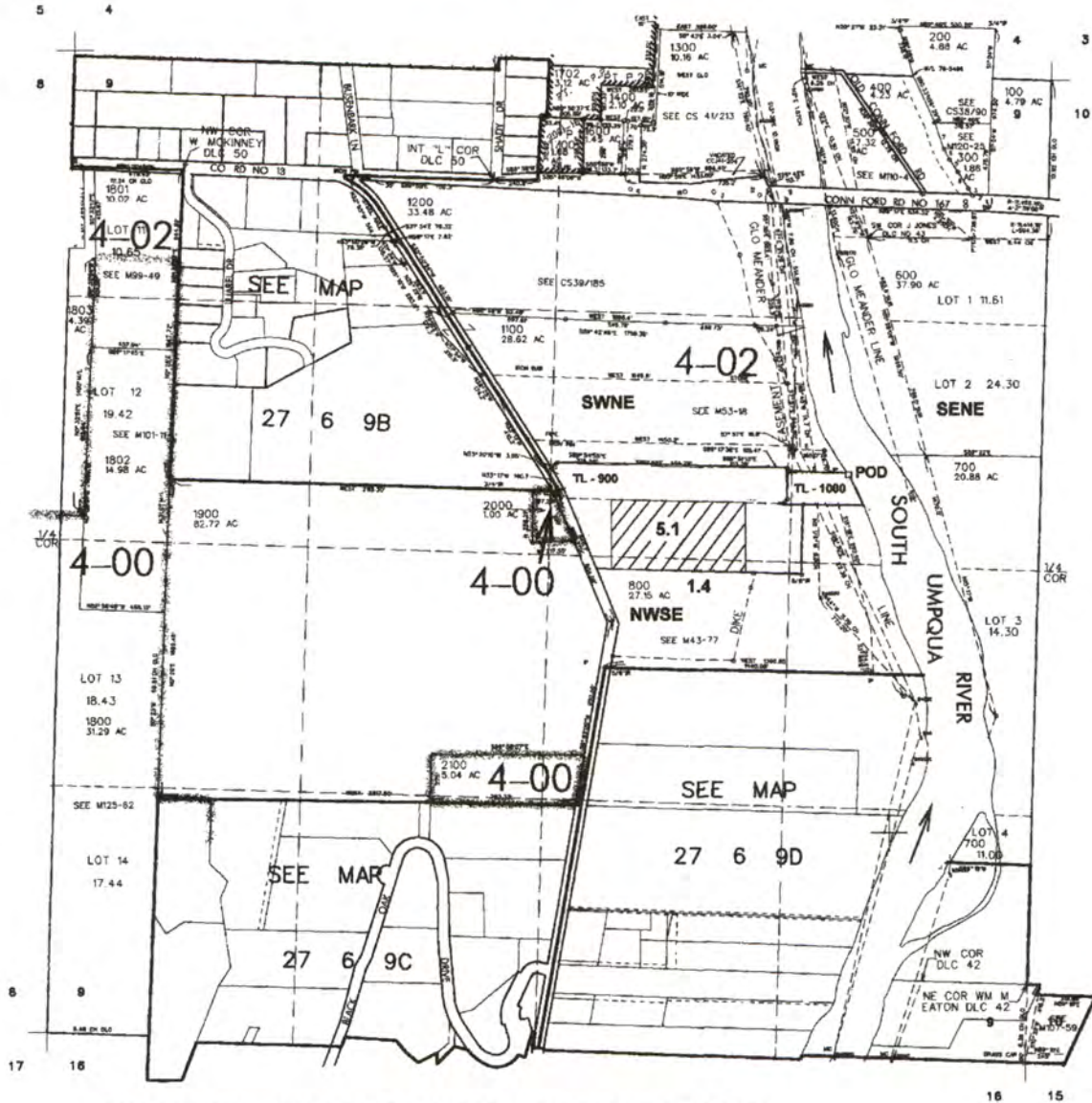
X Kay Gallaway 3/6/02
Signature of Co-applicant Date

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.

SEC. 9 T.27S. R.6 W W.M.
DOUGLAS COUNTY

Scale: 1" = 1000'



POD is located 500 ft. N. and 1650 ft. E. from center of Sec. 9

Application No. 5-85071
Permit No.

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WATER RESOURCES DEPT.
SALEM, OREGON

Mailing List for PFO Copies

Application #S-85071

PFO Date June 25, 2002

Original mailed to:

Applicant: ROBERT & KAY GALLOWAY, PO BOX 2278, ROSEBURG, OREGON 97470

Copies sent to:

1. WRD - File # S-85071
2. Water Availability: Ken Stahr

PFO and Map Sheet Copies sent to:

3. WRD - Watermaster #15
4. Regional Manager: SWR
5. ODFW District Biologist: Jim Brick

CASEWORKER : klasserw WEEK 361

Copies Mailed
By: <u>JCB</u>
(SUPPORT STAFF)
on: <u>6/26/02</u>
(DATE)

File # 583071
PFO Week # 361

FO CHECKLIST

PFO TO FO CONVERSION

Review Date: 9/16/02
Initials: EWK
WM District 15
WRD Region SWR
ODFW Bio ---

10. Y/N Were **comments or protests** received? If so, from whom and when?

20. Y/N / NA Affected owners, commentors, CWRE's & those who paid \$10 **notified** at the proper address?

30.	Exam Fee	<u>100</u>
	Q fee	<u>104.5</u>
	Subtotal	<u>204.5</u>
1 st CFS/AF <u>100</u>	Recording Fee	<u>175</u>
Addnl. <u>4.5</u>	Total	<u>379.5</u>
TOTAL Q <u>104.5</u>	Amount Paid	<u>204.5</u>

owe

175

refund

40. Y/N Is **further processing** possible? If not state reason: _____

50. Y/N Are **additional items required**, fees, easement, etc., prior to permit? (Send certified letter prior to FO)

60. Y/N Assign **permit number** _____

70. Y/N Does PFO require **modification**? Why? _____

FO Type: DENIAL FOMOD FO w/ DRAFT PERMIT FO & PERMIT

List issues to be addressed here:

80. Add new "C" date ¶ and "permit end box"

90. **Save** WordPerfect document in M:\GROUPS\WR\FO\WEEK 352.

