

## INSTRUCTIONS FOR RIGHT-OF-USE APPLICATION

### Application Process

#### **1. Complete the Right-of-Use Application**

Complete all parts of the application. Attach additional sheets, if more space is needed. If you have additional questions, please contact your local or regional Reclamation office. A list of offices can be found at the following web site address: <http://www.usbr.gov>

#### **2. Attach Plans, Specifications, Maps, and Drawings**

Submit two copies of all plans, specifications, maps, and other drawings with the application before processing can proceed. All drawings must be neat and legible. GEO referencing (latitude and longitude) should be provided, if known, on all maps and drawings. If the application is for a bridge, building, or other types of major structures, Reclamation may require that all plans and specifications be signed and sealed by a professional engineer licensed by the State where the work is proposed. A survey may be required at the applicant's expense.

#### **3. Enclose an initial minimum deposit fee of \$200, payable to the Bureau of Reclamation.**

See "Fees and Associated Costs" below for more information. Failure to submit the required fee and adequate information will cause delays in evaluation of the application.

#### **4. Submit the application, deposit fee, and attachments to your local or regional Reclamation office.**

A list of offices can be found at the following web site address: <http://www.usbr.gov>

### Fees and Associated Costs

You must submit an initial minimum deposit fee of \$200, payable to the Bureau of Reclamation with your application. If, after a preliminary review of the application, Reclamation determines the granting of a right-of-use document is incompatible with the present or future uses of the land and the right-of-use cannot be granted, Reclamation will refund \$150 of the initial minimum deposit fee.

After receipt of application and preliminary review Reclamation will advise you of the estimated administrative costs, which the applicant will be required to pay before processing the requested right-of-use. Administrative costs include, but are not limited to: appraisal costs, National Environmental Policy Act compliance, National Historic Preservation Act compliance, and costs related to Reclamation's review, document preparation, and issuance of the right-of-use. In the event the estimated administrative costs exceed the initial deposit, you will be required to supplement the initial deposit. No refund will be made for any deposits if you refuse to accept the right-of-use after it is prepared and offered.

**In addition to the administrative costs, the applicants will also be required to pay a land use fee based on the market value of the use as determined by Reclamation prior to issuance. Code of Federal Regulation Title 43, Part 429 describes the procedures that will be used to process and recover the value of right-of-use and administrative costs incurred in permitting such use.**

Additional information may be obtained by contacting the Regional Office located closest to the proposed right-of-use location:

Mid-Pacific Regional Office  
Federal Office Building  
2800 Cottage Way  
Sacramento CA 95825-1898  
916-978-5000

Pacific Northwest Regional Office  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234  
208-378-5012

Upper Colorado Regional Office  
125 South State Street, Room 6107  
Salt Lake City, UT 84138-1102  
801-524-3600

Lower Colorado Regional Office  
P.O. Box 61470  
Boulder City, NV 89006-1470  
400 Railroad Avenue  
Boulder City, NV 89005-2422  
702-293-8411

Great Plains Regional Office  
P.O. Box 36900  
Billings, MT 59107-6900  
406-247-7600

## RIGHT-OF-USE APPLICATION

(Fill out completely. If additional space is needed, include on a separate sheet of paper)

1. The right-of-use is to be issued to:

- ' Individual(s)    ' Partnership/Association    ' State Government    ' Local Government    ' Federal Government  
' Corporation    ' Other (explain) \_\_\_\_\_

2. Legal name, address, telephone number, and tax identification number or social security number (submission of social security number is optional) of individual(s) or entity right-of-use is to be issued to.

2a. Full legal name(s) and title(s) of individual(s) who will sign and accept the terms of the right-of-use document.

**Note:** If applicant is an entity or serving in a capacity other than as an individual, attach copies of the proper papers evidencing creation, good standing, and resolution/authorization for the person signing to commit the entity.

3. Name, address, and telephone number of individual to contact for additional information, if other than No. 2.

4. Specify what the application is for:

- ' New Right-of-Use                    ' Renew/amend existing Right-of-Use (include Right-of-Use Number) \_\_\_\_\_  
' Assignment of Right-of-Use Number \_\_\_\_\_

**5. Location of the proposed use:**

Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ Meridian \_\_\_\_\_

County \_\_\_\_\_ State \_\_\_\_\_ Farm Unit and Block \_\_\_\_\_

Approximate acreage : \_\_\_\_\_ Longitude (if known) \_\_\_\_\_ Latitude (if known) \_\_\_\_\_

[A map or drawing showing the location of the proposed use is required, along with GEO referencing (if known). A survey at the applicant's expense may be required.]

**6. Length of term for which the right-of-use is requested \_\_\_\_\_.** (Reclamation will determine if the term is allowed based on information submitted.)

**7. Date the applicant would begin the requested right-of-use is \_\_\_\_\_.** The anticipated completion date of construction is \_\_\_\_\_.  
(Work/use cannot begin until the right-of-use document is signed by Reclamation and all fees have been paid).

**8. Describe in detail the proposed use of Reclamation's lands, facilities, and water surface areas and include a map of the area showing the location of the project area.** This description should include: (a) type of system or facilities to be constructed (*e.g., canal, pipeline, road*), (b) related structures and facilities, (c) physical specifications (*length, width, grading, etc.*), (d) method of construction, (e) temporary work areas needed for construction, (f) volume or amount of product to be transported, (g) duration and timing of construction, and (h) other Federal, state, or other lands needed for this project to be acquired by the applicant. Include physical data and dimensions such as facility size, pipe sizes, transmission line voltages, ground clearances, and clearances from Reclamation structures, etc. Attach plans, specifications, maps, and drawings to application. (*Attach additional sheets, if additional space is needed.*) (Please review instruction No. 2. before completing.)

- 9.** Provide a description of the likely environmental effects this use will have on air quality, visual impacts, surface and groundwater quality/quantity, threatened and endangered species, historic and cultural resources, and impacts to Reclamation facilities and operation/maintenance activities. Include with this application any environmental documentation or applicable permitting requirements that support the intended right-of-use. (Additional environmental documentation may be required.)
- 10.** Give a statement of your technical and financial capability to construct, operate, maintain, and terminate the system and facilities for which a right-of-use is being requested.
- 11.** Describe other reasonable alternative routes and modes considered. Why were these alternatives not selected? Give an explanation as to why it is necessary to cross Reclamation lands.
- 12.** State whether any hazardous material will be used, produced, transported, or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance, or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations.

**13. Applicant Certification**

I certify that the information given in this application is true, complete, and correct to the best of my knowledge and belief and is given in good faith. I understand that the fees submitted with this application represent the minimum costs of processing a successful application. **I also understand that I am responsible for all administrative costs and land use fees, which are in excess of the \$200 initial deposit.**

I understand that the submission of this application is for information purposes only and does not constitute authority to work within or trespass upon Reclamation lands; and no work will commence until a fully executed right-of-use document is issued by Reclamation.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature(s) of Applicant(s)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature(s) of Applicant(s)

**Paperwork Reduction Act**

This information is needed to evaluate requests for rights-of-uses (such as easements, leases, licenses, or permits) of Bureau of Reclamation land. Response to this request is voluntary; however, without this information we may not grant your request. Public reporting burden for this form is estimated to average 2 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget control number.

**Privacy Act Statement**

Information obtained by this form is protected by the Privacy Act of 1974 system of records notice INTERIOR/WBR-29, and will be used to maintain land status information and proof of right-of-use for legal purposes. If you fail to complete all the information requested on this form, Reclamation may refuse to grant a right-of-use application.