

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



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

**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.**

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**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 8" 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) | 2. <input checked="" type="checkbox"/> Change in Place of Use      |
| 3. <input type="checkbox"/> Change in Character of Use                       | 4. <input type="checkbox"/> Change in Character of Use – Reservoir |

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

1. File Information

APPLICATION # <b>T-13183</b>
---------------------------------

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME <b>Brooks Farm LLC Attn: Elizabeth Brooks</b>		PHONE NO. <b>(541) 602-2942</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>26845 McFarland Road</b>			
CITY <b>Corvallis</b> <i>EB Monroe</i>	STATE <b>OR</b>	ZIP <b>97456</b>	E-MAIL <b>Liz@brooksfarmllc.com</b>

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 <b>Brooks Farm LLC</b>			
ADDRESS <b>26845 McFarland Road</b>			
CITY <b>Corvallis</b> <i>EB Monroe</i>	STATE <b>OR</b>	ZIP <b>97456</b>	

4. Date of Site Inspection:

<b>September 27, 2022</b>
---------------------------

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
<b>Elizabeth Brooks</b>	<b>9/27/2022</b>	<b>Member, Brooks Farm LLCC</b>
<b>Tom Brooks</b>	<b>9/27/2022</b>	<b>Member, Brooks Farm LLCC</b>

6. County:

<b>Benton</b>
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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 <b>NA</b>		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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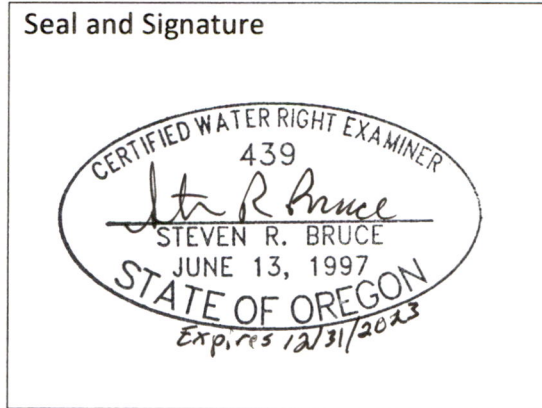
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**SECTION 2  
SIGNATURES**

CWRE Statement, Seal and Signature

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



CWRE NAME <b>Steven R. Bruce Skookum Water Associates Inc.</b>		PHONE NO. <b>(503) 319-8926</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>1626 Victorian Way</b>			
CITY <b>Eugene</b>	STATE <b>OR</b>	ZIP <b>97401</b>	E-MAIL <b>steve@skookumwater.com</b>

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
<i>Elizabeth Brooks</i>	<b>Elizabeth Brooks</b>	<b>Member, Brooks Farm LLC</b>	<i>10/31/2022</i>

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## 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 – POD 2**

**was added to three of the four transferred rights.**

*If "NO", this Section can be deleted.*

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

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)	SOURCE
<b>POD 2</b>	<b>Marys River, tributary of Willamette River</b>

**2. Variations:**

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

**NO**

If yes, describe below.

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

**3. Claim Summary:**

NEW OR ADDITIONAL POD NAME OR #	MAXIMUM RATE AUTHORIZED IN ORDER	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
<b>POD 2</b>	<b>0.01 cfs + 0.12 cfs + 0.64 cfs + 0.05 cfs = 0.82 cfs (approx. 368 gpm)</b>	<b>1.2 cfs</b>	<b>NA – the system was off and a flowmeter is not required</b>

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#### System Description

Are there multiple new or additional Points of Diversion (POD)?  
**was added to three of the four transferred rights.**

**YES - POD 2**

If "YES" you will need to copy and complete Sections A, B, or C in this Section for each POD.

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

**A. POD**

**POD 2**

**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
NA – not legible	NA	NA	Centrifugal	5 inch	3 inch

**2. Motor Information**

MANUFACTURER	HORSEPOWER
Century Electric Company	40

**3. Theoretical Pump Capacity**

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
40	80	10 ft	8 ft	1.2 cfs

**4. Provide pump calculations:**

**Q Pump** =  $\frac{(\text{horsepower})(\text{pump efficiency})}{(\text{total head in feet})} = \frac{(40)(6.61)}{10+203.3+8} = \frac{264.4}{221.2} = 1.2 \text{ cfs}$  (approx. 536 gpm)

Where:  
 hp =  
 efficiency = 6.61 ft<sup>4</sup>/sec/hp  
 total head = approx. 10 lift to pump + 203.2 feet (conversion of 80 psi to feet based on table in CBU form) + 8 feet to POU

**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)
NA – a meter was not required			

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

**6. Additional notes or comments related to the system:**

The pump serves other water rights and has been in place since about 1975.

The name plate on the pump was worn and not legible.

**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?**

If “NO”, items 2 through 4 relating to this section may be deleted.

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NO

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### 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**

*If "NO", items 2 through 4 relating to this section may be deleted.*

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**Change #2**

**Change in Place of Use**

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

**YES**

*If "NO", this Section can be deleted.*

**1. Claim Summary – Authorized Use:**

If Irrigation or Nursery Use:

THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
<b>Canceled Certificate 41818</b> 0.7 acres	0.7
<b>Canceled Certificate 52333</b> 9.8 acres	9.8
<b>Canceled Certificate 61427</b> 51.2 acres	51.2
<b>Canceled Certificate 61593</b> 4.0 acres	4.0

**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.")*

**Change #3**

**Change in Character of Use**

Did the transfer order authorize a change in character of use?

**NO**

*If "NO", this Section can be deleted.*

**Change #4**

**Change in Character of Use – Reservoir**

Did the transfer order authorize a change in character of use for a reservoir?

**NO**

*If "NO", this Section can be deleted.*

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## 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	1/3/2020	
COMPLETENESS DATE FROM ORDER (C)	10/1/2022	9/15/2022

\* 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)? NO  
If "NO", you may delete the following table.

**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  
If "NO", items b through f relating to this section may be deleted.

**4. Recording and reporting conditions**

a. Is the water user required to report the water use to the Department? NO  
If "NO", item b relating to this section may be deleted.

**5. Fish Screening**

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? YES  
If "NO", items b through e relating to this section may be deleted.

**Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.**

b. Has the fish screening been installed? YES

c. When was the fish screening installed?

DATE	BY WHOM
April 2020	Tom Brooks and John Brooks

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**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?

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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? **NO**

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
As indicated in the attached Exhibit A ODFW letter, a by-pass device and/or fish passage device are not required because an end-of-pipe fish screen was installed.	--	--

7. Other conditions required by the transfer final order or extension final order:
- a. Was the water user required to restore the riparian area if it was disturbed? NO
  - b. Was a fishway required? NO –  
see Exhibit A.
  - c. Other conditions? NO

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

## SECTION 5 ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
Figure 1	Claim of Beneficial Use Map for T-13183
Exhibit A	December 18, 2019 Letter from Martin Olson (ODFW) to Juli Larson (Brooks Farm LLC)

## 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.

For the purpose of this Claim, the map identifying the location of the place of use does not require a new survey. The location of the place of use identified on the Claim map should be based on the original right of record at the time the transfer final order was issued. In transfers approved for additional points of diversion, the original points must be identified the map 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 map was tied using a Garmin Oregon 750t GPS and USDA-FSA-NAIP aerial image collected July 13,2020 (m\_4412330\_sw\_10\_060\_20200713.tif).

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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
- NA 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

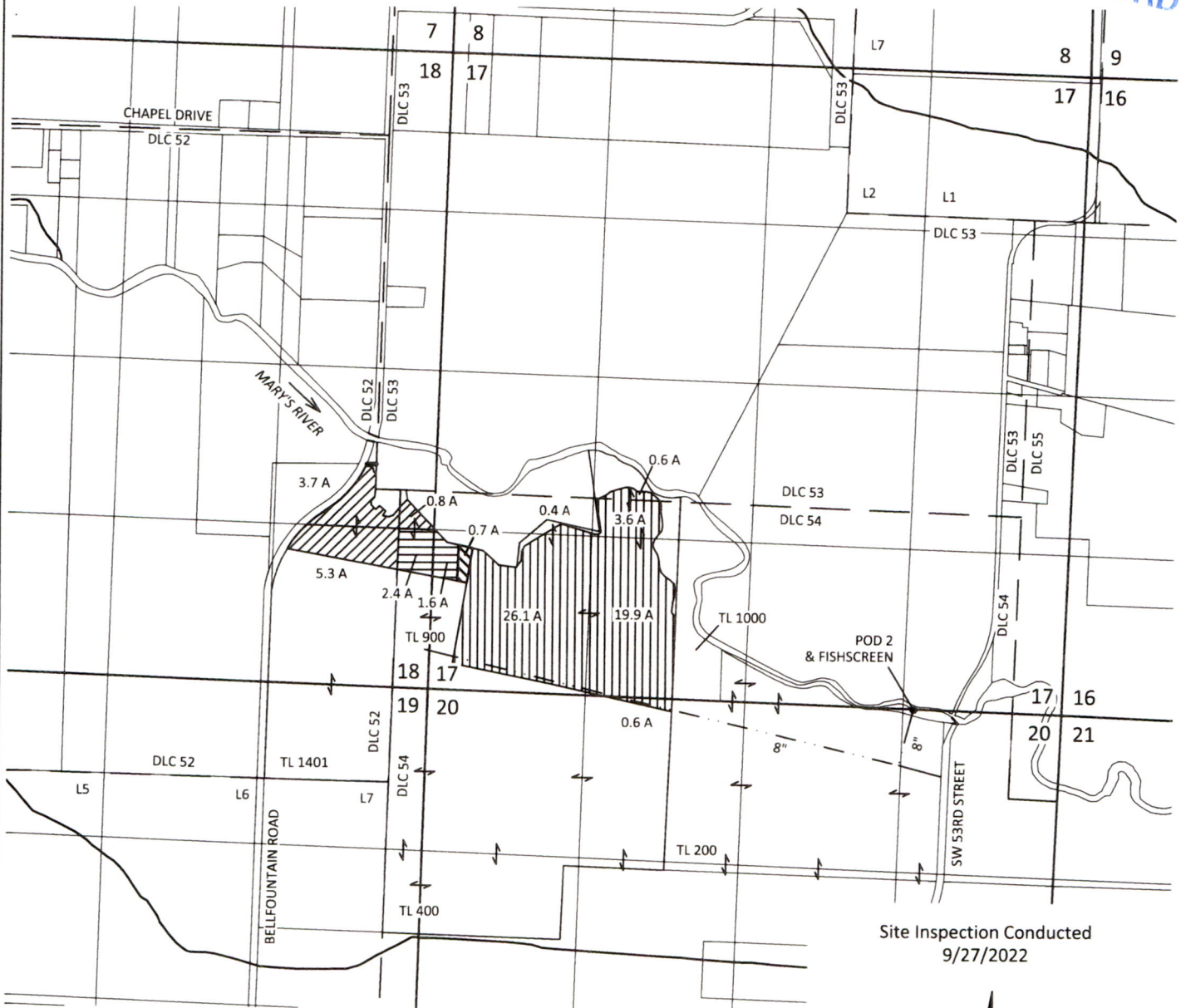
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Sections 17, 18 & 20, T12S, R5W, W.M., Benton County, Oregon  
 Transfer T-13183  
**CLAIM OF BENEFICIAL USE MAP**  
 Brooks Farm LLC

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Site Inspection Conducted  
 9/27/2022







POD 2 LOCATION: 40 FT N AND 1230 FT W FROM SE CORNER OF SECTION 17, T6S, R4W, W.M.

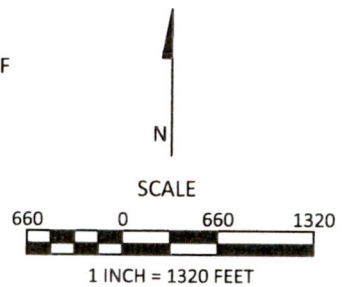
CERTIFIED WATER RIGHT EXAMINER  
 439  
*Steven R. Bruce*  
 STEVEN R. BRUCE  
 JUNE 13, 1997  
 STATE OF OREGON  
 Exp. 6/13/2027

**SKOOKUM**  
 WATER ASSOCIATES INC

1626 VICTORIAN WAY  
 EUGENE, OR 97401  
 (503) 319-8926

**EXPLANATION**

-  CANCELED CERTIFICATE 41818  
PLACE OF USE - IRRIGATION - 0.7 ACRES  
PRIORITY: 2/14/1968
-  CANCELED CERTIFICATE 52333  
PLACE OF USE - IRRIGATION - 9.8 ACRES  
PRIORITY: 7/8/1974
-  CANCELED CERTIFICATE 61427  
PLACE OF USE - IRRIGATION - 51.2 ACRES  
PRIORITY: 9/4/1975
-  CANCELED CERTIFICATE 61593  
PLACE OF USE - IRRIGATION - 4.0 ACRES  
PRIORITY: 4/16/1979
-  POINT OF DIVERSION (POD)
-  8" PIPELINE



October 26, 2022

This map is not intended to provide legal dimensions or locations of property ownership lines

**Figure 1**



# Oregon

Late Brown Governor

Department of Fish and Wildlife

The Dalles Screen Shop

3561 Klindt Drive

The Dalles, OR 97058

(541) 296-8026

FAX (541) 296-7889

odfw.com



December 18, 2019

Juli Larson  
Brooks Farm LLC  
26845 McFarland Rd.  
Monroe OR 97456

RE: OWRD Transfer T-13183

To whom it may concern:

On December 18, 2019, Martin Olson, while working for the Oregon Dept. of Fish and Wildlife, performed a fish screen inspection for Juli Larson, who is representing Brooks Farm, LLC. This fish screen inspection was based upon information submitted electronically by Juli Larson via e-mail correspondence. This point of diversion affected is located on the Mary's River, near the town of Philomath Oregon. The passive style fish screen that has been installed by the water user at this location meets current criteria up to a rate of 500 gallons per minute, or 1.11cfs. The installation of this fish screen will satisfy the fish screening requirements listed in OWRD Transfer T-13183. This is an end of pipe fish screen so no by-pass or fish passage devices are necessary at the point of diversion.

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

Sincerely,

Martin Olson  
Fish Screens Manager  
The Dalles Screen Shop

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Exhibit A



**CLAIM OF BENEFICIAL USE**

**TRANSFER T-13183**

**BROOKS FARM LLC**

**26845 McFarland Road**

**~~Corvallis, OR 97456~~**  
*Monroe EB*

**October 28, 2022**

**Project 10148.001**

**Skookum Water Associates Inc.  
1626 Victorian Way Eugene, OR 97401  
(503) 319-8926**