

Application for a Permit to
Store Water in a Reservoir
Alternate Review (ORS 537.409)



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

You may use this form for any reservoir storing less than 9.2 acre-feet *or* with a dam less than 10 feet high.

Use a separate form for each reservoir

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME			PHONE (HM)
PHONE (WK)	CELL		FAX
ADDRESS			
CITY	STATE	ZIP	E-MAIL *

Organization

NAME		PHONE	FAX
BULL SPRINGS RANCH, LLC, ATTN: TODD TAYLOR		541-382-5188	
ADDRESS		CELL	
18525 BULL SPRINGS ROAD			
CITY	STATE	ZIP	E-MAIL *
BEND	OR	97703	TMT@TAYLORNW.COM

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

AGENT / BUSINESS NAME		PHONE	FAX
GSI WATER SOLUTIONS, INC., ATTN: ADAM SUSSMAN		541-257-9001	
ADDRESS		CELL	
1600 SW WESTERN BLVD., SUITE 240			
CITY	STATE	ZIP	E-MAIL *
CORVALLIS	OR	97333	ASUSSMAN@GSIWS.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.)

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.
- I cannot legally store water until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction. Acceptance of this application does not guarantee a permit will be issued.
- 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

Todd Taylor, President

Print Name and Title if applicable

Date

5/10/21

SECTION 2: SOURCE OF WATER AND LOCATION OF RESERVOIR

Reservoir name:	Bull Springs Ranch Reservoir				
Source*:	Groundwater from Well 1 and Well 2	Tributary:	Tumalo Creek		
County:	Deschutes				
Quantity:	9.0 Acre-Feet [length x width x depth / 43,560]				
Reservoir Location:	Township (N or S)	Range (E or W)	Section	Quarter-Quarter	Tax Lot #
	17 S	11 E	22	NE SW & SE SW	2736
Maximum Height of Dam:	5 feet. If excavated write "zero feet."				

* 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, an unnamed stream, or spring.

SECTION 3: WATER USE

Indicate the proposed use(s) of the stored water: Multipurpose use

NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stock water, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.

SECTION 4: PROPERTY OWNERSHIP

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

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

☐ There are no encumbrances

☒ This land is encumbered by easements, right of way, roads of way, roads or other encumbrances

☐ No (Please check the appropriate box below)

☐ I have a recorded easement or written authorization permitting access.

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

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

List the names and mailing addresses of all affected landowners:

N/A

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SECTION 5: ENVIRONMENTAL IMPACT

Channel: Is the Reservoir: ☐ in-stream or ☒ off channel?

Wetland: Is the project in a wetland? ☐ YES ☒ NO ☐ unknown

Existing: Is this an existing reservoir? ☐ YES ☒ NO

If YES, how long has it been in place? N/A years.

Fish Habitat: Is there a fish habitat upstream of the proposed structure? ☐ YES ☒ NO ☐ unknown

If YES, how much? N/A miles.

Existing: Have you been working with other agencies? ☐ YES ☒ NO

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

SECTION 6: WITHIN A DISTRICT

☐ 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: <u>N/A</u>		Address:	
City:	State:	Zip:	

SECTION 7: DESCRIPTION

Provide a short description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

Groundwater will be pumped from Well 1 and Well 2 and conveyed to the proposed reservoir via 4" mainline. The reservoir will be excavated and will hold up to 9.0 acre-feet of water. It will not be connected to any surface water so no live flow will need to be passed. Please see Attachment F for the proposed reservoir design.

If the diversion involves a dam, use this space below for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

The source of water is groundwater, so no dam will be used for the diversion of surface water. The reservoir will be excavated and will have a berm/dam with a maximum height of 5 feet to raise the grade on one side of the reservoir as shown in Attachment F.

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Attachment A
Watermaster Review Sheet

Application for a Permit to Store Water in a Reservoir – Bull Springs Ranch, LLC

Watermaster Alternate Reservoir Application Review Sheet

In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes the criteria used to evaluate alternate reservoir applications.

The review shall be limited to issues pertaining to: a) water availability, b) potential detrimental impact to existing fishery resources; and c) potential injury to existing water rights. (ORS 537.409 (6))

Within 60 days after the Water Resources Department provides public notice, any person may submit detailed, legally obtained information in writing, requesting the Department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

Applicant's Name: Bull Springs Ranch, LLC		
1. Does the proposed reservoir have the potential to injure existing water rights? ☐ YES ☒ NO Explain: <i>As long as the Applicant mitigates for the Consumptive Use.</i>		
2. Can conditions be applied to mitigate the potential injury to existing water rights? ☒ YES ☐ NO Explain: <i>Mitigate as required Per Deschutes mitigation Program.</i>		
3. Is water available for the proposed reservoir? ☒ YES ☐ NO		
4. If yes, during what period? Beginning: <i>Jan 1</i> End: <i>Dec 31</i> Attach a WARS printout at 50% exceedance. If WARS does not cover the proposed location, make a recommendation for a storage season based upon regulation history and your knowledge of the location. (Water Availability for Reservoir Policy found under OAR 690-410-0070(2)(c))		
5. Did you meet with staff from another agency to discuss this application? ☐ YES ☒ NO		
Who:	Agency:	Date:
Who:	Agency:	Date:

Watermaster Name: Jeremy Giffon
Watermaster Signature: *[Signature]* Date: 3-23-21

NOTE: This completed form must be returned to the applicant

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Attachment B
ODFW Review Sheet

Application for a Permit to Store Water in a Reservoir – Bull Springs Ranch, LLC

ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name: BULL SPRINGS RANCH, LLC, ATTN: TODD TAYLOR

Address: 18525 BULL SPRINGS ROAD

Phone/Email: 541-382-5188 / TMT@TAYLORNW.COM

Reservoir Name: Bull Springs Ranch Reservoir

Source: Groundwater from Well 1 and Well 2

Basin Name: Deschutes / Tumalo

Twp Rng Sec QQ: 17S 11E 22 NE SW

Volume (AF): 9

☐ in-channel

☒ off-channel

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Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.

This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) staff.

- 1) Is the proposed project and AO¹ off channel?.....☒ YES* ☐ NO
(if yes then proceed to #4; if no then proceed to #2)

**Based on available information, the proposed use does not appear to involve instream structures that would create or maintain an artificial obstruction. However, if the applicant creates or maintains an artificial obstruction to fish passage for the proposed use, the applicant will need to address Oregon's fish passage laws.*

- 2) Is the proposed project or AO located where NMF² are or were historically present?.....☐ YES ☐ NO
(if yes then proceed to #3; if no then proceed to #4)

3) If NMF are or were historically present:

- a. Is there an ODFW-approved fish-passage plan?.....☐ YES ☐ NO
b. Is there an ODFW-approved fish-passage waiver or exemption?.....☐ YES ☐ NO

If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be "Yes" to move forward with the application. If responses to 3(a) and 3(b) are "No", then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.

- 4) Would the proposed project pose any other significant detrimental impact to an existing fishery resource locally or downstream?.....☒ YES ☐ NO

Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)

- ☒ Any diversion or appropriation of water for storage during the period Jan through Dec poses a significant detrimental impact to existing fishery resources. (For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.) If NMF fish are present at the project site or point

¹ AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

² NMF = Native Migratory Fish Species in Oregon as defined by OAR 635 - 412 - 0005 (32)

of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.

- ☒ This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

ESA-listed Mid-Columbia Summer Steelhead, and sensitive Redband Trout and Mid-Columbia Spring Chinook are present in Tumalo Cr and the Deschutes River during the period of proposed use. Instream flows to fulfill IS 70752 for aquatic life are not being met wholly in Tumalo Cr during the period of impact. Instream flows to fulfill IS 70695 for aquatic life are not being met partially in the Deschutes River during the period of impact. Based on parameters assessed by ODFW, instream flows are currently below those essential to support the biological needs of an existing fishery resource during January thru December in Tumalo Cr and April thru December in the Deschutes River. The proposed use will diminish physical habitat and alter the flow regime to which fish are naturally adapted, negatively affecting their distribution, productivity, and abundance. Therefore, a further reduction in flow or alteration of habitat from the proposed use would impair or be detrimental to an existing fishery resource and/or their habitat without appropriate conditions and/or mitigation.

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?

☐ NO (explain) ☒ YES (select from Menu of Conditions on next page)

- ☒ See applicable conditions selected from "Menu of Conditions" on next page

Menu conditions below apply to the footprint of the reservoir. ODFW understands that impacts to surface water pertaining to new groundwater permits associated with this reservoir will be mitigated through the Deschutes Groundwater Mitigation Program. Based on photos provided by the applicant, the development of the reservoir will not impact existing wetlands.

ODFW Signature: Aaron MAxwell Digitally signed by Aaron MAxwell
Date: 2021.04.13 12:12:35 -0700

Print Name: Aaron Maxwell

ODFW Title: East Region Hydropower and Water Right Coordinator

Date: April 1, 2021

NOTE: This completed form must be returned to the applicant.

Revised 10/4/12; reformatted 5/12/20

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MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA

Revised May 12, 2020, March 25, 2021

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Use this menu to identify appropriate conditions to be included in the permit:

- ☒ **Agricultural Water Quality Management Area Rules:** The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.
- ☐ **b52** Water may be diverted only when Department of Environmental Quality sediment standards are being met.
- ☐ **b5** The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.
- ☐ **b51a** The period of use has been limited to type here through type here.
- ☐ **b57** Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.
- ☐ **b58** Before water use may begin under this permit, a staff gage that measures the entire range and stage 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.
- ☐ **blv:** Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

- ☐ **Bypass Flows:** Per 690-410-0070 (2)(c), the following flows shall be bypassed or passed through the reservoir during the filling season:
- 1) When the biologically necessary flows identified below are not available immediately upstream of the impacted area, the permittee shall pass all live flow downstream at a rate equal to the inflow, minus the amount of mitigation water provided upstream, if applicable, and
 - 2) When the biologically necessary flows identified below are available immediately upstream of the impacted area, the permittee shall pass flow downstream at a rate equal to or greater than the biologically necessary flows.
- Once the reservoir has reached the permitted volume, all live flow shall be passed downstream at a rate equal to the inflow.

The permittee shall quantify and document inflow and outflow and maintain the bypass flows for the life of the permit and subsequent certificate per the approved Bypass Plan. The bypass flow data shall be available upon request by the Oregon Water Resources Department, Oregon Department of Fish and Wildlife, Oregon Department of Environmental Quality, or Oregon Department of Agriculture.

- ☒ **Construction Activities:** For construction activities (clearing, grading, excavation, staging, and stockpiling) that will disturb one or more acres and may discharge to state waters, the permittee is required to obtain from DEQ a 1200-C NPDES Stormwater Construction Permit prior to project construction.
- ☐ **fence:** The stream and its adjacent riparian area shall be fenced to exclude livestock.
- ☐ **fishapprove:** 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.
- ☐ **fishdiv33:** 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 decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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.

- ☐ **fishmay:** Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.

