

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.oregon.gov/OWRD

You must use this form for any reservoir storing more than 9.2 acre-feet and with a dam more than 10 feet high.

**SECTION 1: APPLICANT INFORMATION AND SIGNATURE**

**Applicant**

NAME Mark Bjornson		PHONE (HM)	
PHONE (WK)	CELL 503-593-1584	FAX	
ADDRESS 3635 BETHEL HEIGHTS Road NW			
CITY Salem	STATE OR	ZIP 97304	E-MAIL * MARK@BJORNSONWINE.COM

**Organization**

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

**Agent** – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME Brian Crowe, Pleasant Hill Development, LLC		PHONE 971-241-0334	FAX
ADDRESS 17208 Pleasant Hill Road			CELL
CITY Sheridan	STATE OR	ZIP 97378	E-MAIL * crowehillvinyard@gmail.com

Note: Attach multiple copies as needed

\* 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.)

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**By my signature below I confirm that I understand:**

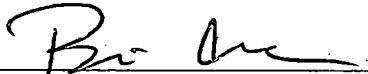
- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally store water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- 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 cancelled.
- 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.

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**I (we) affirm that the information contained in this application is true and accurate.**

  
 Applicant Signature

Brian Crowe, Agent  
 Print Name and Title if applicable

\_\_\_\_\_  
 Date

R-008665



**Oregon Water Resources Department  
Standard Reservoir Application**

- [Main](#)
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- [Contact Us](#)

Today's Date: Monday, August 13, 2018

Base Application Fee.		\$930.00
Number of acre feet to be diverted for Storage.	60	\$748.00
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		\$2,198.00

OWRD Fee Schedule

Fee Calculator Version: B20170117

R-88663

Applicant Signature

Print Name and Title if applicable

Date

**SECTION 2: PROPERTY OWNERSHIP**

Indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, 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).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

**Affected Landowners:** List the names and mailing addresses of all the owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

NONE

**Legal Description:** 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.

**SECTION 3: SOURCE OF WATER**

**A. Reservoir Name:** Unnamed Reservoir

**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 1: Unnamed Drainageway	Tributary to: (Yamhill River)	<b>RECEIVED</b> AUG 13 2018
TRSQQ of POD: NE1/4 Section 4, T.7 S., R. 5 W., WM		
Source 2: N/A	Tributary to:	<b>OWRD</b>
TRSQQ of POD:		

- Is the proposed reservoir in a wetland (as determined by DSL)?  Yes  No  Don't know
- Is the proposed reservoir an enlargement of an existing dam/reservoir?  Yes  No
- Is the proposed reservoir in-channel of a stream or off-channel:  In-channel  Off-Channel
- If the reservoir is proposed to be in-channel, is the stream:  Perennial  Intermittent  Ephemeral
- If the reservoir is proposed to be in-channel, has ODFW determined that native migratory fish are present?  
 Yes  No  Don't know
- Is the reservoir in the 100-year floodplain?  Yes  No  Don't know
- If the reservoir is not in the channel of a stream, state how it is to be filled: N/A

R-88663

**SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION**

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, refer to the map shown on Attachment 3 or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:  
[https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqq\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/)

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

**Upper Columbia - OAR 690-033-0115 thru -0130**

Is the POD located in an area where the Upper Columbia Rules apply?

Yes  No

**If yes, you are notified** that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

**If yes,**

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements prior to diversion or use of water under any permit issued pursuant to this application.

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**Lower Columbia - OAR 690-033-0220 thru -0230**

Is the POD located in an area where the Lower Columbia rules apply?

Yes  No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes  No The proposed use is for more than one cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

**Statewide - OAR 690-033-0330 thru -0340**

Is the POD located in an area where the Statewide rules apply?

Yes  No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T&E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

**SECTION 5: WATER USE**

- a) The use of the impounded water will be: Multipurpose
- b) The amount of water to be stored is: 60 acre-feet.
- c) The area submerged by the reservoir, when filled, will be 8.2 acres.

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## SECTION 6: DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be 9 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 1) dam height, 2) width, 3) crest width, 4) surface area and 5) preliminary fish passage design.

*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 by the Department's Dam Safety Section prior to storage of water.*

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

If "other," provide the description: \_\_\_\_\_

## SECTION 7: PRIMARY OUTLET WORKS

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

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

Center of dam; 8" pipe with vertical gate valve and trickle tube

b) How and when will the outlet be operated?

When reservoir is filled to pass inflow or when the reservoir needs desilting

c) If ODFW has determined fish are present in the stream, how do you propose to protect fish through the outlet conduit (the conduit does not constitute fish passage)?

Lower end of outlet to be screened

## SECTION 8: EMERGENCY SPILLWAY

a) Describe the location and the dimensions of the spillway channel.

