CLAIM OF BENEFICIAL USE for Reservoir Permits by CWRE's (not self-certified)

OREGON WATER RESOURCES DEPARTMENT
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

A fee of $345 must accompany this form for permits with priority dates of July 9, 1987, or later.

Enter the date the priority date of the permit:

June 1, 2001

Received
FEB 20 2026
OWRD

A separate form shall be completed for each permit.

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

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at: https://www.oregon.gov/OWRD/Forms/Pages/default.aspx

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

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

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

If you have questions regarding the completion of this form, please call 503-986-0900.

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

SECTION 1

GENERAL INFORMATION

1. File Information

APPLICATION #	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
R-84768	R-14868	N/A

2. Property Owner (current owner information)

Applicant/Business Name		Phone No.	Additional Contact No.
BLAINE LIMITED PARTNERSHIP		**541-806-4551**	
Address **PO BOX 450**			
City **PARKDALE**	State **OR**	Zip **97041**	E-Mail **rickblaine2010@yahoo.com, avalonorchards@gmail.com**

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

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

Permit Holder of Record		
BLAINE LIMITED PARTNERSHIP		
Address **4676 HUTSON DR**		
City **PARKDALE**	State **OR**	Zip **97042**

Additional Permit Holder of Record		
N/A		
Address **N/A**		
City **N/A**	State **N/A**	Zip **N/A**

4. Date of Site Inspection:

04/24/2025

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

Name	Date	Association with the Project
Richard Blaine	**04/25/2025**	**Owner**

6. County

WASCO

7. If any property described in the place of use of the permit final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

Owner of Record		
N/A		
Address **N/A**		
City **N/A**	State **N/A**	Zip **N/A**

Add additional tables for owners of record as needed

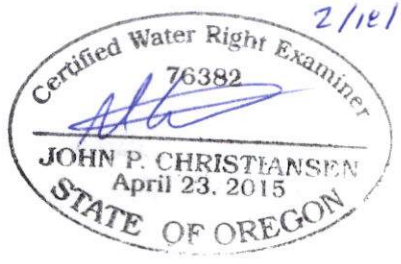
SECTION 2

SIGNATURES

CWRE Statement, Seal and Signature

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

Seal and Signature



CWRE NAME	PHONE NO.	ADDITIONAL CONTACT NO.
JOHN CHRISTIANSEN, PE, CWRE	**503-563-6151**	**N/A**
ADDRESS **AKS ENGINEERING & FORESTRY, 12965 SW HERMAN RD, SUITE 100**		

CITY	STATE	ZIP	E-MAIL
TUALATIN	**OR**	**97062**	**JOHNC@AKS-ENG.COM**

Permit Holder(s) of Record Signature or Acknowledgement

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

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

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
Richard T. Blaine	Richard T. Blaine	PRS	1/22/26

APPLICATION #	PERMIT # (IF APPLICABLE)
R-84768	**R-14868**

Received
FEB 20 2026
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SECTION 3

CLAIM DESCRIPTION

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

Reservoir Name or Number	Source	Tributary
RESERVOIR #1	LOST & BOULDER DITCH	GATE CREEK
RESERVOIR #2 (Enlargement, originally constructed under permit R-14054)	LOST & BOULDER DITCH	GATE CREEK

2. Developed use(s), period of use, and acre foot (af) for each use:

Reservoir Name or Number	Uses	Season or Months When Water was Appropriated for Storage	Volume Stored (AF)
RESERVOIR #1	IRRIGATION	01/01 – 4/14	80
RESERVOIR #2	IRRIGATION	01/01 – 4/14	80
Total Quantity of Water Stored			160

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

Reservoir #1 is located in Wasco County, stores 80 acre-feet of water used for irrigation under this permit. Water is diverted via a flow control weir and gate located in the Lost & Boulder Ditch flowing south of the reservoir. Water flows from the weir diversion to Reservoir #1 with an impoundment dam with a max height of 16'. The impoundment dam has an open channel overflow ditch and water can also be released/bypassed with an 8" diameter outlet pipe at the north end of the reservoir.