- ☐ **fishpass:** As required by ORS 509.585, a person owning or operating an artificial obstruction (AO) may not construct or maintain any AO across any waters of this state that are inhabited, or historically inhabited, by native migratory fish (NMF) without providing passage for NMF. A person owning or operating an AO shall, prior to construction, fundamental change in permit status or abandonment of the AO in any waters of this state, obtain a determination from ODFW as to whether NMF are or historically have been present in the waters. If ODFW determines that NMF are or historically have been present in the waters, the person owning or operating the AO shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish-passage facility, waiver, or exemption must be obtained from the department prior to construction, permit modification or abandonment of the AO. Approved fish-passage plans, waivers, and exemptions shall maintain adequate passage of NMF at all times (ORS 509.601) as per the approved plan, waiver or exemption.
- ☐ **fishself:** 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 prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.
- ☒ **Fish Stocking:** Per ORS 498.222 and OAR 635-007-0600, all persons transporting fish in Oregon need to have a fish transport permit issued by the Oregon Department of Fish and Wildlife (ODFW). The permittee shall not stock fish in the reservoir without a fish transport permit approved by ODFW. As part of the permitting process, the permittee must also screen the inlet and outlet of their pond to insure that fish cannot escape into public waters and/or to keep wild fish from entering the pond.
- ☐ **futile call:** The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the type here River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
- ☐ **In-Water or Riparian Construction:** For in-water or riparian construction, permittee may be required to obtain additional permits from the Oregon Department of State Lands, the U.S. Army Corps of Engineers, and the DEQ Section 401 certification program prior to construction. The applicant must contact these agencies to confirm requirements.
- ☐ **In-Water Work:** Any in-water work related to construction, development, or maintenance of the proposed use shall be conducted during the preferred work period of type here unless an alternate time period is approved by the Oregon Department of Fish and Wildlife.
- ☐ **Live Flow:** Once the allocated volume has been stored, permittee shall pass all live flow downstream at a rate equal to inflow, using methods that protect instream water quality.
- ☒ **Off-Channel Stored Water Releases:** The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.
- ☐ **On-Channel Reservoir:** The permittee shall design and operate the water storage facility such that all waters within and below the reservoir meet water quality criteria. The permittee shall develop a reservoir operations plan that details how water quality criteria and standards will be met. A Certified Water Rights Examiner shall verify that the reservoir operations are consistent with the plan before a certificate is issued. The reservoir operator shall maintain a copy of the plan and make it available for review upon request.
- ☐ **riparian:** 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.
- ☒ **Water Quality:** All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards.
- ☐ **wetland:** The permittee must submit an offsite determination request to the Oregon Department of State Lands (DSL) to determine the need for a wetland delineation prior to disturbance or development of the point of diversion and/or diversion of water.
- ☐ **wq:** The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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Attachment C

Land Use Information Form

Application for a Permit to Store Water in a Reservoir – Bull Springs Ranch, LLC

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

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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Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266503-986-0900
www.oregon.gov/OWRD

NAME BULL SPRINGS RANCH, LLC, ATTN: TODD TAYLOR			PHONE (HM)	
PHONE (WK) 541-382-5188		CELL		FAX
ADDRESS 18525 BULL SPRINGS ROAD				
CITY BEND	STATE OR	ZIP 97703	E-MAIL* TMT@TAYLORNW.COM	

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:
17S	11E	22	NESW	2735, 2736	F1	☒ Diverted	☒ Conveyed	☒ Used	Storage for irrigation, recreation, wildlife
17S	11E	22	SESW	2736	F1	☒ Diverted	☒ Conveyed	☒ Used	

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

Deschutes 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) _____

Estimated quantity of water needed: 9.0 ☐ 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 Storage for multiple purposes

Briefly describe:

The applicant is proposing to store water in a reservoir for multiple purposes including irrigation, recreation, and wildlife. The applicant is concurrently applying for a permit to appropriate groundwater for storage in this reservoir.

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

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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): DCC 18.36
- ☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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

Please see attached email correspondence. The recreational use of the reservoir is strictly private and noncommercial in nature. This LUCS does not approve any commercial uses or any other uses that require land use approval.

Name: Hether Ward Title: Associate Planner

Signature: [Signature] Phone: 541-388-6504 Date: 5/11/2021

Government Entity: Deschutes 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

Applicant name: Bull Springs Ranch

City or County: Deschutes Co. Staff contact: Hether Ward

Signature: [Signature] Phone: 541-388-6504 Date: 5/4/21

WARRANTY DEED

Unless a change is requested,
all tax statements shall be sent to
Grantee at the following address:
SAME AS PREVIOUS

After recording, this Deed
shall be delivered to:
DANIEL C RE
747 SW MILL VIEW WAY
BEND OR 97702

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2012-52511



\$63.00

00871283201200525110040042

12/28/2012 03:27:01 PM

D-D Cnt=1 Stn=1 BN

\$20.00 \$11.00 \$16.00 \$10.00 \$6.00

The true consideration for this transfer is \$NONE.

4
TODD M. TAYLOR and LORRI D. TAYLOR, Grantor, conveys and warrants to BULL
SPRINGS RANCH, LLC, an Oregon Limited Liability Company, Grantee, the following described
real property located in Deschutes County, Oregon:

See Exhibit "A" Attached Hereto

SUBJECT TO all exceptions to coverage contained in grantor's policy or policies of title insurance insuring grantor's title to the subject property, if grantor has any such policy or policies of title insurance in effect, and if not, subject to all encumbrances, easements and restrictions of record and which an accurate survey or inquiry of parties in possession of the property would disclose.

The liability and obligations of Grantor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained in this deed or provided by law shall be limited to the amount, nature, and terms of any right of indemnification available to Grantor under any title insurance policy, and Grantor will have no liability or obligation except to the extent that reimbursement for such liability or obligation is available to Grantor under any title insurance policy. The limitations contained in this paragraph specifically do not relieve Grantor of any liability or obligations under this instrument, but merely define the scope, nature, and amount of the liability of obligations.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855,

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OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

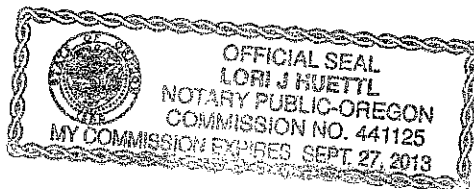
DATED December 28th 2012

TODD M. TAYLOR

LORRI D. TAYLOR

STATE OF OREGON, County of Deschutes, ss:

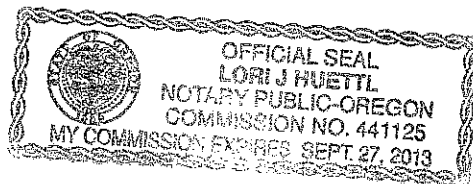
The foregoing instrument was acknowledged before me this 28 day of Dec, 2012, by TODD M. TAYLOR.



Lori J Huettl
Notary Public for Oregon

STATE OF OREGON, County of Deschutes, ss:

The foregoing instrument was acknowledged before me this 28 day of Dec, 2012, by LORRI D. TAYLOR.



Lori J Huettl
Notary Public for Oregon

2 - WARRANTY DEED

Q:\Data\DCR\Clients\TVTaylor\Todd\2012 Gifts\Bull Springs\Taylor Deed for Bull Springs.wpd

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EXHIBIT "A"
LEGAL DESCRIPTION

Parcel One (1) of Partition Plat 2002-90, PP2-369 recorded December 23, 2002, Deschutes County, Oregon.

EXCEPTING THEREFROM:

A portion of Parcel 1, Partition Plat No. 2002-90, as recorded December 23, 2002, in Partition Plat Cabinet 2, Page 369 in the office of the Deschutes County Clerk, located in a portion of the north one-half of Section Twenty-two (22), Township Seventeen (17) South, Range Eleven (11) East, Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Commencing at the southwest corner of the northeast one-quarter of the southwest one-quarter of the northwest one-quarter (NE1/4SW1/4NW1/4) of said Section 22; thence along the northerly boundary of said Parcel 1, North 89°55'05" East a distance of 167.34 feet to the True Point of Beginning; thence continuing along said Parcel One (1) boundary the following three (3) courses:

North 89°55'05" East a distance of 1815.06 feet;
North 89°52'55" East a distance of 1321.24 feet;
South 00°13'35" West a distance of 335.46 feet;

thence leaving said boundary, continuing South 00°13'35" West a distance of 9.81 feet to the northerly 33.00 foot road easement right-of-way, described as Exhibit 6, in instrument recorded June 26, 2001 in Volume 2001 Page 30658, Deschutes County Official Records; thence South 87°01'53" West a distance of 51.72 feet; thence South 71°16'13" West a distance of 74.68 feet; thence South 68°35'34" West a distance of 180.92 feet; thence South 69°12'37" West a distance of 45.72 feet; thence North 20°47'23" West a distance of 54.17 feet; thence 338.81 feet along the arc of a tangent curve to the left with a radius of 233.00 feet, the chord of which bears North 62°26'51" West for a distance of 309.74 feet; thence 1366.22 feet along the arc of a reverse curve to the right with a radius of 2897.00 feet, the chord of which bears South 89°24'18" West for a distance of 1353.59 feet; thence 785.35 feet along the arc of a reverse curve to the left with a radius of 2533.00 feet, the chord of which bears North 85°58'01" West for a distance of 782.20 feet; thence 379.65 feet along the arc of a reverse curve to the right with a radius of 367.00 feet, the chord of which bears North 65°12'49" West for a distance of 362.95 feet; thence North 35°34'40" West a distance of 76.03 feet to the point of beginning, the terminus of this description.

TOGETHER WITH:

A parcel of land located in a portion of the Northeast One-quarter of the Southwest One-quarter of the Northwest One-quarter (NE1/4SW1/4NW1/4) of Section Twenty-two (22), Township Seventeen (17) South, Range Eleven (11) East, Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Beginning at the Southwest corner of that parcel of land described in Warranty Deed to Dieter Mees and Eva Mees recorded March 15, 2002, in Volume 2002, Page 14581, Deschutes County Official Records; thence along the West line of said property North 00°15'48" East, a distance of 119.95 feet; thence leaving said West line South 35°34'40" East, a distance of 147.33 feet to the South line of said property; thence along said South line South 89°55'05" West, a distance of 86.27 feet to the point of beginning, the terminus of this description.

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ALSO TOGETHER WITH:

A parcel of land located in a portion of Parcel 2 of Partition Plat 2002-90 as recorded in the County Clerk's Office on December 23, 2002 in a portion of the Northeast Quarter of the Northwest Quarter (NE1/4NW1/4) of Section Twenty-two (22), Township Seventeen (17) South, Range Eleven (11), East of the Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Beginning at a point which bears South 55°51'25" East, a distance of 912.26 feet from the North one-quarter corner of said Section 27; thence along the West line and North line of said Parcel 2 the following two courses and one curve:

North 12°01'55" West, a distance of 406.19 feet;
125.03 feet along the arc of a tangent curve to the left with a radius of 320.00 feet, the chord of which bears North 23°13'30" West for a distance of 124.24 feet;
North 89°57'44" East, a distance of 595.74 feet;

Thence 736.44 feet along a non-tangent curve to the left with a radius of 590.00 feet, the chord of which bears South 42°04'34" West, a distance of 689.55 feet to the point of beginning, the terminus of this description.

EXCEPTING THEREFROM:

A parcel of land located in a portion of Parcel 1 of Partition Plat 2002-90 in a portion of the Southwest One-quarter of the Southeast One-quarter (SW1/4SE1/4) of Section Twenty-two (22), Township Seventeen (17) South, Range Eleven (11), East of the Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Beginning at a point which bears North 61°00'13" East, a distance of 1135.90 feet from the South one-quarter corner of said Section 22; thence along the East line and South line of said Parcel 1 the following two courses:

South 00°13'24" West, a distance of 550.10 feet;
South 89°58'09" West, a distance of 381.13 feet;

Thence 713.27 feet along a non-tangent curve to the left with a radius of 590.00 feet, the chord of which bears North 34°51'24" East, a distance of 670.62 feet, to the point of beginning, the terminus of this description.

FURTHER EXCEPTING THEREFROM that portion dedicated to the public for roadway and utility purposes recorded September 15, 2006, in Volume 2006, Page 62934 and Volume 2006, Page 62935, Official Records.

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Hether Ward

From: Todd Taylor <tmt@taylornw.com>
Sent: Monday, May 10, 2021 3:43 PM
To: Hether Ward
Subject: RE: 247-21-000355-PS, 356-PS

[EXTERNAL EMAIL]

Hi Hether, Leah's response is correct.

Thanks,

Hi Hether,

Recreational use would be limited to private use by the family living on the property. This could include activities such as swimming, rafting, or using an inflatable floatation device. The pond would be located on private property, and no commercial recreational uses are proposed now or in the future.

Please let me know if you need any further information, and feel free to give me a call as well.

Thank you,

Leah Cogan

From: Hether Ward <Hether.Ward@deschutes.org>
Sent: Monday, May 10, 2021 3:19 PM
To: Todd Taylor <tmt@taylornw.com>
Cc: 'Leah Cogan' <lcogan@gsiws.com>; 'Molly Monroe' <mmonroe@gsiws.com>
Subject: 247-21-000355-PS, 356-PS

Good afternoon, Todd.

I am reviewing the two OWRD LUCS that were submitted to establish a reservoir for the storage of water for irrigation, recreation and wildlife at your property located on Bull Springs Road. Additional information is requested before staff can complete the review of the LUCS applications.

Please provide additional detail, in writing, as to the specifics of the recreational aspect of your proposal. Commercial recreational uses are not reviewed/approved as part of these LUCS applications.

I look forward to your response. Thank you.

Regards,

Hether Ward | Associate Planner
Deschutes County Community Development
117 NW Lafayette Ave | Bend, Oregon 97703
Tel: (541) 388-6504 | www.deschutes.org/cd

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Attachment D
Legal Description of Property
Application for a Permit to Store Water in a Reservoir – Bull Springs Ranch, LLC

EXHIBIT "A"
LEGAL DESCRIPTION

Parcels 2 of Partition Plat 2016-22, recorded September 23, 2016, in Document No. 2016-39129,
Deschutes County, Oregon.

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Attachment E
Application Map

Application for a Permit to Store Water in a Reservoir – Bull Springs Ranch, LLC

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Attachment F
Reservoir Design

Application for a Permit to Store Water in a Reservoir – Bull Springs Ranch, LLC



May 13, 2021

Alyssa Mucken
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Application for a Permit to Store Water in a Reservoir – Bull Springs Ranch, LLC

Dear Ms. Mucken:

On behalf of Bull Springs Ranch, LLC, GSI Water Solutions, Inc. is submitting the enclosed application for a permit to store water in a reservoir under the Alternate Review process. This application requests to store up to 9.0 acre-feet of groundwater in Bull Springs Reservoir for multiple purposes including irrigation, recreation, and wildlife. The applicant is concurrently filing an application for a permit to appropriate groundwater for storage in this reservoir.

Please find enclosed the application and a check for the permit application fee in the amount of \$1,245. The fee was calculated as follows:

\$410 – Base application fee
\$315 – \$35 per AF x 9 = \$315
\$520 – Permit recording fee

Total = \$1,245

If you have any questions regarding this application, please contact me at 971-200-8519.

Sincerely,
GSI Water Solutions, Inc.

A handwritten signature in blue ink that reads "Bruce Brody-Heine".

Bruce Brody-Heine
Principal Hydrogeologist

CC: Todd Taylor, Bull Springs Ranch, LLC

Enclosures: Application for a Permit to Store Water in a Reservoir (Alternate Review)
Check in the amount of \$1,245

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MAY 14 2021

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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Bull Springs Ranch, LLC
18525 Bull Springs Road, Bend, OR 97703

Transaction Type: WR Application

Fees Received: \$ 1245.00

☐ Cash ☒ Check: Check No. 01273

Name(s) on Check: SAME

Address on Check: SAME

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: C. W. Aldrich
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.