



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

Application for a Permit to Store Water in a Reservoir

(Standard Review)

Standard Review Process (ORS 537): You must use this form for any reservoir storing more than 9.2 acre-feet *and* with a dam more than 10 feet high.

Use a separate form for each reservoir. However, to obtain authorization for multiple reservoirs, multiple forms may be combined into one application if filed at the same time.

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. 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: Kirpal Light Satsang, Inc.
First Last

Mailing Address: P.O. Box 10

Umpqua OR 97486
City State Zip

Phone: _____
Home Work Other

*Fax: _____ *Email Address: _____

I(We) make application for a permit to construct a reservoir and store the following described waters of the State of Oregon. The name of the reservoir is (4 reservoirs) A, B, C, and D

2. SOURCE OF WATER for the proposed use: Unnamed Stream and Runoff
 a tributary of Rock Creek and Umpqua River

Is the proposed use an enlargement of an existing dam/reservoir? Yes No

If the reservoir is not in channel of a stream, state how it is to be filled:

By runoff and by a pipeline from an unnamed stream. Water from higher reservoirs overflows to lower reservoirs. All reservoirs are off-channel

This application is for additional sources to fill existing reservoirs as original permit did not include all sources

For Department Use

App. No. R-87768 Permit No. _____ Date _____

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3. DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be A-9.9, B-12, feet above streambed or ground surface at the centerline of the crest of the dam. C-9.9, D-12

Note: If your dam height is greater than or equal to 10.0' above land surface AND your reservoir will store equal to or greater than 9.2 acre-feet, engineered plans and specifications must be approved prior to storage of water.

The dam will be (check one): Earthfill Concrete Flash board Other

If "other" give description:

4. PRIMARY OUTLET WORKS

Describe the location and the dimensions of the outlet conduit through the dam:

8 inch outlet with downstream control works on all reservoirs. Outlets are through the dams as mapped

NOTE: Most dams across a natural stream channel will need an outlet conduit having a minimum diameter of 8 inches or greater.

5. EMERGENCY SPILLWAY

Describe the location and the dimensions of the spillway channel:

All reservoirs are off-channel.

Overflow channels are on natural ground from higher reservoirs to lower reservoirs. Overflow channels are as mapped

6. THE USE(s) of the impounded water will be:

Multi-Purpose all reservoirs (A, B, C and D)

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7. THE AMOUNT OF WATER to be stored is: A - 3.0, B - 3.3, C - 1.3, D - 3.6 acre-feet.

The area submerged by the reservoir, when filled, will be A - .76, B - .68, C - .34, D - .75 acres.

8. PROJECT SCHEDULE (List Month and Year)

Proposed date construction will begin: Complete

Proposed date construction will be completed: complete

Proposed date beneficial water use will begin: As soon as permit is issued

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

9. 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 10)

- 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).

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

List the names and mailing addresses of all affected landowners*

Roseburg Resources Co.
P.O. Box 1088
Roseburg, OR 97470

* Attach additional sheet(s) if necessary.

10. 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 reservoir location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.


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11. 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, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

I certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

Applicant: On Behalf of Kirpal Light Systems, Inc.,  10/27/11
Secretary Signature (If more than one applicant, all must sign.) Date

Before you submit your application be sure to:

- Answer each question completely.
- Attach a legible map that includes township, range, section, quarter/quarter and tax lot.
- Include a Land Use Information Form or receipt stub signed by a local official.
- Include the legal description of all the property involved with this application. You may include a copy of your deed land sales contract or title insurance policy to meet this requirement.
- Include a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

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Storage Water/4

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EX 945 EX 770

WATER RESOURCES DEPT
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EXHIBIT A

All that parts of Lots 7 and 8 of Section 9, Township 25 South, Range 7 West, Willamette Meridian, Douglas County, Oregon, which lies Southerly of County Road No. 33; ALSO all that part of Lot 1 of Section 10, Township 25 South, Range 7 West, Willamette Meridian, Douglas County, Oregon, which lies Southerly of County Road No. 33.

