

CLAIM OF BENEFICIAL USE

A fee of \$150 must accompany this form to be accepted. (ORS 536.050(1)(x))

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. Every numbered item must have a response. If any requested information does not apply to the Claim, insert "n/a." Do not delete any section of this form unless directed by the form. The Department may require the submittal of additional information from any water user or authorized agent. **A separate form shall be completed for each permit or transfer final order.**

I. General Information

1. File Information

Application Number (G, R, S or T)	Permit Number (if applicable)
CW-45	CW-45

2. Property owner (current owner information)

a. Individuals

Name	Bill and Eileen Leibbrand	<div style="font-size: 2em; font-weight: bold; margin-bottom: 5px;">RECEIVED</div> <div style="font-size: 1.2em; font-weight: bold; margin-bottom: 5px;">OCT 05 2009</div> <div style="font-size: 0.8em; font-weight: bold;">WATER RESOURCES DEPT SALEM, OREGON</div>
Mailing Address	84262 Highway 339	
City/State/Zip	Milton-Freewater, OR 97862	
Phone #	(541) 938-7233	
Fax #	N/A	
e-mail address	N/A	

If the current property owner is not the permittee or transfer holder of record, it is recommended that an assignment be filed with the Department. The COBU must be signed by the permit/transfer holder of record.

3. Permittee / Transferee of record (this may, or may not, be the current property owner)

a. Individuals

	Individual 1	Individual 2
Name	Bill and Eileen Leibbrand	
Mailing Address	84262 Highway 339	
City/State/Zip	Milton-Freewater, OR 97862	

4. Date of Site Inspection: September 14, 2009

5. Person(s) interviewed and description of their association with the project:

Name	Date	Association with the project
Bill and Eileen Leibbrand	14 SEP 2009	Owners

6. County: Umatilla

7. Tax Lot Information:

Tax map number	Tax lot number
6N 35 35B	102, 400, 500, 800, 2000

8. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(3)):

**Mark "NA" if there are no owners of property not included in this claim

Name	N/A
Contact Person and Title	N/A
Mailing Address	N/A
City/State/Zip	N/A
Phone #	N/A

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WATER RESOURCES DEPT
SALEM, OREGON

II. Points of Diversion/Appropriation and Place of Use

For each point of diversion or appropriation, provide the following information. If the claim is for more than one point of diversion/appropriation, copy and complete this section for each point of diversion or appropriation.

1. Provide a general narrative description of the distribution works. This description must trace the water system from the point of diversion or appropriation to and include the place of use:

Water is diverted from West Branch Crockett Branch with gravity diversion (weir). Water is conveyed from point of diversion (POD) to pump station with gravity mainline. Water in pump sump is at same grade as source, so unused water remains in creek. Water is pressurized with centrifugal pump, flows through flowmeter, and is distributed throughout orchard(s) with pressurized mainline. Place of use is divided in twelve (12) irrigation zones and water is applied with sprinklers mounted under trees on polyethylene laterals.

2. Point of diversion/appropriation name or number (correspond to map):

Point of diversion/appropriation name or number (correspond to map)	Well log ID # for all work performed on the well (if applicable)	Well tag # (if applicable)
Auth POD	N/A	N/A

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, and deepenings)

3. Point of diversion/appropriation source and, if from surface water, the tributary:

Source	Tributary to
West Branch of West Branch of Crockett	Little Walla Walla River

4. Point of diversion/appropriation location:

(DLC, Government Lot, ¼ ¼, Section, Township, Range)	Reference to a recognized public land survey corner by distance and bearing or by coordinates
NW/4 NE/4 of Section 35, T6N, R35E, WM	675 feet S and 140 feet E from N¼ Corner of Sec 35

5. Actual use(s), period of use, and rate for each use:

Uses	If irrigation, list crop type	When water is used	Rate for use
Irrigation	Orchard (apples)	March - October	0.666 cfs
Total Quantity of Water			0.666 cfs

6. Place of use for the point of diversion or appropriation:

DLC	Gov lot	1/4 1/4	Section	Township	Range	Use	# of primary acres	# of supplemental acres
N/A	N/A	NE NW	35	6N	35E	IR	25.92	0.0
Total Acres Irrigated							25.92 acres	

Groundwater Source Information (Well and Sump)

**If the appropriation is not from ground water (well or sump), this section, items 1-5, can be deleted.

Reservoir Data

**If this claim is not for a reservoir, or the system does not involve a reservoir as part of the distribution system, this section, items 1-7, can be deleted.

Storage tank data

**If this system does not include a storage tank as part of the distribution system, this section, item 1, can be deleted.

Gravity flow pipe (The Department typically uses the Hazen-William's formula for a gravity flow pipe system)

**If this claim does not rely on a gravity flow pipe to convey the water as part of the distribution system, this section, items 1-3, can be deleted.

1. If the system involves a gravity flow pipe, complete the table below.

Pipe size	Pipe type	"C" factor	Amount of fall	Length of pipe	Slope	Computed rate of water flow
8-inch	PVC	120	1 foot	310 feet	0.003	0.80 cfs

2. Provide calculations in the box below:

$$HL (ft) = (2.31 * 4.55 * GPM^{1.85} * PipeLength (ft)) / (C^{1.85} * PipeID (in)^{4.867})$$

$$GPM = ((DrivingHead(ft) * C^{1.85} * PipeID (in)^{4.867}) / (10.51 * PipeLength (ft)))^{0.54}$$

$$= ((1 * 120^{1.85} * 8^{4.867}) / (10.51 * 310))^{0.54}$$

$$= \underline{358 \text{ gpm}}$$

$$CFS = 358 \text{ gpm} / 448.8 \text{ gpm/cfs} = \underline{0.80 \text{ cfs}}$$

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3. If an actual measurement was taken, provide the following:

Date of Measurement	Who made the measurement	Measurement method	Measured quantity of water
14 SEP 2009	John Warinner, PE, CWRE	Flowmeter	150-160 gpm (0.3-0.4 cfs)

Attach measurements notes

Gravity flow canal or ditch (The Department typically uses Manning's formula for canals and ditches)

**If this claim does not rely on a gravity flow canal or ditch to convey the water as part of the distribution system, this section, items 1-3, can be deleted.

System Information:

Provide the following information concerning the diversion and delivery system. Trace the flow of water from the point of diversion/appropriation to the place of use.

1. Pump information

Brand	Model	Serial Number	Type (centrifugal, turbine or submersible)	Intake size	Discharge size
Berkeley	B2TPM	B53770	Centrifugal	3-inch	2-inch

2. Motor information

Brand	Model	Horsepower	Max RPM	Voltage
Baldor	JPM3312T	10	3450	230VAC

3. Meter information (if required in permit or transfer final order)

Make	Serial #	Condition (working or not)	Current meter reading	Notes
McCrometer	04-02927-4	Working	150-160 gpm	48.3151 acre-feet

4. Measurement device description

Device description	Condition (working or not)	Notes
N/A	N/A	N/A

5. Measured pump capacity (using meter if meter was present and system was operating)

Initial meter reading	Ending meter reading	Duration of time observed	Total pump output
150-160 gpm (not max capacity)	150-160 gpm	15 min	150-160 gpm

6. Theoretical pump capacity

Horsepower	Operating psi	Lift from source to pump *If a well, the water level during pumping (see pump test results)	Lift from pump to place of use	Total pump output
10	60	2.5 feet	0 feet	0.47 cfs

7. Provide pump calculations in the box below:

$$GPM = HP * 3960 * \text{pump eff} / TDH \text{ (ft)}$$

$$\text{Pump eff} = 0.75 \text{ (OWRD guidance for centrifugal pump)}$$

$$TDH = \text{lift (source to pump)} + \text{operating pressure} + \text{head loss}$$

$$HL = \text{negligible (calculation based on conditions immediately downstream from pump)}$$

$$\begin{aligned} TDH &= \text{lift (source to pump)} + \text{operating pressure} + \text{head loss} \\ &= 2.5 \text{ ft (estimated)} + (60 \text{ psi} * 2.31 \text{ ft/psi}) + 0 \text{ ft} \\ &= \underline{140 \text{ FT}} \end{aligned}$$

$$GPM = 10 \text{ HP} * 3960 * 0.75 / 140 = \underline{212 \text{ GPM}}$$

$$CFS = GPM / 448.8 = 212 / 448.8 = \underline{0.47 \text{ CFS}}$$

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8. Mainline information

Mainline size	Length	Type of pipe	Buried or above ground
8-inch (gravity)	310 ft	PVC	Buried
4-inch (pressure)	3200 ft	PVC	Buried

