

**CLAIM OF
BENEFICIAL USE
for Reservoir Permits by
CWRE's (not self-certified)**



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 permits
with priority dates of July 9, 1987, or later.**
Claims received without the correct fee of \$200 will be returned.

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

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.

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

1. File Information

APPLICATION #	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
R-88503	R-15324	NA

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Lone Star Road LLC		PHONE NO. (503) 807-1226	ADDITIONAL CONTACT NO.
ADDRESS 1118 Northshore Road			
CITY Lake Oswego	STATE OR	ZIP 97034	E-MAIL gmbieze@gmail.com

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

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

PERMIT HOLDER OF RECORD Lone Star Road LLC		
ADDRESS 1118 Northshore Road		
CITY Lake Oswego	STATE OR	ZIP 97034

ADDITIONAL PERMIT HOLDER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:**September 13, 2022****RECEIVED****NOV 03 2022****5. Person(s) interviewed and description of their association with the project:****OWRD**

NAME	DATE	ASSOCIATION WITH THE PROJECT
Gerald Bieze	9/13/2022	Landowner

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

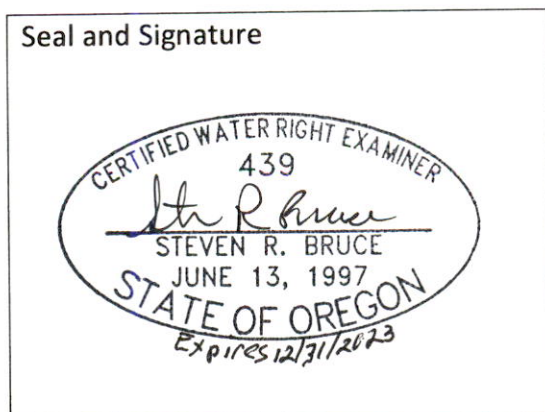
OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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

Permit Holder's of Record Signature or Acknowledgement

Each permit or 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
	Gerald Bieze	Member, Lone Star Road LLC	11/3/22

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SECTION 3

CLAIM DESCRIPTION

1. Reservoir source and, if from surface water, the tributary:

RESERVOIR NAME OR NUMBER	SOURCE	TRIBUTARY
Bieze Reservoir	A Spring and Runoff	King Creek

2. Developed use(s), period of use, and acre foot (af) for each use:

RESERVOIR NAME OR NUMBER	USES	SEASON OR MONTHS WHEN WATER WAS APPROPRIATED FOR STORAGE	VOLUME STORED (AF)
Bieze Reservoir	Multiple purpose	January 1 through December 31	3.5
Total Quantity of Water Stored			3.5

3. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion to the reservoir:

Water enters the reservoir from a spring and from precipitation runoff. There are no established channels conveying the spring water and runoff into the reservoir.

The outlet pipe, which does not have a control valve, maintains the reservoir water level at a constant elevation except during the summer when the water level declines below the elevation of the outlet pipe.

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

4. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below.

YES

(e.g. "The permit allowed the development of three reservoirs. The permit holder only developed one of the reservoirs." or "The permit allowed for the storage of 9 acre feet of water. The reservoir was developed to hold 5.2 acre feet.")

The permit allowed the storage of 3.0 AF. The reservoir can store 3.5 AF.

5. Claim Summary:

RESERVOIR NAME OR #	MAXIMUM STORAGE AUTHORIZED BY PERMIT (AF)	MAXIMUM STORAGE DEVELOPED (AF)
Bieze Reservoir	3.0	3.5 AF

The right should be limited to 3.0 AF of storage for multiple purposes.

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SECTION 4

SYSTEM DESCRIPTION

Are there multiple reservoirs?

NO

If "YES" you will need to copy and complete Sections A through E for each reservoir.

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

A. Reservoir Location

1. Is the reservoir on-channel?

YES – see attached

Exhibit A ODFW letter

2. Provide dam outlet location and/or point of diversion(s).

TWP	RNG	MER	SEC	QQ	GLOT	DLC	MEASURED DISTANCES
6 South	4 West	WM	12	NW NE	--	--	960 ft South and 2270 ft West from NE Corner, Section 12

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), and Quarter-Quarters (QQ).

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport the water from the point(s) of diversion to the reservoir.

1. Is a pump used?

NO

If "NO" items 2 through item 5 may be deleted.

C. Gravity Flow Pipe

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

1. Does the system involve a gravity flow pipe?

NO

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

D. Gravity Flow Canal or Ditch

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

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

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

E. Reservoir

1. Does the reservoir require the submittal of as-built plans and specifications?

If "YES", answer item 2; items 3 through 8 relating to this section may be deleted.

If "NO", skip items 2; answer items 3 through 8.

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3. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and as-built plans and specifications are not required, complete the table and items 4 through 8.

MAXIMUM DEPTH	AVERAGE DEPTH	SURFACE AREA (IN ACRES)	VOLUME (IN ACRE FEET)
11 feet	6 ft (approx.)	0.9	3.5

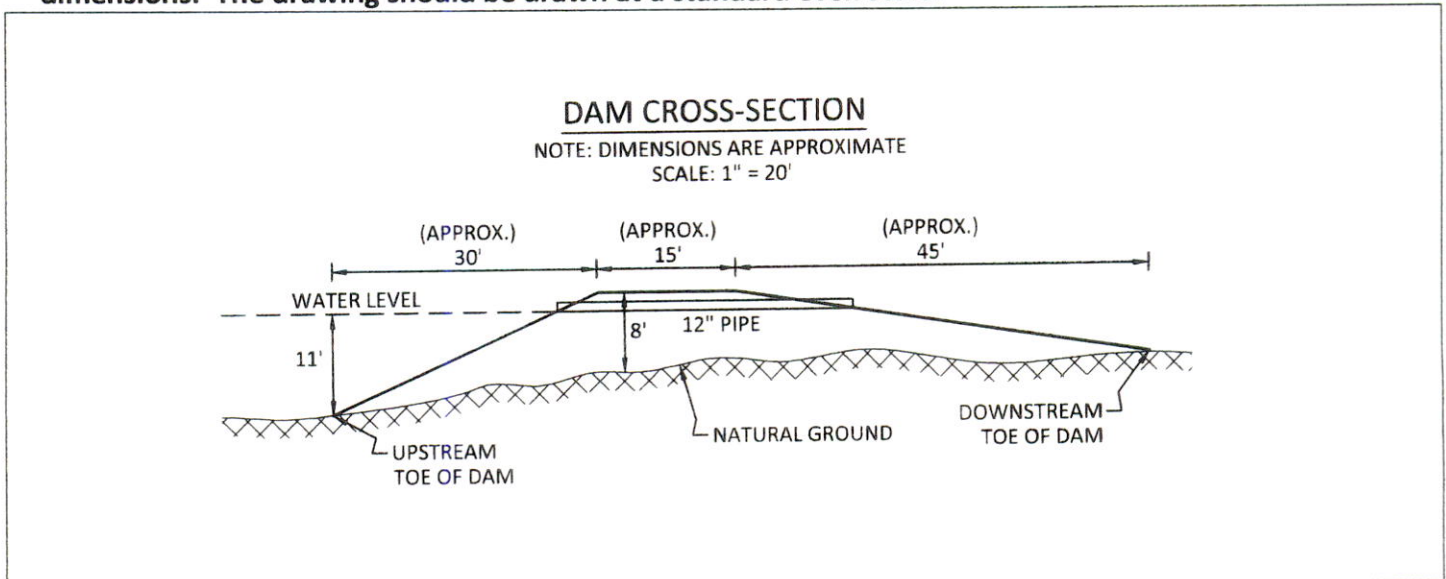
4. Provide reservoir volume calculations:

$$11 \text{ feet} \times 0.9 \text{ ft}^2 \times 0.35 = 3.5 \text{ AF}$$

5. Provide the following information concerning the physical characteristics of the dam:

CREST WIDTH (W)	DAM HEIGHT AT CENTERLINE (H)	DISTANCE FROM DOWNSTREAM TOP OF DAM TO DOWNSTREAM TOE (L)	DISTANCE FROM UPSTREAM TOP OF DAM TO UPSTREAM TOE (U)	WATER LEVEL AT INSPECTION	DOWN-STREAM SLOPE	UP-STREAM SLOPE
15 to 20 ft (approx.)	8 ft based on Exhibit B information	45 ft (approx.)	30 ft (estimated- underwater)	8 ft (approx.)	4:1 (approx.)	3:1 and 4:1 (approx.)

6. Provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.



7. Describe the outlet works (size and type of the outlet conduit and location):

There is an 18-inch-diameter PVC corrugated pipe on the southwestern side of the dam that allows water to gravity flow from the reservoir.

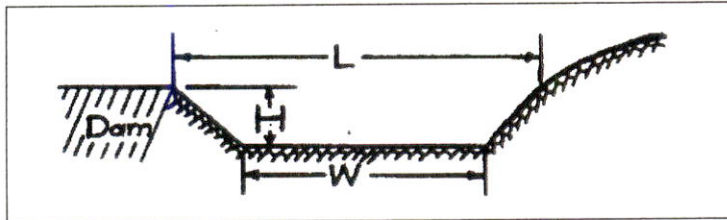
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8. Describe the emergency spillway (dimensions and location): The emergency spill way is on the southwestern side of the dam.

BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
3 FT	8 FT	2 FT



SECTION 5

CONDITIONS

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

1. Time Limits:

Permits and any extension 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 was to be completed. 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 extension final order:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	4/27/2018		
BEGIN CONSTRUCTION (A)	4/27/2023	4/27/2018	Reservoir existed at the time the permit was issued.
COMPLETE CONSTRUCTION (B)	NA	NA	--
COMPLETE APPLICATION OF WATER (C)	4/27/2023	November 2019	The reservoir was allowed to fill to capacity from the spring and runoff.

* must be within period between permit or any extension final order issuance and the date to completely apply water

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

NO

3. Measurement Conditions:

a. Does the permit, permit amendment, or any extension final order require the installation of a meter or 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.

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5. Outlet Pipe

- a. Is the water user required to install a minimum 8" outlet pipe/conduit? YES

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

- b. Has the outlet pipe been installed? YES

If "YES", items c relating to this section may be deleted.

6. Fish Screening

- a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? NO

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

7. 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? NO

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.

8. Other conditions required by permit, permit amendment final order, or extension final order

- a. Was the water user required to restore the riparian area if it was disturbed? YES
- b. Was a fishway required? NO
- c. Was submittal of a letter from an engineer required prior to storage of water? NO
- d. Was submittal of a water management and conservation plan required? NO
- e. 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):

The maximum height of the dam was not to exceed 9.0 feet. The Exhibit B topographic survey map indicates the dam is less than 9.0 feet in height and the site inspection supports this.

The riparian area was to be restored if disturbed. The riparian area was not disturbed because the reservoir was constructed off-channel and already existed at the time of the permitting.

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SECTION 6
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 Application R-88503, Permit R-15324
Exhibit A	July 12, 2018 Letter from Hilary A. Doulos (ODFW) to WRD Regarding Fish Screening and Passage Devices for Application S-88577, Permit S-55151
Exhibit B	Undated Topographic Survey Map Prepared by John Newberg, PLS of Newberg Surveying Inc. (no scale provided on drawing)

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SECTION 7

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

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 a USDA-FSA-NAIP aerial image collected July 19, 2020 (m_4512364_nw_10_060_20200719).

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
- ☐ NA If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- ☐ NA 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
- ☐ NA 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

The Dalles Screen Shop

3561 Klindt Drive

The Dalles, OR 97058

(541) 296-8026

FAX (541) 296-7889

odfw.com

July 12, 2018

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301



RE: Application S-88577/Permit S-55151

To whom it may concern,

I am writing in regards to fish screening and fish passage device requirements stated in Oregon Water Resources Department Application S-88577. The permit associated with this application appropriates water for irrigation use from Bieze Reservoir, which was constructed under Permit R-15324, and is in the King Creek basin. The point of diversion is located as follows: T6S, R4W, Sec. 12, NW NE.

The water user, Mr. Gerald Bieze of Lone Star Road, LLC, submitted an ODFW Alternate Reservoir Application Review Sheet to Ms. Josie Thompson, ODFW fish biologist in the North Willamette Watershed District. Ms. Thompson completed the review on January 23, 2018, and stated that the proposed reservoir is off channel. She also indicated that there *are not* or *were not* native migratory fish species present at the proposed reservoir/point of diversion. While Ms. Thompson made recommendations to improve water quality conditions through riparian enhancement around the reservoir, and stated that water should *only* be diverted/dammed to fill the reservoir when state and water quality standards are met, there are *no* obligations for the water user to install and maintain fish screening devices; fish screens and/or passage devices are not necessary.

If you have any questions regarding this letter, please feel free to contact me at 541-296-8026, or through my email at Hilary.A.Doulos@state.or.us.

Sincerely,

Hilary A. Doulos
Fish Screen and Passage Coordinator

Enclosed: Faxed copy of ODFW Alternate Reservoir Application Review Sheet
CC: Gerald Bieze, Lone Star Road, LLC

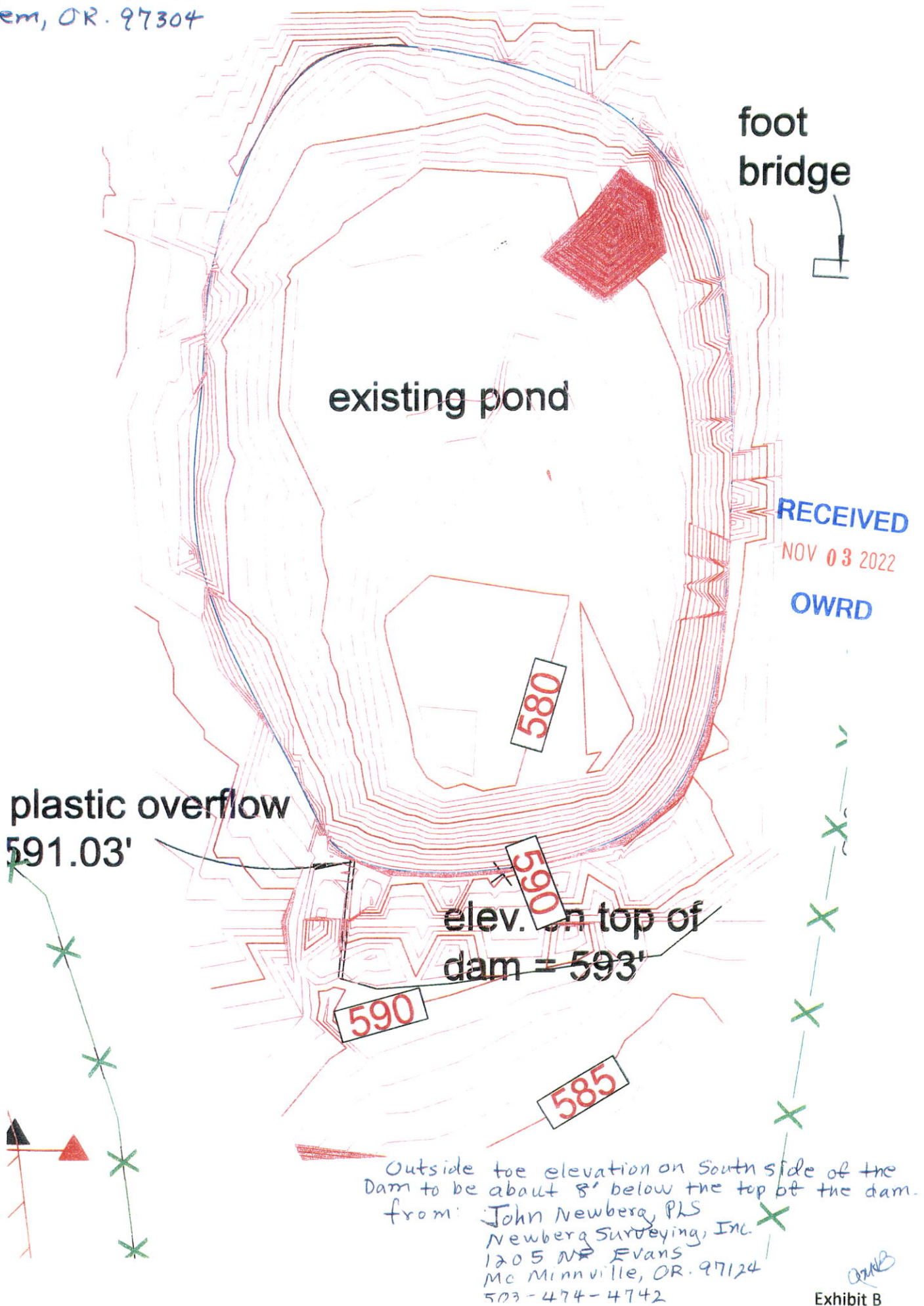
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Exhibit A

4410 Lone Star Rd N
Salem, OR. 97304





CLAIM OF BENEFICIAL USE

APPLICATION R-88503, PERMIT R-15324

LONE STAR ROAD LLC

**1118 Northshore Road
Lake Oswego, OR 97034**

October 13, 2022

Project 10130.001

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

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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Lonestar Road LLC

1118 Northshore Rd. Lake Oswego, OR 97034

Transaction Type: COBU

Fees Received: \$ 230

☐ Cash

☒ Check:

Check No. 7714

Name(s) on Check: GMB Inc

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Dante Luongo
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

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Checklist for Claims of Beneficial Use Received at CSG Counter

Application #: R 88503	WRD Reviewer: Dante Luongo
Transfer #:	
Date Received: 11-3-2022	
CWRE Name: Steven Bruce	
Priority Date (s): 1-24-2018	

Fees Required:

- ☒ YES ☐ NO ☐ A fee of \$230 must accompany this form for permits with priority dates of July 9, 1987, or later.
- ☐ YES ☐ NO ☐ A fee of \$230 must accompany this form for any transfers 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.

Fill in App
or Transfer
Number

Map Review:

- ☒ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- ☒ Application & permit #; or transfer # (OAR 690-014-0100(1))
- ☒ Disclaimer (OAR 690-014-0170(5))
- ☒ North arrow (OAR 690-310-0050(2)(c))
- ☒ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ☒ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ☒ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

Report Review:

- ☒ On form provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #; or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

Groundwater File Review:

- ☐ Pump Test not required (Priority Date prior to December 20, 1988) *If no, include pump test flyer w/acknowledgment letter
- ☐ Pump Test required (Priority Date on or after December 20, 1988)
- ☐ Pump Test submitted
- ☐ Pump Test not submitted

MONEY SLIP

DATE: _____ RECEIPT #: _____

RECEIVED FROM: _____ APPLICATION: _____
PERMIT: _____
TRANSFER: _____

CASH ☐ CHECK # _____ OTHER (IDENTIFY) _____ TOTAL RECEIVED: _____

DEPT. TREASURY: _____ 4178 NAME OF PAYEE: _____

0407 COMES (IDENTIFY) _____ 0407 OTHER (IDENTIFY) _____

0143 Instream Lease _____ 0248 Water Right Permit _____ 0249 Cont. Right _____

DEPT. TREASURY: _____ 4178 NAME OF PAYEE: _____

0407 MISCELLANEOUS _____ 4611 _____
0407 COPY & SHIP FEES _____
0410 RESEARCH FEES _____
0408 MSG REVENUE (IDENTIFY) _____
0142 DEPOSIT (AND IDENTIFY) _____
0240 EXTENSION OF TERM _____

WATER RIGHTS: _____
0281 SURFACE WATER _____
0283 GROUND WATER _____
0225 TRANSFER _____

WELL CONSTRUCTION: _____
0218 WELL DRILL CONSTRUCTION _____
LANDOWNERS PERMIT _____
0202 OTHER (IDENTIFY) _____ COBU _____

DEPT. TREASURY: _____ 4178 NAME OF PAYEE: _____

0203 POWER LICENSE FEE (PAYMENT) _____
0201 HYDRO LICENSE FEE (PAYMENT) _____

HYDRO APPLICATION: _____

SPECIAL INSTRUCTIONS: _____

☐ RETURN TO APPLICANT - LETTER ATTACHED