An additional 80 acre-feet of water is diverted upstream within the Lost & Boulder Ditch and is stored within reservoir #2. Reservoir #2 was originally constructed and permitted under R-14054 with a maximum storage of 258 acre-feet allowed and a reservoir capacity of 283 acre-feet. The combined storage Permit R-14054 (80 AF) and Permit R-14868 (258 AF) exceeds the capacity of the Reservoir by 55 acre-feet.

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

4. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below. **YES** **NO**

(e.g. *"The permit allowed the development of three reservoirs. The permit holder only developed one of the reservoirs."* or *"The permit allowed for the storage of 9 acre feet of water. The reservoir was developed to hold 5.2 acre feet."*)

N/A

5. Claim Summary:

Reservoir Name or #	Maximum Storage Authorized by Permit (AF)	Maximum Storage Developed (AF)
RESERVOIR #1	80	80
RESERVOIR #2	80	283 (258 AF Developed under Permit R-14054)

SECTION 4

SYSTEM DESCRIPTION

Are there multiple reservoirs? YES NO

If *"YES"* you will need to copy and complete Sections A through E for each reservoir.

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

Reservoir 1

A. Reservoir Location

1. Is the reservoir on-channel? YES NO

2. Provide dam outlet location and/or point of diversion(s).

TWP	RNG	MER	SEC	QQ	GLOT	DLC	MEASURED DISTANCES
05S	12E	W.M.	04	NW NW			120 FEET SOUTH, 860 FEET EAST (POD #1)
04S	12E	W.M.	33	SW SW			1070 FEET NORTH, 1000 FEET EAST (Dam Outlet)

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

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport the water from the point(s) of diversion to the reservoir.

1. Is a pump used? YES NO

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)
N/A	N/A	N/A	N/A

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
N/A	N/A	N/A	N/A	N/A

4. Provide pump calculations:

N/A

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

Initial Meter Reading	Ending Meter Reading	Duration of Time Observed	Total Pump Output (in cfs)
N/A	N/A	N/A	N/A

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

6. Additional notes or comments related to the system:

N/A

C. Gravity Flow Pipe

(The Department typically uses the Hazen-William's formula for a gravity flow pipe system)

1. Does the system involve a gravity flow pipe? YES NO

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

2. Complete the table:

Pipe Size	Pipe Type	"C" factor	Amount of Fall	Length of Pipe	Slope	Computed Rate of Water Flow (in cfs)
8"	PVC	150	5 FEET	375 FEET	1.3%	2.16

3. Provide calculations:

$V=1.31(c)(r^{0.63})(s^{0.54})$

$V=1.31(150)(.167^{0.63})(.013^{0.54})$ => 6.17 Feet per second

8" diameter pipe = .35 SF area x 6.17 = 2.16 CFS

4. If an actual measurement was taken, provide the following:

Date of Measurement	Who Made the Measurement	Measurement Method	Measured Quantity of Water (in cfs)
N/A	N/A	N/A	N/A

Attach measurement notes.

D. Gravity Flow Canal or Ditch

(The Department typically uses Manning's formula for canals and ditches)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? YES NO

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

2. Complete the table:

Canal or Ditch Type (material)	Top Width of Canal or Ditch	Bottom Width of Canal or Ditch	Depth	"N" Factor	Amount of Fall	Length of Canal / Ditch	Slope	Computed Rate (in cfs)
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

3. Provide calculations:

N/A

4. If an actual measurement was taken, provide the following:

Date of Measurement	Who Made the Measurement	Measurement Method	Measured Quantity of Water (in cfs)
N/A	N/A	N/A	N/A

Attach measurement notes.

E. Reservoir

1. Does the reservoir require the submittal of as-built plans and specifications? YES NO

*If "**YES**", answer item 2; items 3 through 8 relating to this section may be deleted.*
*If "**NO**", skip items 2; answer items 3 through 8.*

2. Complete the table:

Have the Documents been submitted? YES or NO	When were the Documents Submitted?	Have they been approved by the Department?	Number of acre feet stored
N/A	N/A	N/A	N/A

3. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and as-built plans and specifications are not required, complete the table and items 4 through 8.

