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Water Resources Program Application for a Water Right Permit

DEPT. OF ECOLOGY
FISCAL & BUDGET

- SURFACE WATER GROUND WATER PERMANENT
 TEMPORARY SHORT TERM DROUGHT

RECEIVED
MAY 27 2011

Follow the attached instructions. Attach additional sheets as necessary.

***A NON-REFUNDABLE MINIMUM FEE OF \$50.00 MUST ACCOMPANY THIS APPLICATION.**

DEPARTMENT OF ECOLOGY
WATER RIGHTS DIVISION

Section 1. APPLICANT

Applicant/Business Name: Black Horse Ranch LLC	Phone No: 509-869-5594	Other No:
Address: 504 Honeysuckle		
City: Altus	State: OK	Zip: 73521
Email Address (optional): blackhorseranch@gmail.com		

Contact Name (if different from above): Jonathan Birnbaum	Phone No: 509-869-5594	Other No:
Relationship to Applicant: Managing Member		
Address: 504 Honeysuckle		
City: Altus	State: OK	Zip: 73521
Email Address (optional):		

Legal Land Owner or Part Owner Name of the Proposed Place of Use: Black Horse Ranch LLC	Phone No: 509-869-5594	Other No:
Address: 504 Honeysuckle		
City: Altus	State: OK	Zip: 73521
Email Address (optional):		

Section 2. STATEMENT OF INTENT

Briefly describe the purpose of your proposed project: The water will be used to power our ranch through a hydro power project.

Anticipated length of time to complete your project: 1 year until final phase is complete; currently operational however with phase 1 complete.

Water Use List all purposes for which water will be applied to a beneficial use and list quantity required for each.

Purpose(s) of Use	Rate (check one box only)		Acre-Feet per Year (AF/YR) (If known)	Period of Use (Continuously or Seasonal)
	<input type="checkbox"/> Cubic Feet per Second (CFS)	<input checked="" type="checkbox"/> Gallons per Minute (GPM)		
Hydro Power	90	(.20 CFS)	N/A	Continuously

For Ecology Use	APPLICATION NO: <u>53-30642</u>	SEPA: <u>Exempt/Not Exempt</u>
	Fee Paid: <u>\$50.00</u> Check No: <u>1813</u> <u>5-25-2011</u>	ECY Coding: 001-001-WR1-0285-000011
Date Returned	By <u>K. Ruf</u>	Priority Date <u>5-25-2011</u> WRIA: <u>5B</u> <u>Stevens Co</u>

TOTAL:			

Short Term/Temporary Water Use

Is this a request for a short term project (less than four months and non-recurring)? YES NO

Is this request for a temporary permit? YES NO

If yes to either question above, indicate the dates that the water will be needed:

FROM: ___/___/___ TO: ___/___/___

Section 3. POINT OF DIVERSION OR WITHDRAWAL
(Complete A or B, and C below)

<p>A.) If Surface Water Source</p> <p><input type="checkbox"/> Spring <input checked="" type="checkbox"/> Creek <input type="checkbox"/> River <input type="checkbox"/> Lake <input type="checkbox"/> Other: _____</p> <p>Source Name: <u>Un-named creek</u></p> <p>Tributary to: <u>South Fork Hunters Creek</u></p> <p>Number of proposed diversion points: <u>1</u></p> <p>Do you have an existing diversion? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>	<p>B.) If Ground Water Source</p> <p><input type="checkbox"/> Well(s) <input type="checkbox"/> Other: _____</p> <p>Well diameter & depth: _____</p> <p>Number of proposed points of withdrawal: _____</p> <p>Do you have an existing well? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>If available, attach Water Well Report and pump test.</p> <p>Well Tag ID No. _____</p>
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C.) Point of Diversion/Withdrawal – Legal Description

Parcel No.	¼	¼	Section	Township	Range	County
1789800			33 (all)	31N	38E	Stevens
Lot(s)	Block(s)		Subdivision			

If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner:
 _____ Feet (North/ South) and _____ feet (East/ West)
 from the (NW SW NE SE _____) corner of Section _____.

Parcel No.	¼	¼	Section	Township	Range	County
Lot(s)	Block(s)		Subdivision			

If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner:
 _____ feet (North/ South) and _____ feet (East/ West)
 from the (NW SW NE SE _____) corner of Section _____.

NOTE: If more than two points of diversion/withdrawal attach additional information on a separate sheet of paper.

Do you own the land on which the proposed point of diversion/withdrawal is located? YES NO

If no, do you have legal authority to make this application for use of another's land? YES NO

Provide the owner name(s), address, and phone number: _____

Section 4. PLACE OF USE

Attach a copy of the legal description of the property (on which the water will be used) taken from a real estate contract, property deed or title insurance policy, or copy it carefully in the space below.

Section 33 (All)

For Ecology Use	APPLICATION NO: _____	SEPA: Exempt/Not Exempt
	Fee Paid: _____	Check No: _____
Date Returned _____		Priority Date _____
By _____		By _____
		WRIA: _____

1/4	1/4	Section	Twp.	Range	County	Parcel No.
		33 (all)	31N	38E	Stevens	1789800

Do you own all the lands on which the proposed place of use is located? YES NO.

If no, do you have legal authority to make this application for use of another's land? YES NO

Provide owner name(s), address, and phone number: _____

Are there any other water rights or claims associated with this property or water system? YES NO

If yes, provide the water right and/or claim numbers: _____

Attach a map of your project showing the point of diversion/withdrawal and place of use. If platted property, be sure to include a complete copy of the plat map.

Section 5. WATER SYSTEM DESCRIPTION

Describe your proposed water system (include type and size of devices used to divert or withdraw water from source): Two submerged, screened intake tanks in the creek with an 850' penstock running down the valley to a power house. The water powers a 700W hydro generator and the water flows back into the creek via the tailrace. The final phase of the project will move the intake upstream another 2000', and utilize the same penstock and power house, but with increased head and power output.

Section 6. DOMESTIC WATER SUPPLY SYSTEM INFORMATION
 (Complete A or B, and C below)

A.) Domestic Water Systems only	B.) Municipal Water Systems only <i>(defined under RCW 90.03.015)</i>
Projected number of connections to be served: _____	Present population to be served water: _____
Type of connections: _____ <i>(e.g., home, recreational cabin)</i>	Estimate future population to be served: _____ (20 year projection)

C.) Water System Planning

Do you have a Water System Plan approved by the Washington State Department of Health, Drinking Water Division? YES NO

If yes, date plan was approved ____/____/____ Water System Number: _____

Name of water system: _____

Are you within the service area of an existing water system? YES NO

If yes, explain why you are unable to connect to the system: _____

Section 7. IRRIGATION/STOCKWATER/OTHER FARM USES

Irrigation

Total number of acres requested to be irrigated under this application = _____ ACRES

NOTE: Outline the area to be irrigated on your attached map.

Stockwater

List number and kind of stock: _____

Is the proposed project for a dairy farm? YES NO

Other Proposed Farm Uses

Describe all proposed uses: _____

Family Farm Water Act (RCW 90.66):

Calculate the acreage in which you have a controlling interest, including only:

- Acreage irrigated under water rights acquired after December 8, 1977,
- Acreage proposed to be irrigated under this application, and
- Acreage proposed to be irrigated under other pending application(s).

Is the combined acreage under existing rights greater than 6000 acres? YES NO

Do you have a controlling interest in a Family Farm Development Permit? YES NO

If yes, enter Permit No: _____

Section 8. OTHER WATER USES

Hydropower

Indicate total feet of head 80 _____ and proposed capacity in kilowatts: 0.7

Describe works: 2 submerged in-stream intake tanks, 850' 6" penstock, 700W hydro generator for a 1990 amp/hour battery DC system, tailrace back to the creek.

Indicate all uses to which power is to be applied: Residential and commercial to power all structures on the ranch, and all electrical equipment and machinery.

FERC License No: Exempt (filed Petition for Declaratory Order, declared exempt from FERC jurisdiction/licensing).

Mining/Industrial Use

Describe use, method of supplying and utilizing water: NA

Other Use

NA

Section 9. WATER STORAGE

Will you be using a dam, dike, or other structure to retain or store water? YES NO

Are you proposing to store more than 10 acre-feet of water? YES NO

Will the water depth be 10 feet or more? YES NO

If you answered yes to any of the above questions, please describe: Small rock weir to allow the water to back-up approx. 18" - 2' to provide enough water to fill the intake tanks.

NOTE: If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point and some portion of the storage will be above grade, you must also complete an Application for Permit to Construct a Reservoir and a Dam Construction Permit and Application.

Section 10. DRIVING DIRECTIONS

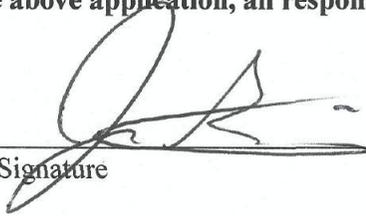
Provide detailed driving directions to the project site: From Spokane: Drive North on Division and take Hwy 395 at the "Y". Go through Deer Park and once you get to Loon Lake (intersection with two gas stations and a motel sign) take a left onto Springdale-Hunters Rd. Follow this road all the way through Springdale. After the railroad bridge, take a left at the sign that says "Hunters" on it. Follow this road approximately 20 miles until you come out of the mountains and into a valley, Lessig Rd will be on your right. Take this road until you see Cleveland Mine Rd on your right, take this road. Go past the gravel pit and stay left until you reach the main gate (see attached map).

Site Address: NA

Section 11. REQUIRED SIGNATURES

I certify that the information provided in this application is true and accurate to the best of my knowledge. I understand that in order to process my application, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though the employees of the Department of Ecology may have assisted me in the preparation of the above application, all responsibility for the accuracy of the information rests with me, the applicant.

Jonathan Birnbaum
Print Name
(Applicant or authorized representative)


Signature

3 May 2011
Date

Print Name
(Legal Owner or Part Owner Place of Use)

Signature

Date

Print Name
(Legal Owner or Part Owner Place of Use)

Signature

Date

Print Name
(Legal Owner or Part Owner Place of Use)

Signature

Date

Please check the region in which the project is located:

<p>*Submit your application to: DEPARTMENT OF ECOLOGY CASHIERING SECTION PO BOX 47611 OLYMPIA, WA 98504-7611</p>	<input type="checkbox"/> Central Regional Office 15 W Yakima Avenue, Suite 200 Yakima, WA 98902 (509) 575-2490	<input checked="" type="checkbox"/> Eastern Regional Office 4601 N. Monroe Spokane, WA 99205-1295 (509) 329-3400
	<input type="checkbox"/> Northwest Regional Office 3190 - 160 th Avenue SE Bellevue, WA 98008-5452 (425) 649-7000	<input type="checkbox"/> Southwest Regional Office PO Box 47775 Olympia, WA 98504-7775 (360) 407-6300