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

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Application for a Permit to Store Water in a Reservoir

(Alternate Review)

Alternate Review Process (ORS 537.409): You may use this form for any reservoir storing less than 9.2 acre-feet *or* with a dam less than 10 feet high.

Use a separate form for each reservoir

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, insert "n/a". A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

Applicant: BMT, LLC (First) Daniel J. Boyden, Manager (Last)

Mailing Address: 1430 Eastside Road

Hood River (City) OR (State) 97031 (Zip)

Phone: _____ (Home) 541 490-3700 (Work) _____ (Other)

*Fax: _____ *Email Address: dboyden@gorge.net

**optional information*

2. LOCATION AND SOURCE

A. Reservoir Name: N/A

B. Source: Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, or an unnamed stream or spring.

Source: run-off/spring Tributary to: Willow Creek

C. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
39S	3E	2	N1/2 NE1/4	900

D. County of Use: Jackson

E. Dam: Maximum height of dam: 9 feet. If excavated, write "excavated" or "0 feet".

F. Quantity: Amount of water to be stored in the reservoir at maximum capacity.
List quantity in Acre-Feet: 4.9

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) ○ Yes ◉ No

3. WATER USE

Indicate the proposed use(s) of the stored water. **NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stockwater, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.** If any use will be out of reservoir use, regardless of the type of storage listed, a secondary application must be filed to appropriate the stored water.

MULTI PURPOSE

For Department Use

App. No. _____ Permit No. _____ Date _____

4. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

(•) Yes *(please check appropriate box below then skip to section 5)*

[X] There are no encumbrances

[ ] This land is encumbered by easements, rights of way, roads or other encumbrances *(please provide a copy of the recorded deed(s))*

( ) No *(Please check the appropriate box below)*

[ ] I have a recorded easement or written authorization permitting access.

[ ] I do not currently have written authorization or easement permitting access.

[ ] Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040). (Do not check this box is you described your use as "Mulitpurpose" in #3 above

List Name and mailing addresses of all affected land owners:

5. ENVIRONMENTAL IMPACT

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A. Channel: is the reservoir ( ) In Stream or (•) off channel ?

B. Wetland: is the project in a wetland? ( ) Yes (•) No ( ) Don't know

C. Existing: is this an existing reservoir? (•) Yes ( ) No

If yes how long has it been in place? 35 years

D. Fish Habitat: Is there fish habitat upstream from the proposed structure? ( ) Yes (•) No ( ) Don't know

If yes, how much? _____ miles

E. Partnerships: Have you been working with other agencies? ( ) Yes (•) No

Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

6. SIGNATURE

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge.

[signature] MANAGER BMT, LLC 12.2.10

Landowner Signature Date

Before you submit your application be sure you have:

- ☐ Answered each question completely.
- ☐ Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
- ☐ The map must meet map requirements to be accepted.
- ☐ Included a land use form or receipt stub signed by a local planning official.
- ☐ Included a check payable to Oregon Water Resources Department for the appropriate amount.

FEE STRUCTURE: The fee is based on the number of acre-feet proposed to be stored. The base fee is $300. In addition, there is a fee of $25 per acre-foot or fraction thereof. Example: 0.3 AF= $325; 1.5 AF= $350; 20.0 AF= $800; 30.0 AF= $1050. Plus a permit recording fee of $400 (this fee is refunded if no permit is issued).

Oregon Water Resources Department
Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: BMT, LLC

Mailing Address: 1430 EASTSIDE ROAD

City: HOOD RIVER State: OR Zip: 97031 Day Phone: 541 490-3700

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
3S	3E	2	NW¼ NE¼	900	FR	☐ Diverted ☐ Conveyed ☒ Used	MULTIPURPOSE
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. JACKSON

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

☒ Permit to Use or Store Water ☐ Water-Right Transfer ☐ Exchange of Water
☐ Allocation of Conserved Water ☐ Limited Water Use License
☐ Permit Amendment or Ground Water Registration Modification

Source of water: Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) _____

Estimated quantity of water needed: _____ ☐ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-municipal ☐ Instream ☐ Other MULTIPURPOSE

Briefly describe: STORE WATER IN RESERVOIR

Note to applicant: *If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.*

Receipt for Request for Land Use Information

State of Oregon Water
Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

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SALEM, OREGON

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.
This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the 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): 4.3-1(4) + 4.3.5(B).

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)
If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

See Comments ZON 2010-01862 attached.

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Name: Francisco Hernandez Title: Planner III
Signature: Francisco Hernandez Phone: 541-774-6903 Date: 12-28-2010
Government Entity: Jackson County Development Services

Note to local government representative: *Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.*

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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App. No. _____ Permit No. _____ Date _____

JACKSON COUNTY
Oregon

APPLICATION TYPE:

LUC (Land Use Compatibility Statement)

CASE STATUS: **Final Approval**
USE CATEGORY: **Forest Uses**
ZONING: **FR**
PROCESS: **Type 1**
SITE ADDRESS: **HYATT PRAIRIE RD**
PRIMARY PARCEL NUMBER: **39-3E-900**
ASSOCIATED LOTS:

DECISION: **Final Approval**
ZONE USE ID:
APPLICATION NO: **ZON2010-01862**
MASTER NO: **ZON2010-01862**
PROJECT NO: **ZON2010-01862**
RECEIVED DATE: **12/23/2010**
ASSIGNED STAFF: **FH**

People Associated With This Case

Primary Owner
BMT LLC
1430 EAST SIDE RD
HOOD RIVER, OR 97031

Applicant
MIKE SAVAGE
4497 BROWNRIDGE TERRACE
MEDFORD, OR 97504

Case Description

OWRD LUC
Pond for forest use (fire abatement)

COMMENTS:

12/28/2010: DISCUSSED RESERVOIR ISSUE WITH AGENT. LUCS MUST STATE THE SPECIFIC FOREST OPERATION/PRACTICE THE POND-RESERVOIR IS AUXILIARY TO. FH

12/28/2010: CLARIFICATION OF USE MEMO SUBMITTED BY AGENT LISTS THE 'MULTI-USES' THE RESERVOIR IS AUXILIARY TO.

LUCS SIGNED OFF RECOGNIZING THE POND (RESERVOIR) IS PERMITTED AS LONG AS THERE IS A FOREST PRACTICES OPERATION (AS DEFINED IN ORS 527) ON THE PROPERTY. FH

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