9. Lateral or handline information

Lateral or handline size	Length	Type of pipe	Buried or above ground
1-inch	62,750 ft	LDPE	Buried (shallow)

10. Sprinkler information Make and model:

Make	Model	Size	Operating psi	Sprinkler output	Maximum number used	Total sprinkler output
Nelson	R2000 (K4 12°)	#13	55 psi	2.23 gpm	94	0.47 cfs

Refer to the chart of sprinkler output at various pressures for most nozzle sizes attached to this document.

$$Q_{\text{sprinklers}} = \frac{(\text{max \# heads})(\text{gpm/head})}{448.8 \text{ gpm/cfs}} = \text{cfs}$$

11. Additional notes or comments related to the system:

Sprinkler spacing: 57 feet between sprinklers (every row) × 18 feet between rows = 1,026 sq.ft./sprinkler
 Number of sprinklers = 26.6 acres × 43,560 sq.ft/acre ÷ 1,026 sq.ft./sprinkler = 1,129 sprinklers
 Max number of sprinklers used = 1,129 sprinklers ÷ 12 zones = 94 sprinklers/zone
 Total sprinkler output = 94 sprinklers × 2.23 gpm/sprinkler = 210 gpm
 Total sprinkler output = 210 gpm ÷ 448.8 gpm/cfs = 0.47 cfs

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III. CONDITIONS

Please pay special attention to this section. All conditions contained in the permit or transfer final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. **Time Limits:**

a. Permits or transfer Final Orders contain any or all of the following dates; the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use is to be completed by. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or transfer final order:

NOTE: Conserved Water Final Order issued May 4, 2007 with C-Date (only) of October 1, 2008

	Dates from permit or transfer final order	Date accomplished	Description of actions taken by water user to comply with the time limits
Begin construction	N/A	May 2004	Installed pump and portion of irrigation system
Complete construction	01 OCT 2008	May 2005	Installed irrigation system on remaining acres
Complete application of water	01 OCT 2008	May 2007	Applied water to irrigate apple orchard

2. Initial Water Level Measurements:

****If the Claim is for surface water or a reservoir, or if the water user was not required to submit static water level measurements, items b through e relating to this section can be deleted.**

a. Was the water user required to submit an initial static water level measurement? NO

3. Annual Static Water Level Measurements:

****If the Claim is for surface water or a reservoir, or if the water user was not required to submit static water level measurements, items b through e relating to this section can be deleted.**

a. Was the water user required to submit annual static water level measurements? NO

4. Measurement, recording, and reporting conditions:

a. Does the permit or transfer final order require installation of a meter or approved measuring device? NO

If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

****If "NO", items b through g relating to this section can be deleted.**

5. Fish Screening and/or By-pass Devices

a. Are any points of diversion required to be screened and/or have a by-pass device to prevent fish from entering the point of diversion? NO

If fish screening and/or by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

****If "NO", items b through l relating to this section can be deleted**

6. Pump Test (Required for ground permits prior to issuance of a certificate, but not a requirement of permit development)

a. Did the permit require the submittal of a pump test? NO

b. Has the pump test been previously submitted to the Department? N/A

c. Has the pump test been approved by the Department? N/A

d. If no, is the pump test attached to this Claim? N/A

7. Other Permit Conditions (examples: special well construct standards, water conservation plans, no obstructions to fish without a fishway, etc.; number as appropriate.)

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IV. Variations, Attachments, Conclusions, Map and Signatures

Variations

Include a description of variations from the permit or transfer final order

VAR 1: Location of POD. Confirmed POD location is consistent with authorized location described in Final Order. However, CWRE chose to reference the POD location to the nearest quarter-corner (N¼ Corner S35) rather than reference corner specified in Final Order (Center of S35).

VAR 2: Irrigated Acres. Total number of irrigated acres is 25.92 acres, which is less than 26.62 acres authorized in Final Order. Difference of 0.7 acre is due to exclusion area (shop and surroundings) in SW corner of property (Tax Lot 2000).

VAR 3: Maximum Rate. System capacity appears to be 0.47 cfs, which is less than 0.666 cfs authorized in Final Order.

Attachments

If you are attaching any documents to this report, provide a list below:

Attachment name	Description
COBU Map	Claim of Beneficial Use Map

Permit and Transfer Final Order Rates and System Rates Comparisons:

POD or POA name or #	Maximum rate allowed by permit or transfer final order	Calculated theoretical rate of water based on system	Actual amount of water measured (if measured)	Developed use	# of acres allowed by permit or transfer final order	# of acres developed
Auth POD	0.666 cfs	0.47 cfs	0.36 cfs (not max)	0.47 cfs	26.62	25.92

Claim of Beneficial Use Map

The Claim of Beneficial Use Map must be submitted with this Claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320', 1" = 400', or the original full-size scale of the county assessor map for the location.

In the following box, provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

GPS (Trimble GeoXH with sub-meter accuracy) and 2005 aerial photo from Oregon Imagery Explorer. Coordinate system used for COBU is NAD83 State Plane Oregon North Zone.

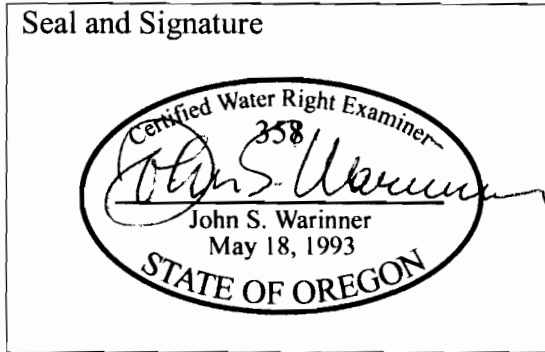
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CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



Permit or Transfer Holders Signature or Acknowledgement

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

Robert W Leibbrand
 Leibbrand, Robert (Bill) 9-30-09

Signature Print or type name Date

Eileen Leibbrand *Eileen Leibbrand* 9-30-09

Signature Print or type name Date

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 WATER RESOURCES DEPT
 SALEM, OREGON

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That C. J. KARKER

of Route 1, Freewater, State of Oregon, 97862, has a right
to the use of the waters of West Branch of West Branch of Crockett

a tributary of Little Walla Walla River for the purpose of
irrigation of 3.46 acres
and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Umatilla County, and the said decree entered of record at Salem, in the Order Record of
the STATE ENGINEER, in Volume 12, at page 9; that the priority of the right thereby
confirmed dates from 1885

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed $1\frac{1}{2}$ miner's inches per
acre measured at the point of diversion

The point of diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35, T. 6 N., R. 35 E., W. M.

A description of the place of use under the right, and to which such right is appurtenant, is as
follows:

3.46 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 35

T. 6 N., R. 35 E., W. M.

Being within the following described tract: Beginning at the northeast corner of the
NW $\frac{1}{4}$ of Section 35, T. 6 N., R. 35 E., W. M., running thence west 44 rods; thence
south 20 rods; thence east 44 rods; thence north 20 rods to the place of beginning,
containing 5.5 acres, more or less.

Certificate of water right issued to C. J. Karker and recorded at page 12826, Volume
11, State Record of Water Right Certificates, confirms the right to the use of water
for irrigation of 4.62 acres. A change in the point of diversion for the irrigation
of 1.16 acres was approved by order of the State Engineer entered April 26, 1973.
This certificate is issued to confirm the remaining right to the use of water for
irrigation and supersedes the certificate heretofore issued to C. J. Karker.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place
of use herein described.

WITNESS the signature of the State Engineer, affixed

this date November 21, 1973

Chris L. Wheeler
State Engineer

Recorded in State Record of Water Right Certificates, Volume 31, page 39602

B665

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This is to Certify, That Estate of MRS. KATIE HERR CORKERY, by Nelius Corkery, Admr.; TIMOTHY JOE and BERNARD CORKERY, Minors, of R. #2, Walla Walla, State of Washington has a right to the use of

the waters of West Branch of West Branch Crockett Creek for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County, and the said decrees entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 12, at page 9; that the priority of the right thereby confirmed dates from 1885;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed one and one-half miner's inches per acre measured at the point of diversion.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

1.0 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, T. 6 N., R. 35 E., W. M., being within the following described tract: Beginning at a point 52 rods west of the northeast corner of the NW $\frac{1}{4}$ of Sec. 35, T. 6 N., R. 35 E. W. M., running thence south 20 rods; thence at right angles east 8 rods; thence north 20 rods; thence west 8 rods to the place of beginning, containing 1 acre.

AND said right shall be subject to all other conditions and limitations contained in said decrees. The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed this 5th day of April, 1940.

CHAS. E. STRICKLIN
State Engineer.

Bals

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This is to Certify, That M. L. BALTEZORE

of Freshwater, State of Oregon has a right to the use of
 the waters of Ford Branch of Little Walla Walla River
 for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
 Umatilla County, and the said decree entered of record at Salem, in the Order
 Record of the STATE ENGINEER, in Volume 12, at page 9; that the priority
 of the right thereby confirmed dates from 1885 for 3 acres and 1894 for 3 acres;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
 amount actually beneficially used for said purposes, and shall not exceed one and one-half
 miner's inches per acre measured at the point of diversion.

A description of the lands irrigated under such right, and to which the water is appurtenant
 (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
 Section 35,
 T. 6 N., R. 35 E. W. M., being within the follow-
 ing described tract: Commencing 52 rods west of the northeast corner of the NW $\frac{1}{4}$
 of Sec. 35, T. 6 N., R. 35 E. W. M., running thence west about 28 rods to the
 northwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 35; thence south 40 rods; thence east
 about 28 rods to a point south of the place of beginning; thence north 40 rods to
 the place of beginning, containing 7 acres more or less.

AND said right shall be subject to all other conditions and limitations
 contained in said decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place
 of use herein described.

WITNESS the signature of the State Engineer,

affixed this 5th day

of April, 1940.

CHAS. E. STRICKLIN

State Engineer.

Bols

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That FRED RAUSCHKOLB

of Freshwater, State of Oregon, has a right to the use of

the waters of West Branch of Crockett Branch of Little Walla Walla River

for the purpose of Irrigation and Stock

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 12, at page 9; that the priority of the right thereby confirmed dates from 1887;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed one and one-half miner's inches per acre measured at the point of diversion.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

9.7 acres in SW 1/4 NW 1/4 Section 35, T. 6 N., R. 35 E. W. M.

AND said right shall be subject to all other conditions and limitations contained in said decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer,

