



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1271  
 (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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml)

## 1. APPLICANT INFORMATION

Applicant: Young's Farm Blue Mountain Holdings, LLC Contact: Sarah Teskey  
First Last  
 Mailing Address: Blue Mountain Ranch - 14005 SE Paulina Valley Road  
Paulina OR 97751  
City State Zip  
 Phone: \_\_\_\_\_ (541) 477-3848 \_\_\_\_\_  
Home Work Other  
 Fax: \_\_\_\_\_ E-Mail Address\*: steskey@bluemtnranch.com

\* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

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 Beaver Creek East Reservoir

2. SOURCE OF WATER for the proposed use: Beaver Creek

a tributary of Crooked River

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

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

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Instream pump with appropriate fishway and fish screens will pump into reservoir through a minimum-diameter eight inch pipe.

For Department Use		
App. No. <u>R-88506</u>	Permit No. _____	Date _____

**3. DAM HEIGHT AND COMPOSITION** 18

The maximum height of the structure will be \_\_\_\_\_ feet above streambed or ground surface at the centerline of the crest of the dam.

Attach preliminary plans, specifications and supporting information for the dam and impoundment area including dam height, width, crest width and surface area.

*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:

The outlet conduit through the dam will be a 12 inch diameter pipe located at the center of the dam

*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:

Emergency spillway will be located on the south end of the dam. The upper section will be a concrete sill that is 1 foot thick by 2.5 feet deep by 30 feet wide. The flow area will be 30 feet wide, excavated to a minimum of depth of 18" and filled with riprap, and extend between 22 and 100 feet down slope from the concrete sill.

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

Use of impounded water will be for irrigation, livestock, and wildlife

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7. THE AMOUNT OF WATER to be stored is: 134 acre-feet.

The area submerged by the reservoir, when filled, will be \_\_\_\_\_ acres.

8. PROJECT SCHEDULE: (List Month and Year)

Proposed date construction work will begin: April 2019

Proposed date construction work will be completed: November 2020

Proposed date water use will be completed: October 2023

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars)

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 an 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 irrigation 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:

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10. WITHIN A DISTRICT

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Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name N/A	Address N/A	
City	State	Zip

**11. 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.

**12. 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: *Sarah E. Rushey* 5-22-18  
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](http://www.wrd.state.or.us) or call (503) 986-0900.

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R-88506

# Application for a Permit to Store Water in a Reservoir

(Standard Review)



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

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## Water-Use Permit Application Processing

### 1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 ([www.oregon.gov/owrd/law.our](http://www.oregon.gov/owrd/law.our)). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

### 2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

### 3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at [www.oregon.gov/owrd](http://www.oregon.gov/owrd). The public comment period is 30 days from publication in the weekly notice.

### 4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

### 5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410.00 for the applicant and \$810.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

### 6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

# Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

## Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> SECTION 1: applicant information          | <input checked="" type="checkbox"/> SECTION 7: the amount of water to be stored |
| <input checked="" type="checkbox"/> SECTION 2: source of water                | <input checked="" type="checkbox"/> SECTION 8: project schedule                 |
| <input checked="" type="checkbox"/> SECTION 3: dam height and composition     | <input checked="" type="checkbox"/> SECTION 9: property ownership               |
| <input checked="" type="checkbox"/> SECTION 4: primary outlet works           | <input checked="" type="checkbox"/> SECTION 10: within a district               |
| <input checked="" type="checkbox"/> SECTION 5: emergency spillway             | <input checked="" type="checkbox"/> SECTION 11: map requirements                |
| <input checked="" type="checkbox"/> SECTION 6: the use of the impounded water | <input checked="" type="checkbox"/> SECTION 12: signature                       |

### Attachments:

- 
- Land Use Information Form with approval and signature (*must be an original*) or signed receipt
  - Provide the legal description of: (1) the property on which the water is to be stored, and (2) any property crossed by the proposed ditch, canal or other work
  - Fees - Amount enclosed: \$ 2,286.80  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.
  - Preliminary plans and specifications including dam height, width, crest width and surface area for each reservoir

### Provide a map and check that each of the following items is included:

- 
- Map must be prepared by Certified Water Rights Examiner
  - Permanent quality and drawn in ink
  - Even map scale not less than 4" = 1 mile (examples: 1" = 400 ft, 1" = 1320 ft,)
  - North Directional Symbol
  - Township, Range, Section, Quarter/Quarter, Tax Lots
  - Reference public-land survey corner on map
  - Location of each dam if applicable, by reference to a recognized public-land survey corner (distances north/south and east/west)
  - Indicate the area of use by Quarter/Quarter and tax lot identified clearly
  - Number of acres per Quarter/Quarter and hachuring to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
  - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
  - Other \_\_\_\_\_

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**\*Please note a secondary application is necessary if there will be out-of-reservoir uses associated with this application.**

# LAND USE FORM

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R-08586

# 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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Applicant: Sarah Teskey  
First Last

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Mailing Address: Blue Mountain Ranch - 14005 NE Paulina Valley Road **OWRD**

Paulina OR 97751 Daytime Phone: (541) 477-3848  
City State Zip

## 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:
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
16S	23E	26	SE NE	100	EFU1	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Diverted
16S	23E	26	NE SE	100	EFU1	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	conveyed, used
16S	23E	26	SE SE	100	EFU1	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	conveyed, used
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Crook County

## 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) Beaver Creek

Estimated quantity of water needed: 134 (Stored volume)     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 livestock & wildlife

Briefly describe:

Water from Beaver Creek to be diverted into proposed Beaver Creek East Reservoir, stored, then used for irrigation, livestock, and wildlife

**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. →

R-88586



# 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

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**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) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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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.

**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): Ch. 18.16

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.

Agricultural use in Exclusive farm use zone  
No permit required.

Name: Ann Beier Title: Planning Director  
Signature: A Beier Phone: 541 447-3211 Date: 5/1/18  
Government Entity: Crook County

**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-88586

**OWNERSHIP  
LEGAL DESCRIPTION**

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**JUN 06 2018**

**OWRD**

R-88586

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

OFFICE OF COUNTY ASSESSOR CROOK COUNTY, OREGON

CODE NO. 1

MAP NO. 16 23	TAX LOT NO. 1	SECTION	TOWNSHIP 16 S.	RANGE 23 E.W.M.	AERIAL PHOTO
ACCOUNT NUMBER		ADDITION		CITY	
LOT NO.	BLOCK NO.				

INDENT EACH NEW COURSE TO THIS POINT	5228	LEGAL DESCRIPTION	DATE OF ENTRY	DEED RECORD		ACRES REMAINING
				VOLUME	PAGE	
		All Sec. 1 552.90		51	320	
		S $\frac{1}{2}$ NE $\frac{1}{4}$ ; S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ (Less T.L. 4 as desc. in D.V. 53-62 Less 53-64) 2.06	" 2	53	64	
		All " 3 554.08		52	88	
		E $\frac{1}{2}$ ; S $\frac{1}{2}$ SW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SW $\frac{1}{4}$	" 10	51-41	5, 51-416 &	
		All " 11 640.00		74-238	C.C.D.	
		All " 13 640.00		52	291	
		All " 15 640.00				
		E $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$	" 22	52	281	
		All " 23 640.00		53	348	
		All " 25 640.00				
		All " 26 640.00		45	11	
		All " 27 640.00		42	412	
		SE $\frac{1}{4}$ " 28 160.00		51	96	C.C.D.
		All " 33 639.50		50	524	C.C.D.
		(Less A. Hschuls Addition in SE $\frac{1}{4}$ SE $\frac{1}{4}$ See Map 33 DD T. 16, R. 23 E) 0.50				
		N $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$	" 34	58	365	Co. Deed
		All " 35 640.00		42	412	
		Congleton, C. S.	1-1-58			8584.42
		Less Roads & DR. 78-387, easement				11.10
		Congleton, Lowell H (und $\frac{1}{2}$ int)	(V-4242) 6-13-62	86	267	
			4-21-67	96	391	
		Congleton, Lowell H (und $\frac{1}{2}$ int) & Congleton, Ross & Juola, I R (und $\frac{1}{2}$ int)	Probate 2-10-69	# 1665		
		Ritch, Fayne F & Jessie M. V#39826	cont 10-10-79	MF 51938		
			WD 2-26-82	MF 63469		
		Exc: parcel 101 JV 45258 0.02	WD 3-7-84	MF 63469		8573.30
		Exc: Parcel 102 JV45278 0.02	WD 6-20-84	MF71723		8573.28
		Exc: Add'l Ac for ALTSCHUL'S 1ST ADD'N in Sec 33				
			0.19	11-20-84		8573.09

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R-88506

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

OFFICE OF COUNTY ASSESSOR CROOK COUNTY, OREGON

CODE NO.

1

MAP NO. 16-23	TAX LOT NO. 100	SECTION	TOWNSHIP 16 S	RANGE 23 E.W.M.	AERIAL PHOTO
ACCOUNT NUMBER					
LOT NO.	BLOCK NO.	ADDITION		CITY	

INDENT EACH NEW COURSE TO THIS POINT	# 5228	LEGAL DESCRIPTION	EFU-1	DATE OF ENTRY	DEED RECORD		ACRES REMAINING
					VOLUME	PAGE	
		Congleton, Lowell H. (und. 1/2 int) and Congleton, Betty & Juola, I.R. (und. 1/2 int.) % Ritch, Fayne F. & Jessie M. V#53186	C.C. Order	9-17-86	C-2495		
		Ritch, Fayne F. & Jessie M. V#55554	BSD	12-11-87	MF 85451		
			BSD	12-11-87	MF 85505		
		Young Acres, Inc und 43.42% int & Young, Jeannine A und 15.58% int & Young, Gary D & Jeannine A Co-Trustees of Gary D & Jeannine A Young Living Trust und 11.68% int & Young, Aaron D und 14.66% int & Teskey, Sarah E und 14.66% int	PW	9-15-06	MF212511		
		Young Acres, Inc und 60.37% int & Young, Jeannine A und 10.91% int & Young, Gary D & Jeannine A Co-Trustees of Young, Gary D & Jeannine A Young Living Trust und 8.18% int & Young, Aaron D und 10.27% int & Teskey, Sarah E und 10.27% int	WD	10-30-06	MF215792		
		Young's Farm Blue Mountain Holdings LLC	BS	1-25-07	MF218203		
		LLA to Parcel 1800 Exc: Beg at the NE cor of Sec 35, th S alg the E ln of sd Sec 35 a dist of 606.00' to the TPOB; Th S alg the E ln of sd Sec 35 to the SE cor of sd Sec 35; Th W alg the S ln of sd Sec 35 a dist of 1582.00'; Th N12°00'50"E a dist of 2729.63'; Th NWly a dist of 2246', ml, to the TPOB.	-103.00 SWD	2/14/2013	2012-254604		8,470.09
		LLA from Parcel 1800 Also: Beg at the NW cor of Sec 36, th E alg the N ln of sd Sec 36 a dist of 314.00'; Th SWly to a pt on the W ln of sd Sec 36, located 606.00' S of sd NW cor of Sec 36; Th N alg the W ln of sd Sec 36 a dist of 606.00' to the POB.	2.00 SWD	2/14/2013	2012-254608		8,472.09

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R-9822

**PERMIT R-15322**

**RECEIVED**

**JUN 06 2018**

**OWRD**

R-99586

STATE OF OREGON

COUNTY OF CROOK

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GARY YOUNG  
BLUE MOUNTAIN RANCH  
14005 SE PAULINA VALLEY RD  
PAULINA, OR 97751

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

APPLICATION FILE NUMBER: R-86934

SOURCE OF WATER: BEAVER CREEK, A TRIBUTARY OF CROOKED RIVER

STORAGE FACILITY: BEAVER CREEK EAST RESERVOIR

PURPOSE OR USE OF THE STORED WATER: IRRIGATION, LIVESTOCK, AND WILDLIFE

MAXIMUM VOLUME: 72.11 ACRE FEET

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

DATE OF PRIORITY: JUNE 29, 2007

THE AREA SUBMERGED BY THE RESERVOIR, WHEN FULL, WILL BE 7.37 ACRES AND  
THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 13.0 FEET.

POINT OF DIVERSION: SE 1/4 NE 1/4 SECTION 26, T16S, R23E, W.M.; 2640 FEET  
SOUTH AND 726 FEET WEST FROM NE CORNER SECTION 26

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

NE 1/4 SE 1/4  
SE 1/4 SE 1/4  
SECTION 26  
TOWNSHIP 16 SOUTH, RANGE 23 EAST, W.M.

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Measurement, recording and reporting conditions:

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1. A. Before water may be diverted for storage 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.

Application R-86934

Water Resources Department

PERMIT R-15322

R-88586

## OWRD

- B. The permittee shall keep a complete record of the amount of water diverted each month, and shall submit a report which includes the recorded measurements to the Department annually or more frequently as may be required by the Director.
2. A. Before water may be diverted for storage under this permit, a staff gage that measures the entire range between full reservoir level and dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I.
- B. The Director may require the permittee to keep and maintain a record of the water level measurements on a periodic schedule as established by the Director.
3. 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.
4. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
5. The permittee shall maintain all required devices in good working order.

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.

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.

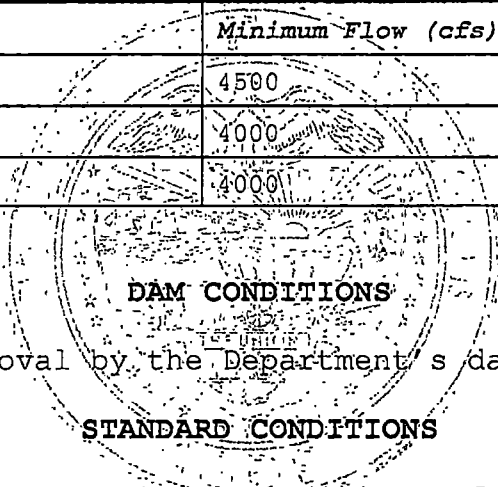
The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

Diversion 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 gage. 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 at the gage.

Deschutes River Scenic Waterway	
Month	Minimum Flow (cfs)
March 1-15	4500
March 16-31	4000
April 1-14	4000

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To be added upon approval by the Department's dam-safety engineer.

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 April 11, 2018



Dwight French, Water Right Services Division Administrator  
for Thomas M. Byler, Director

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**APPLICATION MAP & RESERVOIR AREA-  
CAPACITY CURVE**

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R-88535

**PLANS & SPECIFICATIONS**

**R-15322**

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**JUN 06 2018**

**OWRD**

*R-88506*



**CASCADE**  
GEOENGINEERING

21145 Scottsdale DR, Bend, Oregon 97701  
360-907-4162 newtonjim@hotmail.com

May 31, 2018

**TO:**

Oregon Water Resources Department  
Water Rights Customer Service Group  
725 Summer Street NE, Suite A  
Salem, Oregon 97301

**FROM:**

Jim Newton, P.E., R.G., C.W.R.E.

**RE: NEW APPLICATION FOR A PERMIT TO STORE WATER IN A RESERVOIR**

To Whom It May Concern:

Enclosed is an Oregon Water Resources Department (OWRD) *Application for a Permit to Store Water in a Reservoir (Standard Review)* (Application) to apply to increase the currently authorized storage permit (R-15322) to increase the reservoir volume from 72.11 acre-feet to 134 acre-feet in total, for a new Application volume of 61.89 acre-feet of additional storage volume. This Application has been prepared by Cascade Geoengineering, LLC (CGE) on behalf of Young's Farm Blue Mountain Holdings, LLC (Applicant).

The permit R-15322 included plans and specifications approved by the OWRD Dam Safety Division that would allow for construction of a dam to accommodate the full 134 acre-

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**JUN 06 2018**

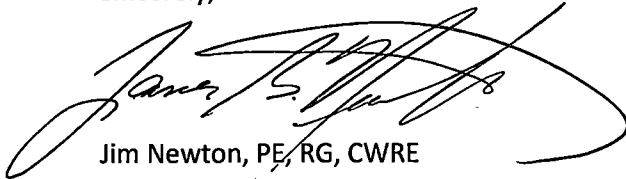
**OWRD**

R-88586

feet of storage volume, a copy of the plans and specifications for R-15322 are included with the Application.

If you have questions regarding this Application, as CGE is the agent for the Applicant, please feel free to contact me at your convenience. I can be reached by telephone at 360-907-4162, or by email at newtonjim@hotmail.com.

Sincerely,



Jim Newton, PE, RG, CWRE  
Principal – Engineer-Geologist  
Cascade Geoengineering, LLC

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**JUN 06 2018**

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Oregon Water Resources Department  
Permit to Appropriate Surface Water for Storage -Standard Reservoir Application

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Today's Date: Thursday, June 7, 2018

Base Application Fee.		\$930.00
Number of acre feet to be diverted for Storage.	134	\$836.80
Number of reservoirs.	1	
Permit Recording Fee. ***		\$520.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<a href="#">Recalculate</a>	
Estimated cost of Permit Application		\$2,286.80

OWRD Fee Schedule

Fee Calculator Version: B20170117
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R-088886