

**CLAIM OF  
BENEFICIAL USE  
for Transfer with Multiple  
Changes – Surface Water**



**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.**

**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 8" 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**

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This Claim is being submitted for a transfer involving multiple changes.

**YES**

Mark all that apply:

- |                                                                              |                                                                    |
|------------------------------------------------------------------------------|--------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Change in POD(s) or Additional POD(s) | 2. <input checked="" type="checkbox"/> Change in Place of Use      |
| 3. <input type="checkbox"/> Change in Character of Use                       | 4. <input type="checkbox"/> Change in Character of Use – Reservoir |

*A separate section will be completed for each type of change authorized in the transfer final order.*

**1. File Information**

|                                 |
|---------------------------------|
| APPLICATION #<br><b>T-12934</b> |
|---------------------------------|

**2. Property Owner (current owner information)**

|                                                               |                    |                                  |                        |
|---------------------------------------------------------------|--------------------|----------------------------------|------------------------|
| APPLICANT/BUSINESS NAME<br><b>William &amp; Jackie Dunbar</b> |                    | PHONE NO.<br><b>907-441-4746</b> | ADDITIONAL CONTACT NO. |
| ADDRESS<br><b>9622 Victor Rd</b>                              |                    |                                  |                        |
| CITY<br><b>Anchorage</b>                                      | STATE<br><b>AK</b> | ZIP<br><b>99515</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>Same as above</b> |       |     |
| ADDRESS                                           |       |     |
| CITY                                              | STATE | ZIP |

**4. Date of Site Inspection:**

|                               |
|-------------------------------|
| <b>10/25/22 &amp; 11/7/22</b> |
|-------------------------------|

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

| NAME                    | DATE            | ASSOCIATION WITH THE PROJECT |
|-------------------------|-----------------|------------------------------|
| <b>Andy Root</b>        | <b>10/25/22</b> | <b>Farm Manager</b>          |
| <b>Matt Nonnemacher</b> | <b>11/7/22</b>  | <b>Pump Setter</b>           |

**6. County:**

|               |
|---------------|
| <b>Harney</b> |
|---------------|

**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 |

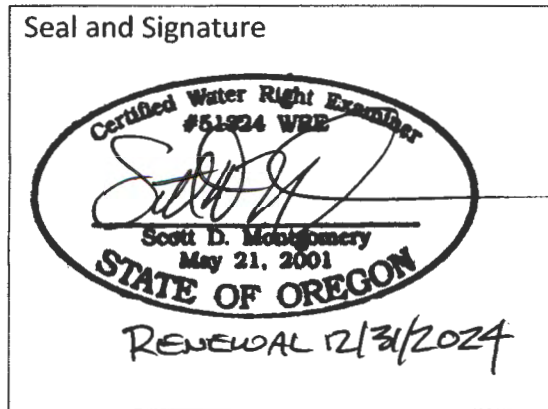
Add additional tables for owners of record as needed

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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.



|                                               |                                         |                                                      |
|-----------------------------------------------|-----------------------------------------|------------------------------------------------------|
| <b>CWRE NAME</b><br><b>Scott D Montgomery</b> | <b>PHONE No.</b><br><b>541-548-5833</b> | <b>ADDITIONAL CONTACT No.</b><br><b>541-420-0401</b> |
| <b>ADDRESS</b><br><b>PO Box 767</b>           |                                         |                                                      |
| <b>CITY</b><br><b>Terrebonne</b>              | <b>STATE</b><br><b>OR</b>               | <b>ZIP</b><br><b>97760</b>                           |
| <b>E-MAIL</b><br><b>scott@apeands.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      |
|-----------|--------------------|-------|-----------|
|           | William Dunbar     | Owner | 7/14/2024 |
|           | Jackie Dunbar      | Owner | 7/14/2024 |

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**SECTION 3**  
**Changes Made**

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

**Change #1**

**New or Additional Point of Diversion**

**Change in POD(s) or Additional POD(s)**

Did the transfer order authorize a change in the points of diversion or additional points of diversion? **YES**

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

| POINT OF DIVERSION<br>(POD) NAME OR NUMBER<br>(CORRESPOND TO MAP) | SOURCE        |
|-------------------------------------------------------------------|---------------|
| Bridge                                                            | Silvies River |

**2. Variations:**

Was the use developed differently from what was authorized by the transfer final order, or extension final? **NO**

If yes, describe below.