SUBJECT TO:

1. Rights of the public and governmental bodies in and to any part of the above property lying below mean high water mark of the Umpqua River.
2. Roads and highways and the rights of the public therein, if any.
3. Mineral reservation as contained in the Deed from O & C Railroad, recorded in Volume 27, page 130, records of Douglas County, Oregon.
4. Right of way and Road Use Agreement, including the terms and provisions therein contained, by and between R. E. League and Amy League and United States of America, recorded in Volume 229 of the Deed Records of Douglas County, Oregon, Recorder's No. 171143.
5. Right of way and Road Use Agreement, including the terms and provisions therein contained, by and between R. E. League and Amy League and United States of America, recorded in Volume 230 of the Deed Records of Douglas County, Oregon, Recorder's No. 171211.

Application No. 69263
Permit No. 50121

STATE OF OREGON)
COUNTY OF DOUGLAS) ss.

I, DONALD E. WOODRUFF, COUNTY CLERK
AND OFFICER OF CONSERVATION, IN AND FOR
SAY COUNTY, DO HEREBY CERTIFY THAT THE
FOREGOING INSTRUMENT WAS RECORDED THIS DAY

SEP 11 - 7 11:23

DOUGLAS COUNTY CLERK

EXHIBIT A.

BY _____
AND _____

DOUGLAS COUNTY OFFICIAL RECORDS

66- 5391

R-87768

After recording return to _____
 NAME ADDRESS _____
 Until a change is requested all tax statements shall be sent to the following address:
see change
 NAME ADDRESS ZIP _____

I certify that the within instrument was received for record on the day of _____, 19____, at _____ o'clock _____ M. and recorded in book _____ on page _____ or as file reel number _____
 Record of Deeds of said county
 Witness my hand and seal of County affixed

By _____ Recording Officer
 Deputy

HANDED

EVOL 746 PAGE 931

Legal Description "A" Continued

South half of the South half of the Northwest quarter of the Northeast quarter S1/2S1/2NW1/4NE1/4), East half of the South half of the South half of the Northeast quarter of the Northwest quarter E1/2S1/2S1/2NE1/4NW1/4), Excepting therefrom that part within the right of way of Tye County Road No. 33
 Also excepting any part lying Southwesterly of the present County Road No. 33.

Legal Description "B"

All that parts of Lots 7 and 8 of Section 9, Township 25 South, Range 7 West, Willamette Meridian, Douglas County, Oregon, which lies Southerly of County Road No. 33; Also all that part of Lot 1 of Section 10, Township 25 South, Range 7 West, Willamette Meridian, Douglas County, Oregon, which lies Southerly of County Road No. 33.

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WATER RESOURCES DE
 SALEM OREGON

Application No. 69263

Permit No. 50121

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 WATER RESOURCES DEPT
 SALEM, OREGON

STATE OF OREGON) ss.
 COUNTY OF DOUGLAS)

I, DORIS L. WADSWORTH, COUNTY CLERK AND RECORDER OF CONVEYANCES, IN AND FOR SAID COUNTY DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS RECORDED THIS DAY:

1980 FEB 27 PM 12 31

BY *Marilyn Seal*
 NO 30-02851 FEB 2 1981

DOUGLAS COUNTY OFFICE RECORDS
 R-87768

PARCEL 1

All that parts of Lots 7 and 8 of Section 9, Township 25 South, Range 7 West W. M., Douglas County, Oregon, which lies Southerly of County Road No. 33. Also all that part of Lot 1 of Section 10, Township 23 South, Range 7 West, W. M., Douglas County, Oregon, which lies Southerly of County Road No. 33.

PARCEL 2

All that part of Section 10, Township 25 South, Range 7 West, W. M. Douglas County, Oregon, described as follows:

Lot one (1), Southeast quarter of the Southwest quarter (SE 1/4 SW 1/4), Northeast quarter of the Southwest quarter (NE 1/4 SW 1/4), Northwest quarter of the Southeast quarter (NW 1/4 SE 1/4), Southwest quarter of the Northeast quarter (SW 1/4 NE 1/4), Southeast quarter of the Northwest quarter (SE 1/4 NW 1/4), South half of the Northwest quarter of the Southwest quarter (S 1/2 NW 1/4 SW 1/4), South half of the South half of the Northwest quarter of the Northeast quarter (S 1/2 S 1/2 NW 1/4 NE 1/4), East half of the South half of the South half of the Northeast quarter of the Northwest quarter (E 1/2 S 1/2 S 1/2 NE 1/4 NW 1/4).

