

# CLAIM OF BENEFICIAL USE for Transfer New or Additional POD Only



**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.

## SECTION 1

### GENERAL INFORMATION

#### Type of Authorized Change

This Claim is being submitted for a transfer where the only authorized change was a change in either point(s) of diversion or additional point(s) of diversion, or a combination of both.

**YES**

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

#### 1. File Information

|                                 |
|---------------------------------|
| APPLICATION #<br><b>T-13620</b> |
|---------------------------------|

#### 2a. Property Owner (current owner information) **TL 07 1W 05 1501**

|  |                    |                     |                        |  |
|--|--------------------|---------------------|------------------------|--|
| APPLICANT/BUSINESS NAME<br><b>BlueLink LLC</b> |                    | PHONE NO.           | ADDITIONAL CONTACT NO. |  |
| ADDRESS<br><b>4741 Brush Creek Rd NE</b>       |                    |                     |                        |  |
| CITY<br><b>Silverton</b>                       | STATE<br><b>OR</b> | ZIP<br><b>97381</b> | E-MAIL                 |  |

#### 2b. Property Owner (current owner information)

**TL 07 1W 05 1600, 1700, TL 07 1W 05B 900, 1000**

|   |                    |                     |                        |  |
|---|--------------------|---------------------|------------------------|--|
| APPLICANT/BUSINESS NAME<br><b>Blue Line Farms Inc</b> |                    | PHONE NO.           | ADDITIONAL CONTACT NO. |  |
| ADDRESS<br><b>4741 Brush Creek Rd NE</b>              |                    |                     |                        |  |
| CITY<br><b>Silverton</b>                              | STATE<br><b>OR</b> | ZIP<br><b>97381</b> | E-MAIL                 |  |

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**2c. Property Owner (current owner information) TL 07 1W 05B 300**

|  |                    |                     |                        |
|--|--------------------|---------------------|------------------------|
| APPLICANT/BUSINESS NAME<br><b>Jerry and Alice Schurter</b> |                    | PHONE NO.           | ADDITIONAL CONTACT NO. |
| ADDRESS<br><b>10833 Silverton Rd NE</b>                    |                    |                     |                        |
| CITY<br><b>Silverton</b>                                   | STATE<br><b>OR</b> | ZIP<br><b>97381</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<br><b>Blue Line Farms Inc. c/o Robert and Karl Dettwyler</b> |                    |                     |  |
| ADDRESS<br><b>4741 Brush Creek Rd NE</b>   |                    |                     |  |
| CITY<br><b>Silverton</b>   | STATE<br><b>OR</b> | ZIP<br><b>97381</b> |  |

**4. Date of Site Inspection:**

**November 14, 2023**

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

| NAME                       | DATE                     | ASSOCIATION WITH THE PROJECT              |
|----------------------------|--------------------------|---|
| <b>Johnathan Dettwyler</b> | <b>November 14, 2023</b> | <b>Co-owner/ Treasurer – and operator</b> |

**6. County**

**Marion County**

**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<br><b>NA</b> |       |     |
| ADDRESS                      |       |     |
| CITY                         | STATE | ZIP |

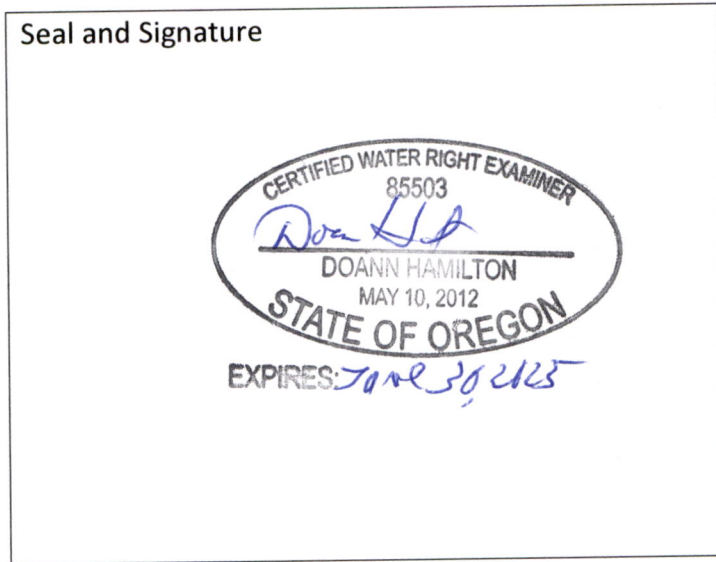
Add additional tables for owners of record as needed

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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.



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

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**Transfer Holder of Record Signature or Acknowledgement**

**Each** transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

| SIGNATURE               | PRINT OR TYPE NAME | TITLE    | DATE       |
|-------------------------|--------------------|----------|------------|
| <i>Robert Dettwyler</i> | Robert Dettwyler   | Director | 02-22-2024 |
| <i>Karl Dettwyler</i>   | Karl Dettwyler     | Pres     | 02-22-2024 |
|                         |                    |          |            |

**SECTION 3  
CLAIM DESCRIPTION**

**Note:** The Claim only needs to describe the new or additional point(s) of diversion. This Claim does not need to provide information for the original point(s) of diversion unless the original point of diversion is either a new or additional point of diversion on another right involved in this transfer.

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

| CERTIFICATE | POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP) | SOURCE   |
|-------------|---|--|
| 26918       | POD 2   | Pudding River  |
| 30734       | POD 2   | Pudding River, a tributary of Molalla River  |
| 62138       | POD 2   | Pudding River and D.K.K. Reservoir Constructed under Permit R-3984, a tributary of The Molalla River |
| 66173       | POD 2   | Pudding River and D.K.K. Reservoir Constructed under Permit R-3984, a tributary of The Molalla River |

**2. Variations:**

Was the use developed differently from what was authorized by the transfer final order, **NO** or extension final? If yes, describe below.

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

|      |          |
|------|----------|
| None | Received |
|------|----------|

3. Claim Summary:

| CERTIFICATE | NEW OR ADDITIONAL POD NAME OR # | MAXIMUM RATE AUTHORIZED IN ORDER | CALCULATED THEORETICAL RATE BASED ON SYSTEM | AMOUNT OF WATER MEASURED |
|-------------|---------------------------------|----------------------------------|---|--------------------------|
| 26918       | POD 2                           | 0.38 cfs                         | 1.07 cfs                                    | Not measured             |
| 30734       | POD 2                           | 0.11 cfs                         |   |                          |
| 62138       | POD 2                           | 0.24 cfs                         |   |                          |
| 66173       | POD 2                           | 0.07 cfs                         |   |                          |

SECTION 4

SYSTEM DESCRIPTION

Are there multiple new or additional Points of Diversion (POD)s? **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 2

A. POD System Information

Provide the following information concerning the point of diversion. Information provided must describe the equipment used to appropriate water from the point of diversion.

1. Pump Information

| MANUFACTURER  | MODEL | SERIAL NUMBER | TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE) | INTAKE SIZE | DISCHARGE SIZE |
|---------------|-------|---------------|--|-------------|----------------|
| Berkeley Pump | B3ZPL | 6966487       | Centrifugal                                | 3 inch      | 6 inch         |

2. Motor Information

| MANUFACTURER     | HORSEPOWER |
|------------------|------------|
| General Electric | 40 Hp      |

3. Theoretical Pump Capacity

| HORSEPOWER | OPERATING PSI | LIFT FROM SOURCE TO PUMP | LIFT FROM PUMP TO PLACE OF USE | TOTAL PUMP OUTPUT (IN CFS) |
|------------|---------------|--------------------------|--------------------------------|----------------------------|
| 40 Hp      | 80 psi        | 10 feet                  | 35 feet                        | 1.07 cfs                   |

4. Provide pump calculations:

|  |
|--|
| $Q \text{ Pump} = \frac{(40 \text{ Hp}) \times (6.61 \text{ ft}^4/\text{sec Hp})}{(45 \text{ ft lift} + 203.2 \text{ ft pressure head})} = 1.07 \text{ cfs}$ |
|--|

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**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) |
|--------------------------------------|----------------------|---------------------------|----------------------------|
| <b>Not running during site visit</b> |                      |                           |                            |

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

**B. Gravity Flow Pipe**

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

**1. Does the diversion involve a gravity flow pipe? NO**

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

**C. Gravity Flow Canal or Ditch**

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

**1. Does the diversion involve a gravity flow ditch or canal? NO**

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

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

|             |
|-------------|
| <b>None</b> |
|-------------|

**SECTION 5  
CONDITIONS**

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

**1. Time Limits:**

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

|                                  | DATE FROM TRANSFER      | DATE THE NEW AND/OR ADDITIONAL POD(S) WERE READY FOR USE<br><i>*THIS DATE MUST FALL BETWEEN THE “ISSUANCE DATE” AND THE “COMPLETENESS DATE”</i> |
|----------------------------------|-------------------------|---|
| ISSUANCE DATE                    | <b>February 9, 2022</b> |   |
| COMPLETENESS DATE FROM ORDER (C) | <b>October 1, 2024</b>  | <b>June 2023</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)? NO**

*If “NO”, you may delete the following table.*

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3. Measurement Conditions:

a. Does the transfer final order, or any extension final order require the installation of a meter or other approved measuring device? **NO**

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

4. Recording and reporting conditions

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

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

5. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? **YES**

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

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

b. Has the fish screening been installed? **YES**

c. When was the fish screening installed?

| DATE         | BY WHOM              |
|--------------|----------------------|
| June 1, 2023 | Blue Line Farms Inc. |

**Reminder: If the permit or transfer final order was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.**

d. If the diversion **involves a pump and** the **total** diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs) and the permit was issued prior to February 1, 2011:

- Has the self-certification form previously been submitted to the Department? **NA**

If not, go to <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>, complete and attach a copy of the 'ODFW Small Pump Screen Self Certification' form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

**Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.**

e. If the diversion does **not involve a pump or** the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? **YES**

If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

**Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.**

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**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**

**per ODFW letter dated May 24, 2023**

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

**7. Other conditions required by the transfer final order or extension final order:**

a. Was the water user required to restore the riparian area if it was disturbed? **NO**

b. Was a fishway required? **NO**

c. Other conditions? **NO**

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

**None**

**SECTION 6  
ATTACHMENTS**

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

| ATTACHMENT NAME                | DESCRIPTION   |
|--------------------------------|---|
| Claim of Beneficial Use Map    | Claim of Beneficial Use Map for former Certificate 26918  |
| Claim of Beneficial Use Map    | Claim of Beneficial Use Map for former Certificate 30734  |
| Claim of Beneficial Use Map    | Claim of Beneficial Use Map for former Certificate 62138  |
| Claim of Beneficial Use Map    | Claim of Beneficial Use Map for former Certificate 66173  |
| BLM Cadastral Map              | BLM Cadastral Map T. 7S. R. 1W. showing DLC and Government Lot locations  |
| Letter from ODFW, May 24, 2023 | Letter stating a fish screen meets current fish screening criteria up to 1,490 gpm and no by-pass devise is required at the end of pipe screen. |

**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 polyester film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

For the purpose of this Claim, the map identifying the location of the place of use does not require a new survey. The location of the place of use identified on the Claim map should be based on the original right of record at the time the transfer final order was issued. In transfers approved for additional points of diversion, the original points must be identified the map based on the original right of record at the time the transfer final order was issued.



Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The COBU map was prepared using tax assessor's maps 07 1W 05 and 05B, 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

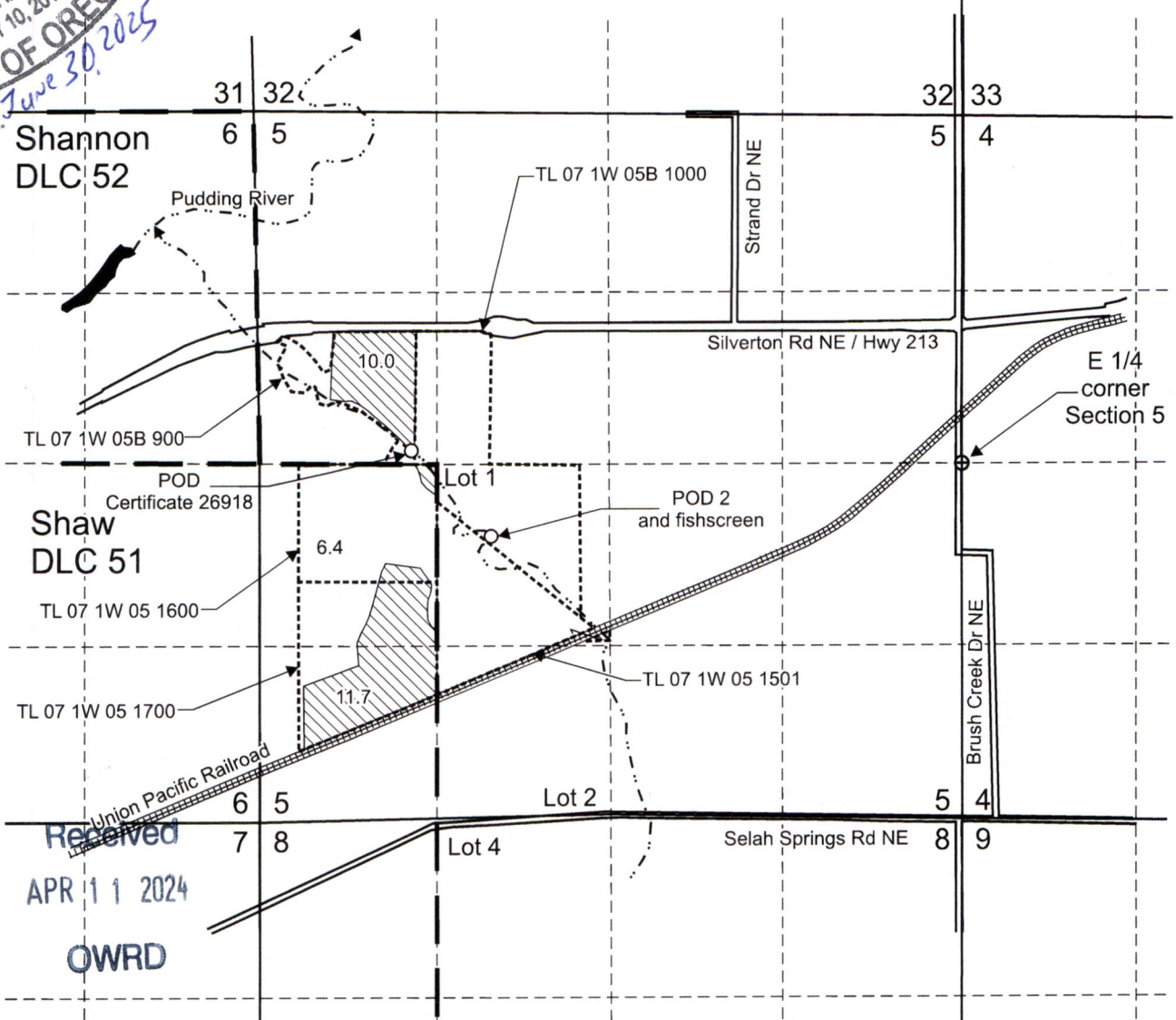
Please be sure that the map you submit includes ALL the items listed below.  
(Reminder: Incomplete maps and/or claims may be returned.)

- 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.) **\*Not required for this type of Claim of Beneficial Use**
- Point(s) of diversion (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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CERTIFIED WATER RIGHT EXAMINER  
 85503  
*Doann Hamilton*  
 DOANN HAMILTON  
 MAY 10, 2012  
 STATE OF OREGON  
 EXPIRES: June 30, 2025

# T.7S. R.1W. Section 5, W.M.



POD from unnamed stream: No coordinates given. Re-described per Certificate 62138: 90 feet north and 4,080 feet west from the E 1/4 corner, Section 5.

POD 2 is located 500 feet south and 3,520 feet west from the E 1/4 corner, Section 5.

 Area (28.1 Acres) irrigated under T-13620, formerly Certificate 26918, priority date: June 26, 1951.

----- Tax lot boundary

— . Donation Land Claim boundary

5 and 6 inch mainlines are portable

Scale: 1" = 1,320'



This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.



**Claim of Beneficial Use Map**  
**T-13620, formerly Certificate 26918**

Blue Line Farms, Inc.  
 T.7S. R.1W. Section 5, W.M.

Pacific Hydro-Geology Inc.

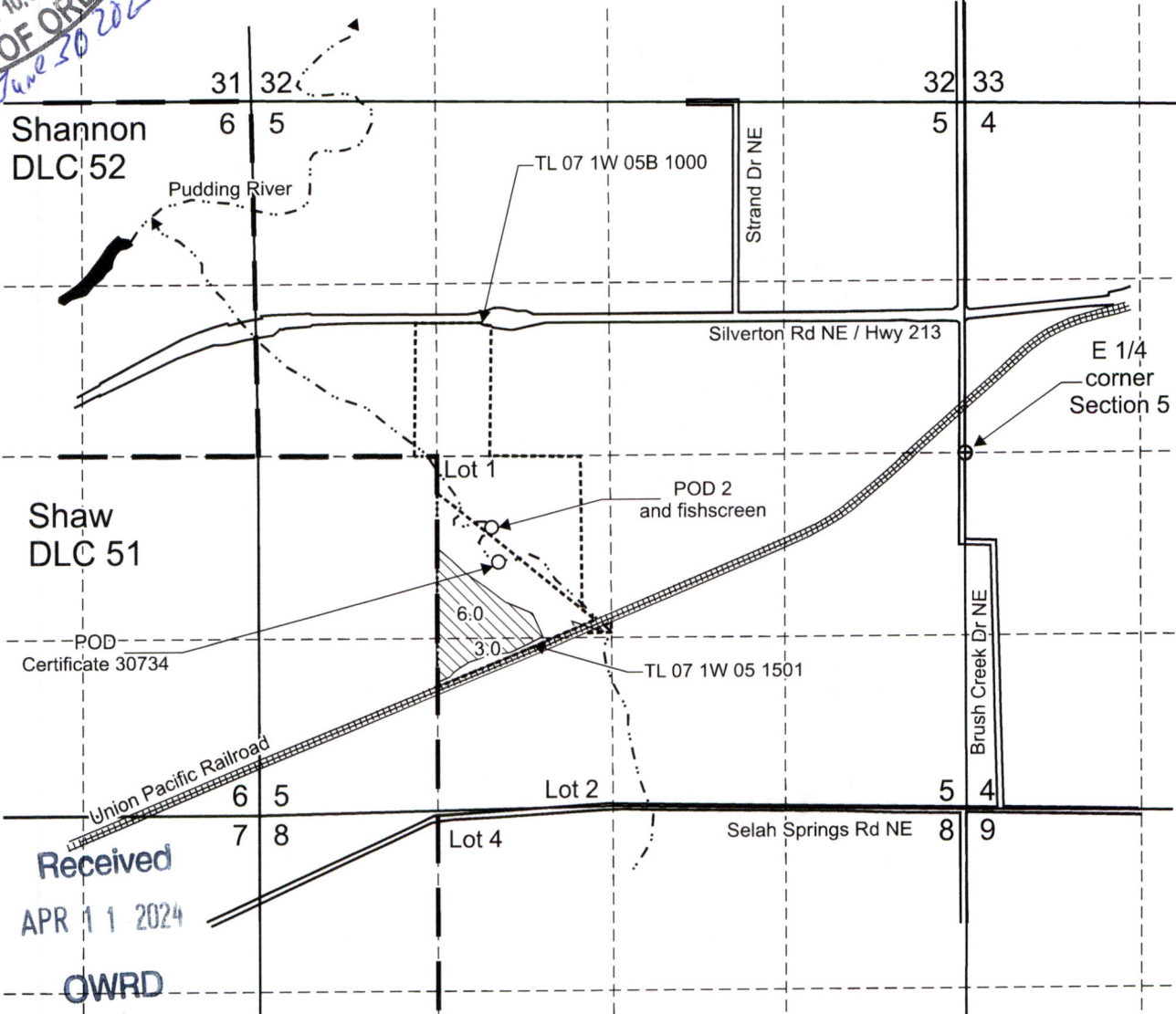
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BlueLineT-13620Cert26918COBUMap.cdr

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# T.7S. R.1W. Section 5, W.M.

CERTIFIED WATER RIGHT EXAMINER  
 85503  
*Doann Hamilton*  
 DOANN HAMILTON  
 MAY 10, 2012  
 STATE OF OREGON  
 EXPIRES: June 30 2025



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POD from unnamed stream: No coordinates given. Re-described per FPS map for Certificate 30734: 790 feet south and 3,500 feet west from the E 1/4 corner, Section 5.

POD 2 is located 500 feet south and 3,520 feet west from the E 1/4 corner, Section 5.

 Area (9.0 Acres) irrigated under T-13620, formerly Certificate 30734, priority date: March 7, 1961.

----- Tax lot boundary

— . — Donation Land Claim boundary

5 and 6 inch mainlines are portable

Scale: 1" = 1,320'



This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.



Claim of Beneficial Use Map  
 T-13620, formerly Certificate 30734

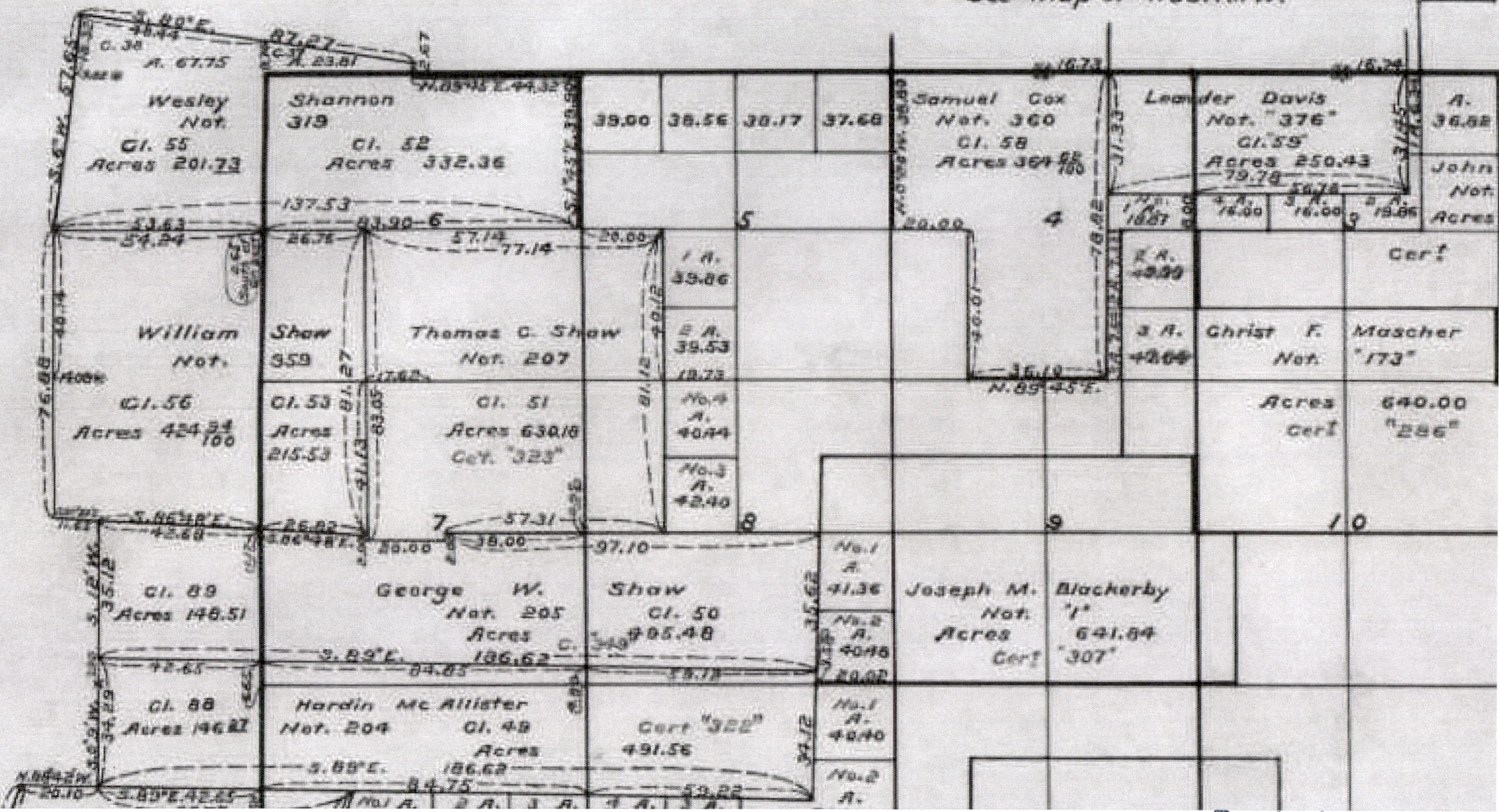
Blue Line Farms, Inc.  
 T.7S. R.1W. Section 5, W.M.

Pacific Hydro-Geology Inc.

02/2024

BlueLineT-13620Cert30734COBUMap.cdr

See map of 1.63.1111.



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# Oregon

Tina Kotek., 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

May 24, 2023



Attn. Karl Dettwyler  
Blue Line Farms  
4741 Brush Creek Drive NE  
Silverton, Or 97381

RE: Transfer T-13620

To whom it may concern,

This letter is regarding fish screening and passage requirements set forth in the Oregon Water Resources Department for transfer T-13620. This transfer allocates water from the Pudding River a tributary of the Molalla River. This site was inspected virtually with photos submitted by the landowner.

The fish screen that will be used at this point of diversion is a 8" Riverscreen. This model of self-cleaning screen, when installed and maintained properly is capable of screening up to 3.31 cfs or 1490 gpm, while protecting all age classes of native fish present from entrapment and impingement. ODFW concludes that this screen will meet currant state and federal fish screening criteria for a maximum withdrawal rate up to 3.31 cfs or 1490 gpm and will satisfy the screening requirements for transfer T-13620. A by-pass device is not required at this point of diversion as this is an end of pipe screen.

This approval is contingent on the following: the screen is installed prior to any withdrawal of water, the screen is installed so that the effective screen area is submerged during operation, and the screen is regularly inspected and maintained to ensure it remains in working order, including removing debris as necessary, and the screen is annually inspected when it is not in use.

If there are any questions regarding the approval of the screen for transfer T-13620, please contact me at 541-296-8026.

Sincerely,

Toby Schuyler

5/24/2023

Fish Screen and Passage Coordinator

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