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

**3. Claim Summary:**

| NEW OR<br>ADDITIONAL<br>POD<br>NAME OR # | MAXIMUM RATE<br>AUTHORIZED<br>IN ORDER | CALCULATED<br>THEORETICAL RATE<br>BASED ON SYSTEM | AMOUNT OF<br>WATER<br>MEASURED |
|------------------------------------------|----------------------------------------|---------------------------------------------------|--------------------------------|
| Bridge                                   | 2.48 cfs                               | 2.28 cfs                                          | Not on                         |

**System Description**

Are there multiple new or additional Points of Diversion (POD)? **NO**

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

Bridge

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## 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 |
|--------------|-------|---------------|--------------------------------------------|-------------|----------------|
| Franklin     | UNK   | UNK           | Submersible                                | UNK         | 5" flex hose   |

### 2. Motor Information

| MANUFACTURER | HORSEPOWER |
|--------------|------------|
| Franklin     | 20         |

### 3. Theoretical Pump Capacity

| HORSEPOWER | OPERATING PSI | LIFT FROM SOURCE TO PUMP | LIFT FROM PUMP TO PLACE OF USE | TOTAL PUMP OUTPUT (IN CFS) |
|------------|---------------|--------------------------|--------------------------------|----------------------------|
| 20         | 20            | 6'                       | 5'                             | 2.28                       |

### 4. Provide pump calculations:

$Q = 7.04 \text{ ft}^4/5/\text{hp} = \frac{(7.04)(20)}{5} = 2.28 \text{ cfs}$   
Total head, ft 61.18  
Total head = 50.8' + 6' + 5' = 61.8'

### 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) |
|-----------------------|----------------------|---------------------------|----------------------------|
| Not on                |                      |                           |                            |

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

### 6. Additional notes or comments related to the system:

## 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

## 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

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## Change #2

### Change in Place of Use

Did the transfer order authorize a change in the place of use?

**YES**

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

If Irrigation or Nursery Use:

| THE # OF ACRES ALLOWED | THE # OF ACRES DEVELOPED |
|------------------------|--------------------------|
| <b>3.0 IR</b>          | <b>3.0 IR</b>            |

#### 2. Variations:

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

|  |
|--|
|  |
|--|

**Change #3****Change in Character of Use**

Did the transfer order authorize a change in character of use?

**NO****Change #4****Change in Character of Use – Reservoir**

Did the transfer order authorize a change in character of use for a reservoir?

**NO****SECTION 4****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 AUTHORIZED CHANGES WERE COMPLETED<br>*THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE<br>"COMPLETENESS DATE" |
|-------------------------------------|--------------------|-------------------------------------------------------------------------------------------------------------------------------|
| ISSUANCE DATE                       | 3/5/2020           |                                                                                                                               |
| COMPLETENESS DATE<br>FROM ORDER (C) | 10/1/2021          | 8/2021                                                                                                                        |

\* 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****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?

**YES**

b. Has a meter been installed?

**YES****c. Meter Information**

| POD NAME<br>OR # | MANUFACTURER         | SERIAL #   | CONDITION<br>(WORKING OR<br>NOT) | CURRENT METER<br>READING | DATE INSTALLED |
|------------------|----------------------|------------|----------------------------------|--------------------------|----------------|
| Bridge           | Lindsay<br>Growsmart | GT21041096 | Off                              | 7000.5 gal x 1000        | 8/2021         |

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#### 4. Recording and reporting conditions

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

#### 5. Fish Screening

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

#### 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**

#### 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? **YES**

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):

**Riparian area was restored. A letter from ODFW biologist excusing the need for screening or bypass for fish is attached with this report.**