Maximum depth	Average depth	Surface area (in acres)	Volume (in acre feet)
N/A	N/A	N/A	N/A

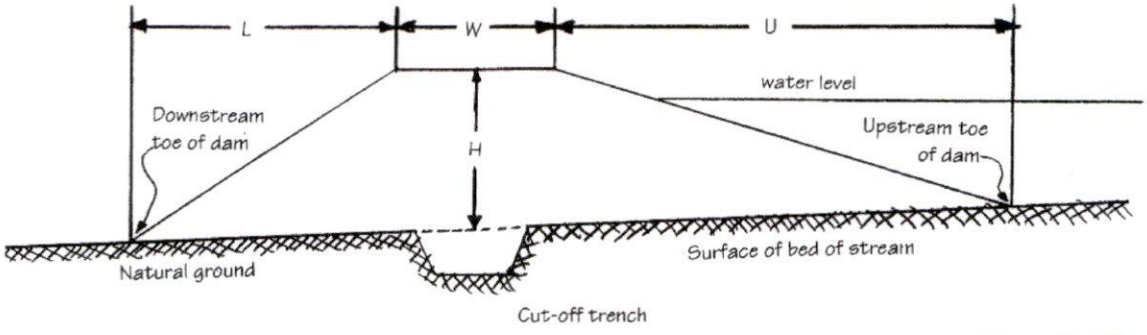
4. Provide reservoir volume calculations:

See Area and Capacity Curve for Reservoir 1, Exhibit B.

5. Provide the following information concerning the physical characteristics of the dam:

Crest width (W)	Dam height at centerline (H)	Distance from downstream top of dam to downstream toe (L)	Distance from upstream top of dam to upstream toe (U)	Water level at inspection	Down-stream slope	Up-stream slope
11 FEET	16 FEET	48 FEET	48 FEET	Approx. 11 Feet	0.33	0.33

Example Dam Profile *This box may be deleted from the form*



6. **Provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.**

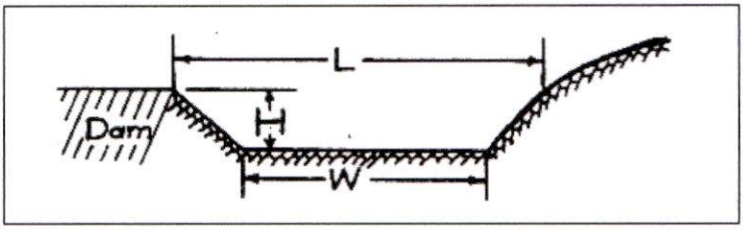
See exhibit B attached to this application for the dam Profile and Spillway Cross Section.

7. **Describe the outlet works (size and type of the outlet conduit and location):**

Reservoir #1 outlet consists of a single 8" diameter ductile iron pipe and gate valve with a fish screen. Outlet is located in the north end of the dam and daylights to an existing drainage ditch.

8. **Describe the emergency spillway (dimensions and location):**

BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
2 FEET	VARIES (9' MINIMUM)	VARIES (2.0 FEET MINIMUM)



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

Reservoir 2

A. Reservoir Location

1. Is the reservoir on-channel? YES NO

2. Provide dam outlet location and/or point of diversion(s).

TWP	RNG	MER	SEC	QQ	GLOT	DLC	MEASURED DISTANCES
04S	12E	W.M.	32	NE SE			2360 FEET NORTH, 370 FEET WEST (POD #2)
04S	12E	W.M.	32	NE NE			330 FEET SOUTH, 35 FEET WEST (Dam Outlet)

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

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport the water from the point(s) of diversion to the reservoir.