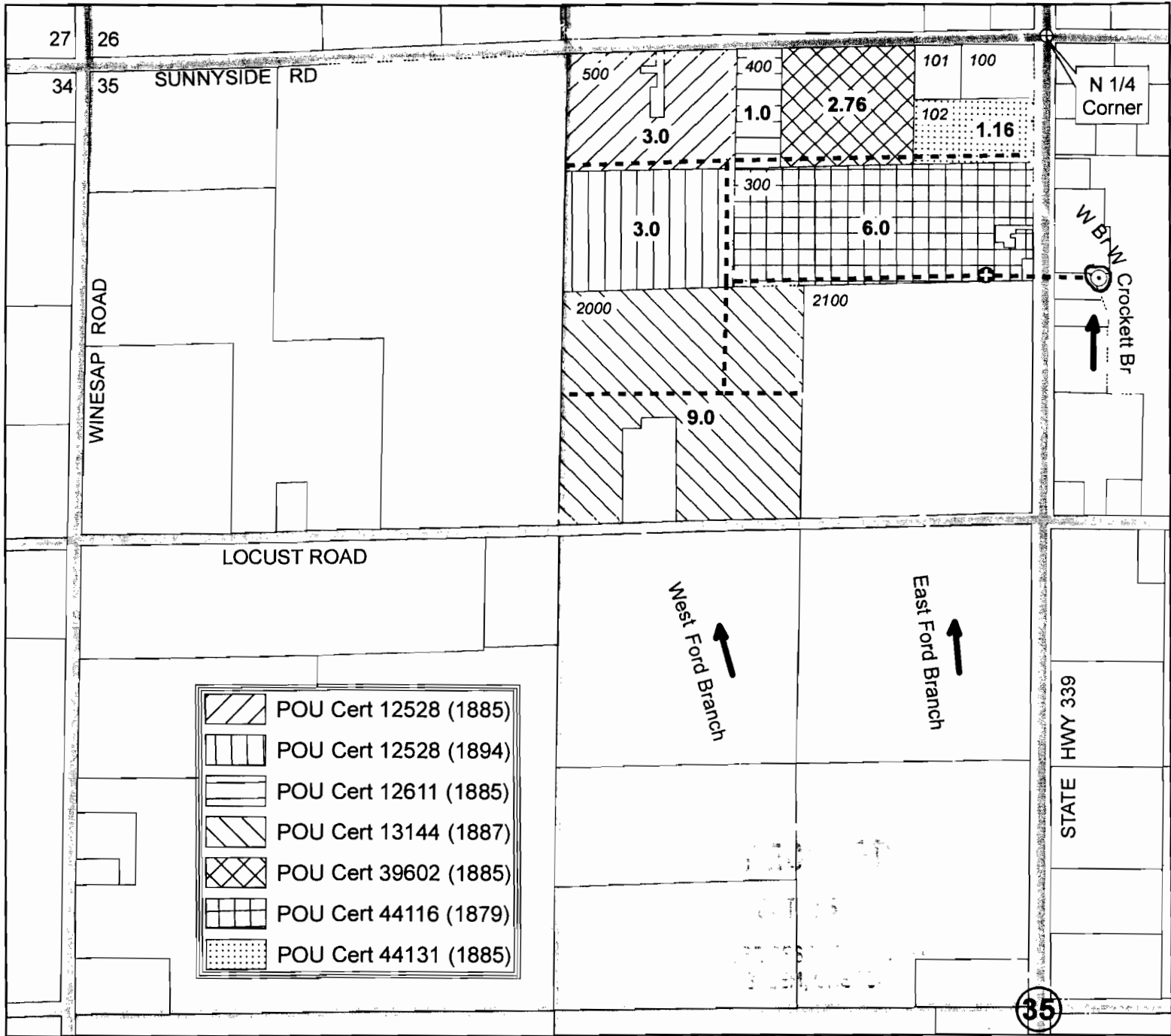
affixed this 5th day

of April, 1940.

CHAS. E. STRICKLIN State Engineer.

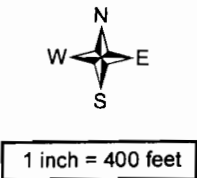
Recorded in State Record of Water Right Certificates, Volume 11, page 13144.

**SECTION 35, T6N, R35E, WM
UMATILLA COUNTY**



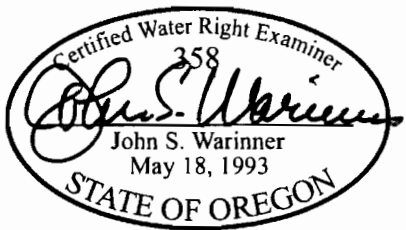
	POU Cert 12528 (1885)
	POU Cert 12528 (1894)
	POU Cert 12611 (1885)
	POU Cert 13144 (1887)
	POU Cert 39602 (1885)
	POU Cert 44116 (1879)
	POU Cert 44131 (1885)

- Authorized POD**
 Gravity diversion (weir) located 675 ft S and 140 ft E from N/4 Corner of S35. Fish screen not present nor required. Flowmeter located at pump station.
- Pump Station**
 Centrifugal pump withdraws water from sump at same hydraulic grade as source. Flowmeter installed at this location (not required).
- Conveyance**
 Gravity mainline from source to pump station (8-inch). Pressurized mainline from pump (4-inch). Water applied to apple orchard with Rotator sprinklers on LDPE laterals.
- Place of Use**
 Irrigation of 25.92 acres in the NE/4 of NW/4 of Section 35, T6N, R35E, WM (see details above).



The purpose of this map is to identify the location of a water right. It is not intended to provide information regarding the location of property ownership boundary lines.

FOUNTAINHEAD
 1204 Alvarado Terrace
 Walla Walla, WA 99362
 (509) 529-2646 phone



**CLAIM OF BENEFICIAL USE
 Conserved Water CW-45**
 in the name of
BILL & EILEEN LEIBBRAND
 Revised 28 SEP 2009