

**CLAIM OF
BENEFICIAL USE
for Transfer with Multiple
Changes – Surface Water and
Groundwater**



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

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A fee of \$230 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

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 item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter 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.

"Section 7" of this form is intended to aid in the completion of this form and should not be submitted.\

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

SECTION 1

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer involving multiple changes.

YES

Mark all that apply:

- | | |
|------------------------------------------------------------------------------|--------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Change in POD(s) or Additional POD(s) | 4. <input type="checkbox"/> Change in Character of Use |
| 2. <input type="checkbox"/> Change in POA(s) or Additional POA(s) | 5. <input type="checkbox"/> Change in Character of Use – Reservoir |
| 3. <input checked="" type="checkbox"/> Change in Place of Use | |

A separate section will be completed for each type of change authorized in the transfer final order.

1. File Information

APPLICATION # T-6783

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME JR Simplot Co		PHONE NO. 208-780-7359	ADDITIONAL CONTACT NO. 541-561-7266 (Rob Cox)
ADDRESS PO Box 27			
CITY Boise	STATE ID	ZIP 83707	E-MAIL

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each transfer holder of record must sign this form.***

3. Transfer holder of record (this may, or may not, be the current property owner)

TRANSFER HOLDER OF RECORD Same as above		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

7/20/2022

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Rob Cox	7/20/2022	Farm Manager

6. County:

Umatilla

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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**SECTION 2
SIGNATURES**

CWRE Statement, Seal and Signature

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



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CWRE NAME Scott D Montgomery		PHONE NO. 541-548-5833	ADDITIONAL CONTACT NO. 541-420-0401
ADDRESS PO Box 767			
CITY Terrebonne	STATE OR	ZIP 97760	E-MAIL scott@apeands.com

Transfer Holder of Record Signature or Acknowledgement

Each transfer holder of record must sign this form in the space provided below.

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.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	James B. Alderman	Senior Vice President and Secretary	September 23, 2022

SECTION 3
Changes Made

Note: The Claim only needs to describe the changes that were authorized in the transfer final order.

Change #1

New or Additional Point of Diversion

Change in POD(s) or Additional POD(s)

Did the transfer order authorize a change in the points of diversion or additional points of diversion? **YES**

1. New or additional point of diversion name or number:

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)	SOURCE
POD #1	Umatilla River tributary to Columbia River
POD #2	Umatilla River tributary to Columbia River

2. Variations:

Was the use developed differently from what was authorized by the transfer final order, or extension final? **YES**

If yes, describe below.

(e.g. "The order allowed three new/additional points of diversion. The water user only developed one of the points.")

Only two diversion points are used. The third diversion was abandoned.

3. Claim Summary:

NEW OR ADDITIONAL POD NAME OR #	MAXIMUM RATE AUTHORIZED IN ORDER	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
POD #1	4.17 cfs	7.32 cfs	
POD #2	4.17 cfs	7.32 cfs	

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System Description

Are there multiple new or additional Points of Diversion (POD)? **YES**

POD Name or Number this section describes (only needed if there is more than one):

POD #1

A. POD System Information

Provide the following information concerning the point of diversion. Information provided must describe the equipment used to appropriate water from the point of diversion.

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
PACO	306952		Turbine	12"	8"

2. Motor Information

MANUFACTURER	HORSEPOWER
Toshiba	100

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
100	30	10'	10'	7.32

4. Provide pump calculations:

$Q = \frac{7.04 \text{ ft}^4/\text{s}/\text{hp} \times \text{hp}}{\text{Total head, ft}} = \frac{(7.04)(100)}{96.2} = 7.32 \text{ cfs}$ $\text{Total head} = 76.2' + 10' + 10' = 96.2'$

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 (IN CFS)
Not running			

Reminder: For pump calculations use the reference information at the end of this document.

B. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the diversion involve a gravity flow pipe? NO

C. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Does the diversion involve a gravity flow ditch or canal? NO

POD Name or Number this section describes (only needed if there is more than one):

POD #2

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A. POD System Information

Provide the following information concerning the point of diversion. Information provided must describe the equipment used to appropriate water from the point of diversion.

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Cornell	SH-75-4	81577	Turbine	16"	6"

2. Motor Information

MANUFACTURER	HORSEPOWER
Balder	100

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
100	30	10'	10'	7.32

4. Provide pump calculations:

$Q = 7.04 \text{ ft}^4/\text{s}/\text{hp} \times \text{hp} = (7.04)(100) = 7.32 \text{ cfs}$ Total head, ft 96.2 Total head = 76.2' + 10' + 10' = 96.2'

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 (IN CFS)
Not running			

B. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the diversion involve a gravity flow pipe? NO

C. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Does the diversion involve a gravity flow ditch or canal? NO

Change #2

Change in POA(s) or Additional POA(s)

Did the transfer order authorize a change in the points of appropriation or additional points of appropriation? NO

Change #3

Change in Place of Use

Did the transfer order authorize a change in the place of use? YES

1. Claim Summary – Authorized Use:
If Irrigation or Nursery Use:

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THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
66.8	66.8
218.0	218.0
218.0	218.0
66.8	66.8
29.7	29.7
15.0	15.0
15.2	15.2
72.5	72.5
126.4	126.4

If the new use(s) was not irrigation or nursery:

NEW USE(S)	WAS THE NEW PLACE OF USE DEVELOPED TO THE FULL EXTENT AUTHORIZED UNDER THE ORDER? (INCLUDE THE LOCATION OF THE DEVELOPED PLACE USE ON THE CLAIM MAP)
	NA
	NA

2. Variations:

Was the use developed differently from what was authorized by the transfer final order? **NO**

If yes, describe below.

(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")

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Change #4

Change in Character of Use

Did the transfer order authorize a change in character of use? **NO**

Change #5

Change in Character of Use – Reservoir

Did the transfer order authorize a change in character of use for a reservoir? **NO**

SECTION 4

CONDITIONS

All conditions contained in the transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGES WERE COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	6/8/2009	
COMPLETENESS DATE FROM ORDER (C)	10/1/2022	7/20/2022

* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

2. Is there an extension final order(s)? **YES**

If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO
118	510	10/1/2022

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3. Measurement Conditions:

a. Does the transfer final order, or any extension final order require the installation of a meter or other approved measuring device? NO

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4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? NO

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5. Fish Screening

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a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? YES

b. Has the fish screening been installed? YES

c. When was the fish screening installed?

DATE	BY WHOM
April & Sept 2021	Castlerock farms

Reminder: If the permit or transfer final order was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion **involves a pump** *and* the **total** diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs) and the permit was issued prior to February 1, 2011:

- Has the self-certification form previously been submitted to the Department? **NA**

If not, go to <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx> , complete and attach a copy of the 'ODFW Small Pump Screen Self Certification' form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

e. If the diversion does **not involve a pump** *or* the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted?

If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at: <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

6. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? YES

If "NO", items b and c relating to this section may be deleted.

Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Have by-pass devices been installed?

YES

c. Describe the diversion works as related to whether a by-pass device is installed or unnecessary:

(Provide a letter from ODFW indicating the device is approved or is unnecessary. If there is no letter from ODFW, explain whether or not a by-pass device is necessary.)

DESCRIPTION (E.G. "ODFW HAS APPROVED THE BY-PASS DEVICE" OR "NO BY-PASS DEVICE IS NECESSARY BECAUSE THERE IS A DIRECT DIVERSION FROM THE STREAM VIA A PUMP ON RIVER LEFT STREAM BANK WITH FOOT VALVE DESCENDING DIRECTLY INTO NATURAL POOL.") IN ADDITION, YOU MAY ATTACH PHOTOS TO THIS CLAIM.	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM
*See attached ODFW letter		

7. Other conditions required by the transfer final order or extension final order:

- a. Were there special well construction standards? NO
- b. Was submittal of a ground water monitoring plan required? NO
- c. Other conditions? YES

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

No disturbed riparian area was observed

SECTION 5 ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Site photos	Pictures of irrigation system & place of use
Aerial imagery	USDA/FSA image from June 2020
ODFW Fish Screen Letter	

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SECTION 6

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 polyester film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

The changes that were authorized under the transfer final order must be mapped based on the developed locations; new or additional points of appropriation and place of use.

In cases where the order involved additional points of appropriation, the additional points should be mapped based on their developed locations. The original points of appropriation should be mapped based on the original right of record at the time the transfer final order was issued.

In cases where the order involved changing the place of use for a portion of a water right, the portion of the place of use being changed should be mapped based on the developed location. If the transfer also included portions of the place of use that were not being modified, but were receiving a new or additional point of appropriation, the place of use for those lands should be mapped based on the original right of record at the time the transfer final order was issued.

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.

The irrigation system & places of use were tied to approximate boundaries using a Trimble GeoXT 6000 GIS data collector and a Garmin ETEX handheld GPS receiver. Point data was imported into Trimble Pathfinder software & converted to Statewide Lambert Projection. Point data was overlaid with recent aerial imagery for accuracy.

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Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

(Reminder: Incomplete maps and/or claims may be returned.)

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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Oregon

Kate Brown., Governor

Department of Fish and Wildlife

John Day Fish Screening and Passage

357 Patterson Bridge Rd.

P.O. Box 515

John Day, OR 97845

Voice: 541-575-0561

FAX (541) 575-0868

www.dfw.state.or.us/



October 12, 2021

JR Simplot Co.
Vic Conrad
PO Box 27
Boise, ID 83707

Dear Mr. Conrad,

Your fish screen was inspected on 10/12/2021. In reference to water right transfer file number T-6783 this letter confirms that two National Marine Fisheries Service criteria fish screens as approved by ODFW is located on the property near GPS coordinates: West: 45.790078, -119.304839 and East: 45.792021, -119.293156.

In regards to the inspection of the fish screens located on Umatilla River, the following has been determined:

1. The screens located at coordinates West: 45.790078, -119.304839 and East: 45.792021, -119.293156 are water user-built screens using 3/32nd diameter stainless steel perforated plate.
2. The west station is two passive screens that are 24" long and 12" diameter manifolded together.
3. The west station is approved for water use up to 1,409.54 GPM or 3.14 CFS.
4. The east station is two passive screens that are 24" long and 14.5" diameter manifolded together.
5. The east station is approved for water use up to 1,775.84 GPM or 3.95 CFS.
6. All screen and pump configurations meet National Marine Fisheries Service criteria at the time of inspection, any changes or modifications to the configurations will not be covered by this certification letter.
7. These screens are end of pipe screens; therefore, no by-pass is required.

Please contact me if you have any questions regarding this letter.

Sincerely,

Nathaniel Ashley
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department

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11:44 20-07-2022

Lat: 45° 47' 40.31" N Lon: 119° 19' 15.71" W



45° 47' 40.32" N
119° 19' 15.59" W

586'

+1-2.7'

#54

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LK

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QWRD



11:50 20-07-2022

Lat: 45° 47' 49.97" N Lon: 119° 19' 13.54" W

45°47'50.13"N

119°19'13.47"W

500'

+1-1.6'

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TEL 618 5055

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#52

FLOW METER - K



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11:53 20-07-2022

Lat: 45° 47' 49.57" N Lon: 119° 19' 13.67" W

45°47'50.03" N

119°19'13.38" W

595'

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+1-5.3'

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12:08 20-07-2022

Lat: 45° 47' 29.79" N Lon: 119° 19' 3.41" W

USE FRONT COORDS

45°47'29.81"N

119°19'03.42"W

548'

⌘

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YIM ZR

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12:10 20-07-2022

Lat: 45° 47' 29.85" N Lon: 119° 19' 3.64" W



JSE FRONT

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Not adjusted

$45^{\circ}47'29.84''$ N

$119^{\circ}19'03.58''$ W

549'

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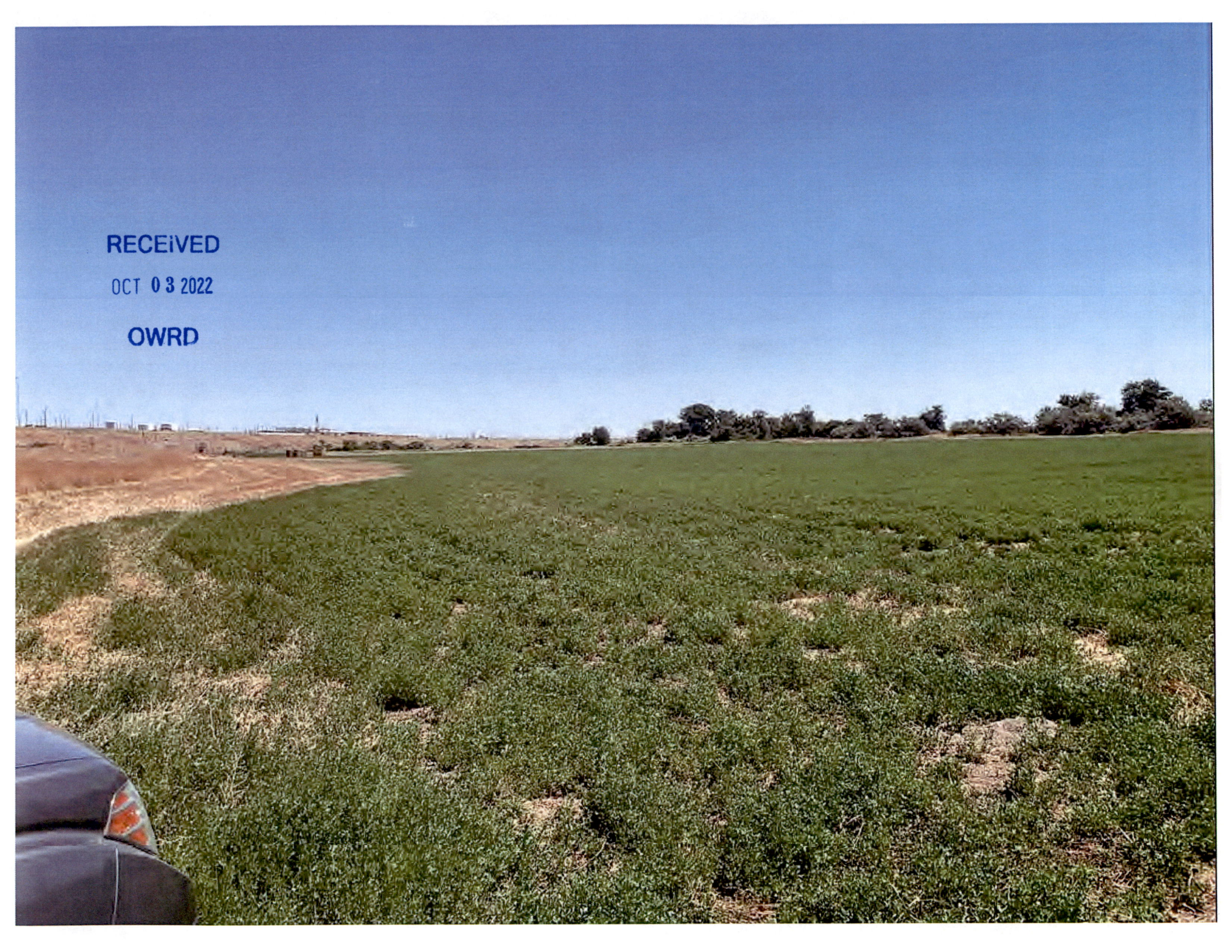
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