

**APPLICATION FOR USE OF CASCADE WATER ALLIANCE
REAL ESTATE AT LAKE TAPPS**

PART A – GENERAL AND PROPERTY INFORMATION

1. Owner and Mailing Address		2. Is the property covered by a permit or license from PSE? <input type="checkbox"/> Yes
Name		
Street Address		<i>Attach copy of PSE permit or license, if applicable</i>
City and State		
ZIP Code	Daytime Phone	
E-mail Address	Home Phone	
Fax Number	Other Phone	
3. Authorized Agent's Name and Mailing Address <i>(if different from owner; if not, mark "same")</i>		
Name		
Mailing Address		
City and State, Zip Code		

PART B – USE REQUEST

The applicant must provide a complete description of any proposed use or improvement. Attach a detailed depiction and/or plans. Note that applicant is to obtain and comply with the requirements of all jurisdictions (e.g., Washington Department of Fish and Wildlife, United States Army Corps of Engineers, Bonney Lake and/or Pierce County) for approvals and permits (e.g. building, zoning, shoreline, and/or environmental protection). Cascade will notify permitting agencies when processing license requests.

**APPLICATION FOR USE OF CASCADE WATER ALLIANCE
REAL ESTATE AT LAKE TAPPS**

PART C– AUTHORIZED SIGNATURES

The undersigned hereby certifies that he/she is the legal owner of the property or is authorized to submit this Application; that he/she has read, understands and accepts all of Cascade’s terms and conditions that are a part of this application, as well as those included in the form license and in the Lake Tapps Reservoir Property Management Policy; and that the information provided in this application is true, complete and accurate to the best of his/her knowledge. The undersigned acknowledges that he or she is solely responsible for obtaining and complying with all required regulatory permits and authorizations.

All owners of the property and authorized agents must sign the Application thereby confirming their agreement to abide by the Lake Tapps Reservoir Property Management Policy, including these terms and conditions and any license issued under same.

Applicant’s Signature	Date	Applicant’s Signature	Date
-----------------------	------	-----------------------	------

Print Name	Print Name
------------	------------

I consent to Cascade Water Alliance entering the property where the project is located to inspect the project site or any work.

Owner’s Signature (<i>if different than applicant</i>)	Date	Owner’s Signature (<i>if different than applicant</i>)	Date
--	------	--	------

Print Name	Print Name
------------	------------

Mail or email completed form and all attachments to:

Paula Anderson // Cascade Water Alliance // 520 112th Avenue NE, Suite 400, Bellevue, WA 98004
panderson@cascadewater.org

Application

Terms and Conditions

Cascade Water Alliance (Cascade) is authorized to determine the conditions under which uses and/or improvements on Lake Tapps Reservoir property are appropriate under the rights granted in the 1954 Deed and 1958 Easement.

Cascade may issue a license on a case-by-case basis. Cascade will review the particular request to determine if the proposed use and/or improvement creates an operational danger or problem in the use of Lake Tapps Reservoir for water utility and recreational purposes. If Cascade determines, in its sole discretion, that such use and/or improvement is acceptable, a license will be issued, conditioned on the following:

- a) Unless an individual license provides otherwise, the license will continue unless terminated by a breach of the license by the applicant or a determination by Cascade that termination of the license is necessary for the use of the Lake Tapps Reservoir for the operation as a municipal water supply.
- b) Applicant showing it will protect against the operational dangers/problems/concerns raised by Cascade (e.g., dike integrity, water quality, recreational safety), including providing professional opinions if required by Cascade, at applicant's expense (e.g., dam engineer opinion).
- c) Applicant will obtain and comply with the requirements of all jurisdictions (e.g., Washington Department of Fish and Wildlife, United States Army Corps of Engineers, Bonney Lake and/or Pierce County) for approvals and permits (e.g. building, zoning, shoreline, and/or environmental protection). Cascade will notify permitting agencies when processing license requests.
- d) Applicant's release of Cascade from all liability associated with the use and/or improvement, including flooding damage/destruction from Cascade's right to raise the water of the Reservoir to 545' or from wave action.
- e) Applicant's full indemnification of Cascade.
- f) Applicant's proof of insurance (homeowners' insurance and contractor's proof of insurance if construction is involved) for specific use and/or improvement, naming Cascade as an additional insured, to be updated annually by the applicant.
- g) Applicant/Licensee may not sublet or assign the rights or obligations of the license; however the license transfers with the licensee's property and a purchaser or tenant must comply with the obligations. Cascade reserves the right to record the license against the licensee's property so subsequent owners are on notice of their responsibilities.
- h) Other specific requirements as may be required by Cascade.

- i) Due to Cascade's status as a public entity, and pursuant to RCW 82.29A, Cascade may collect a fee and leasehold excise tax for some licenses (as further described in the Lake Tapps Reservoir Property Management Policy), based on the fair market value of the right being granted. Improvements are subject to either leasehold excise tax or property tax. The Pierce County Assessor's office conducts inspections, reviews permit records, and uses other tools to ensure property tax is levied on owner's property as a whole (regardless of whether the improvements are located on the owner's property or Cascade's property). Cascade is in discussion with Pierce County and currently anticipates that the improvements will be subject to property tax rather than leasehold excise tax; however, this may change in the future.
- j) With the number of license applications currently anticipated, Cascade will not charge an administrative fee for a license, but may require that the applicant pay for any professional review required in processing an application. If the number of applications becomes too great, Cascade may reevaluate this policy.