### SECTION 5

### ATTACHMENTS

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

| ATTACHMENT NAME | DESCRIPTION                                                |
|-----------------|------------------------------------------------------------|
| ODFW letter     | Letter from ODFW biologist excusing fish screens or bypass |
| Site photos     | Location & date stamped pics for POD & POU                 |
| Aerial imagery  | <b>Received</b>                                            |

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### SECTION 6

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### 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 diversion & place of use were tied to approximate boundaries using a Trimble GeoXT 6000 GIS data collector. Point data was imported in Trimble Pathfinder GIS software & converted to Statewide Lambert Projection. Point data was compared with aerial imagery for accuracy.**

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## 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 or appropriation
- ☒ 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

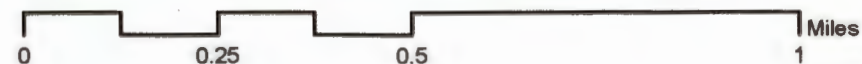
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# T22S R 30E, W.M.

2018 aerial imagery from NRCS Gateway website imported into ArcMap GIS software in statewide Lambert projection.



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Lat: 43° 40' 23.80" N Lon: 119° 9' 16.72" W

10:46 25-10-2022

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$43^{\circ}40'23.79''N$

$119^{\circ}09'16.62''W$

$4193'$

$\pm 13'$

$43^{\circ}40'23.82''N$

$119^{\circ}09'16.66''W$

$4198'$

$\pm 1.5$

CORRECTED

2024

3 305

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10:47 25-10-2022

Lat: 43° 40' 23.75" N Lon: 119° 9' 16.64" W

43°40'23.81"N  
119°06'16.65"W  
41  
~~428~~

71-15'

CORR.

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43° 40' 23.81" N  
119° 06' 16.65" W  
41  
428

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10:55 25-10-2022

Lat: 43° 40' 31.85" N Lon: 119° 9' 11.86" W

43°40' 31.83" N

119°09' 11.83" W

496'

+/- 1.4'

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10-11-2022

10:56 25-10-2022

Lat: 43° 40' 31.58" N Lon: 119° 9' 11.94" W

DAVIDSON  
JUL 29 2024  
RWC

43°40'31.57"N  
119°07'11.90"W

4197'

4-1.3'

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# Oregon

Tina Kotek, Governor

## Department of Fish and Wildlife

Hines Office  
Malheur Watershed District  
237 Hwy 20 S.  
PO Box 8  
Hines, Oregon 97738  
(541) 573-6582  
FAX (541) 573-5306

June 17, 2024

Jackie Dunbar  
9622 Victor Road  
Anchorage, AK 99515

RE: Status of Fish Screens and Passage for T-12934

To whom it may concern,

The Oregon Department of Fish and Wildlife (ODFW) is submitting this letter regarding the fish screening conditions contained in permit T-12934 in the name of Jackie Dunbar. The permit allows the water user to submit evidence in writing that ODFW has determined screens and/or passage devices are not necessary.

T-12934 transfers three water rights to one point of diversion located at (43.673288, -119.154615). The new point of diversion uses a submersible pump located in a vertical pipe approximately 20' deep with the lower 10' perforated to allow water to be pumped. The pipe is sounded by crushed gravel. After inspection of the site and consultation with local staff, ODFW has determined that fish screening and passage devices are not necessary for T-12934 in the current configuration.

The current point of diversion does not pose an artificial obstruction to fish passage. However, the permittee shall maintain adequate passage of native migratory fish at all times (ORS 509.610) at the point of diversion and shall not construct, operate, or maintain any dam or artificial obstruction to fish passage across any waters of the state that are inhabited, or were historically inhabited, by native migratory fish (ORS 509.585).

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

Sincerely,

Dave Banks  
Malheur Watershed District  
District Fish Biologist  
(541)-573-6582

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

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**ALL POINTS**  
**ENGINEERING & SURVEYING, INC.**  
P.O. Box 767 (CRR)  
Terrebonne, Oregon 97760

**TRANSMITTAL**

To: Oregon Water Resources Dept  
725 Summer St NE, Suite A  
Salem, OR 97301-1266

Date: 7/24/2024  
Attention: Certificates  
RE: COBU T-12934

☒ Prints ