

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



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

**A fee of \$230 must accompany this form for permits
with priority dates of July 9, 1987, or later.**
Claims received without the correct fee of \$200 will be returned.

A separate form shall be completed for each permit.

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

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

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SECTION 1

GENERAL INFORMATION

1. File Information

APPLICATION #	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
R-88456	R-15430	N/A (=not applicable)

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Eric Anthony Urstadt		PHONE NO. 971.250.1520	ADDITIONAL CONTACT NO. N/A
ADDRESS 39290 NW Murtaugh Road			
CITY North Plains	STATE OR	ZIP 97133	E-MAIL ericurstadt@hotmail.com

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

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

PERMIT HOLDER OF RECORD Same as above		
ADDRESS		
CITY	STATE	ZIP

ADDITIONAL PERMIT HOLDER OF RECORD N/A		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:**23 MAY 2024****5. Person(s) interviewed and description of their association with the project:**

NAME	DATE	ASSOCIATION WITH THE PROJECT
Eric Urstadt	23 MAY 2024	landowner

6. County**Washington****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)):**

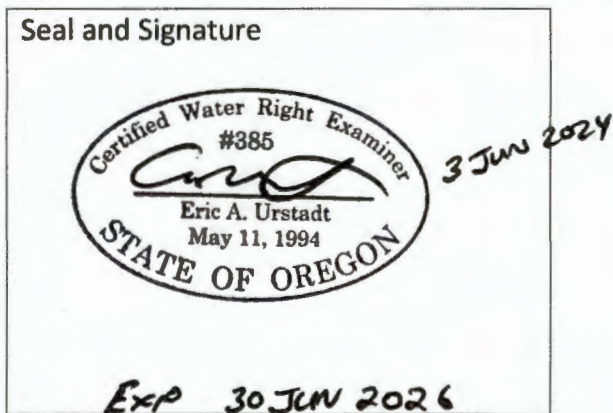
OWNER OF RECORD N/A		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

SECTION 2
SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.

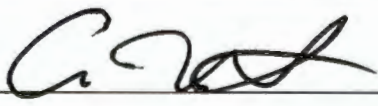


CWRE NAME Eric Urstadt, PE, PLS CWRE		PHONE NO. 971.250.1520	ADDITIONAL CONTACT NO.
ADDRESS 39290 NW Murtaugh Road			
CITY North Plains	STATE OR	ZIP 97133	E-MAIL ericurstadt@hotmail.com

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
	Eric Urstadt	landowner	23 MAY 2024

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SECTION 3

CLAIM DESCRIPTION

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

RESERVOIR NAME OR NUMBER	SOURCE	TRIBUTARY
Blacky Boy	Runoff, unnamed tributary	East Fork Dairy Creek

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

RESERVOIR NAME OR NUMBER	USES	SEASON OR MONTHS WHEN WATER WAS APPROPRIATED FOR STORAGE	VOLUME STORED (AF)
Blacky Boy Reservoir	Storage for domestic, irrigation, wildlife, and livestock	Dec 1 – April 30	12.3
Total Quantity of Water Stored			12.3

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 reservoir has a dam that is the Point of Diversion and that is the entire system for the reservoir.

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. 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.

NO

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

N/A

5. Claim Summary:

RESERVOIR NAME OR #	MAXIMUM STORAGE AUTHORIZED BY PERMIT (AF)	MAXIMUM STORAGE DEVELOPED (AF)
Blacky Boy Reservoir	12.3	12.3

SECTION 4

SYSTEM DESCRIPTION

Are there multiple reservoirs?

NO

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

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

N/A

A. Reservoir Location

1. Is the reservoir on-channel?

YES

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

TWP	RNG	MER	SEC	QQ	GLOT	DLC	MEASURED DISTANCES
2N	3W	WM	5	NW-NE	2	N/A	730' S & 1120' E of N1/4 S5

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

B. Diversion and Delivery System Information

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

1. Is a pump used?

NO

If "NO" items 2 through item 5 may be deleted. [Items Deleted](#)

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

6. Additional notes or comments related to the system:

N/A

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. [Items Deleted](#)

D. Gravity Flow Canal or Ditch

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

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

NO

If "NO", items 2 through 4 relating to this section may be deleted. [Items Deleted](#)

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E. Reservoir

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

NO

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

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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
N/A	N/A	N/A	N/A