1. Is a pump used? YES NO

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)
Berkeley	Unknown	Unknown	Centrifugal

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
25 HP	25	5	95	1.01 CFS

4. Provide pump calculations:

Pump Capacity: (horsepower)(Efficiency) / (lift + psi Head) = capacity in CFS
Efficiency for Centrifugal Pump (75%) = 6.61
(25)(6.61)/(100+(25x2.54*))= 1.01 cfs

*Minor Frictional Losses accounted for by the 2.54 ft/psi conversion factor.

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

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
N/A	N/A	N/A	N/A

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

6. Additional notes or comments related to the system:

N/A

C. Gravity Flow Pipe

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

1. Does the system involve a gravity flow pipe? YES NO

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

2. Complete the table:

PIPE SIZE	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE	COMPUTED RATE OF WATER FLOW (IN CFS)
N/A	N/A	N/A	N/A	N/A	N/A	N/A

3. Provide calculations:

N/A

4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)
N/A	N/A	N/A	N/A

Attach measurement notes.

D. Gravity Flow Canal or Ditch

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

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? YES NO

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

2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

3. Provide calculations:

N/A

4. If an actual measurement was taken, provide the following:

Date of Measurement	Who Made the Measurement	Measurement Method	Measured Quantity of Water (in cfs)
N/A	N/A	N/A	N/A

Attach measurement notes.

E. Reservoir

1. Does the reservoir require the submittal of as-built plans and specifications? YES NO

*If "**YES**", answer item 2; items 3 through 8 relating to this section may be deleted.*
*If "**NO**", skip items 2; answer items 3 through 8.*

2. Complete the table:

Have the Documents been submitted? YES or NO	When were the Documents Submitted?	Have they been approved by the Department?	Number of Acre Feet Stored
N/A	N/A	N/A	N/A

3. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and as-built plans and specifications are not required, complete the table and items 4 through 8.

Maximum Depth	Average Depth	Surface Area (in acres)	Volume (in acre feet)
N/A	N/A	N/A	N/A

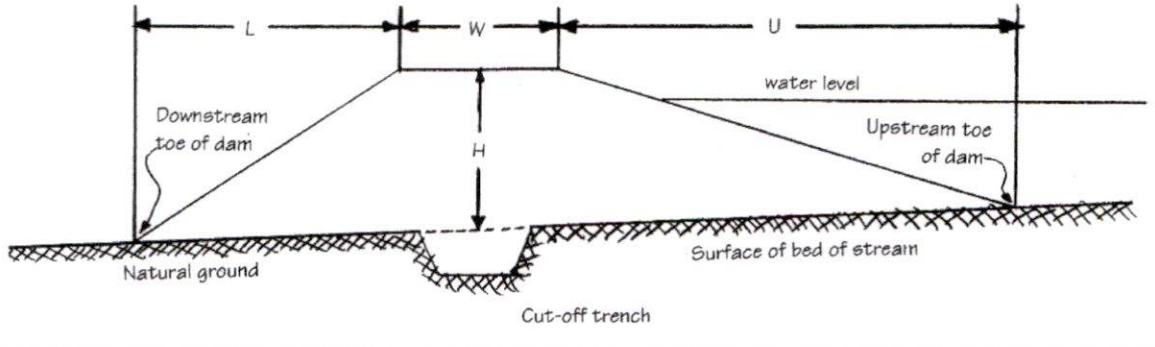
4. Provide reservoir volume calculations:

See Area and Capacity Curve for Reservoir 2, Exhibit C.

5. Provide the following information concerning the physical characteristics of the dam:

Crest Width (W)	Dam Height at Centerline (H)	Distance from Downstream Top of Dam to Downstream Toe (L)	Distance from Upstream Top of Dam to Upstream Toe (U)	Water Level at Inspection	Down-stream Slope	Up-stream Slope
12 FEET	27 FEET	68 FEET	81 FEET	Approx. 22 FEET	0.40	0.33

Example Dam Profile *This box may be deleted from the form*



6. **Provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.**

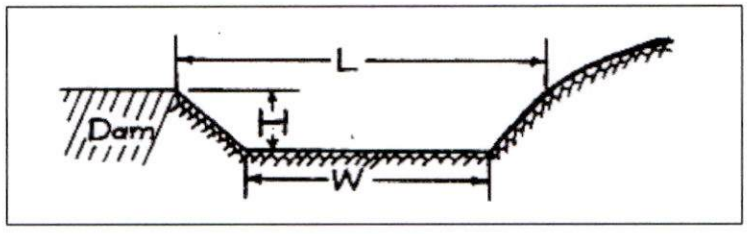
See exhibit C attached to this application for the dam Profile and Spillway Cross Section.