100. Y/N / NA Include screening self-certification form if appropriate.

PFO CHECKLIST

10. IR Date 4/5/02 Public Notice Date 4/23/02 Comment Rec'd _____

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

Changes from IR determinations: FISH (NMFS), No OVERLAND FLOW

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 complete? Y / N necessary? Y / N

50. IR identifies as on DEQ 303d List? Y / N / NA Comments received? Y / N

Initials: RWK Date: 6/10/02

DAVE WILLIAMS FAXING CONTRACT

IR CHECKLIST

Application #: S 85071

County Douglas Basin: Umpqua 16 WAB: 351
Township 27S Range 6W Section 9 1/4 1/4 SE NE

- 10. Groundwater Review A B C D River/Stream Name _____
 - a. Groundwater Availability A B C
 - b. Is the well located in a GWLA or CGWA or T1N R3E? (If applicable, include map with POD) Y / N
- 25. Use 100 6.5 Ac Priority Date(s) 3/8/02
- 30. Allowed under Basin Program Y N Limitations? Y / N
- 40. Withdrawn? Y / N season allowed _____
- 45. Basin Maps have been checked. Y / N River Mile _____
- 50. SWW Y / N (if Y notify state parks)
- 60. Surface water Availability (80% live flow / 50% storage) NA Storage H₂O
- 70. Divis 33: Y / N / NA Above Bonn Y / N If Y not allowed April 15 - September 30
Below Bonn Y / N If Y add PISPC
Statewide Y / N
- 80. Rate 180 Duty 2.5 Rate: Max 6.5 * 2.5 = 16.25 Req 14.5 AcFt
Season: Normal Req 3-10/31
- 90. B.O.R. or Doug Co. project Y / N contract # _____
- 100. Small (≤ 0.1 cfs, ≤ 9.2 AF), Medium (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF) or Large (≥ 1.5 cfs, ≥ 100 AF)
condition 7I and municipal require the Large conditions _____
- 110. Land use approval OK'd needs approval county notified NA
- 120. 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)
- 130. per interactive mapping DOA 1010 Y / N 303D Y / N / NA CTUIR Y / N
- 140. within Oregon Streamflow Restoration Area? Y / N / NA
- 150. Letter format = Good = Limited = Bad = Bad w/ IRshort = Bad w/ HC Opportunity
- 160. CWRE, representative, etc. to notify? Y / N

Name: PKK Date: 3/26/02

c:\myfiles\forms\checkirnew 3/7/02

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.

Location: 27.00 S-6.00 W-9-swne

Uses: IR 5.100 (P)

Basins

BASIN_NUM	BASIN_NAME
16	Umpqua

Records Found: 1

WaterMaster Districts

WATERDIST	REGION
15	SW

Records Found: 1

WAB

BASIN	WID	LINK_1
16	351	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Douglas	41019

Records Found: 1

Groundwater Restricted Records Found: 0**Divison 33 Area**

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams

RRN	HUCSEG	FEAT_NAME	TRIBAL	WRD_ID	CAUSE
171003020003 1.60	17100302 3	South Umpqua River		1612500900	TEMP FLOW AQGROW NUT BRIOCR

Records Found: 1

303D Lakes Records Found: 0

WATER AVAILABILITY TABLE

Water Availability as of 1/ 1/**** for
S UMPQUA R > UMPQUA R - AT MOUTH

Watershed ID #: 351 Basin: UMPQUA Exceedance Level: 80
Time: 05:47 Date: 03/27/2002

Select an Item Number for More Details

Item #	Watershed ID #	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	368	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
2	73350	YES	YES	YES	YES	YES	YES	YES	NO	NO	NO	YES	YES	YES
3	31630301	YES	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	YES	YES
4	351	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES

STREAM NAMES

Water Availability as of 1/ 1/**** for
S UMPQUA R > UMPQUA R - AT MOUTH

Watershed ID #: 351 Basin: UMPQUA Exceedance Level: 80
Time: 05:47 Date: 03/27/2002

Item Watershed ID Stream Name

1	368	UMPQUA R > PACIFIC OCEAN - AT MOUTH
2	73350	UMPQUA R > PACIFIC OCEAN - AB LITTLE MILL CR
3	31630301	UMPQUA R > PACIFIC OCEAN - AB WOLF CR
4	351	S UMPQUA R > UMPQUA R - AT MOUTH

LIMITING WATERSHEDS

Water Availability as of 1/ 1/**** for
S UMPQUA R > UMPQUA R - AT MOUTH

Watershed ID #: 351 Basin: UMPQUA Exceedance Level: 80
Time: 05:47 Date: 03/27/2002

Mnth	Limiting Watershed	Stream Name	Water Avail?	Net Water Available
1	351	S UMPQUA R > UMPQUA R - AT MOUTH	YES	1150.0
2	351	S UMPQUA R > UMPQUA R - AT MOUTH	YES	2080.0
3	351	S UMPQUA R > UMPQUA R - AT MOUTH	YES	1900.0
4	351	S UMPQUA R > UMPQUA R - AT MOUTH	YES	1670.0
5	351	S UMPQUA R > UMPQUA R - AT MOUTH	YES	828.0
6	351	S UMPQUA R > UMPQUA R - AT MOUTH	YES	152.0
7	351	S UMPQUA R > UMPQUA R - AT MOUTH	NO	-60.3
8	31630301	UMPQUA R > PACIFIC OCEAN - AB WOLF CR	NO	-142.0
9	31630301	UMPQUA R > PACIFIC OCEAN - AB WOLF CR	NO	-125.0
10	31630301	UMPQUA R > PACIFIC OCEAN - AB WOLF CR	NO	-466.0
11	351	S UMPQUA R > UMPQUA R - AT MOUTH	NO	-131.0
12	351	S UMPQUA R > UMPQUA R - AT MOUTH	YES	540.0
Stor	351	S UMPQUA R > UMPQUA R - AT MOUTH	YES	1260000.0

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Water Availability as of 1/ 1/**** for

UMPQUA R > PACIFIC OCEAN - AT MOUTH

Watershed ID #: 368

Basin: UMPQUA

Exceedance Level: 80

Time: 05:47

Date: 03/27/2002

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	6790.00	198.00	6.60	6590.00	0.00	1000.00	5590.00
2	8470.00	205.00	6.99	8260.00	0.00	1000.00	7260.00
3	7680.00	24.90	7.06	7650.00	0.00	1000.00	6650.00
4	6730.00	39.50	8.11	6680.00	0.00	1000.00	5680.00
5	4720.00	67.00	8.35	4640.00	0.00	1000.00	3640.00
6	2430.00	130.00	11.90	2290.00	0.00	1000.00	1290.00
7	1420.00	164.00	12.90	1240.00	0.00	750.00	494.00
8	1090.00	142.00	8.75	939.00	0.00	750.00	189.00
9	1070.00	111.00	6.69	953.00	0.00	750.00	203.00
10	1240.00	28.30	1.39	1210.00	0.00	1000.00	210.00
11	2170.00	85.00	1.24	2080.00	0.00	1000.00	1080.00
12	5020.00	192.00	5.85	4820.00	0.00	1000.00	3820.00
Stor	5350000	83300	5180	5270000	0	679000	4590000

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Water Availability as of 1/ 1/**** for

