

# 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.wrd.state.or.us](http://www.wrd.state.or.us)

**A fee of \$200 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: [http://www.oregon.gov/owrd/pages/wr/cwre\\_info.aspx](http://www.oregon.gov/owrd/pages/wr/cwre_info.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 503-986-0900 and ask for the Certificate Section.

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:

[http://www.oregon.gov/owrd/pages/mgmt\\_reimbursement\\_authority.aspx](http://www.oregon.gov/owrd/pages/mgmt_reimbursement_authority.aspx)

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## SECTION 1

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### GENERAL INFORMATION

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#### 1. File Information

APPLICATION #	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
R-86786	R-14427	

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME <b>Thomas E &amp; Janice I Kohr</b>		PHONE NO. <b>541-963-6696</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>62817 Fruitdale Lane</b>			
CITY <b>La Grande</b>	STATE <b>OREGON</b>	ZIP <b>97850</b>	E-MAIL

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 <b>Thomas &amp; Janice Kohr</b>			<b>RECEIVED BY OWRD</b>  <b>SEP 18 2017</b>
ADDRESS <b>62817 Fruitdale Lane</b>			
CITY <b>La Grande</b>	STATE <b>ORE</b>	ZIP <b>97850</b>	<b>SALEM, OR</b>

ADDITIONAL PERMIT HOLDER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
<b>Tom Kohr</b>	<b>10/1/2016</b>	<b>Property Owner</b>

6. County:

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(4)):

OWNER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

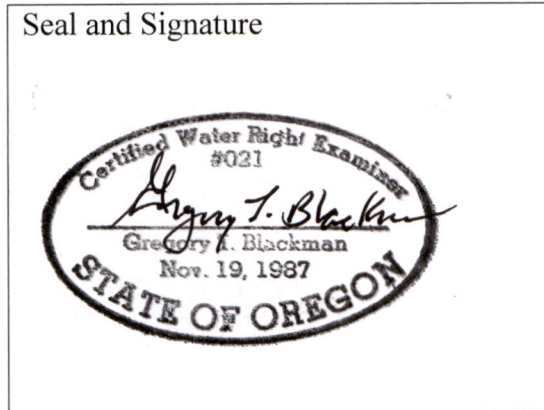
Add additional tables for owners of record as needed



**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.



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CWRE NAME GREGORY T. BLACKMAN		PHONE NO. 541-963-6771	ADDITIONAL CONTACT NO. 541-786-2859 cell
ADDRESS 126 Ridge Drive			
CITY La Grande	STATE OREGON	ZIP 97850	E-MAIL gtblackman@yahoo.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
	Thomas E Kohr	Property Owner	9/14/17
	Janice I. Kohr	Property Owner	9/14/17

SECTION 3

CLAIM DESCRIPTION

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

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RESERVOIR NAME OR NUMBER	SOURCE	TRIBUTARY
Pond # 1	Unnamed Ditch (spring runoff)	Canyon Creek, Grande Ronde River

2. Developed use(s), period of use, and rate for each use:

RESERVOIR NAME OR NUMBER	USES	SEASON OR MONTHS WHEN WATER WAS APPROPRIATED FOR STORAGE	VOLUME STORED (AF)
Pond # 1	Multiple Purpose	December 1- April 14 and October 1- October 31	3.94 AF
<b>Total Quantity of Water Stored</b>			3.94 AF

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:

The unnamed ditch carries spring runoff into the reservoir. The dam consists of the material dug out of the reservoir placed on each side of the reservoir structure creating a channel about 31/2' in depth. The dam is approximately 7' above the bottom of the channel, but about 3.5' to 4.5' above the original soil. There is a 30" steel culvert at the Northeast end of the Reservoir with a stave head gate that allows for the top 6" of the culvert to act as an overflow safety feature. Call it a spillway if you will. The spillway empties into a second unnamed ditch that flows Easterly to Hunter Road. The Second head gate is located at the Southeast end of the Reservoir and consists of a 24" CMP with a steel head gate that slides vertically to feed water down a second branch of the unnamed ditch through 5 control head gates used to control a constant supply of water to a 25 hp pump at an existing Bulge in the ditch. The bulge also receives water from an existing well, permit G-16848, as well as water from C-84905 in addition to the stored water in this reservoir. The water is then distributed via the pump through 8" mainlines onto the fields, using 8 wheel lines rotated.

**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 three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

The permit allowed for multiple pumping sites along the unnamed ditch. The thought was to divert the water from the pond through the channels of the unnamed ditch and pump from portable pumps to distribute the water. It is more efficient to pump from the single bulge in the ditch through the existing mainlines with a stationary pump and meter, and regulating the water flow into the bulge to maintain a full source for the pump to prevent damage to the pump. Also the permit authorized 26.7 acres of primary use that was satisfied by Ground water right G-16342 that filled up the primary need with the COBU filed in August of 2013, therefore those 26.7 acres have been developed with supplementary water from S-54400.

5. Claim Summary:

RESERVOIR NAME OR #	MAXIMUM STORAGE AUTHORIZED BY PERMIT (AF)	MAXIMUM STORAGE DEVELOPED (AF)
Pond # 1	21.0 AF	3.94 AF



## SECTION 4 SYSTEM DESCRIPTION

Are there multiple reservoirs?

**NO**

If "YES" you will need to copy and complete Sections 4B through 4E for each reservoir.

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

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**YES**

1. Is the reservoir on-channel?

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

TWP	RNG	MER	SEC	QQ	GLOT	DLC	MEASURED DISTANCES
2S	38 E	WM	10	NW, SW			N 1484.6' & E 1215.73 FROM SW COR. SEC. 10 T2S R38E, WM

**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?

**YES**

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)
Berkley ( at Bulge )	B 32 PL	Z0907131496	Centrifugal

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
25 hp	65 psi	7'	+20	0.86 cfs

4. Provide pump calculations:

$$\frac{25 \times 6.61}{7' + 20' + 165.1'} = 0.86 \text{ cfs} = 386 \text{ gpm}$$

See attached pump calculations Doc. # 3

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)
380gpm	380gpm	30 sec	0.85 cfs

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

6. Additional notes or comments related to the system:

**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.*

2. Complete the table:

PIPE SIZE	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE	COMPUTED RATE OF WATER FLOW (IN CFS)

3. Provide calculations:

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

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

Attach measurement notes.

**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?

**YES**

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

2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)
Earth bottom, rubble sides	18'	15'	2.5'	0.03	7.5'	725'	0.01034483	307.2 cfs

3. Provide calculations:

Attached Computation for ditch capacity Document # 2



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

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

Attach measurement notes.

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**E. Reservoir**

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

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NO

If "YES", answer items 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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2. Complete the table:

HAVE THE DOCUMENTS BEEN SUBMITTED? YES OR NO	WHEN WERE THE DOCUMENTS SUBMITTED?	HAVE THEY BEEN APPROVED BY THE DEPARTMENT?	NUMBER OF ACRE FEET STORED

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.

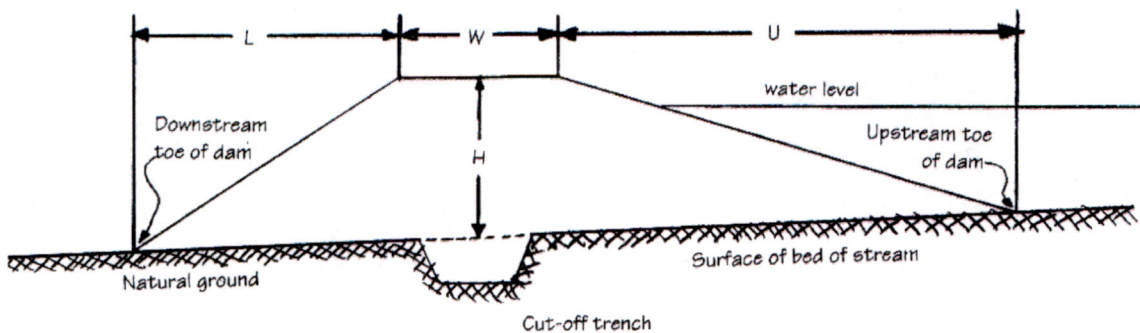
MAXIMUM DEPTH	AVERAGE DEPTH	SURFACE AREA (IN ACRES)	VOLUME (IN ACRE FEET)

4. Provide reservoir volume calculations:

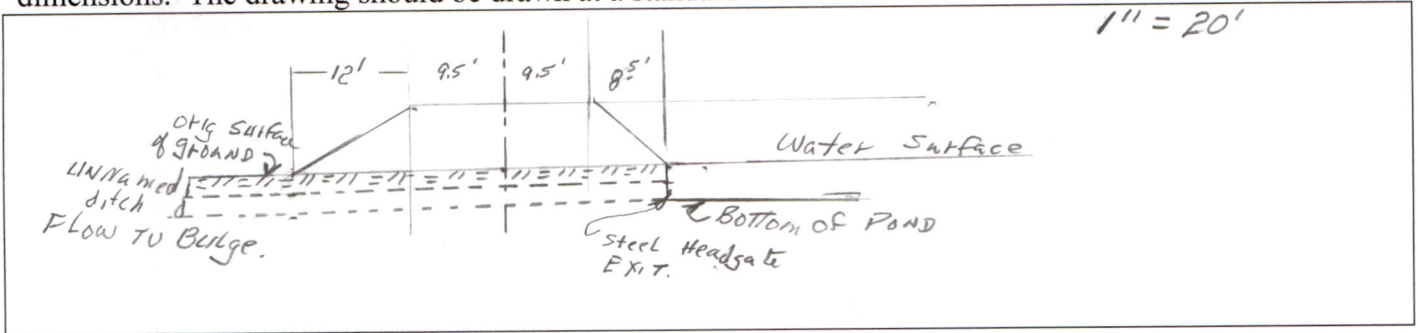
5. Provide the following information concerning the physical characteristics of the dam:

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
19.0'	7.0'	12'	8.5'	0.5'	0.58	0.824

Example Dam Profile This box may be deleted from the form



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.

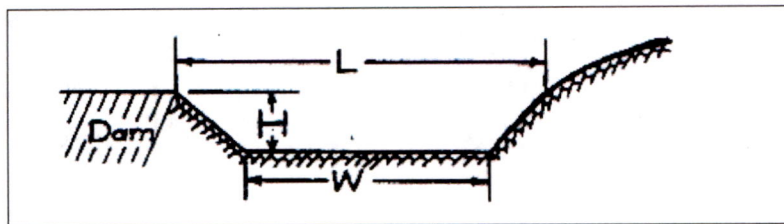


7. Describe the outlet works (size and type of the outlet conduit and location):

The spillway consists of a 30" steel culvert at the NE end of the reservoir. The pipe is fitted with a removable stave head gate with the staves extending only 24" from the bottom leaving 6" of the pipe open for overflow. The bottom of the pipe is 0.5' above the bottom of the reservoir, so that the overflow maintains a depth of 3.0'. The overflow dumps into an unnamed ditch that flows East to Hunter Road. The reservoir outlet consists of a 24" CMP fitted with a steel head gate that slide vertically, which allows the water to flow down the South unnamed ditch through a series of small control head gates that slow the water to ensure that the Bulge has a steady flow of water so that the pump does not run out of water to ruin the pump. There is a 25 hp pump that pushes the water through 8" mainlines into 8-5" wheel lines, not all used at once, placing the water on the crops in a beneficial manner.

8. Describe the emergency spillway (dimensions and location):

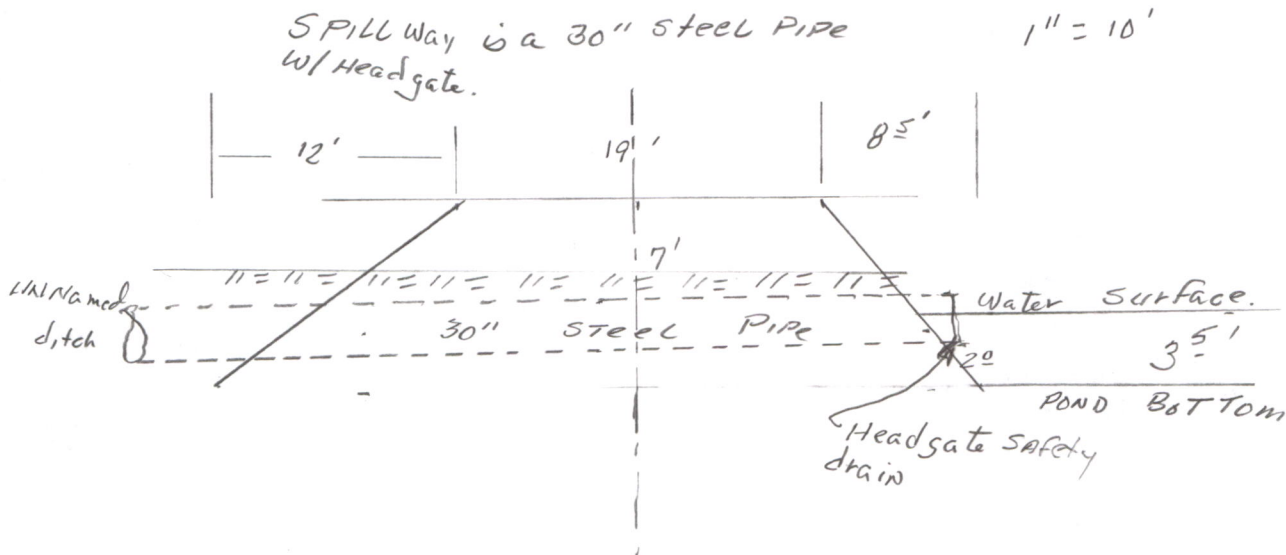
BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
30" STEEL CULVERT		



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## 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	5/17/2007		
BEGIN CONSTRUCTION (A)	Not specified	Work commenced 7/2008	Ditches cleaned and head gates installed summer of 2008 Commenced on pond fall of 2008 through summer of 2009. Filled reservoir summer of 2011
COMPLETE CONSTRUCTION (B)	10/1/2011	Meter installed at Bulge 6/12/2011	Construction completed fall of 2010, used water in beneficial manner summer of 2011
COMPLETE APPLICATION OF WATER (C)	10/1/2011	Water put in use in beneficial manner 6/2011	

\* 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 3b through 3f relating to this section may be deleted.*

**Reminder: 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.**

b. Has a meter been installed?

**YES**

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Bulge	Micrometer	06/09889/04	Working	921.965	6/1/2011

*If a meter has been installed, items 6d through 6g relating to this section may be deleted.*

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department?

**YES NO**

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e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NAME	TITLE	APPROXIMATE DATE

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED

4. Recording and reporting conditions

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

*If "NO", item 4b relating to this section may be deleted.*

b. Have the reports been submitted? YES NO

METHOD OF SUBMITTING REPORT (PAPER OR ELECTRONIC)	WATER USER REPORTING ID

If the reports have not been submitted, attach a copy of the reports if available.

5. 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 5b through 5e 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 NO

c. When was the fish screening installed?

DATE	BY WHOM

**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):

- Has the self-certification form previously been submitted to the Department? NA
  - If not, go to <http://www.oregon.gov/owrd/Pages/pubs/forms.aspx>, complete and attach a copy of the 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.**

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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? NA
- If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at <http://www.oregon.gov/owrd/Pages/pubs/forms.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? NO

*If “NO”, items 6b and 6c 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 device been installed? YES 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

**7. 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? NO
- 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):

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**SECTION 6**  
**ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
<b>Document # 1</b>	<b>Permits R-14427 and S- 54400</b>
<b>Document #2 and #3</b>	<b>Computation of pump and ditch capacity</b>
<b>Doc # 4</b>	<b>Fish and game letter of exemption for fish screens and bypass</b>

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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.

**I used a Leica GPS GS 14 receiver to tie the government corner , as well as to traverse the exterior of the reservoir and bulge, and also the ditch length for volumes and grade of the ditch. Oregon tax map aerials dated 2016 were used to show the ditch locations as well as roads and other objects.**

### 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.)**

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

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SALEM, OR

STATE OF OREGON

*Doc. 1*

COUNTY OF UNION

PERMIT TO CONSTRUCT A RESERVOIR AND STORE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

THOMAS & JANICE KOHR  
62817 FRUITDALE LANE  
LA GRANDE OR 97850

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-86786

SOURCE OF WATER: UNNAMED DITCH, TRIBUTARY TO CANYON CREEK

STORAGE FACILITY: UNNAMED POND

MAXIMUM VOLUME: 21.0 ACRE FEET

DATE OF PRIORITY: FEBRUARY 1, 2007

WATER MAY BE APPROPRIATED DURING THE PERIOD:

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Use	Period
MULTIPLE PURPOSE	DECEMBER 1 – APRIL 14, AND OCTOBER 1 – OCTOBER 31

Authorized Points of Diversions (POD):

	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
POD 1	2 S	38 E	WM	10	NW SW	2073 FEET NORTH & 1232 FEET EAST FROM SW CORNER, SECTION 10
POD 2	2 S	38 E	WM	10	NW SW	1504 FEET NORTH & 1232 FEET EAST FROM SW CORNER, SECTION 10
POD 3	2 S	38 E	WM	10	NE SW	2075 FEET NORTH & 2035 FEET EAST FROM SW CORNER, SECTION 10
POD 4	2 S	38 E	WM	10	SE SW	694 FEET NORTH & 2035 FEET EAST FROM SW CORNER, SECTION 10
POD 5	2 S	38 E	WM	10	NE SW	2110 FEET NORTH & 2629 FEET EAST FROM SW CORNER, SECTION 10
POD 6	2 S	38 E	WM	10	SE SW	724 FEET NORTH & 2629 FEET EAST FROM SW CORNER, SECTION 10

The Area To Be Submerged:

Twp	Rng	Mer	Sec	Q-Q
2 S	38 E	WM	10	NW SW

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a headgate, an in-line flow meter, weir, totalizing flow meter, or other suitable measuring device as approved by the Director at each point of diversion. The permittee shall maintain the meter or measuring device in good working order.



- B. The permittee shall allow the watermaster access to the meter or measuring device; where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used, and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water-use information, the periods of water use, and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

The permittee shall pass all live flow outside the storage season described above.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.

This permit does not provide for the appropriation of water for out-of-reservoir uses, the maintenance of the water level or maintaining a suitable freshwater condition. If any water is used for out-of-reservoir purposes, or any live flow is appropriated to maintain either the water level or a suitable freshwater condition, a secondary water right is required.

#### STANDARD CONDITIONS

1. Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.
2. This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
3. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.
4. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.
5. This permit does not authorize the permit holder to pursue this right in such a way as to interfere with or affect adjacent property not under the ownership of the permit holder.
6. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2011.
7. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use to the Oregon Water Resources Department.

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8. The claim of beneficial use shall be prepared by a Certified Water Right Examiner in conformance with the requirements of OAR 690-014 if an associated secondary permit exists for the use of stored water under this permit, or if the reservoir stores 9.2 or more acre-feet of water.
9. If no secondary permit exists and the reservoir stores less than 9.2 acre-feet of water, the claim of beneficial use need not be prepared by a Certified Water Right Examiner. The information submitted to the Oregon Water Resources Department shall include:
  - a. the dimensions of the reservoir;
  - b. the maximum capacity of the reservoir in acre-feet; and
  - c. a map identifying the location of the reservoir prepared in compliance with Water Resource Department standards.

Issued May 17, 2007.

E. Timothy Wall

for Phillip C. Ward, Director  
Water Resources Department

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SEP 18 2017

SALEM, OR



STATE OF OREGON

COUNTY OF UNION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

THOMAS & JANICE KOHR  
 62817 FRUITDALE LANE  
 LA GRANDE OR 97850

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-86787

SOURCE OF WATER: A RESERVOIR, PERMIT R-14427

PURPOSE OR USE: PRIMARY IRRIGATION USE ON 26.7 ACRES, AND SUPPLEMENTAL IRRIGATION USE ON 77.7 ACRES

MAXIMUM VOLUME: 21.0 ACRE FEET

DATE OF PRIORITY: FEBRUARY 1, 2007

PERIOD: MARCH 1 – OCTOBER 31

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 S	38 E	WM	10	NW SW	1418 FEET NORTH & 788 FEET EAST FROM SW CORNER, SECTION 10

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

**Authorized Place of Use:**

PRIMARY IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
2 S	38 E	WM	10	NW SW			9.20
2 S	38 E	WM	10	SE SW			17.50

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
2 S	38 E	WM	10	NE SW			39.50
2 S	38 E	WM	10	NW SW			20.00
2 S	38 E	WM	10	SE SW			18.20

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Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of diversion as approved by the Director. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645(1) through (3). The permittee shall maintain the meter(s) in good working order.
- B. The permittee shall allow the watermaster access to the meter; where the meter is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used, and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water-use information, the periods of water use, and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The water user shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion, while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of water. The water user may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

**STANDARD CONDITIONS**

1. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
2. Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.
3. This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
4. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.
5. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.
6. Complete application of the water to the use shall be made on or before October 1, 2011. If the water is not completely applied before this date, and the water user wishes to continue development under the permit, the water user must submit an application for extension of time, which may be approved based upon the merit of the application.

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7. Within one year after complete application of water to the proposed use, the water user shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued May 17, 2007

E. Timothy Wall

for Phillip C. Ward, Director  
Water Resources Department

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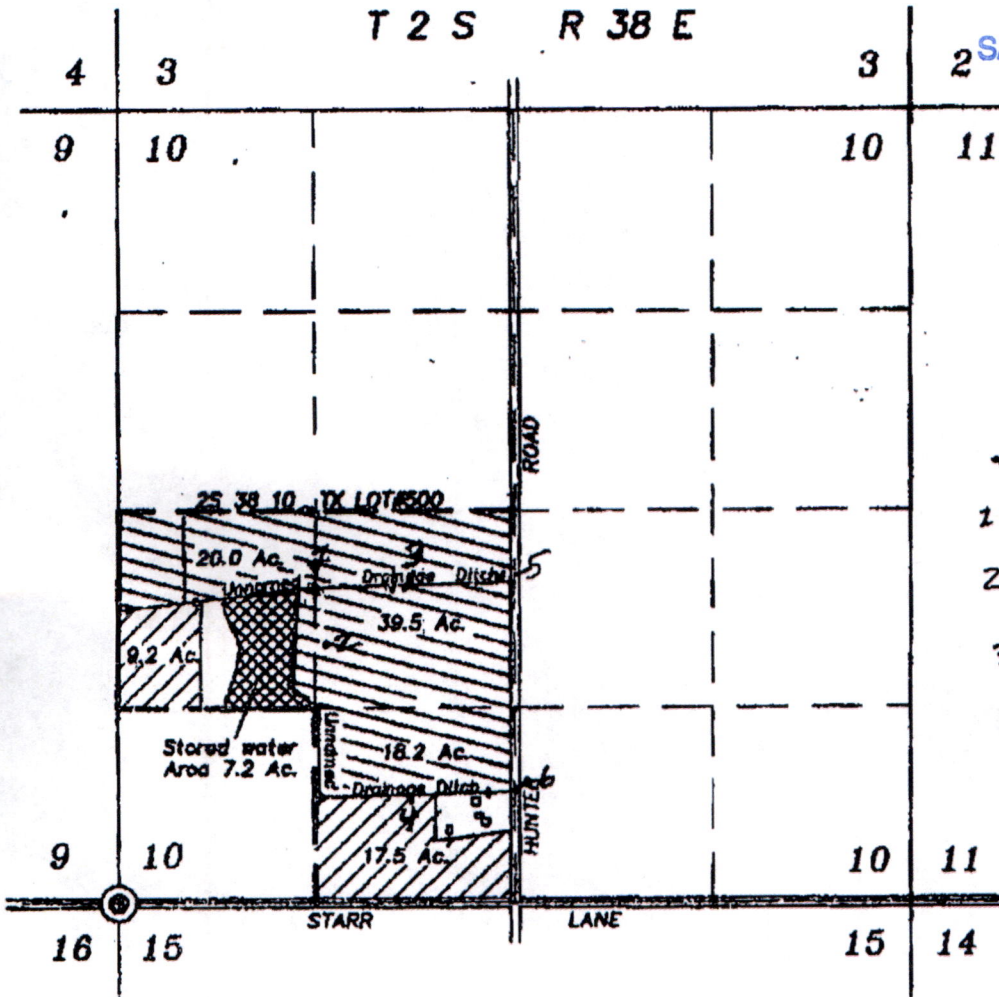
RECEIVED

MAY 17 2007

SALEM, OR

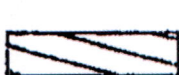
WATER RESOURCES DEPT  
SALEM, OREGON

T 2 S R 38 E



SCALE: 1"=1320'

- 1 - 2073.25' N + 1231.69' E  
SW corner
- 2 - 1504.41' N + 1231.69' E  
SW 1/4
- 3 - 2074.63' N + 2034.65' E  
SW 1/4
- 4 - 693.55' N + 2034.65' E
- 5 - 2110.25' N + 2628.79' E  
SW 1/4
- 6 - 723.56' N + 2628.79' E  
SW 1/4

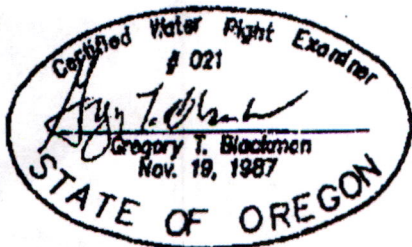


Lands requesting supplemental stored water rights from unnamed pond.



Lands requesting primary stored water rights from unnamed pond.

Note: Requesting multiple pumping sites anywhere along unnamed drainage ditch within the North half and the Southeast quarter of the Southwest quarter of Section 10.



January 16, 2007

### APPLICATION MAP TO USE STORED WATER RIGHTS FROM A POND

FOR

**RECEIVED** THOMAS E. AND JANICE I. KOHR

BY

FEB 01 2007

BAGETT - GRIFFITH & BLACKMAN  
2006 ADAMS AVENUE  
LAGRANDE, OREGON 97850

NOTE: The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property ownership lines. Location information shown hereon was furnished by the applicant.

WATER RESOURCES DEPT  
SALEM, OREGON

Application No. S 86787

Permit Number S 54400



Doc. #2

Kohr Ditch From  
Reservoir to Bulge.

### Ditch Capacity Calculator

using Manning's Formula

---

#### Data Entry (fill in underlined blanks)

---

Top Width = 18 feet  
Bottom Width = 15 feet  
Depth = 2.5 feet  
Fall = 7.5 feet per 725 feet of distance  
Grade = 0.01034483, or 1.0%  
n Factor = 0.03

---

#### Results calculated

---

Area of cross-section = 41.25 square feet  
Wetted Perimeter = 20.83095 feet  
Hydraulic Radius = 1.980226  
Velocity = 7.448 feet per second

**Calculated Ditch Capacity = 307.2 cubic feet per second**

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Doc. #3

Kohr Reservoir  
Storage Water

### Pump Capacity Calculation Sheet

using Department designed formula:

$$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

---

#### Data Entry (fill in underlined blanks)

---

HP = 25  
Efficiency = 6.61  
Lift = 27  
PSI = 65

---

#### Results Calculated

---

(hp)(efficiency) = 165.25  
Head based on psi = 165.1  
Total dynamic head = 192.1  
(head + lift)

Pump Capacity = 0.86 feet per second = 386.1 GPM

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Doc. #4.



# Oregon

Kate Brown, Governor

## Department of Fish and Wildlife

Fish Division  
4034 Fairview Industrial Dr SE  
Salem, OR 97302  
503-947-6200  
Fax: 503-947-6202  
[www.dfw.state.or.us](http://www.dfw.state.or.us)

December 7, 2016

Greg Blackman  
BGB Surveyors  
2006 Adams Ave  
La Grande, OR 97850



**RE: Fish Screening and Passage Requirement for Oregon Water Resources  
Department Permit Numbers R-14427, S-54400**

Mr. Blackman,

Thank you for contacting the Oregon Department of Fish and Wildlife (ODFW) regarding the screening and passage provisions of water right permit numbers R-14427, and S-54400. After review of the water rights, and an inspection of the location water is used and stored by Tim Bailey (La Grande District Fish Biologist) and Chuck Simpson (Enterprise Fish Screening and Passage Shop Manager), ODFW has determined that native fish are not currently or historically present in the waterway associated with these permits. Therefore, fish screening, bypass devices, and fish passage are not required at this location, for these permits.

Thank you for coordinating with ODFW on this project and if you have any questions, please contact me at 503-947-6256.

Sincerely,

Ken Loffink  
Statewide Fish Screening Coordinator

Cc: Tim Bailey, ODFW  
Chuck Simpson, ODFW

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SEP 18 2017

SEP 18 2017

SALEM, OR

SALEM, OR

# Checklist for Claims of Beneficial Use Received at CSG Counter

Application # <u>R86786</u>	WRD Reviewer <u>C. Holmes</u>
Transfer #	
Date Received <u>9/18/17</u>	
CWRE Name <u>Greg Blackman</u>	

## Fees:

A fee of \$200 must accompany this form for permits with priority dates of July 9, 1987, or later.

A fee of \$200 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.

## 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)

### MONEY SLIP

DATE: _____		RECEIPT #:	
RECEIVED FROM: _____		APPLICATION PERMIT / TRANSFER	
CASH <input type="checkbox"/>	CHECK # _____	OTHER (IDENTIFY) <input type="checkbox"/>	TOTAL RECD: \$ _____
<b>0983 TREASURY 4179 MISC CASH ACCT</b>			
0407 COPIES _____	(IDENTIFY) _____		\$ _____
0243 Instream Lease _____ 0244 Multi Water Mgmt Plan _____ 0245 Cons. Water _____			
<b>0983 TREASURY 4278 WRD OPERATING ACCT</b>			
MISCELLANEOUS			
0407 COPY & TAPE FEES <u>4611</u>			\$ _____
0410 RESEARCH FEES _____			\$ _____
0408 MISC REVENUE (IDENTIFY) _____			\$ _____
TC 182 DEPOSIT LAB (IDENTIFY) _____			\$ _____
0249 EXTENSION OF TIME _____			\$ _____
WATER RIGHTS			
0201 SURFACE WATER _____	EXAM FEE _____	0202 _____	RECORD FEE _____
0203 GROUND WATER _____	\$ _____	0204 _____	\$ _____
0205 TRANSFER _____	\$ _____		\$ _____
WELL CONSTRUCTION			
0218 WELL DRILL CONSTRUCTION _____	EXAM FEE _____	0219 _____	RECORD FEE _____
0220 LANDOWNER'S PERMIT _____	\$ _____	0220 _____	\$ _____
OTHER (IDENTIFY) <u>COBU</u>			\$ <u>200.00</u>
<b>0987 TREASURY 0487 HYDROELECTRIC</b>			
0223 POWER LICENSE FEE (FVWRD) _____		LIC NUMBER _____	\$ _____
0221 HYDRO LICENSE FEE (FVWRD) _____			\$ _____
HYDRO APPLICATION _____ \$ _____			

### SPECIAL INSTRUCTIONS:

RETURN TO APPLICANT - LETTER ATTACHED

Map \$(1090)