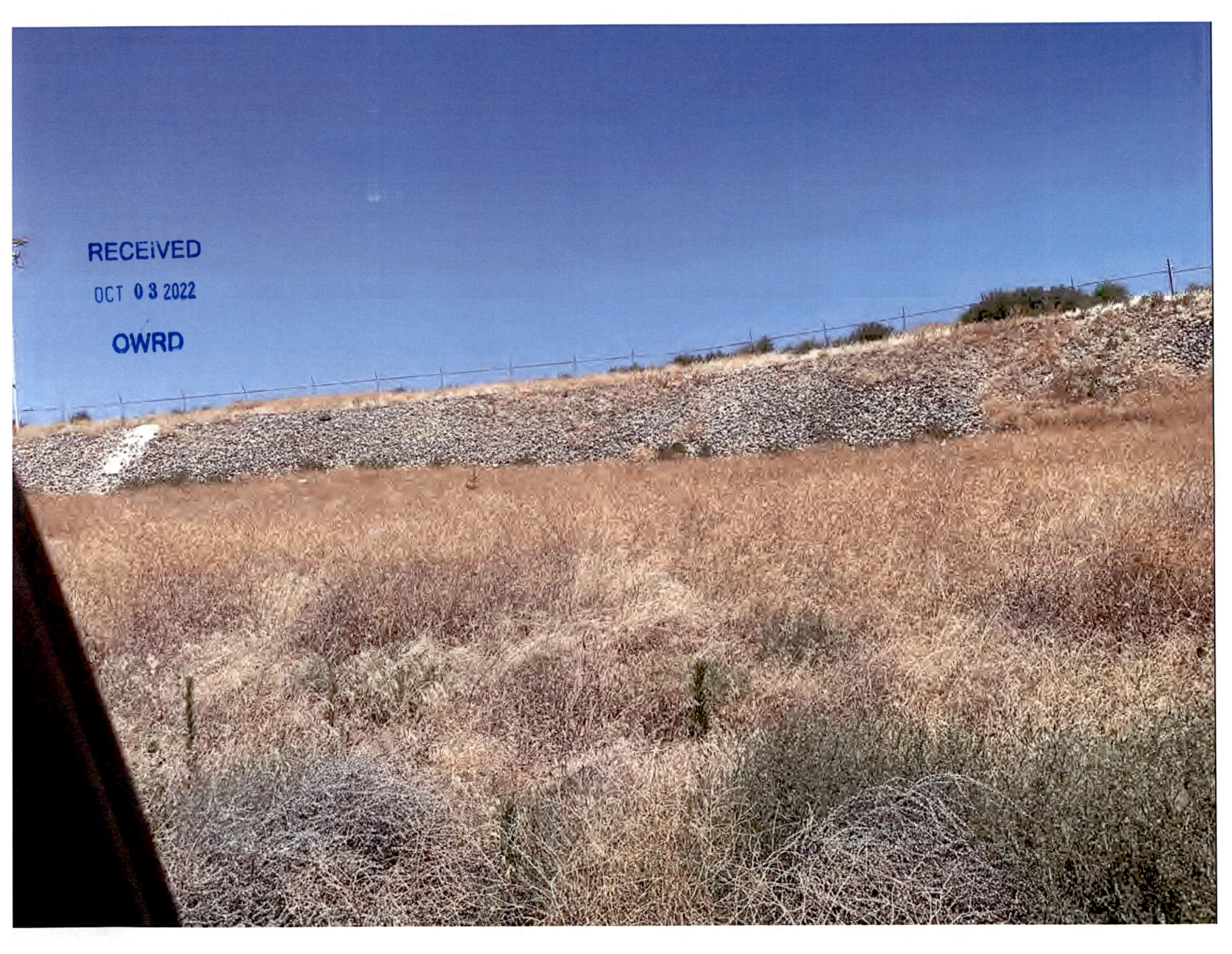
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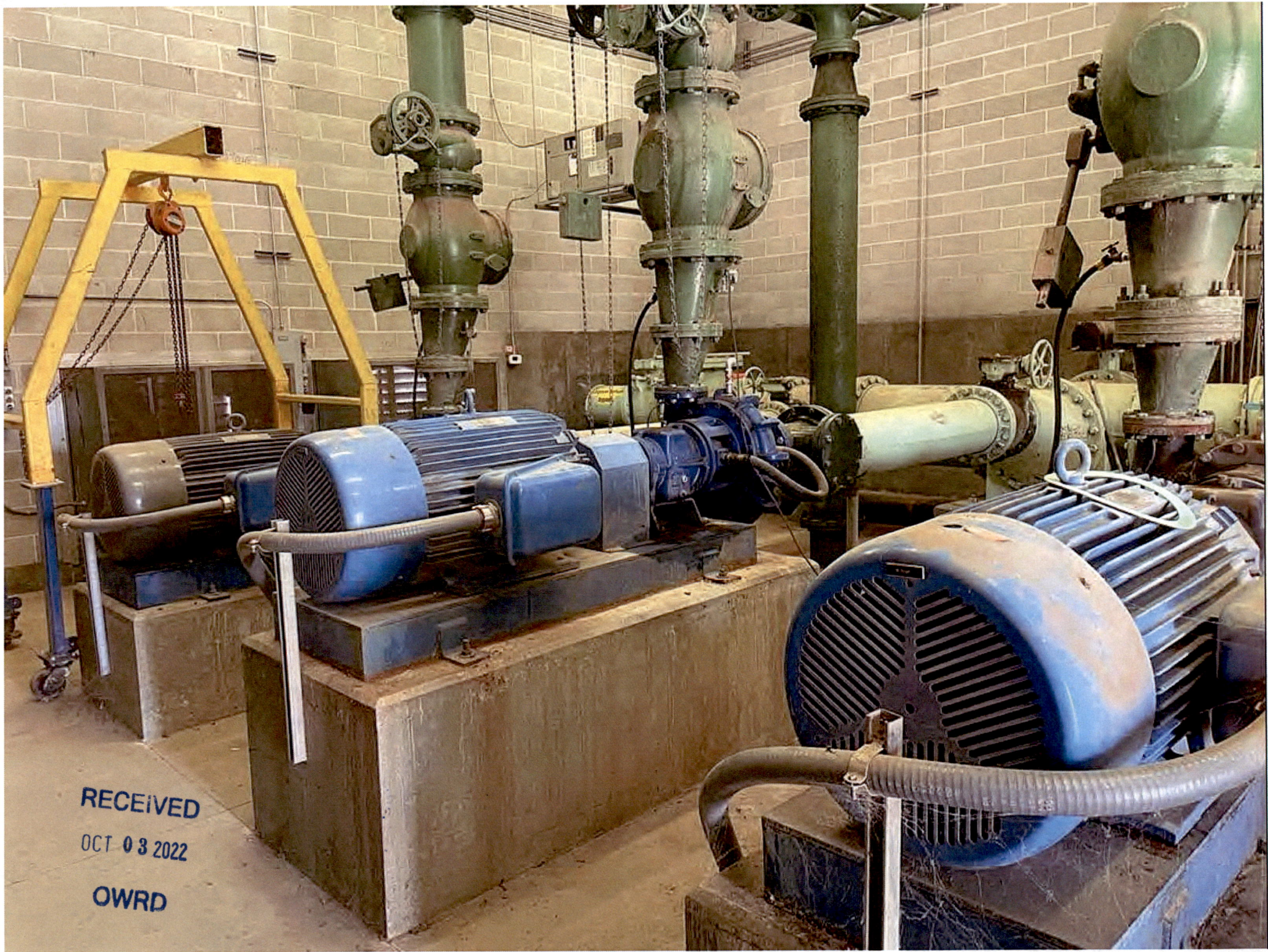