UMPQUA R > PACIFIC OCEAN - AT MOUTH

Watershed ID #: 368

Basin: UMPQUA

Exceedance Level: 80

Time: 05:47

Date: 03/27/2002

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	177.47	0.00	10.95	9.18	0.02	4.68	2.13	0.00	204.00
2	185.08	0.00	10.95	9.24	0.02	4.68	2.13	0.00	212.00
3	2.74	2.23	10.95	9.18	0.02	4.69	2.13	0.00	31.90
4	1.50	19.44	10.62	9.18	0.02	4.68	2.13	0.00	47.60
5	0.61	50.71	10.59	6.78	0.02	4.64	2.04	0.00	75.40
6	0.22	82.96	45.18	6.72	0.02	4.60	2.04	0.00	142.00
7	0.06	118.17	45.18	6.65	0.02	4.56	1.83	0.00	176.00
8	0.02	92.56	45.18	6.56	0.02	4.55	1.78	0.00	151.00
9	0.01	58.93	45.18	6.56	0.02	4.56	2.00	0.00	117.00
10	0.01	5.93	10.59	6.56	0.02	4.58	2.00	0.00	29.70
11	62.39	0.02	10.59	6.65	0.02	4.58	2.03	0.00	86.30
12	171.30	0.00	10.59	8.90	0.02	4.66	2.13	0.00	198.00

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Water Availability as of 1/ 1/**** for

UMPQUA R > PACIFIC OCEAN - AB LITTLE MILL CR

Watershed ID #: 73350

Basin: UMPQUA

Exceedance Level: 80

Time: 05:47

Date: 03/27/2002

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	5470.00	194.00	4.10	5270.00	0.00	1700.00	3570.00
2	7110.00	203.00	4.48	6900.00	0.00	1700.00	5200.00
3	6490.00	23.70	4.58	6460.00	0.00	1700.00	4760.00
4	5960.00	38.00	5.69	5920.00	0.00	1700.00	4220.00
5	4250.00	64.90	8.20	4180.00	0.00	1700.00	2480.00
6	2210.00	127.00	11.80	2070.00	0.00	1700.00	371.00
7	1320.00	160.00	12.80	1150.00	0.00	1000.00	147.00
8	1030.00	139.00	8.70	882.00	0.00	1000.00	-118.00
9	1020.00	108.00	6.65	905.00	0.00	1000.00	-94.90
10	1180.00	27.10	1.36	1150.00	0.00	1560.00	-408.00
11	1870.00	83.30	1.14	1790.00	0.00	1700.00	85.60
12	4120.00	194.00	3.36	3920.00	0.00	1700.00	2220.00
Stor	4480000	82000	4410	4400000	0	1100000	3300000

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Water Availability as of 1/ 1/**** for

UMPQUA R > PACIFIC OCEAN - AB LITTLE MILL CR

Watershed ID #: 73350

Basin: UMPQUA

Exceedance Level: 80

Time: 05:47

Date: 03/27/2002

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	175.00	0.00	11.00	6.96	0.02	3.80	1.92	0.00	199.00
2	184.14	0.00	10.95	7.03	0.02	3.80	1.92	0.00	208.00
3	2.47	2.18	10.95	6.96	0.02	3.80	1.92	0.00	28.30
4	1.30	19.05	10.62	6.96	0.02	3.80	1.92	0.00	43.70
5	0.49	49.68	10.59	6.67	0.02	3.76	1.92	0.00	73.10
6	0.17	81.26	45.18	6.60	0.02	3.72	1.92	0.00	139.00
7	0.04	115.68	45.18	6.53	0.02	3.68	1.71	0.00	173.00
8	0.01	90.57	45.18	6.44	0.02	3.67	1.67	0.00	148.00
9	0.01	57.69	45.18	6.44	0.02	3.68	1.88	0.00	115.00
10	0.00	5.80	10.59	6.44	0.02	3.70	1.88	0.00	28.40
11	61.66	0.02	10.59	6.53	0.02	3.70	1.91	0.00	84.40
12	174.67	0.00	10.59	6.69	0.02	3.78	1.92	0.00	198.00

DETAILED REPORT OF RESERVATIONS FOR CONSUMPTIVE USE

Water Availability as of 1/ 1/**** for
 UMPQUA R > PACIFIC OCEAN - AB LITTLE MILL CR

Watershed ID #: 73350 Basin: UMPQUA Exceedance Level: 80
 Time: 05:47 Date: 03/27/2002

-----Reservations-----								
APP #	0	0	0	0	0	0	0	TOTAL
Status								
Use								
1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
9	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

DETAILED REPORT OF INSTREAM REQUIREMENTS
 Water Availability as of 1/ 1/**** for
 UMPQUA R > PACIFIC OCEAN - AB LITTLE MILL CR

Watershed ID #: 73350 Basin: UMPQUA Exceedance Level: 80
 Time: 05:47 Date: 03/27/2002

-----ISWRs-----								
APP #	367A	368B	73350A	0	0	0	0	MAXIMUM
Status	Cert.	Cert.	PFO					
1	525.00	1000.00	1700.00	0.00	0.00	0.00	0.00	1700.00
2	525.00	1000.00	1700.00	0.00	0.00	0.00	0.00	1700.00
3	525.00	1000.00	1700.00	0.00	0.00	0.00	0.00	1700.00
4	525.00	1000.00	1700.00	0.00	0.00	0.00	0.00	1700.00
5	525.00	1000.00	1700.00	0.00	0.00	0.00	0.00	1700.00
6	525.00	1000.00	1700.00	0.00	0.00	0.00	0.00	1700.00
7	525.00	750.00	1000.00	0.00	0.00	0.00	0.00	1000.00
8	525.00	750.00	1000.00	0.00	0.00	0.00	0.00	1000.00
9	525.00	750.00	1000.00	0.00	0.00	0.00	0.00	1000.00
10	525.00	1000.00	1560.00	0.00	0.00	0.00	0.00	1560.00
11	525.00	1000.00	1700.00	0.00	0.00	0.00	0.00	1700.00
12	525.00	1000.00	1700.00	0.00	0.00	0.00	0.00	1700.00

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Water Availability as of 1/ 1/**** for

UMPQUA R > PACIFIC OCEAN - AB WOLF CR

Watershed ID #: 31630301

Basin: UMPQUA

Exceedance Level: 80

Time: 05:47

Date: 03/27/2002

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	4840.00	193.00	3.67	4640.00	0.00	1700.00	2940.00
2	6360.00	200.00	4.04	6160.00	0.00	1700.00	4460.00
3	5830.00	22.60	4.14	5800.00	0.00	1700.00	4100.00
4	5490.00	34.20	5.02	5450.00	0.00	1700.00	3750.00
5	3970.00	56.20	7.03	3910.00	0.00	1700.00	2210.00
6	2080.00	113.00	10.20	1960.00	0.00	1700.00	257.00
7	1260.00	140.00	12.00	1110.00	0.00	1000.00	108.00
8	989.00	123.00	8.07	858.00	0.00	1000.00	-142.00
9	978.00	97.70	5.45	875.00	0.00	1000.00	-125.00
10	1120.00	25.30	1.01	1090.00	0.00	1560.00	-466.00
11	1740.00	84.70	0.85	1650.00	0.00	1700.00	-45.60
12	3670.00	192.00	2.94	3480.00	0.00	1700.00	1780.00
Stor	4010000	77000	3890	3930000	0	1100000	2840000