EXCEPTING THEREFROM that part within the right of way of Tyee County Road No. 33.

Also excepting any part lying Southwesterly of the present County Road No. 33.

Subject to the usual printed exceptions and also the following exceptions, to-wit:

Taxes for the year 1986-87, and possibly prior years have been deferred pursuant to ORS 308.370 to 308.403 (farm land). These plus earned interest are due and payable when said reason for the deferment no longer exists.

The assessment roll and the tax roll disclose that the within described premises were specially assessed as Forest Land. If the land becomes disqualified for the special assessment under the statute an additional tax may be levied.

The rights of the public and governmental bodies in and to any portion of the above described property lying below the ordinary high water mark of the Umpqua River.

ROADS AND HIGHWAYS and the rights of the public therein.

MINERAL RESERVATION as contained in the Deed from O & C Railroad, recorded in Book 27, Page 130 of the Deed Records of Douglas County, Oregon. (Affects Parcel 1)

SIXTY FOOT RIGHT OF WAY as disclosed by Deed from Douglas County to Young and Garrison recorded in Book 106, Page 63 of the Deed Records of Douglas County, Oregon. (Affects Parcel 2)

RIGHT OF WAY AND ROAD USE AGREEMENT, including the terms and provisions thereof, by and between R. E. League and Amy League and United States of America, recorded in Book 229, records of Douglas County, Oregon, Recorder's No. 171143.

RIGHT OF WAY AND ROAD USE AGREEMENT, including the terms and provisions thereof, by and between R. E. League and Amy League and United States of America, recorded in Book 230, records of Douglas County, Oregon, Recorder's No. 173231.

ROAD RIGHTS OF WAY, including the terms and provisions thereof, granted to ROSEBURG LUMBER CO., an Oregon corporation, by Deed recorded in Book 386, records of Douglas County, Oregon, Recorder's No. 67-2101. (Affects Parcel 2)

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Application No. 69263
Permit No. 50121

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SALEM OREGON R-87768

CONTRACT MEMO

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KNOW ALL MEN BY THESE PRESENTS that DAVID KOTEEN under written contract dated the 1st day of May, 1987, is selling, and KIRPAL LIGHT SATSANG, INC. is buying the real property described in Exhibit "A" attached hereto and made a part hereof as if fully written herein.

True and actual consideration for said contract is \$300,000.00.

IN WITNESS WHEREOF, the parties have executed this document on MAY 1, 1987. The officer of Kirpal Light Satsang Inc., whose signature appears below, warrants that she has appropriate corporate authority to execute this document.

KIRPAL LIGHT SATSANG, INC.

David Koteen
David Koteen

Seller

By Joanie Solomon
President & Chairman of the Board of Directors Kirpal Light Satsang, Inc.

By _____

Buyer

STATE OF OREGON)
County of Douglas) ss.

Apr. 1 24, 1987

Personally appeared the above named DAVID KOTEEN and acknowledged said instrument to be his voluntary act and deed.

BEFORE ME: Dawn Jelland
Notary Public for Oregon
My Commission Expires: 12/19/89

STATE OF OREGON)
County of DOUGLAS) ss.

APRIL 25, 1987

Personally appeared JOANIE SOLOMON and of KIRPAL LIGHT SATSANG, INC. and acknowledged the foregoing instrument to be its voluntary act and deed.

BEFORE ME: David Mowen
Notary Public for OREGON
My Commission Expires: 5/16/89



Until a change is requested, all tax statements shall be sent to:

KIRPAL LIGHT SATSANG, INC.
Merwin Lake Road
Kinderhook, N.Y. 12106
ADDRESS



LUOMA, KELLEY, WOLKE,
MAYS & POLLACZEK
SUITE 208 PROFESSIONAL CENTER
POST OFFICE BOX 1008
ROSEBURG, OREGON 97470
TELEPHONE (503) 672-8844

COMMERCIAL TITLE CO
P.O. BOX 1325
ROSEBURG, OR 97470
60675



Application No. 69263
Permit No. 50121

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R- 87768

Land Use Information Form



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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 SALEM, OREGON

Applicant(s): Kirpal Light Satsang, Inc.