7. **Describe the outlet works (size and type of the outlet conduit and location):**

Reservoir #2 outlet consists of a single 12" diameter ductile iron pipe and gate valve with a fish screen. Outlet is located in the NE section of the dam and daylights to existing drainage ditch.

8. **Describe the emergency spillway (dimensions and location):**

BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
8 FEET	VARIES	VARIES (2.5 FEET MINIMUM)



SECTION 5

CONDITIONS

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

1. Time Limits:

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

	Date from Permit	Date Accomplished*	Description of Actions Taken by Water User to Comply with the Time Limits
Issuance Date	8/05/2010		
Begin construction (A)	9/05/2010	N/A	Reservoir #1 was constructed in 2001 Reservoir #2 was constructed in 1996
Complete construction (B)	N/A	N/A	
Complete application of water (C)	8/05/2015	10/2010	Following the issuance of the permit, the water user installed the measuring device and conduit/gate assembly and stored the water

* must be within period between permit or any extension final order issuance and the date to completely apply water

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

3. Measurement Conditions:

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

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

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed? YES NO

c. Meter Information

POD/POA Name or #	Manufacturer	Serial #	Condition (working or not)	Current Meter Reading	Date Installed
N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A

If a meter has been installed, items d through f relating to this section may be deleted.

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department? YES NO

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NAME	TITLE	APPROXIMATE DATE
Unknown	**Unknown**	**Unknown**

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED
Staff Gauge	**Working**	**Unknown, approx. 2015**
Flume	**Working**	**Unknown, approx. 2015**
Additional Explanation: **Water use in reservoir is measured via a staff gauge and flume and submitted to the Department annually. Applicant has stated that Watermaster Robert Wood has visited the site in the past and has not had concerns with this approach.**		

4. Recording and reporting conditions

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

If "NO", item b relating to this section may be deleted.

b. Have the reports been submitted? **YES** **NO**

If the reports have not been submitted, attach a copy of the reports if available.

5. Outlet Pipe

a. Is the water user required to install a minimum 8"outlet pipe/conduit? **YES** **NO**

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

b. Has the outlet pipe been installed? **YES** **NO**

If "YES", items c relating to this section may be deleted.

c. Does the water user have other means to evacuate the reservoir? **N/A** **YES** **NO**

DESCRIBE HOW THE WATER USER PLANS TO EVACUATE THE RESERVOIR	HAS THIS PLAN BEEN APPROVED BY THE DEPARTMENT?	BY WHOM?
N/A	**YES NO**	**N/A**

6. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? **YES** **NO**

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

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

b. Has the fish screening been installed? **N/A** **YES** **NO**

c. When was the fish screening installed?

DATE	BY WHOM
N/A	**N/A**

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

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

Has the self-certification form previously been submitted to the Department? **NA YES NO**

- If not, go to https://www.oregon.gov/OWRD/Forms/Pages/default.aspx (search for ODFW Small Pump Screen Self Certification), complete and attach a copy of the self-certification form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

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

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

- Has the ODFW approval been previously submitted? **NA YES NO**
- If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at https://www.oregon.gov/OWRD/Forms/Pages/default.aspx

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

7. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? **YES NO**

If "NO", items b and c relating to this section may be deleted.

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

b. Have by-pass device been installed? **N/A YES NO**

c. Describe the diversion works as related to whether a by-pass device is installed or unnecessary:

(Provide a letter from ODFW indicating the device is approved or is unnecessary. If there is no letter from ODFW, explain whether or not a by-pass device is necessary.)