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Water Availability as of 1/ 1/**** for

UMPQUA R > PACIFIC OCEAN - AB WOLF CR

Watershed ID #: 31630301

Basin: UMPQUA

Exceedance Level: 80

Time: 05:47

Date: 03/27/2002

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	174.00	0.00	10.90	6.69	0.02	3.52	1.43	0.00	197.00
2	181.89	0.00	10.88	6.76	0.02	3.52	1.43	0.00	204.00
3	2.37	1.80	10.88	6.69	0.02	3.52	1.43	0.00	26.70
4	1.26	15.76	10.55	6.69	0.02	3.52	1.43	0.00	39.20
5	0.48	40.90	10.52	6.40	0.02	3.49	1.43	0.00	63.20
6	0.16	66.91	44.86	6.33	0.02	3.46	1.43	0.00	123.00
7	0.03	95.92	44.86	6.26	0.02	3.41	1.39	0.00	152.00
8	0.01	74.88	44.86	6.18	0.02	3.41	1.38	0.00	131.00
9	0.00	47.23	44.86	6.18	0.02	3.41	1.42	0.00	103.00
10	0.00	4.75	10.52	6.18	0.02	3.43	1.42	0.00	26.30
11	63.89	0.02	10.52	6.26	0.02	3.43	1.42	0.00	85.60
12	173.06	0.00	10.52	6.42	0.02	3.50	1.43	0.00	195.00

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Water Availability as of 1/ 1/**** for

S UMPQUA R > UMPQUA R - AT MOUTH

Watershed ID #: 351

Basin: UMPQUA

Exceedance Level: 80

Time: 05:47

Date: 03/27/2002

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	1680.00	176.00	2.48	1500.00	0.00	350.00	1150.00
2	2620.00	182.00	2.67	2430.00	0.00	350.00	2080.00
3	2270.00	12.50	2.79	2250.00	0.00	350.00	1900.00
4	2040.00	20.10	2.47	2020.00	0.00	350.00	1670.00
5	1140.00	34.40	2.34	1100.00	0.00	275.00	828.00
6	442.00	62.20	3.02	377.00	0.00	225.00	152.00
7	172.00	79.70	2.52	89.70	0.00	150.00	-60.30
8	109.00	68.50	0.94	39.60	0.00	122.00	-82.40
9	112.00	52.20	0.66	59.10	0.00	122.00	-62.90
10	144.00	14.30	0.27	129.00	0.00	300.00	-171.00
11	317.00	48.00	0.33	269.00	0.00	400.00	-131.00
12	1060.00	168.00	1.63	890.00	0.00	350.00	540.00
Stor	1510000	55100	1330	1450000	0	202000	1260000

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Water Availability as of 1/ 1/**** for

S UMPQUA R > UMPQUA R - AT MOUTH

Watershed ID #: 351

Basin: UMPQUA

Exceedance Level: 80

Time: 05:47

Date: 03/27/2002

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	166.00	0.00	4.38	5.47	0.00	1.83	0.96	0.00	179.00
2	172.38	0.00	4.38	5.54	0.00	1.83	0.96	0.00	185.00
3	1.56	1.09	4.38	5.47	0.00	1.84	0.96	0.00	15.30
4	0.62	9.63	4.05	5.47	0.00	1.83	0.96	0.00	22.60
5	0.23	24.55	4.02	5.18	0.00	1.82	0.96	0.00	36.80
6	0.07	40.11	17.15	5.11	0.00	1.80	0.96	0.00	65.20
7	0.00	57.32	17.15	5.04	0.00	1.77	0.96	0.00	82.30
8	0.00	44.58	17.15	4.95	0.00	1.77	0.96	0.00	69.40
9	0.00	28.02	17.15	4.95	0.00	1.77	0.96	0.00	52.90
10	0.00	2.86	4.02	4.95	0.00	1.77	0.96	0.00	14.60
11	36.48	0.01	4.02	5.04	0.00	1.77	0.96	0.00	48.30
12	157.82	0.00	4.02	5.20	0.00	1.82	0.96	0.00	170.00

DETAILED REPORT OF RESERVATIONS FOR CONSUMPTIVE USE

Water Availability as of 1/ 1/**** for

S UMPQUA R > UMPQUA R - AT MOUTH

Watershed ID #: 351

Basin: UMPQUA

Exceedance Level: 80

Time: 05:47

Date: 03/27/2002

Reservations								
APP #	0	0	0	0	0	0	0	TOTAL
Status								
Use								
1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
9	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

DETAILED REPORT OF INSTREAM REQUIREMENTS

Water Availability as of 1/ 1/**** for

S UMPQUA R > UMPQUA R - AT MOUTH

Watershed ID #: 351

Basin: UMPQUA

Exceedance Level: 80

Time: 05:47

Date: 03/27/2002

ISWRs								
APP #	349A	350A	351A	0	0	0	0	MAXIMUM
Status	Cert.	Cert.	Cert.					
1	60.00	350.00	350.00	0.00	0.00	0.00	0.00	350.00
2	60.00	350.00	350.00	0.00	0.00	0.00	0.00	350.00
3	60.00	350.00	350.00	0.00	0.00	0.00	0.00	350.00
4	60.00	350.00	350.00	0.00	0.00	0.00	0.00	350.00
5	60.00	275.00	275.00	0.00	0.00	0.00	0.00	275.00
6	60.00	225.00	225.00	0.00	0.00	0.00	0.00	225.00
7	60.00	150.00	150.00	0.00	0.00	0.00	0.00	150.00
8	60.00	90.00	122.00	0.00	0.00	0.00	0.00	122.00
9	60.00	90.00	122.00	0.00	0.00	0.00	0.00	122.00
10	60.00	300.00	300.00	0.00	0.00	0.00	0.00	300.00
11	60.00	400.00	400.00	0.00	0.00	0.00	0.00	400.00
12	60.00	350.00	350.00	0.00	0.00	0.00	0.00	350.00



Oregon

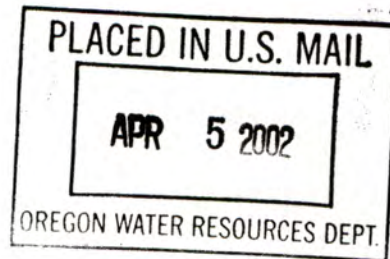
John A. Kitzhaber, M.D., Governor

Water Resources Department

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April 5, 2002

ROBERT & KAY GALLOWAY
PO BOX 2278
ROSEBURG, OREGON 97470



(541) 672-5425

Reference: File S-85071

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 South Umpqua River for irrigation of 6.5 acres is allowable under OAR 690-516, the Umpqua Basin Program.
3. Water in the amount of 14.5 acre-feet for irrigation of 6.5 acres is available contingent on maintenance of a contract for the use of water legally stored under permit R-9964. The Department will not proceed with a positive Proposed Final Order and will not issue a permit approving the proposed use without a contract authorizing the appropriation of stored water from Galesville Reservoir.

Summary of Initial Determinations

The use of 14.5 acre-feet from Galesville Reservoir, a tributary of South Umpqua River, for irrigation of 6.5 acres is allowable from March 1 through October 31 of each year.

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.

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 without a contract authorizing the appropriation of stored water from Galesville Reservoir.

Please submit this information no later than Thursday, May 23, 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.

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 23, 2002**. For your convenience you may use the enclosed "STOP PROCESSING" form.

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

1. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
2. The use of water under this right is subject to the terms and conditions of contract No. #####, or a satisfactory replacement, between the Name of Contract Issuer and the applicant, a copy of which is on file in the records of the Water Resources Department.
 3. 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.
 4. The priority date for this application is MARCH 8, 2002.

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.

Information obtained from the Department of Environmental Quality (DEQ) indicates that the source of water identified in your application is "Water Quality Limited". That means that there are water quality concerns. DEQ will be looking at information from your application to see if additional conditions or restrictions are needed to protect the water quality situation. One possible outcome is that the Water Resources Department will propose in the proposed final order that your application be denied. You are encouraged to contact John Blanchard at (541) 776-6010 ext 240 at DEQ to discuss the specifics of your application. Often, this information exchange can allow the water use to occur and at the same time keep the water quality situation from worsening.

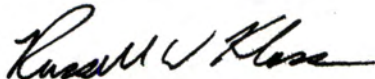
The water source identified in your application is in an area in which an Agricultural Water Quality Management Area Plan is being developed. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders. These plans 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 266 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,



Russell W. Klassen
Initial Reviewer

cc: Regional Manager, Watermaster , Water Availability Section
enclosures: Flow Chart of Water Right Process
Stop Processing Form

S-85071
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-85071

Applicant: ROBERT GALLOWAY GALLOWAY, KAY

County: DOUGLAS

Watermaster: 15

Priority Date: MARCH 8, 2002

Source: GALESVILLE RESERVOIR, A TRIBUTARY OF SOUTH UMPQUA RIVER

Use: IRRIGATION OF 6.5 ACRES

Quantity: 14.5 ACRE-FEET

Basin Name & Number: Umpqua, #16

Stream Index Reference: Volume 3 S UMPQUA R

Point of Diversion Location: SENE, SECTION 9, T27S, R6W, W.M.; 500 FEET NORTH &
1650 FEET EAST FROM C1/4 CORNER, SECTION 9

Place of Use: SWNE 5.1 ACRES NWSE 1.4 ACRES, SECTION 9, TOWNSHIP 27 SOUTH,
RANGE 6 WEST, W.M.

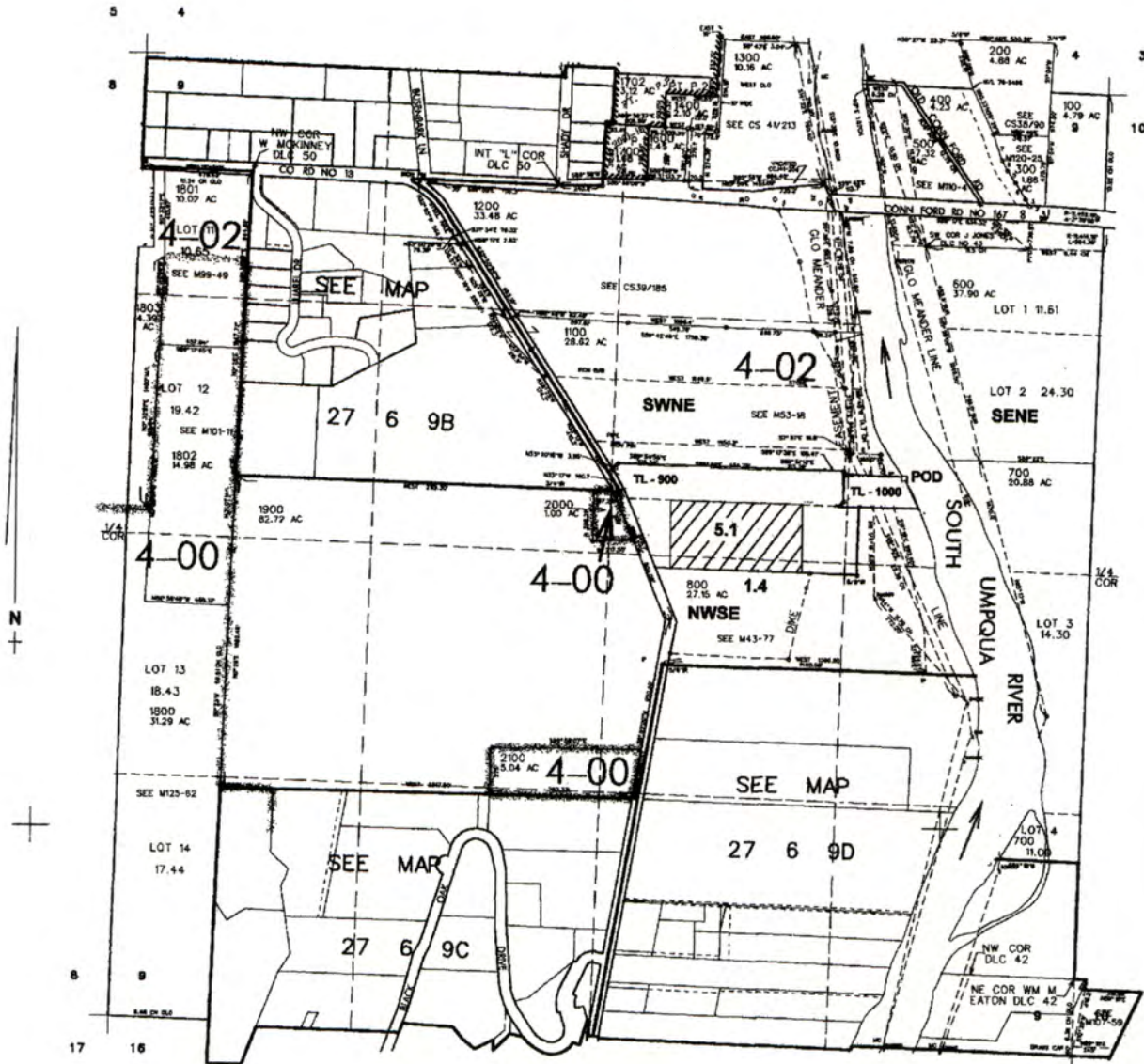
14 DAY STOP PROCESSING DEADLINE DATE: Tuesday, April 19, 2002

PUBLIC NOTICE DATE: Tuesday, April 23, 2002

30 DAY COMMENT DEADLINE DATE: Thursday, May 23, 2002

SEC. 9 T.27S. R.6 W W.M.
DOUGLAS COUNTY

Scale: 1" = 1000'



POD is located 500 ft. N. and 1650 ft. E. from center of Sec. 9

RECEIVED

MAR 08 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 5-85071
Permit No.

Mailing List for IR Copies

Application #S-85071

IR Date: April 5, 2002

Original mailed to:

Applicant: ROBERT & KAY GALLOWAY, PO BOX 2278, ROSEBURG, OREGON 97470

Copies sent to:

1. WRD - File # S-85071
2. WRD - Water Availability: Ken Stahr

IR, Map, Fact Sheet — Copies sent to:

3. WRD - Regional Manager: SWR

Review Forms completed and Copies Mailed

By: JCB
(Support Staff)

on: 4/5/02
(Date)

Due date: 5/16/02

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:

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

ID# RWK

Route to Support for database tracking _____



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Watermaster

District 15

Rm 306 Courthouse

Roseburg, OR 97470-1719

(541) 440-4255

FAX (541) 440-6264

FAX COVER SHEET

DATE: 6-10-2002

TO: RUBB KLASSEN

FROM: Dave Williams

DEPT: OWRD

DEPT: Watermaster

FAX NO: 503-378-6203

FAX NO: 541-440-6264

PLEASE RESPOND ASAP

8 PAGES, INCLUDING COVER

MESSAGE

GALLOWAY CONTRACT.

THANKS,

DF



02 MAR 14 PM 2:32

**CONTRACT FOR PURCHASE OF AGRICULTURAL WATER
FROM GALESVILLE PROJECT**

This contract is made on March 5, 2002 between Douglas County, a political subdivision of the State of Oregon, (County) and Robert and Kay Galloway (Customer).

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

1.1. The initial term of this contract shall begin on March 1, 2002 and end on December 31, 2011, 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 two 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 sufficient acre feet of storage capacity in the Galesville Reservoir for Customer to irrigate 6.50 acres. This allocation shall not exceed 2.23 acre feet per acre per irrigation season as specified on the attached Exhibit A.

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, or as otherwise 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 agricultural 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 agricultural 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 \$ 298.10 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. The allocation price for each renewal term shall not be increased by more than 10% over the previous term.

11.5. 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:

Robert and Kay Galloway
P.O. Box 2278, Roseburg, Oregon 97470

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

CUSTOMER

Name Robert & Kay Galloway

By Kay Galloway

Title _____

Fed ID No. 533-20-1697

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

By Frank Nielsen
Frank Nielsen, Division Manager
Natural Resources Division

FOR COUNTY USE ONLY:

<p>REVIEWED AS TO CONTENT</p> <p>By <u>Jim Erwin</u> County Department Head</p> <p>Date <u>3-14-02</u></p> <p>Coding _____</p>	<p>REVIEWED AS TO FORM</p> <p>By <u>Nona</u> Paralegal</p> <p>Date _____</p>
--	--

EXHIBIT A

COMPUTATION OF RATE:

PRIMARY IRRIGATION

1. 6.50 acres of **primary irrigation**. This allocation shall not exceed **2.23** acre feet per acre each irrigation season.

Acre Feet: 14.50

Annual Cost: \$ 298.10

SUPPLEMENTAL IRRIGATION

2. Rights whose priority is between March 26, 1974, and November 3, 1983:

 acres of **supplemental irrigation**. This allocation shall not exceed **1.5** acre feet per acre each irrigation season on the South Umpqua River and/or Cow Creek or **1.0** acre foot per acre each irrigation season on the main stem, Umpqua River.

Acre Feet:

Annual Cost: \$

3. Rights whose priority is between October 24, 1958, and March 26, 1974:

 acres of **supplemental irrigation**. This allocation shall not exceed **1.0** acre feet per acre each irrigation season on the South Umpqua River and/or Cow Creek or **0.6** acre foot per acre each irrigation season on the main stem, Umpqua River.

Acre Feet:

Annual Cost: \$

4. Rights whose priority is prior to October 24, 1958:

 acres of **supplemental irrigation**. This allocation shall not exceed **0.5** acre feet per acre each irrigation season on the South Umpqua River and/or Cow Creek or **0.3** acre foot per acre each irrigation season on the main stem, Umpqua River.

Acre Feet:

Annual Cost: \$

Note: Instream delivery losses are not included in the above allocations.

Summary:

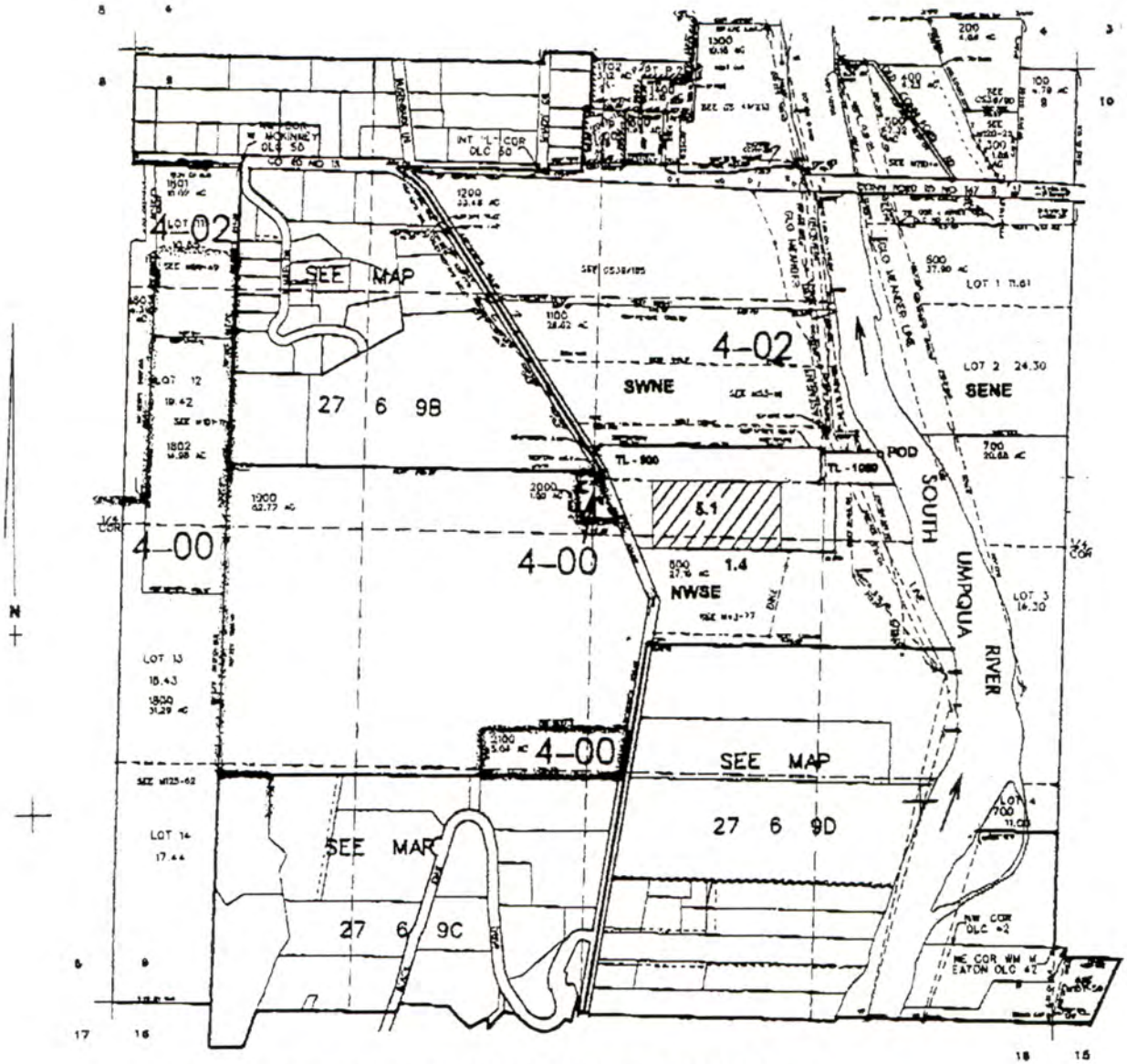
Total Acres: 6.50 acres

Total Allocation: 14.50 acre feet

Total Cost: \$ 298.10

SEC. 9 T.27S. R.6 W W.M.
DOUGLAS COUNTY

Scale: 1" = 1000'



POD is located 500 ft. N. and 1650 ft. E. from center of Sec. 9

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: ?/02 21 day Deadline Date: 5/16/02 Application # S-85071

Applicant's Name: Robert & Kay Galloway

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: Intakes should be adequately screened with 3/32" mesh to correspond with NMFS criteria. No in channel structure. No overland flow due to excessive irrigation.

(Try to select conditions from the Menu of Conditions)

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: 4/25/2002

WRD Contact: Russell W. Klassen, Water Rights Division

1-800-624-3199 ext: 266 / Fax: 503-378-6203 / e-mail: Russell.W.KLASSEN@wrdd.state.or.us

Revised: 2/26/02

RECEIVED
APR 26 2002
WATER RESOURCES DEPT.
SALEM, OREGON

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.

Please return by: 5/16/02

Application # S-85071

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 STORED WATER
If YES, please explain: _____

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 STORED WATER

5) Did you meet with staff from another agency to discuss this application?
 YES NO
Who: _____ Agency: _____ Date: _____

6) Is mitigation an option?
 YES NO UNKNOWN
If YES, please explain: _____

Comments: _____

Name: Russell W. Klassen Date: 5-14-02 Title: WATERMASTER, DIST 15

RECEIVED
MAY 15 2002
WATER RESOURCES DEPT
SALEM, OREGON

WRD Contact: Caseworker: Russell W. Klassen, Water Rights Division
503-378-8455 ext: 266 / Fax: 503-378-6203 / e-mail: Russell.W.KLASSEN@wrds.state.or.us

Standard Application "Completeness" Checklist

Minimum Requirements (OAR 690-310-040)

Application # S85071

Priority Date: 3/8/02

Use(s): IRRIGATION

6.5 ACRES

Rate: 14.5 AF STORED WATER ONLY

County: DOUGLAS

Township: 27S

Range: 6W

Section: 9

POD ¼ ¼: SE/NE

POU ¼ ¼: SW/NE & NW/SE

OK Applicant/Organization Name, Mailing Address and Telephone Number. If applicant is other than a private landowner, Organizations section must be completed.

OK Source and tributary listed

OK 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 locatedor..... 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.**

OK If a groundwater application...is the groundwater development section completed?

OK Proposed Use of the water.... Is each proposed use identified?

OK Has the appropriate "Supplemental Form" for each proposed use been completed?

KForm I (Irrigation) **Form M** (Municipal or Quasi-Municipal)

Form R (Mining) **Form Q** (Commercial or Industrial)

Spring Description Sheet (if source is a Spring)

OK Amount of water from each source listed in GPM, CFS or AF?

OK Acreage being proposed, if applicable.

OK Season being requested by applicant.

Application No. 5-85071
Permit No.

- OK** The **water management section** has been completed? If system has not been designed, the applicant may estimate this information.
- OK** **Resource protection system** completed on Surface Water application?
- OK** Are the **dates of construction** indicated? If system already completed, applicant should indicate **existing**.
- OK** 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.
- OK** Is a **copy of the deed, land sales contract or title insurance policy included**? We cannot accept a copy of the tax bill.
- OK** 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?*
- OK** Does the map meet map requirements of OAR 690-310-050?

- | | |
|--|--|
| <u>OK</u> Town, Range, Sec, ¼¼ and Tax Lot # | <u>OK</u> Scale of the Map |
| <u>OK</u> Reference corner on map | <u>OK</u> North Directional Symbol |
| <u>OK</u> ¼ ¼'s clearly identified | <u>OK</u> POD clearly identified |
| <u>OK</u> POU clearly identified | <u>OK</u> Location Coordinates for each POD |
| <u>OK</u> <u>Location of House, if Domestic</u> | <u>OK</u> <u>Number of acres per ¼ ¼, if Irrigation</u> |
| <u>OK</u> <u>Location of Bldg, if Comm/Indus</u> | <u>OK</u> <u>Location of Stock Tanks, if Livestock</u> |
| <u>OK</u> <u>Muni/Quasi-Muni Service Boundaries</u> | <u>OK</u> <u>Other</u> |
| <u>OK</u> <u>Correct fees enclosed?</u> | <u>Base Fee \$100.00</u> |
| <u>Total Paid \$204.50</u> | <u>plus \$104.50</u> |
| | <u>plus \$</u> |

Total Amount of
Water Requested: 14.5 AF

Total Exam Fee \$204.50

Total Exam Fee \$ <u>204.50</u>	Recording Fee \$ <u>175.00 TO BE RECEIVED</u>
--	--

Completeness Check by: ROGER WRIGHT

Date: 3/11/02



Oregon Water Resources Department

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WATER RESOURCES DEPT. SALEM, OREGON

FORM I

FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 6.5 Acres

Secondary: _____ Acres

List the permit or certificate number of the primary water right: No. _____

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- 1. PASTURE Full season Partial season (from: _____ to _____)
2. _____ Full season Partial season (from: _____ to _____)
3. _____ Full season Partial season (from: _____ to _____)
4. _____ Full season Partial season (from: _____ to _____)

3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

14.5 acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- Daily during daytime hours Daily during nighttime hours
 Two or three times weekly during daytime Two or three times weekly during nighttime
 Weekly, during daytime hours Weekly, during nighttime hours
 Other, explain: _____

Application No. 5-85071
Permit No.