Left side of dam; 10' wide X 2' depth with horizontal, removable flashboards to maximize storage.

b) How will the emergency spillway be designed to prevent erosion?

Concrete or gravel bed

c) What is the maximum design flow for the spillway? (Should be able to handle high flow events. 10-year flood events? 50-year flood events?)

20 cfs. The drainage above proposed reservoir is quite small. In extreme high runoff flows, overflow is not expected to exceed about 10 cfs.

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**SECTION 9: WATER QUALITY**

- a) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream.  
There are no significant farming operations in this small drainage above the reservoir site, so no herbicides or pesticides are anticipated from that source. Much of the reservoir storage is expected to be below the natural ground elevations immediately below the site. Overflows will drain to an existing reservoir on a neighboring property. Desilting activities when/if needed will be accomplished carefully to avoid disturbance of pondside vegetations.
- b) Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination.  
Natural grasses to be maintained
- c) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.  
Annual maintenance not anticipated

**SECTION 10: PROJECT SCHEDULE (List Month and Year)**

- a) Proposed date construction work will begin: one year from approval  
(Fish passage approval is necessary prior to construction.)
- b) Proposed date construction work will be completed: within 5 years
- c) Proposed date water use will be completed: within 5 years

**SECTION 11: WITHIN A DISTRICT**

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

Irrigation District Name N/A	Address	
City	State	Zip

**SECTION 12: REMARKS**

Use this space to clarify any information you have provided in the application.  
The reservoir will be partly excavated below the natural ground level in order to maximize storage potential up to as near to the 60 acre-feet as practicable. Inside slopes to be maximized, within stability limits, as well.

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## 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 sections are completed.** 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.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Dam Height and Composition
- SECTION 7: Primary Outlet Works
- SECTION 8: Emergency Spillway
- SECTION 9: Water Quality
- SECTION 10: Project Schedule
- SECTION 11: Within a District
- SECTION 12: Remarks

#### Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- 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.
- Fees - Amount enclosed: \$ 2,198<sup>00</sup>  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.
- Map that includes the following items:

- Map must be prepared by a Certified Water Rights Examiner
- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North directional symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference public-land survey corner on map
- Location of each dam 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 hatching 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)

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**Please note that a secondary application is required if there are out-of-reservoir uses associated with this application.**



# Land Use Information Form



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

Applicant: MARK BJORNSON  
First Last

Mailing Address: 3635 BETHEL HEIGHTS Rd NW

SALEM OR 97304 Daytime Phone: 503-593-1584  
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:
<u>7S.</u>	<u>5W.</u>	<u>4</u>	<u>NE</u>	<u>204</u>		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>STORAGE</u>
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> 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:

DOLK COUNTY **RECEIVED**

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## 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 Groundwater Registration Modification  
 Limited Water Use License     Allocation of Conserved Water     Exchange of Water

Source of water:  Reservoir/Pond     Groundwater     Surface Water (name) UNN. STREAM

Estimated quantity of water needed: 60 AF     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:

RESERVOIR TO BE CONSTRUCTED ON CHANNEL OF UNNAMED EPHEMERAL STREAM TO STORE UP TO 60 acre-feet of water DURING WINTER MONTHS FOR MULTIPURPOSE USES: INTENDED USE will be ag-related uses including VINYARDS & possible livestock water.

**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.

R-08663

# 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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): PCZO 136.030(b) - Farm Use - Irrigation
- 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
		<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.

The regulated SFHA is located just east of the proposed development. If the project encroaches within the floodplain a permit for non-structural floodplain development would be required to demonstrate compliance with RCZO 179.060 would be required. The project is located within a Freshwater Forested/shrub wetland identified on the NWS Map. This wetland is not identified as fish bearing on the SPA map. However, the applicant may need to contact OSC for State permits.

Name: Sidney Mucker Title: Planning Supervisor  
 Signature: [Signature] Phone: 503-623-9237 Date: 8-10-18  
 Government Entity: Polk 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.

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**Receipt for Request for Land Use Information**

AUG 13 2018

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

**OWRD**

R-88888

# Land Use Information Form



**Oregon Water Resources Department**  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 503-986-0900  
 www.oregon.gov/OWRD

Applicant: MARK BJORNSON  
First Last

Mailing Address: 3635 BETHEL HEIGHTS Rd NW  
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City State Zip

### A. Land and Location

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75.	SW.	4	NE	204		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	STORAGE
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> 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:

DOLK COUNTY

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### B. Description of Proposed Use

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 Municipal  Quasi-Municipal  Instream  Other MULTIPURPOSE

Briefly describe:

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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): \_\_\_\_\_.
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		<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.

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Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

Government Entity: \_\_\_\_\_

**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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T.L. 204 WITHIN THE NE 1/4, SECTION 4, TOWNSHIP 7 NORTH, RANGE 5 WEST, WY

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