DESCRIPTION (E.G. "ODFW HAS APPROVED THE BY-PASS DEVICE" OR "NO BY-PASS DEVICE IS NECESSARY BECAUSE THERE IS A DIRECT DIVERSION FROM THE STREAM VIA A PUMP ON RIVER LEFT STREAM BANK WITH FOOT VALVE DESCENDING DIRECTLY INTO NATURAL POOL.") IN ADDITION, YOU MAY ATTACH PHOTOS TO THIS CLAIM.	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM
N/A	**N/A**	**N/A**

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

a. Was the water user required to restore the riparian area if it was disturbed? **YES** NO

b. Was a fishway required? **YES** NO

c. Was submittal of a letter from an engineer required prior to storage of water? **YES** NO

d. Was submittal of a water management and conservation plan required? YES **NO**

e. Other conditions? **YES** NO

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

a. No riparian area was deemed damaged in the process.

b. Reservoir 1 was constructed off-channel. Reservoir 2 required a fishway. AKS reached out to ODFW to confirm fishway is not needed and is awaiting a response. Applicant is working on satisfying this requirement.

c. It is unknown if OWRD received written certification from the engineer prior to storage of water. The reservoir was confirmed built in accordance with the approved plans via as-built drawings (attached to this application as Exhibits B & C).

e. This permit is contingent on designated scenic waterway flows being met downstream. The use is required to monitor streamflow at USGS gage 14103000, Deschutes River at Moody, near Biggs, OR, and discontinue diversion when the flows specified within the permit are unmet.

SECTION 6

ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
EXHIBIT A	**11"x17" Claim of Beneficial Use Map with POA**
EXHIBIT B	**ASBUILT OF IMPOUNDMENT DAM (Reservoir #1)**
EXHIBIT C	**ASBUILT OF IMPOUNDMENT DAM (Reservoir #2)**
EXHIBIT D	**Permit R-14868 and Map**

STATE OF OREGON

COUNTY OF WASCO

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BLAINE LIMITED PARTNERSHIP
P.O. BOX 450
PARKDALE, OREGON 97041

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

APPLICATION FILE NUMBER: R-84768

SOURCE OF WATER: LOST & BOULDER DITCH, TRIBUTARY TO GATE CREEK

STORAGE FACILITIES: RESERVOIR 1 AND RESERVOIR 2 (ENLARGEMENT, ORIGINALLY CONSTRUCTED UNDER PERMIT R-14054)

PURPOSE OR USE OF THE STORED WATER: STORAGE FOR SUPPLEMENTAL IRRIGATION OF 462.1 ACRES TO BE APPROPRIATED UNDER PERMIT S-54669

MAXIMUM VOLUME: 160.0 ACRE FEET (AF), BEING 80.0 AF IN RESERVOIR 1 AND 80.0 AF IN RESERVOIR 2

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: JANUARY 1 THROUGH APRIL 14

DATE OF PRIORITY: JUNE 1, 2001

THE AREA SUBMERGED BY RESERVOIR 1, WHEN FULL, WILL BE 10.3 ACRES AND THE MAXIMUM DEPTH OF WATER WILL BE 14.0 FEET. THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 16.0 FEET.

THE AREA SUBMERGED BY RESERVOIR 2, WHEN FULL, WILL BE 23.0 ACRES AND THE MAXIMUM DEPTH OF WATER WILL BE 20.0 FEET. THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 22.0 FEET.

DAM LOCATIONS:

RESERVOIR 1: SW ¼ SW ¼, SECTION 33, T4S, R12E, W.M.; 1070 FEET NORTH & 1000 FEET EAST FROM SW CORNER, SECTION 33

RESERVOIR 2: NE ¼ NE ¼, SECTION 32, T4S, R12E, W.M.; 330 FEET SOUTH & 35 FEET WEST FROM NE CORNER, SECTION 32

POINTS OF DIVERSION LOCATIONS:

POD #1 (FOR DAM #1): NW ¼ NW ¼, SECTION 4, T5S, R12E, W.M.; 120 FEET SOUTH & 860 FEET EAST FROM NW CORNER, SECTION 4

POD #2 (FOR DAM #2): NE ¼ NW ¼, SECTION 5, T5S, R12E, W.M.; 1150 FEET SOUTH & 2840 FEET WEST FROM NE CORNER, SECTION 5

THE AREA TO BE SUBMERGED BY THE RESERVOIRS IS LOCATED AS FOLLOWS:

NE ¼ NE ¼ RESERVOIR 2
SE ¼ NE ¼ RESERVOIR 2
SECTION 32

SW ¼ SW ¼ RESERVOIR 1
SECTION 33
TOWNSHIP 4 SOUTH, RANGE 12 EAST, W.M.

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of diversion. The permittee shall maintain the meter or measuring device in good working order.

B. The permittee shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.

C. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe (with a minimum diameter of 8" for any in-channel reservoir). This requirement may be waived if the Department determines other means have been provided to evacuate water when necessary.

The permittee shall pass all live flow outside the storage season described above.

The Director may require the user to measure inflow and outflow, above and below the reservoir respectively, to ensure that live flow is not impeded outside the storage season. Measurement devices and their implementation must be acceptable to the Director, and the Director may require that data be recorded on a specified periodic basis and reported to the Department annually or more frequently.

This permit allows an annual appropriation (not to exceed the specified volume). This permit does not provide for the appropriation of water for out-of-reservoir uses, the maintenance of the water level or maintaining a suitable freshwater condition. If any water is to be used for out-of-reservoir purposes, a secondary water right is required. If any additional live flow is to be appropriated to maintain either the water level or a suitable freshwater condition, an additional water right is required.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.

Not withstanding that Oregon Department of Fish and Wildlife has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and/or by-pass devices to prevent fish from entering the proposed diversion, and to provide adequate upstream and downstream passage for fish.

Use of water under this permit is contingent on designated scenic waterway flows being met downstream. The user is required to monitor streamflow at USGS gage 14103000, Deschutes River at Moody, near Biggs, OR, and discontinue diversion when the flows specified below are unmet. At the discretion of the Director, the location and nature of streamflow monitoring required to protect scenic waterway flows is subject to change. In addition, the watermaster may regulate diversion under this right if it is determined by the Department that the flows listed below are unmet.

Deschutes River Scenic Waterway	
Month	***Minimum Bypass Flow (cfs)***
January	4500
February	4500
March 1-15	4500
March 16-31	4000
April	4000

DAM CONDITIONS

The outlet gate shall be cycled at least once each year and shall be fully operational at all times. The embankment and spillway shall be kept clear of brush, debris, and burrowing animals.

Routine maintenance of the dam, spillway and appurtenant structures shall be performed as necessary to remove trees, brush and debris, and to repair slumps, areas of erosion, or defective equipment.

The earthen dam, concrete spillway and resultant reservoir shall be constructed and maintained according to the approved plans and specifications dated October 4, 1996, on file with Oregon Water Resources Dam Safety program. Any changes in the approved design prior to construction shall be documented in a letter to Dam Safety.

All construction shall be performed under the supervision of a professional engineer licensed in Oregon. No fill shall be placed until excavation of the foundation has been completed and examined in its entirety by the engineer of record, or by the Water Resources Dam Safety Engineer.

No water shall be stored until the Water Resources Department receives written certification from the engineer of record that construction has been completed in accordance with the approved plans and specifications.

If construction deviates from the approved design, a set of as-built drawings must accompany the engineer's written certification of completion.

The completed structure shall not be enlarged, modified, altered or otherwise changed without the prior written approval of the Director of the Water Resources Department or the Director's authorized representative. Except for routine repair and maintenance, plans and specifications prepared by an Oregon licensed engineer are required for any modification to the dam, spillway or appurtenant structures.

STANDARD CONDITIONS

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.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

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

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.

Construction shall be completed and the permitted volume of water shall be stored within five years of the date of permit issuance. If additional time is needed, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after storage of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued August 5, 2010

E. Timothy Wall

for Phillip C. Ward, Director
Water Resources Department