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. 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: Robert & Kay Jellison
Address: 90 Bk 2278
City: Reedsburg State: Ok Zip: 97410 Day Phone: 541 672 5425

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)		
R10097	27-6-9 T2900 F1	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
R10113	27-6-9 T21000 F1	<input checked="" type="checkbox"/> Diverted	<input checked="" 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. DOUGLAS COUNTY

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): IRRIGATION

Briefly describe: PASTURE

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water GALESVILLE RES
(source)

E. Quantity

Indicate the estimated quantity of water the use will require:

18.0 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.

ROOM 106, JUSTICE BUILDING
DOUGLAS COUNTY COURTHOUSE
ROSEBURG, OR 97470

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); 3.4.050.1. 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.

27-6-19 TL 900 & 1000 17.58 AC. R 10097 R 10113

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.)

DOUGLAS COUNTY PLANNING DEPARTMENT
ROOM 106, JUSTICE BUILDING
DOUGLAS COUNTY COURTHOUSE
ROSEBURG, OR 97470

B. Approval

Please provide printed name and written signature.

Name: Louise R. Nicholls Date: 2-21-02
Title: MINISTERIAL SPECIALIST Phone: 541-440-4289
Signature: Louise R. Nicholls

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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WATER RESOURCES DEPT.
SALEM, OREGON

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: _____ Date: _____

PARCEL 1:

BEGINNING at a point on the center line of the County Road from which the Northwest interior "L" corner of the Wm. McKinney Donation Land Claim No. 50, in Township 27 South, Range 6 West, Willamette Meridian, bears North 11° 50' West 1553.8 feet; thence East 46.03 feet to a 3/4" x 36" iron pipe; thence continuing East 1269.32 feet to a steel axle; thence South 143.4 feet to a steel axle; thence South 48° 09' West 40.1 feet to a steel axle; thence West 1073.0 feet to a 3/4" x 18" iron pipe; thence continuing West 56.92 feet to a point on the center line of the County Road; thence along said center line North 22° 21' West 57.24 feet; thence North 33° 17' West 140.1 feet to the place of beginning, in Douglas County, Oregon.

EXCEPTING THEREFROM that portion lying within County Road No. 13.

PARCEL 2:

BEGINNING at a point which is South 11° 50' East 1553.8 feet and East 1315.35 feet from the Northwest interior "L" corner of the Wm. McKinney Donation Land Claim No. 50, in Township 27 South, Range 6 West, Willamette Meridian; thence South 143.4 feet to a steel axle; thence South 48° 09' West 40.1 feet to a steel axle; thence East to a point on the west bank of the South Umpqua River; thence Northerly along the said west bank to a point which is due East of the place of beginning; thence West 244.55 feet to the place of beginning, in Douglas County, Oregon.

EXCEPTING THEREFROM that portion lying within County Road No. 13.

PARCEL 3:

BEGINNING at a 5/8" x 30" iron rod on the North line of property in Recorder's Deed Volume, Instrument No. 71-10532 at the intersection of the Easterly line of Roseburg Melrose County Road No. 13, from which the Northwest interior "L" corner of William McKinney DLC No. 50, Section 9, Township 27 South, Range 6 West, Willamette Meridian, bears North 15° 22' 36" West 1753.27 feet; thence running South 89° 43' East 21.95 feet to a 5/8" x 30" iron rod; thence continuing South 89° 43' East 1137.88 feet to a 5/8" x 30" iron rod set on a levee; thence continuing South 89° 43' East 122.64 feet to a 5/8" x 30" iron rod; thence running South 400 feet to a 5/8" x 30" iron rod; thence running North 89° 43' West 262.74 feet to a 5/8" x 30" iron rod set on a levee; thence running North 89° 43' West 850.85 feet to South line of County Road; thence running North 22° 53' West 434.33 feet to the place of beginning, being situated in Section 9, Township 27 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

Application No. S-85071
Permit No.

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MAR 08 2002
WATER RESOURCES DEPT.
SALEM, OREGON

1-1-74

BARGAIN AND SALE DEED



KNOW ALL MEN BY THESE PRESENTS, That S. BLAKE CONN and JOYCE LEE CONN, husband and wife, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto ROBERT S. GALLOWAY and KAY ANN GALLOWAY, husband and wife, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Douglas, State of Oregon, described as follows, to-wit:

A parcel of land lying in Section 9, Township 27 South, Range 6 West, Willamette Meridian, said parcel being more particularly described as follows: Beginning at a 5/8" iron rod set at the intersection of a fenceline and the easterly line of County Road No. 13, from which point the interior "L" corner of DLC 50, Township 27 South, Range 6 West, Willamette Meridian, bears North 1529.17 feet and West 358.75 feet; thence along the above said fenceline as follows: N 73° 55' 26" E 32.79 feet to a 5/8" iron rod, S 89° 54' 55" E 326.34 feet to a 5/8" iron rod, S 89° 49' E 494.79 feet to a 5/8" iron rod, S 89° 51' 13" E 313.28 feet to a 5/8" iron rod, S 89° 17' 36" E 105.41 feet to a 5/8" iron rod and S 71° 48' 54" E. 47.17 feet to a 5/8" iron rod set in the South line of that property described in Vol. 546, Recorder's No. 74-6710, in the Deed Records of Douglas County, Oregon; thence along said South line N 89° 42' 45" W 1314.04 feet to a 5/8" iron rod set in the abovesaid easterly line of County Road No. 13; thence N 33° 20' 16" W 3.85 feet to the place of beginning and containing 0.41 acres of land more or less.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$1,500.00

~~The actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which).~~ (The sentence between the symbols Ⓞ, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 25th day of September Feb, 19 76; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

S. Blake Conn
Joyce L. Conn

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MAR 08 2002
WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON,
County Douglas

STATE OF OREGON, County of
19

September Feb. 25, 19 76

Personally appeared and who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

Personally appeared the above named S. Blake Conn and Joyce Lee Conn and acknowledged the foregoing instrument to be their voluntary act and deed.

a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me

(SEAL)

Notary Public for Oregon
My commission expires: 2/16/78

Notary Public for Oregon
My commission expires:

S. Blake & Joyce Lee Conn
Rt. 3, Box 735
Roseburg, OR. 97470
GRANTOR'S NAME AND ADDRESS

Robert S. & Kay Ann Galloway
Route 3, Box 285
Roseburg, OR. 97470
GRANTEE'S NAME AND ADDRESS

After recording return to:

Robert S. & Kay Ann Galloway
Route 3, Box 285 201 Pacific Bldg
Roseburg, OR. 97470
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

Robert S. & Kay Ann Galloway
Route 3, Box 285 201 Pacific Bldg
Roseburg, OR. 97470
NAME, ADDRESS, ZIP

STATE OF OREGON,
County of DOUGLAS ss.

I certify that the within instrument was received for record on the 29th day of May, 1975, at 4:05 o'clock P.M. and recorded in book 571 on page 398 or as file/reel number

Record of Deeds of said county. Witness my hand and seal of County affixed.

DORIS L. WIDSTORF
Recording Officer
By Mary J. Seal Deputy

Indexed

Application No. S-85071
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