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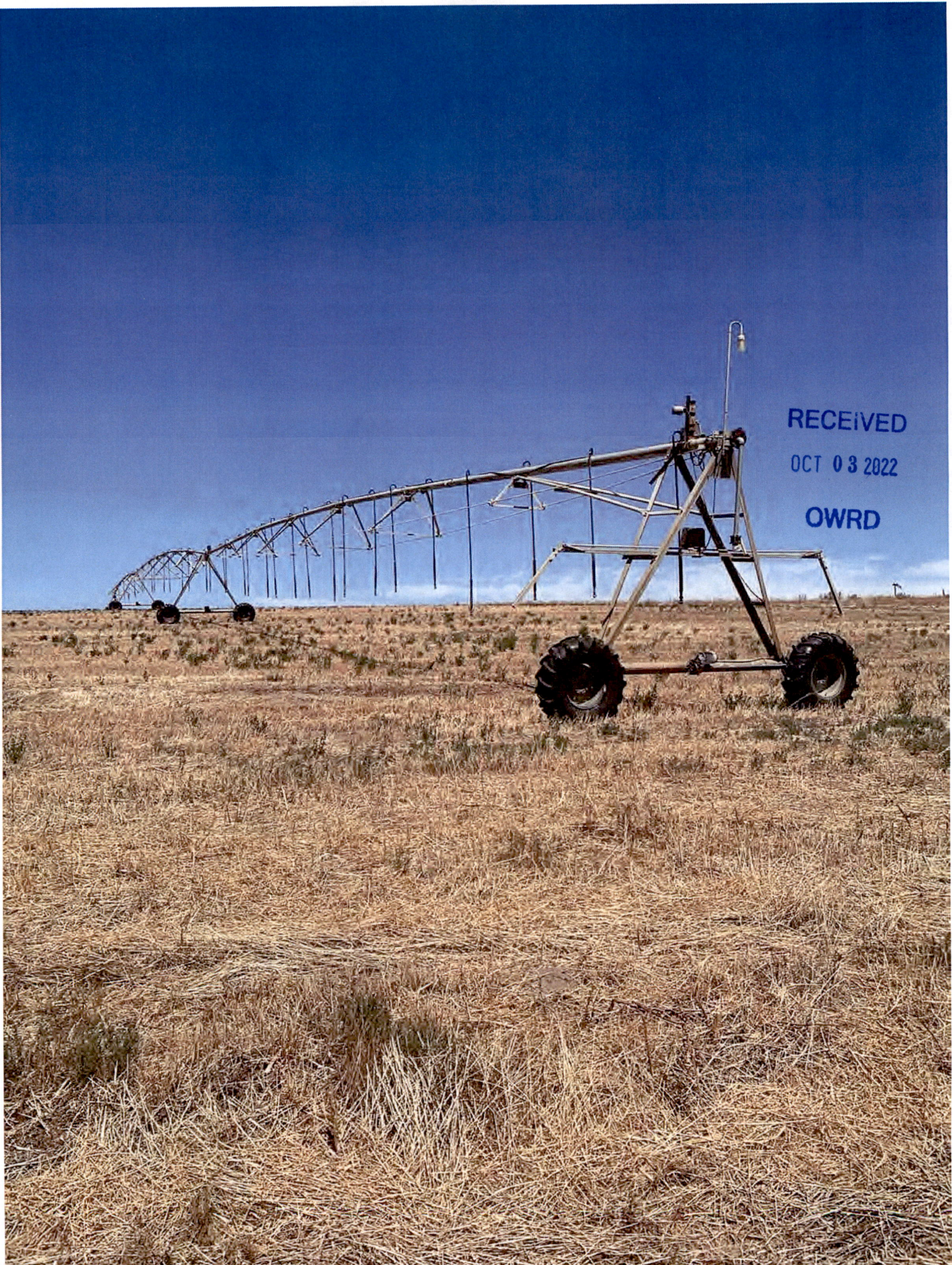
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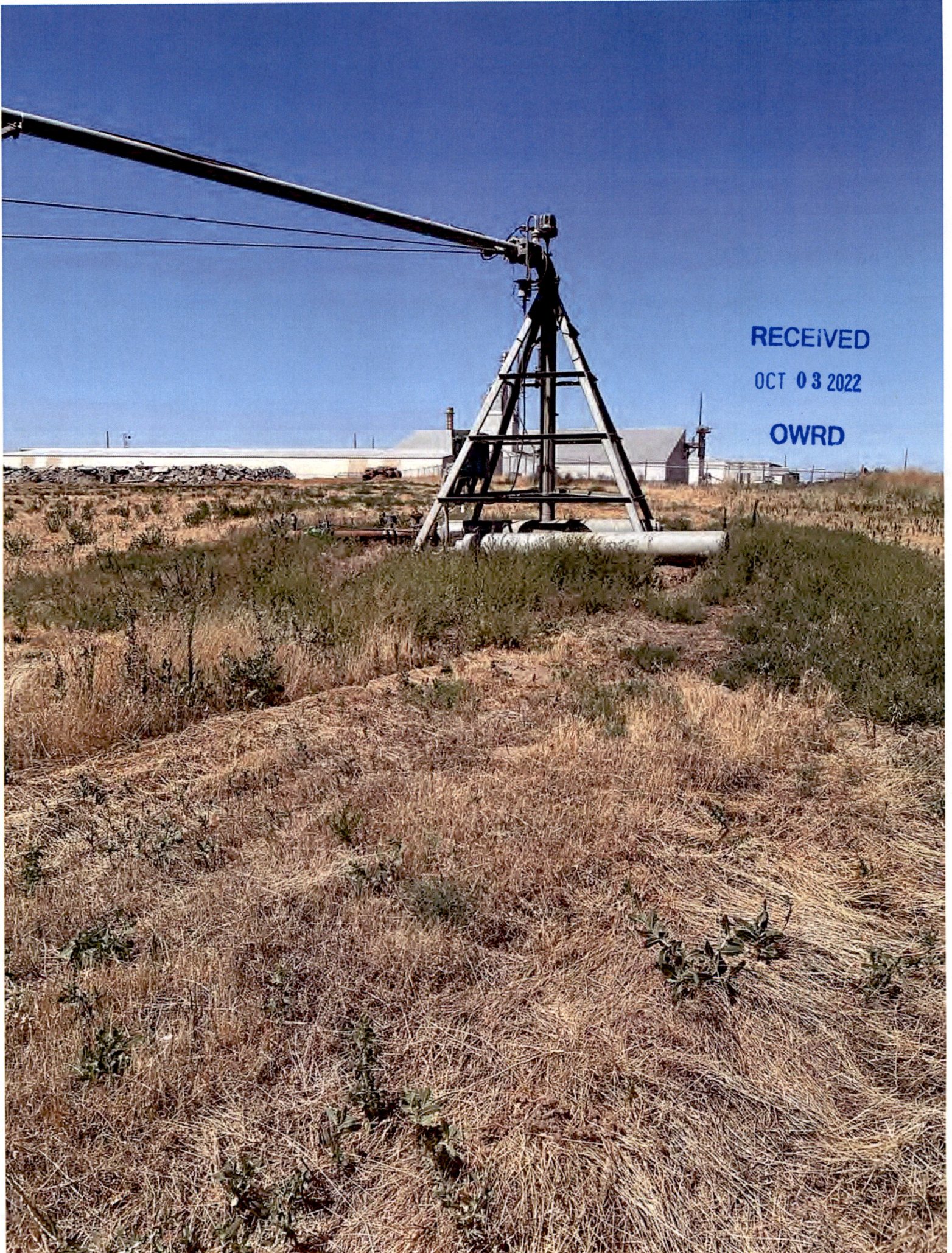




