

**CLAIM OF  
BENEFICIAL USE**  
for Transfers Character of Use and  
Place of Use



**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.**

***No fee required because priority dates are 1959 and 1977***

**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 where the character of use and the place of use were the only changes that were authorized.

**YES    NO**

If additional changes were authorized, you will need to select a different form.

1. File Information

APPLICATION # <b>T-11470</b>
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2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME <b>C. Bruce and Sherrie Anne Schwartz</b>		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS <b>3480 Threemile Road</b>			
CITY <b>The Dalles</b>	STATE <b>OR</b>	ZIP <b>97058</b>	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 <b>Same</b>		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

<b>4/18/2023</b>
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5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
<b>Bruce Schwartz</b>	<b>4/18/2023</b>	<b>Owner and Operator</b>

6. County:

<b>Wasco</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>C. Bruce and Sherrie Anne Schwartz</b>		
ADDRESS <b>3480 Threemile Road</b>		
CITY <b>The Dalles</b>	STATE <b>OR</b>	ZIP <b>97058</b>

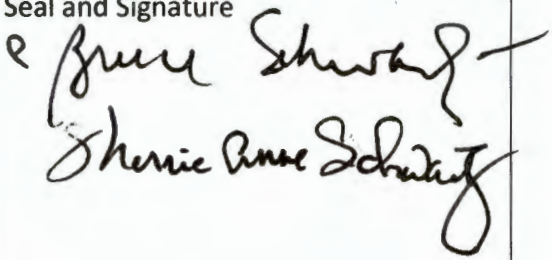
Add additional tables for owners of record as needed

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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.

Seal and Signature 
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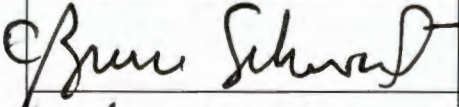
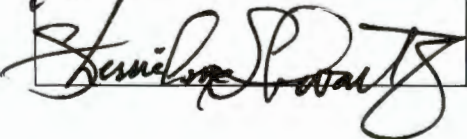
SEE ADDITIONAL  
PAGE 3

<b>CWRE NAME</b> Ben Beseda	<b>PHONE NO.</b> 541-296-9177	<b>ADDITIONAL CONTACT NO.</b>	
<b>ADDRESS</b> 3775 Crates Road			
<b>CITY</b> The Dalles	<b>STATE</b> OR	<b>ZIP</b> 97058	<b>E-MAIL</b> bbeseda@tnnesoneng.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.

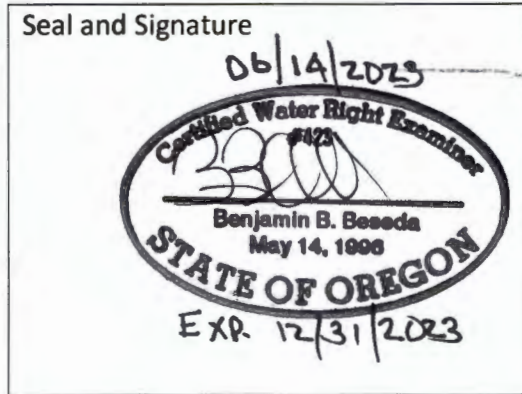
SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	C. Bruce Schwartz	Owner	6-9-23
	Sherrie Anne Schwartz	Owner	6-9-23

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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>Ben Beseda</b>		PHONE NO. <b>541-296-9177</b>	ADDITIONAL CONTACT NO.	
ADDRESS <b>3775 Crates Road</b>				
CITY <b>The Dalles</b>	STATE <b>OR</b>	ZIP <b>97058</b>	E-MAIL <b>bbeseda@tnennesoneng.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
	<b>C. Bruce Schwartz</b>	<b>Owner</b>	
	<b>Sherrie Anne Schwartz</b>	<b>Owner</b>	

### SECTION 3

#### EXTENT OF CHANGES COMPLETED

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

#### Change #1

#### Change in Character of Use

**1. Claim Summary – Authorized Use(s):**

Provide the new uses authorized by the transfer final order:

NEW USE(S) AUTHORIZED
Filling and maintenance of 7 ponds

**2. Variations:**

Were all the uses developed from what was authorized by the transfer final order?      **YES**    **NO**

If no, describe below.

*(e.g. "The order authorized changes in character of use to industrial, commercial, and livestock. The water user did not develop the commercial use.")*

The transfer proposed the filling and maintenance of 9 ponds but only 7 ponds were built.

#### Change #2

#### Change in Place of Use

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

If Irrigation or Nursery Use:

THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED

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)		
Filling and maintenance of 7 ponds	YES	<u>NO</u>	NA
	YES	NO	NA

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2. Variations:

Was the use developed differently from what was authorized by the transfer final order? **YES** **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.")

**The transfer proposed the filling and maintenance of 9 ponds but only 7 ponds were built.**

**SECTION 4**

**CONDITIONS**

All conditions contained in the transfer, 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	<b>3/14/2014</b>	
COMPLETENESS DATE FROM ORDER (C)	<b>10/1/2017</b>	<b>The ponds were existing between 2014 and 2016 on Aerial photography.</b>

\* 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** **NO**

3. Measurement Conditions:

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

If "NO", items b through f 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** **NO**

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
<b>Well</b>	<b>Assured Automation</b>	<b>15003329</b>	<b>Working</b>	<b>087670 X 100 Gallons</b>	<b>Summer of 2016 or 2017</b>

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4. Other conditions required by the transfer final order:

a. Other conditions?

YES 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 5  
ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
Claim Map	
Aerial photos	2014, 2016, and 2021

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## SECTION 6

### CLAIM OF BENEFICIAL USE MAP

A 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 must identify the developed new place of use. The existing point(s) of diversion or point(s) of appropriation are required to be included on the Claim map, based on the locations described in the transfer final order.

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.

**Used aerial photographs to locate ponds and PLS in area. Also data from application map.**

#### 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
- 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
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.) **\*Not required for this type of Claim of Beneficial Use**
- 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")
- Transfer application number
- North arrow
- Legend
- CWRE stamp and signature

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**Schwartz**

8/2014 photo

Legend

Google Earth

Image © 2023 Maxar Technologies



600 ft

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Legend

**Schwartz**

8/2016 photo

Google Earth

600 ft



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2021

Google Earth

600 ft





3775 CRATES WAY  
 THE DALLES, OR 97058

PHONE (541) 296-9177  
 FAX (541) 296-6657

**LETTER OF TRANSMITTAL**

**TO:** Oregon Water Resources Department  
 725 Summer Street Northeast, Suite A  
 Salem, Oregon 97301-1266

Date 6/15/2023	Work Order # 13675
Attention	
RE:	
<b>Transfer 11470</b>	
<b>Claim of Beneficial Use</b>	

ENCLOSED ARE THE FOLLOWING:

QUANTITY	DESCRIPTION
1	(8 pgs) CLAIM OF BENEFICIAL USE
3	AERIAL PHOTOS
1	11" x 17" mylar—CLAIM MAP

THESE ARE TRANSMITTED (as checked below)

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> For approval | <input type="checkbox"/> As requested      | <input checked="" type="checkbox"/> Filing/Recording |
| <input type="checkbox"/> For your use            | <input type="checkbox"/> Approved as noted | <input type="checkbox"/> For your review & comment   |

**CHARGES**

Remarks:	SF Blueline	
	SF Mylar	
	Xerox	
	Tube, Mailer, Etc.	
	P & H	
	<b>TOTAL</b>	

PICKED UP BY:  
 DELIVERED BY:  
 COPY TO: Bruce Schwartz w/ enclosures

BY: Benjamin B. Beseda, CWRE

If enclosures are not as noted, please notify us at once.

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