Mailing Address: P.O. Box 10

City: Umpqua

State: OR

Zip Code: 97486

Daytime Phone: _____

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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:
<u>25S</u>	<u>7W</u>	<u>10</u>	<u>NE/NE</u>	<u>100</u>	<u>FFT</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Pipeline</u>
<u>25S</u>	<u>7W</u>	<u>10</u>	<u>NW/NE</u>	<u>300</u>	<u>FFT</u>	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Reservoir</u>
<u>25S</u>	<u>7W</u>	<u>10</u>	<u>SW/NE</u>	<u>200</u>	<u>FFT</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Reservoir</u>
<u>25S</u>	<u>7W</u>	<u>10</u>	<u>SE/NE</u>	<u>100</u>	<u>FFT</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Pipeline</u>
<u>25S</u>	<u>7W</u>	<u>10</u>	<u>NE/NW</u>	<u>200</u>	<u>FFT</u>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Reservoir</u>
<u>25S</u>	<u>7W</u>	<u>10</u>	<u>SE/NW</u>	<u>200</u>	<u>FFT</u>	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Reservoir</u>

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

DOUGLAS

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
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water:
 Reservoir/Pond
 Ground Water
 Surface Water (name) Runoff & Unnamed Stream

Estimated quantity of water needed: 11.2
 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 Multi-purpose storage

Briefly describe:

We are applying to add authorized sources to fill existing reservoirs

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

See bottom of Page 3. →

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For Local Government Use Only

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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.

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Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 3.5.050
- Land uses to be served by the 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:	
		<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

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.

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

Rcpt # P12312 R29512
WS11-0782 R29488 R29520 R29496

Name: JAMIE CHARTER Title: DP

Signature:  Phone: 541-440-4289 Date: 11-10-11

Government Entity: DOUGLAS COUNTY PLANNING

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: _____

R-87768

Jordan Engineering

Structural-Civil-Geotech
460 Jordan Lane
Roseburg, OR 97471
541-673-1931

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WATER RESOURCES DEPT
SALEM, OREGON

Oregon Water Resources Department
725 Summer Street, NE, Suite A
Salem, OR 97301-1271

Stored Water in a Reservoir:
For 4 - Existing Reservoirs
Kirpal Light Satsang, Inc.

November 21, 2011

Sir:

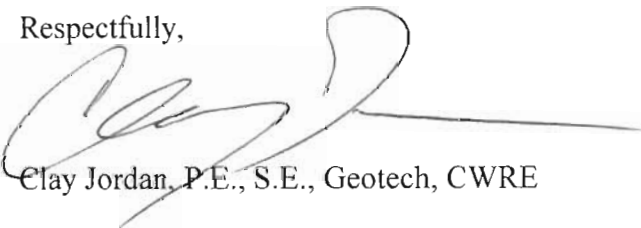
Please find inclosed the application form, land use information form, one map, check #25999 in the sum of \$1,700 made out to the Department and a copy of ORS536.050 (4) (a).

Regarding the inclosed ORS please refer to the Claim of Beneficial Use clarification negations for permits S-50121, R-11367 and S-51211. The clarification cleanup need, in part caused by the Department, is recognized by all, causing the client financial hardship. The client's only wrong doing was relying on the good faith of the Department, at original issue of the permit, only reiterating their in-depth complicated application to which the author who was no longer in charge at site. It has been so recognized by all that the great in-depth application detailing is as used today. Because of the Department's permit attempt to shorten the process in restating the application, perceived only by the client's then new staff to be the same, the client lost some sources of water. Therefore the inclosed application to makeup those losses.

Per ORS536.050 (4) (a) considering the client's good will in working on these disparities with the Department please consider refunding all or in part the inclosed check.

If there are any questions please officially contact the client with a copy to me as their CWRE.

Respectfully,



Clay Jordan, P.E., S.E., Geotech, CWRE

file: Stored Water App - 4 existing reservoirs Dept cl.wpd

cc: Kirpal Light Satsang, Inc. % Mr. Larry Chase
Mr. Norm Daft

cents per acre of water involved in the application. For purposes of computing this fee, when any acreage within a quarter quarter of a section is involved, the 10 cents per acre shall apply to all acres in that quarter quarter of a section. Notwithstanding the fee amount established in this paragraph, a district notifying the department under ORS 541.327 (4) shall pay the actual cost of filing, examining and certifying the petition.

(n) For requesting standing under ORS 537.153, 537.621 or 543A.120, \$150.

(o) For participating in a contested case proceeding under ORS 537.170, 537.622 or 543A.130, \$350.

(p) Except for an applicant, for obtaining a copy of both a proposed final order and a final order for a water right application under ORS 537.140 to 537.252, 537.505 to 537.795 or 543A.005 to 543A.300 or an extension issued under ORS 537.230, 537.248 or 537.630, \$20.

(q) For examining an application to store water under ORS 537.409:

(A) A base fee of \$300; and

(B) \$25 for each acre-foot or fraction thereof.

(r) For submitting a notice of intent under ORS 543A.030 or 543A.075, the amount established by the Water Resources Director under ORS 543A.410.

(s) For examining an application for a substitution made under ORS 540.524:

(A) A base fee of \$630 for the first well substitution; and

(B) A fee of \$300 for each additional well substitution.

(t) For examining an application for an allocation of conserved water under ORS 537.455 to 537.500:

(A) A base fee of \$850 for the first water right that is part of the allocation; and

(B) An additional fee of \$300 for each water right that is part of the allocation beyond the first water right.

(u) For submitting a water management and conservation plan pursuant to rules of the commission:

(A) \$400, if the plan is submitted by an agricultural water supplier;

(B) \$800, if the plan is submitted by a municipal water supplier serving a population of 1,000 or fewer persons; or

(C) \$1,600, if the plan is submitted by a municipal water supplier serving a population of more than 1,000 persons.

(v) For examining a new application for an in-stream water right lease under ORS 537.348:

(A) \$400 for an application for a lease with four or more landowners or four or more water rights; or

(B) \$250 for all other applications.

(w) For examining an application for an in-stream water right lease renewal, \$100.

(x) For submitting a claim of beneficial use under a permit having a priority date of July 9, 1987, or later, \$150.

(y) For submitting a request no later than 60 days after cancellation of a permit under ORS 537.260 to reinstate the permit, \$400.

(z) For submitting a request for a basin program exception under ORS 536.295, \$500.

(2)(a) The department may charge a dam owner an annual fee based upon the dam's hazard rating as determined by the department. The fees the department may charge the dam owner are:

(A) \$75 for a dam with a low hazard rating.

(B) \$150 for a dam with a significant hazard rating.

(C) \$500 for a dam with a high hazard rating.

(D) If the dam owner fails to pay an annual fee on or before six months after the billing date, a late fee of \$100.

(b) If a dam owner fails to pay an annual fee or a late fee charged by the department, the department may, after giving the dam owner notice by certified mail, place a lien on the real property where the dam is located for the fees owed by the dam owner.

(3) Notwithstanding the fees established under subsection (1) of this section, the commission may establish lower examination and permit fees by rule for:

(a) The right to appropriate water for a storage project of five acre-feet or less; or

(b) The right to appropriate water for the purpose of allowing the applicant to water livestock outside of a riparian area, as that term is defined in ORS 541.351.

(4)(a) The director may refund all or part of a fee paid to the department under this section if the director determines that a refund of the fee is appropriate in the interests of fairness to the public or necessary to correct an error of the department.

(b) The director may refund all or part of the protest fee described in subsection (1)(j) of this section to the legal owner or occupant who filed a protest under ORS 540.641 if an order of the Water Resources Commission establishes that all or part of a water right has not been canceled or modified under ORS 540.610 to 540.650.