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TO PROCESS MAINLINE

TO LAGOON

TO IRRIGATION



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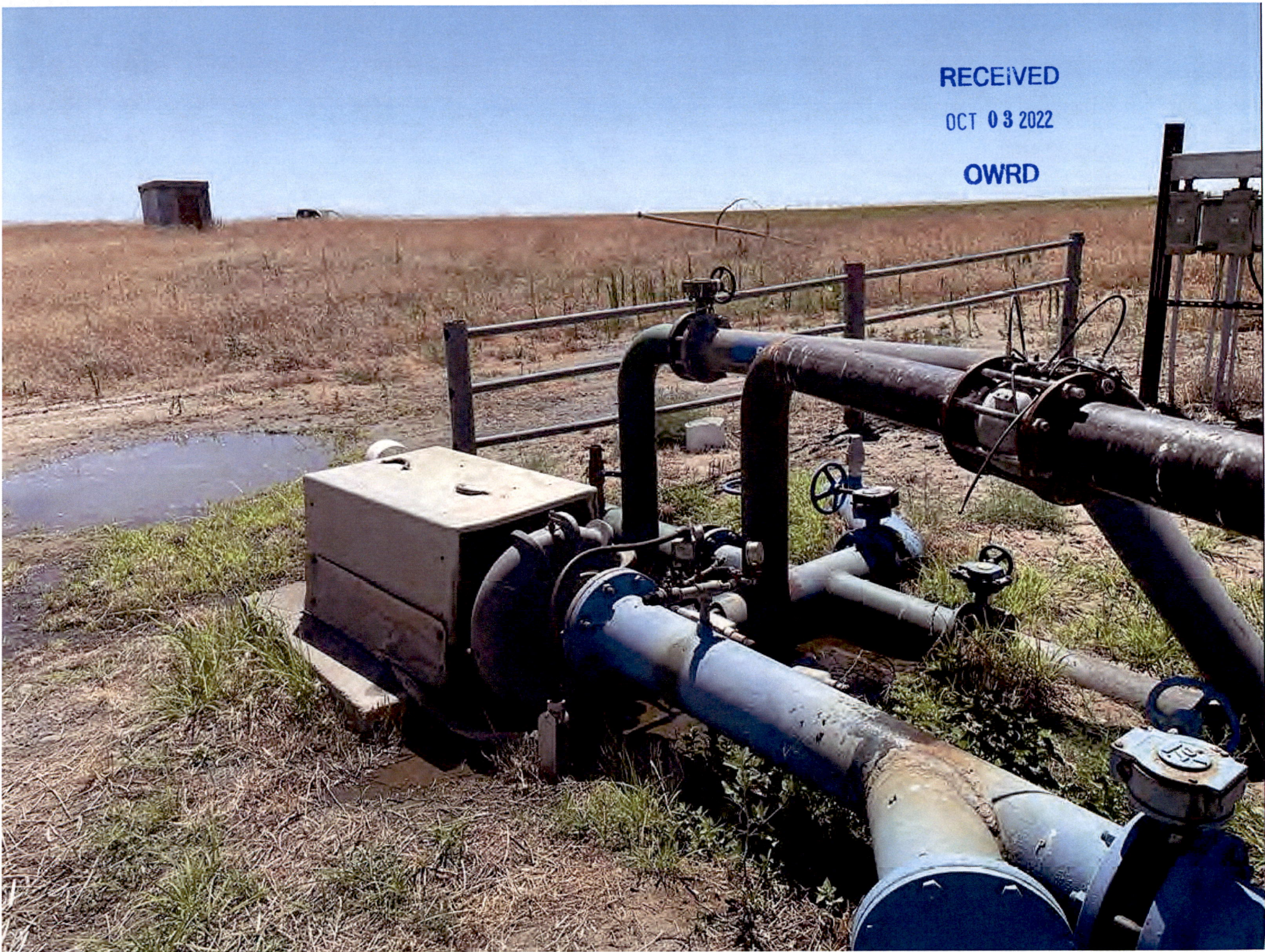
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