

# CLAIM OF BENEFICIAL USE

## for Surface Water Permits claiming more than 0.1 cfs



**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 permits  
with priority dates of July 9, 1987, or later.**

### SECTION 1 GENERAL INFORMATION

**1. File Information:**

APPLICATION # <b>S-88755</b>	PERMIT # <b>S-55209</b>	PERMIT AMENDMENT # <b>T-NA</b>
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**2a. Property Owner (current owner information) TL 6 1E 16 500**

APPLICANT/BUSINESS NAME <b>Northwest Agricultural Properties LLC</b>		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS <b>PO Box 230</b>			
CITY <b>Mount Angel</b>	STATE <b>OR</b>	ZIP <b>97362</b>	E-MAIL

**2b. Property Owner (current owner information) TL 6 1E 17 1700**

APPLICANT/BUSINESS NAME <b>KJK Estates LLC</b>		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS <b>12924 Vineyard View Ln NE</b>			
CITY <b>Silverton</b>	STATE <b>OR</b>	ZIP <b>97381</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>Northwest Agricultural Properties LLC / AKA Kraemer Farms LLC</b>			
ADDRESS <b>13318 Dominic Rd NE</b>			
CITY <b>Mount Angel</b>	STATE <b>OR</b>	ZIP <b>97362</b>	E-MAIL

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ADDITIONAL PERMIT HOLDER OF RECORD <b>NA</b>		
ADDRESS		
CITY	STATE	ZIP

**4. Date of Site Inspection:**

July 11, 2023

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Ray Stafford	July 11, 2023	Partner in Kraemer Farms LLC

**6. County**

Marion 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(5)):**

OWNER OF RECORD <b>NA</b>		
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 <b>Doann Hamilton</b>		PHONE NO. <b>(503) 632-5016</b>	ADDITIONAL CONTACT NO. <b>(503) 349-6946</b>
ADDRESS <b>18487 S. Valley Vista Road</b>			
CITY <b>Mulino</b>	STATE <b>OR</b>	ZIP <b>97042</b>	E-MAIL <b>phgdmh@gmail.com</b>

**Permit Holder's of Record Signature or Acknowledgement**

*Each permit 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>Northwest Agricultural Properties LLC by Tom Kraemer</i>	<b>TOM KRAEMER</b>	<b>TRUSTEE</b>	<b>8/28/23</b>
<i>Kraemer Farms, LLC by Tom Kraemer</i>	<b>TOM KRAEMER</b>	<b>MEMBER</b>	<b>8/28/23</b>

**SECTION 3  
CLAIM DESCRIPTION**

**1. Point of diversion name or number:**

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)
<b>POD</b>

**2. Point of diversion source and tributary:**

POD NAME OR NUMBER	SOURCE	TRIBUTARY
<b>POD</b>	<b>Teeney Pond constructed under permit R-15257</b>	<b>Butte Creek</b>

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

POD NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
<b>POD</b>	<b>Irrigation</b>	<b>Hazelnuts</b>	<b>March 1 through October 31</b>	<b>6.5 AF</b>
<b>Total Quantity of Water Used</b>				<b>6.5 AF</b>

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

Water is pumped from Teeney Reservoir permitted under R-15257 using a 15 hp centrifugal pump with 120 foot long 5-inch diameter galvanized pipe approximately 9 feet deep within the reservoir. The water is then conveyed through 4-inch poly flex hose to four filters station on a flat bed. After the filters another 4-inch poly flex hose connects to a 4-inch hydrant. The hydrant is connected to 4-inch PVC buried mainline. The line can continue south, then teeing east-west and reducing down to 3 inch as it extends out. The 4-inch PVC also turn west then across the road to the fields to the north extending west-east and reducing down to 3 inch as it extends out.

From this mainline 5/8 poly drip lines are connected one per row with 2 emitters per tree. The area is divided into 5 zones. The trees are irrigated one zone at a time using valves to open and close each zone.

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).

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

Water is pumped from Teeney Reservoir permitted under R-15257 using a 15 hp centrifugal pump with 120 foot long 5-inch diameter galvanized pipe approximately 9 feet deep within the reservoir. The water is then conveyed through 4-inch poly flex hose to four filters station on a flat bed. After the filters another 4-inch poly flex hose connects to a 4-inch hydrant. The hydrant is connected to 4-inch PVC buried mainline. The line can continue south, then teeing east-west and reducing down to 3 inch as it extends out. The 4-inch PVC also turn west then across the road to the fields to the north extending west-east and reducing down to 3 inch as it extends out.

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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).

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**5. Variations:**

Was the use developed differently from what was authorized by the permit, or permit amendment 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.")

**1. The place of use was revised to include reference to the DLC and/or Government Lot and show the place of use based on field verification:**

**Original authorized place of use:**

6S	1E	16	NW SW		8.7
6S	1E	16	SW SW		4.5
6S	1E	17	NE SE		20.5
6S	1E	17	NW SE		11.9
6S	1E	17	SW SE		21.8
6S	1E	17	SE SE		30.4
6S	1E	20	NE NE		8.4
6S	1E	20	NW NE		<u>22.6</u>
<b>Total:</b>					<b>128.8</b>

**Revised place of use:**

6S	1E	16	NW SW	Lot 4	3.0
6S	1E	16	SW SW	Lot 5	5.7
6S	1E	17	NE SE	Lot 2	12.7
6S	1E	17	NE SE	DLC 48	6.4
6S	1E	17	NW SE	DLC 48	15.7
6S	1E	17	SW SE	DLC 48	27.0
6S	1E	17	SE SE	DLC 48	10.0
6S	1E	17	SE SE	Lot 3	18.3
6S	1E	20	NE NE	DLC 48	7.0
6S	1E	20	NE NE	Lot 1	1.1
6S	1E	20	NW NE	DLC 48	<u>21.9</u>
<b>Total:</b>					<b>128.8</b>

- 2. After field verifying, POD is more correctly located at:  
660 feet north and 775 feet west from the SE corner, Section 17
- 3. After completing the claim of beneficial use for the reservoir (Permit R-15257), the storage area was reduced from the originally 11.5 AF to 6.5 AF

**6. Claim Summary:**

POD NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POD	11.5 AF	0.56 cfs	Not measured	Irrigation	128.8	128.8

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**SECTION 4**  
**SYSTEM DESCRIPTION**

Are there multiple PODs?

**NO**

If "YES" you will need to copy and complete a separate Section 4 for each POD.

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

POD

**A. Place of Use**

1. Is the right for municipal use?

**NO**

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
6S	1E	WM	16	NW SW	Lot 4	NA	IR	3.0	NA
6S	1E	WM	16	SW SW	Lot 5	NA	IR	5.7	NA
6S	1E	WM	17	NE SE	Lot 2	NA	IR	12.7	NA
6S	1E	WM	17	NE SE	NA	DLC 48	IR	6.4	NA
6S	1E	WM	17	NW SE	NA	DLC 48	IR	15.7	NA
6S	1E	WM	17	SW SE	NA	DLC 48	IR	27.0	NA
6S	1E	WM	17	SE SE	NA	DLC 48	IR	10.0	NA
6S	1E	WM	17	SE SE	Lot 3	NA	IR	18.3	NA
6S	1E	WM	20	NE NE	NA	DLC 48	IR	7.0	NA
6S	1E	WM	20	NE NE	Lot 1	NA	IR	1.1	NA
6S	1E	WM	20	NW NE	NA	DLC 48	IR	21.9	NA
<b>Total Acres Irrigated</b>								<b>128.8</b>	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and 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 and apply the water from the point of diversion to the place of use.

1. Is a pump used?

**YES**

If "NO" items 2 through item 6 may be deleted.

2. Pump Information:

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Berkeley Pumps	B2.5TPM	M10765	Centrifugal	3 inch	2.5 inch

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**3. Motor Information:**

MANUFACTURER	HORSEPOWER
Baldor	15 Hp

**4. Theoretical Pump Capacity:**

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
15 Hp	40 psi	9 feet	65 feet	0.56 cfs

**5. Provide pump calculations:**

$$Q_{\text{ Pump }} = \frac{(15 \text{ Hp}) \times (6.61 \text{ ft}^4/\text{sec Hp})}{(74 \text{ ft lift} + 101.6 \text{ ft pressure head})} = 0.56 \text{ cfs}$$

**6. Measured Pump Capacity (using meter if meter was present and system was operating):**

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
Not running during site visit			

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

7. Is the distribution system piped? **YES**

*If "NO" items 8 through item 13 may be deleted.*

**8. Mainline Information:**

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
5 inch	120 feet	Galvanized pipe	Above and below water
4 inch	100 feet	Polyester flex hose	Above ground
4 inch	~ 6,300 feet	PVC	Buried
3 inch	~4,600 feet	PVC	Buried

**9. Lateral or Handline Information:**

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
5/8 inch	~277,000 feet	Poly	Above ground

**10. Sprinkler Information:**

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
NA					

Reminder: For sprinkler output determination use the reference information at the end of this document.

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**11. Drip Emitter Information:**

SIZE	OPERATING PSI	EMITTER OUTPUT (GPM)	TOTAL NUMBER OF EMITTERS	MAXIMUM NUMBER USED	TOTAL EMITTER OUTPUT (CFS)
<b>Netafim red and black PCJ</b>	<b>20 psi</b>	<b>0.0083 gpm (0.5 gph)</b>	<b>~28,400</b>	<b>~5,000</b>	<b>0.092 cfs</b>

**12. Drip Tape Information:**

DRIPPER SPACING IN INCHES	GPM PER 100 FEET	TOTAL LENGTH OF TAPE	MAXIMUM LENGTH OF TAPE USED	TOTAL TAPE OUTPUT (CFS)	ADDITIONAL INFORMATION
<b>NA</b>					

**13. Pivot Information:**

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
<b>NA</b>				

**C. Storage**

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)?

**YES**

*If "NO", item 2 and 3 relating to this section may be deleted.*

If "YES" is it a:           Storage Tank  
  Bulge in System / Reservoir

**NO**  
**YES**

*Complete appropriate table(s), unused table may be deleted.*

**3. Bulge in System / Reservoir:**

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)
<b>Teeney Pond constructed under permit R-15257</b>	<b>8.5</b>	<b>6.5 AF</b>

**D. 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**

**E. 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.*

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

<b>None</b>
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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 use 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 permit extension of time:

	DATE FROM PERMIT	DATE ACCOMPLISHED *	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	<b>November 13, 2019</b>		
BEGIN CONSTRUCTION (A)	<b>November 13, 2024</b>	<b>March 2020</b>	<b>With the completion of the reservoir Permit R-15257, the system was installed and ready for use.</b>
COMPLETE CONSTRUCTION (B)	<b>NA</b>	<b>NA</b>	<b>NA</b>
COMPLETE APPLICATION OF WATER (C)	<b>November 13, 2024</b>	<b>July 2023</b>	<b>With the document from ODFW, all the permit conditions were met and water was put to full use</b>

\* 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**

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

### 3. Measurement Conditions:

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

**YES**

*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.**

b. Has a meter been installed?

**YES**

c. Meter Information

POD NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
<b>Staff Gauge</b>	<b>USGS Style C</b>	<b>NA</b>	<b>Working</b>	<b>5.92 feet (July 11, 2023)</b>	<b>March 2020</b>

*If a meter has been installed, items d 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?

**NO**

**– According to ODFW letter dated May 30, 2023**

*If “NO”, items b through e relating to this section may be deleted.*

**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**

**– According to ODFW letter dated May 30, 2023**

*If “NO”, items b and c relating to this section may be deleted.*

**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 water management and conservation plan required? **NO**
- d. 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):

<b>None</b>
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**SECTION 6**

**ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
<b>Claim of Beneficial Use Map</b>	<b>Claim of Beneficial Use Map</b>
<b>BLM Cadastral Map</b>	<b>BLM Cadastral Map T. 6S. R. 1E. showing DLC and Government Lot locations</b>
<b>Letter from ODFW, dated May 30, 2023</b>	<b>Letter stating a fish screening and passage devices are not required.</b>

**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 COBU map was prepared using tax assessor's map 06 1E 16, 17, and 20, overlain by a 2014 aerial photo titled USDA-FSA-APFO NAIP County Mosaic and obtained on line from the Natural Resources Conservation Service, Image Metadata:  
<http://datagateway.nrcs.usda.gov/Catalog/ProductDescription/NAIPM.html>**

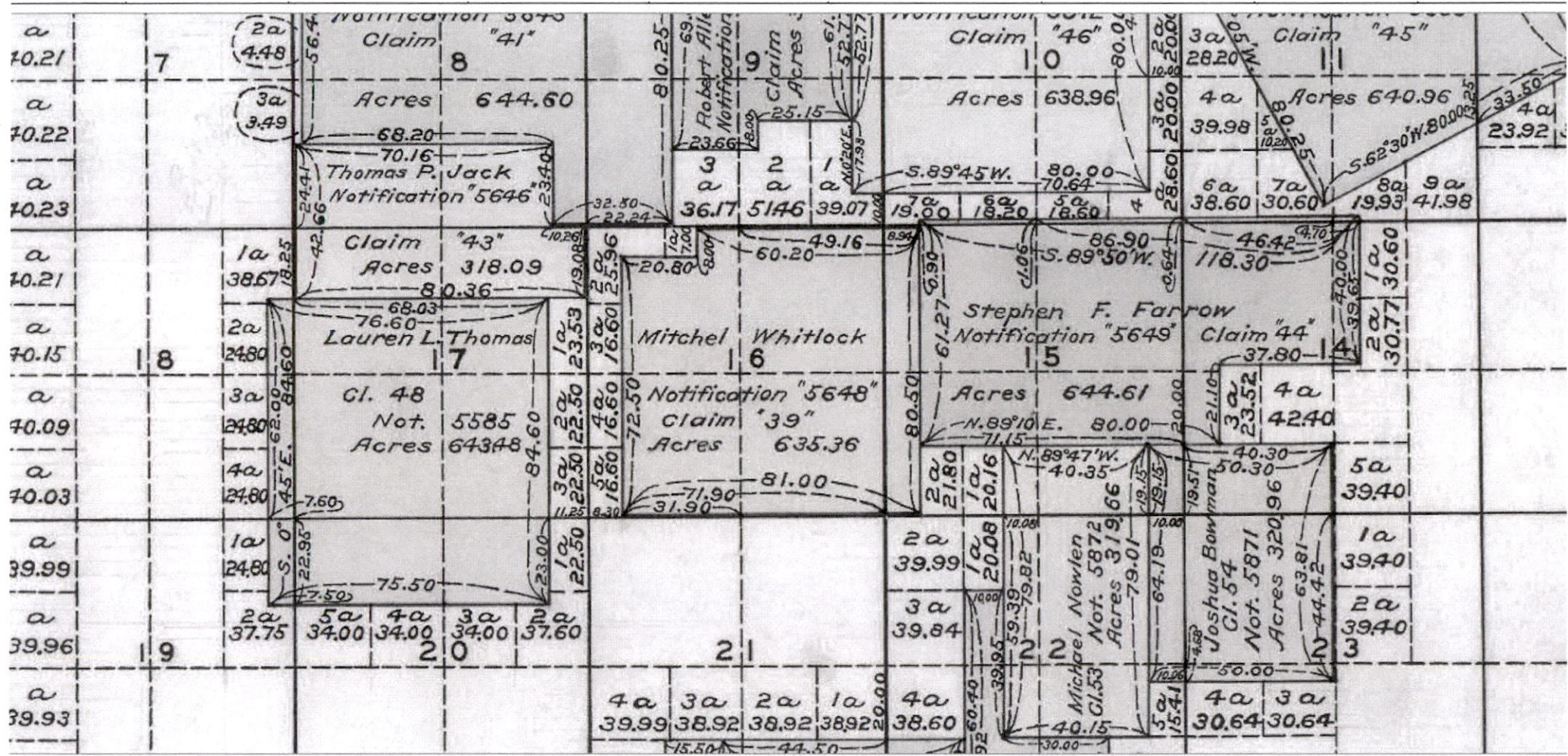
### Map Checklist

Please be sure that the map you submit includes ALL the items listed below.  
**(Reminder: Incomplete maps and/or claims may be returned.)**

- Map on polyester film.
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion
- 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

Tina Kotek, Governor

## Department of Fish and Wildlife

Northwest Region  
17330 SE Evelyn Street  
Clackamas, OR 97015-9514  
(971) 673-6000  
FAX (971) 673-6070



May 30, 2023

Northwest Agricultural Properties (AKA Kraemer Farms)  
Attn: Ray Stafford  
13318 Dominic Rd NE  
Mount Angel, OR 97362

### RE: Status of Fish Screens and Passage for S-88755

To whom it may concern,

The Oregon Department of Fish and Wildlife (ODFW) is submitting this letter regarding the fish screening condition contained in permit S-88755 in the name of Northwest Agricultural Properties (AKA Kraemer Farms). The permit allows the water user to submit evidence in writing that ODFW has determined screens and/or passage devices are not necessary.

After inspection of aerial imagery, ODFW has determined that fish screening and passage devices are not necessary for S-88755, which allows withdrawal of water from an off-channel pond (Teeny Pond) constructed under R-15257. The pond captures runoff, tributary to Butte Creek in the Pudding River basin.

Although ODFW has determined that fish screening and passage devices are not necessary for S-88755, the permittee shall not stock fish in the associated reservoir without a fish transport permit approved by ODFW. Per ORS 498.222 and OAR 635-007-0600, all persons transporting fish in Oregon need to have a fish transport permit issued by the Oregon Department of Fish and Wildlife (ODFW). **As part of the permitting process, the permittee may need to screen the outlet of the reservoir to ensure that fish cannot escape into public waters.**

Please let me know if you need any additional information or have any further questions.

Sincerely,

Michael D. Hayworth  
Assistant District Fish Biologist

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Cc: Katherine Nordholm, Fish Screens and Passage Coordinator, ODFW Salem (via email)