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)
N/A	N/A	N/A	N/A

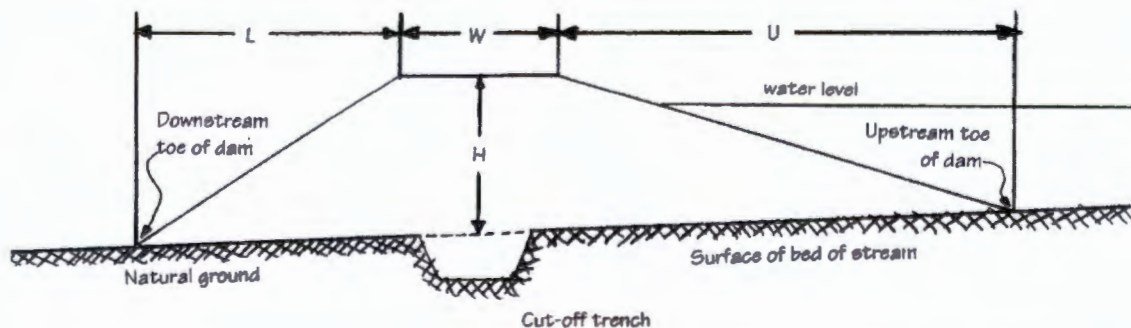
4. Provide reservoir volume calculations:

The volume of the reservoir was determined from a topographic survey of the bottom of the reservoir. Two-foot contour lines of the bottom of the reservoir were generated from the survey data. The reservoir volume was then calculated from the contours.

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
11-13 feet	42 feet	129 feet	75 feet	496.5 (full)	43% (=32.5/75)	43% (=56.5/129)

Example Dam Profile This box may be deleted from the form



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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.

See Attachment "B" – Dam Maximum Cross-section.

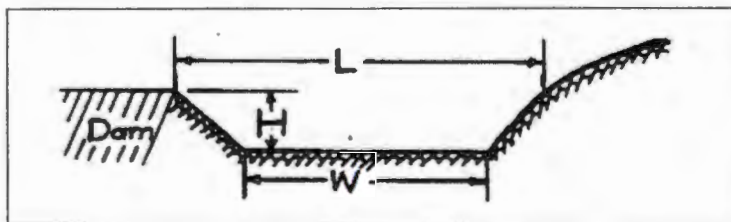
Note: An as-constructed set of plans was submitted to Dam Safety during the application phase. The plans were accepted by Kieth Mills, PE, as suitable for a previously constructed dam. In a recent call to Tony Jancik of Dam Safety, he stated that those plans and other records were all on file at Dam Safety and that all looked good. We have resolved any issues in the application phase.

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

The outlet conduit (or principal spillway) is a 12" corrugated metal pipe. It is located near the south end of the dam.

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

BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
9 FEET	28 FEET	3.2 FEET



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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	3 MAR 2020		
BEGIN CONSTRUCTION (A)	3 MAR 2025	APR 2020	Staff gauge was installed
COMPLETE CONSTRUCTION (B)	N/A	N/A	N/A
COMPLETE APPLICATION OF WATER (C)	3 MAR 2025	APR 2020	Water was stored as conditioned

* 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? 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 or appropriation.

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b. Has a meter been installed?

NO

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c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
N/A					

If a meter has been installed, items d through f 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

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
The permit requires a staff gauge	N/A	N/A

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED
Staff gauge	working	APR 2020

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. **Items Deleted**

5. Outlet Pipe

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

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

b. Has the outlet pipe been installed? **YES**

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

6. Fish Screening

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

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

7. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? **NO**

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

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

a. Was the water user required to restore the riparian area if it was disturbed? **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**

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

N/A

SECTION 6
ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
A	Claim Map
B	Dam at Maximum Cross-section

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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.

PROPERTY LINES AND QUARTER-QUARTER LINES ARE BASED ON THE TAX ASSESSOR MAP FOR SECTION 5, T2S, R3W. THE RESERVOIR OUTLINES ARE BASED ON AERIAL PHOTO INTERPRETATION; OREGON DAM SAFETY HAS ON FILE AN ACCURATE AS-CONSTRUCTED MAP OF THE RESERVOIR.

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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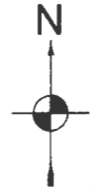
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MAP FOR

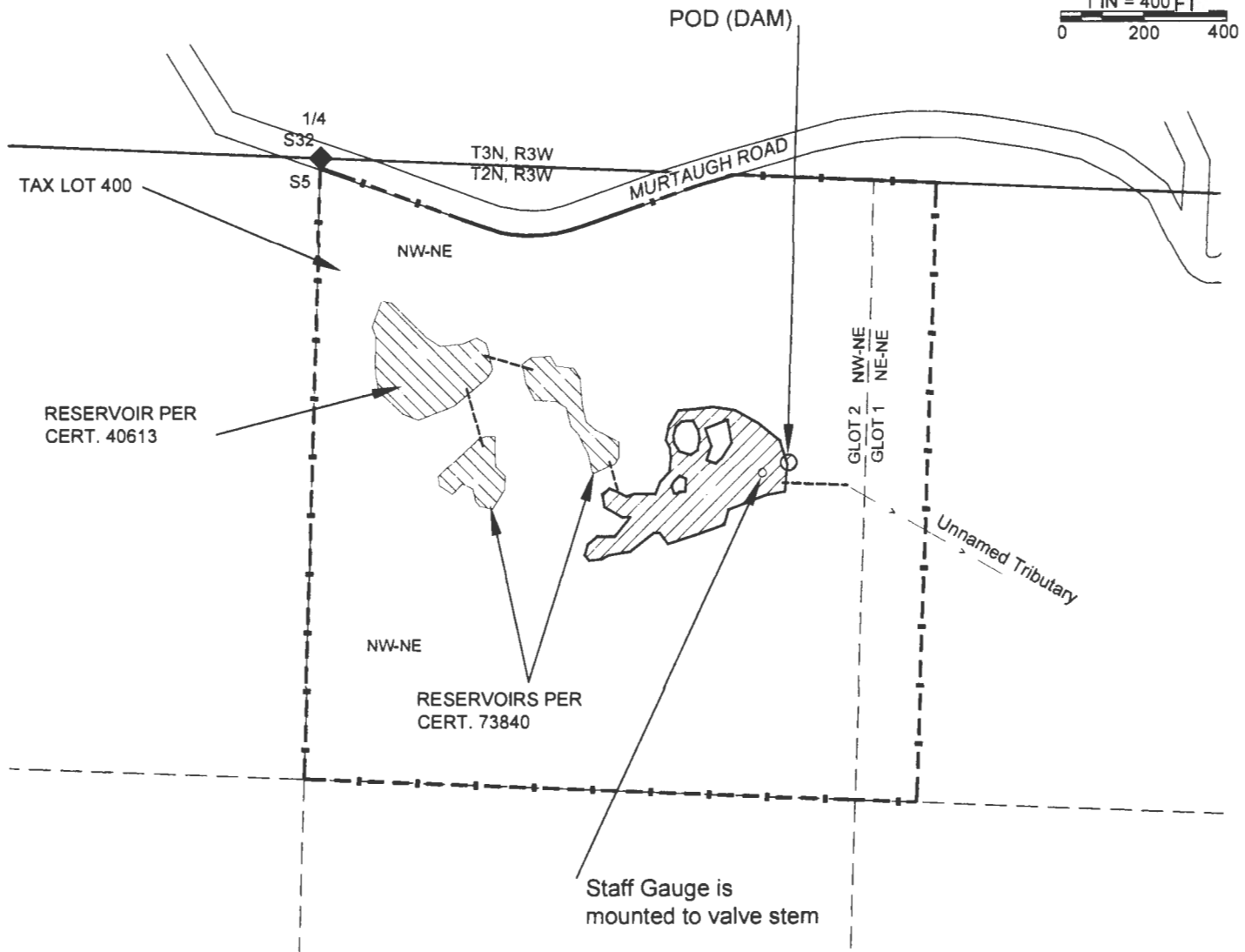
Claim of Beneficial Use

NE 1/4, S5, T2N, R3W, WASHINGTON COUNTY

Application R-88456, Permit R-15430



1 IN = 400 FT
0 200 400



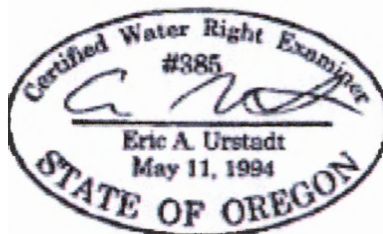
THE POINT OF DIVERSION IS A DAM WHICH IS: 730 FEET SOUTH AND 1120 EAST FROM THE NORTH 1/4 OF SECTION 5.

NOTES:

- THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.
- PROPERTY LINES AND QUARTER-QUARTER LINES ARE BASED ON THE TAX ASSESSOR MAP FOR SECTION 5, T2S, R3W.
- THE RESERVOIR OUTLINES ARE BASED ON AERIAL PHOTO INTERPRETATION.
- NO DONATION LAND CLAIMS EXIST ON OR NEAR THE TAX LOT.

LEGEND

- ◆ NORTH 1/4 CORNER SECTION 5
- POINT OF DIVERSION
- > — STREAM OR SURFACE DRAINAGE
- TAX LOT LINE
- SECTION LINE
- QUARTER-QUARTER LINE
- ▨ OTHER RESERVOIR
- ▨ SUBJECT RESERVOIR
- GLOT # GOVERNMENT LOT AND NUMBER
- OUTLET PIPE



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MAP BY:

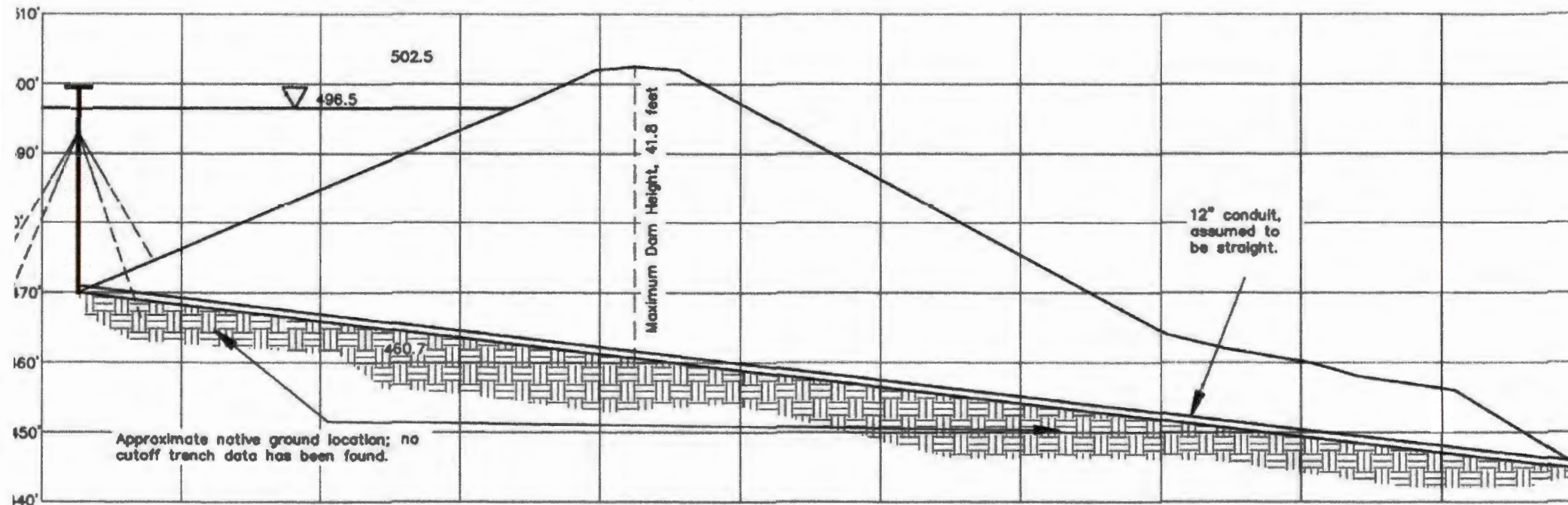
ASPEN RURAL LAND CONSULTING

ERIC URSTADT, PE, PLS

9MAY 2024

MurtaughRes2A

Dam Maximum Cross-Section looking North 1 inch = 20 feet



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ATTACH B-1/1



Rural Land Consulting

Water Resources, Water Rights, Land
Surveying, Engineering, Land Use Planning

ERICURSTADT@HOTMAIL.COM
971-250-1520 (MOBILE)

Water Resources Department
Attn: Certificate Section
725 Summer Street NE, Ste. A
Salem, OR, 97301

28 MAY 2024

Subject: Claim of Beneficial Use for storage

To Whom It May Concern,

Enclosed is a Claim of Beneficial Use (COBU) for permit R- 15430 with the following attachments:

- A. COBU Map
- B. Dam at Maximum Cross-section.
- C. A check made out to Oregon Water Resources Department for \$230.00 for fees.

Please let me know if there is any concerns or you need any more information.

Respectfully,
Aspen Rural Land Consulting

Eric Urstadt, PE, PLS

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