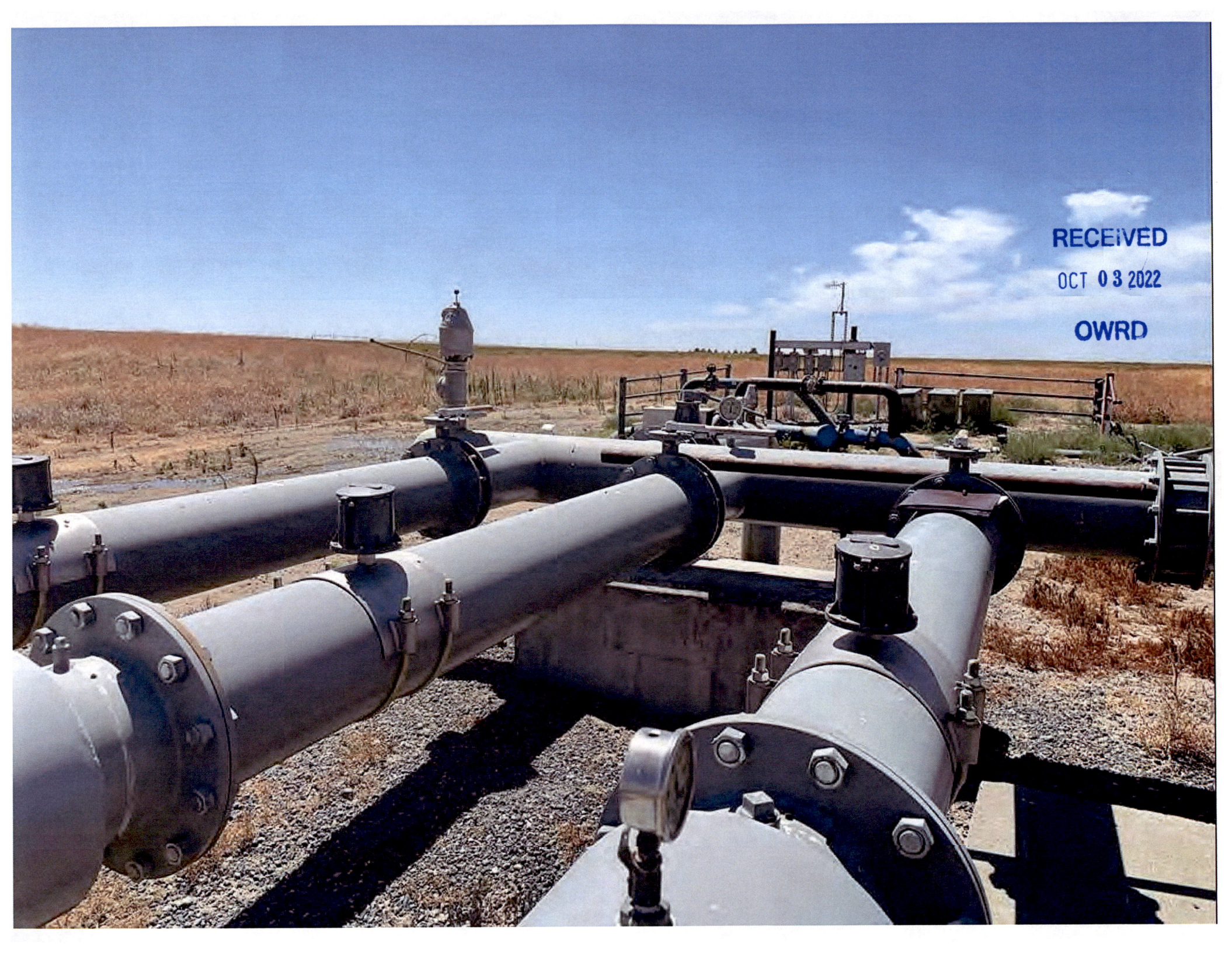
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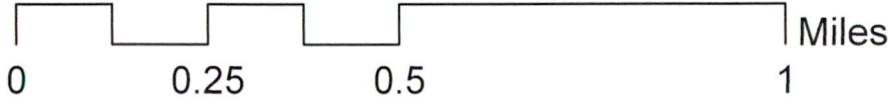
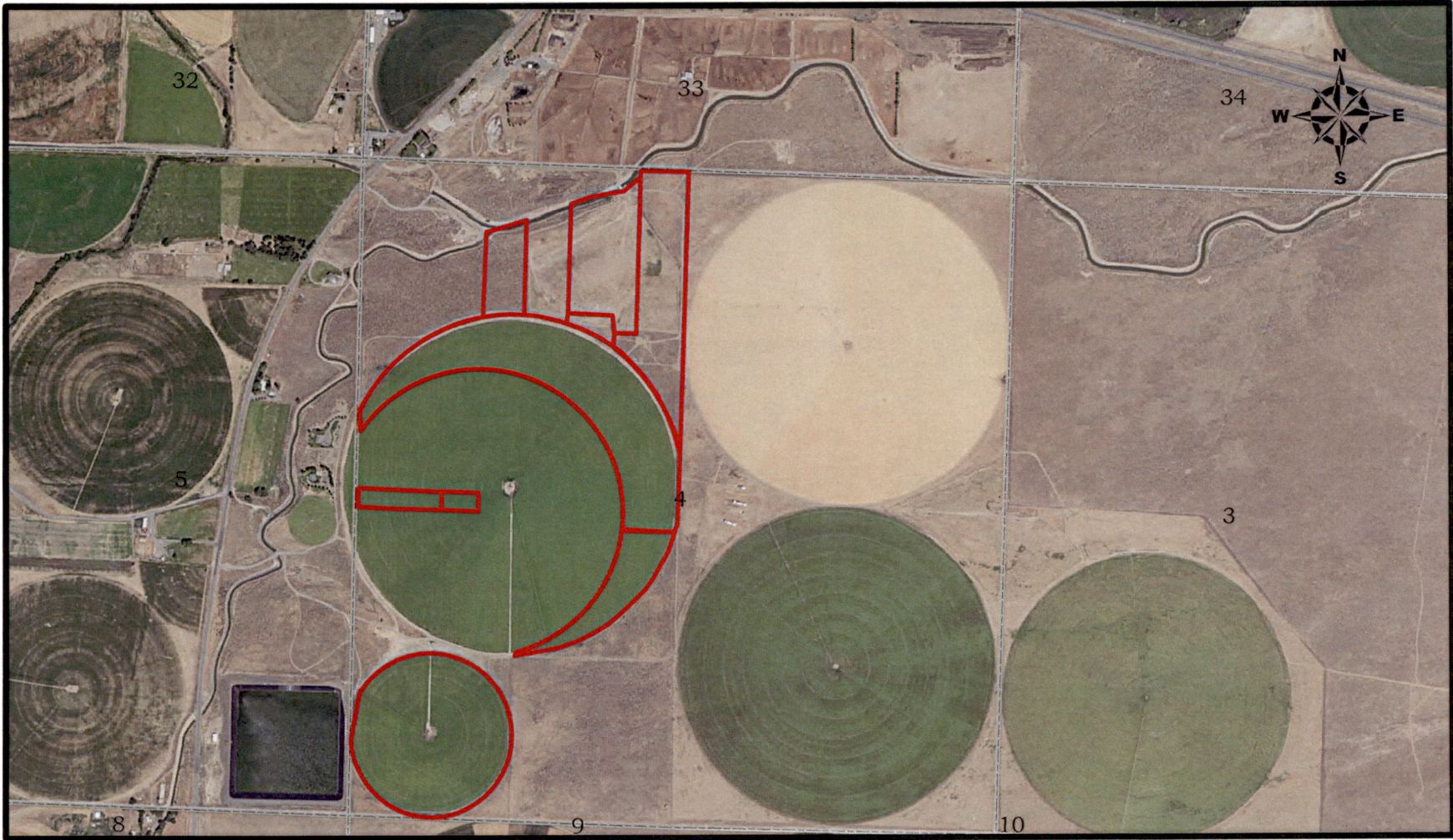
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T 3N R 28E, W.M.

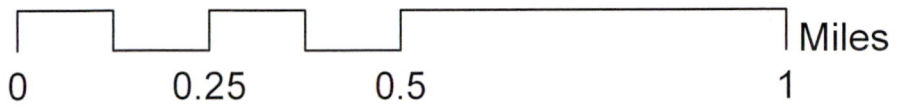
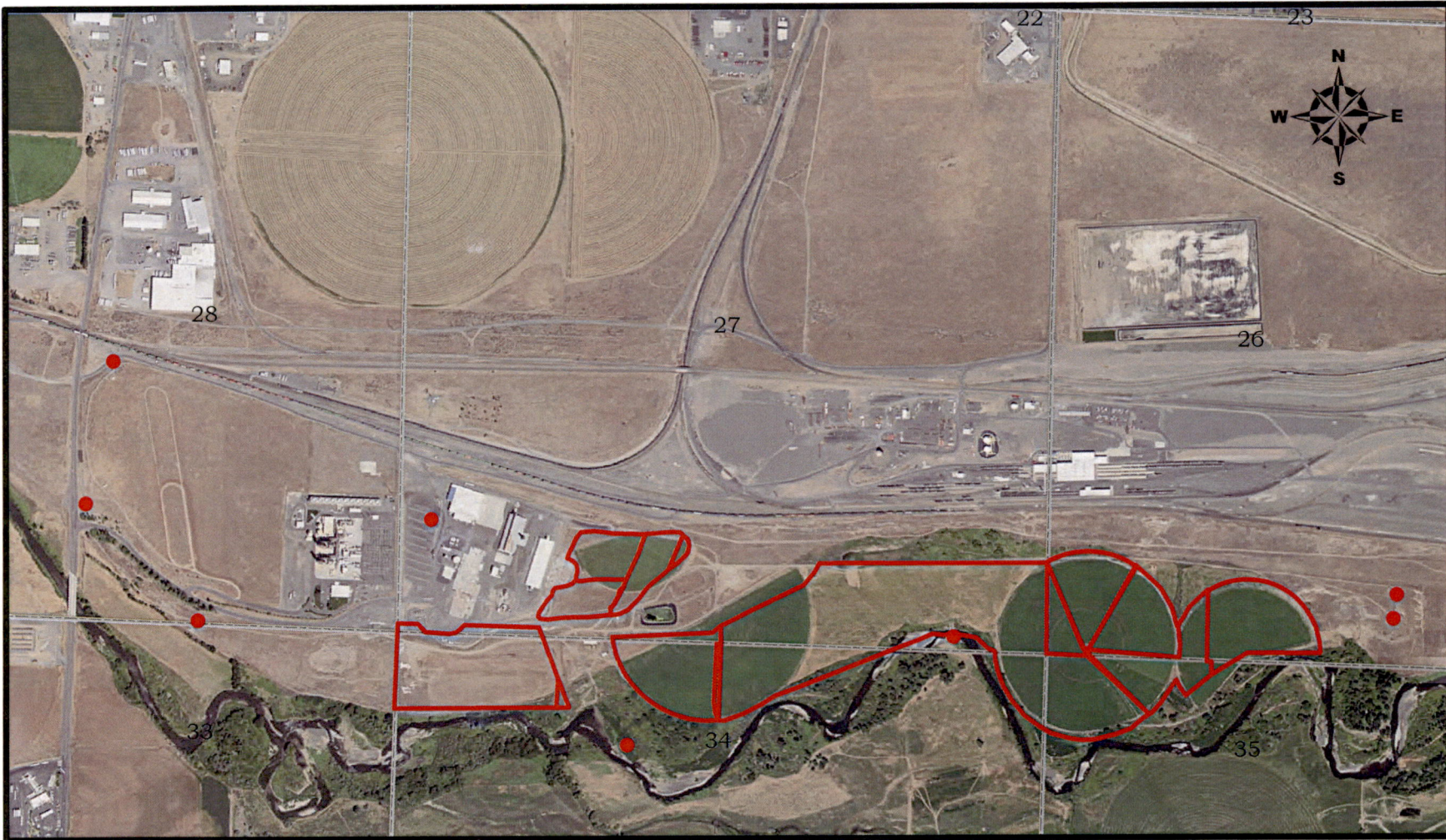


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- T-6783 POD
- T-6783 POU

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T 4N R 28E, W.M.



Legend

- T-6783 POD
- T-6783 POU

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ALL POINTS
ENGINEERING & SURVEYING, INC.
P.O. Box 767
Terrebonne, Oregon 97760

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TRANSMITTAL

To:
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301-1266

Date: 9/24/2022
Attention: Certificates

Re: COBU T-6783

Prints Plans Map/Plat Specifications Change order Other

Copies	No.	Description
1	1	COBU T-6783 (12 sheets letter bond)
1	2	Final Proof Maps (23 sheets letter mylar)
1	3	ODFW Fish Screening Letter (1 sheet letter bond)
1	4	Aerial imagery (2 sheets letter bond)
1	5	Site photos (32 sheets letter bond)

These are transmitted as checked below:

For OWRD approval Approved as submitted Approved as noted
 Copies for distribution Returned for corrections Returned corrected prints
 Review and comment For bids due Other

Remarks:

Thanks, and if you have questions please don't hesitate to call (541) 548-5833.

Signed: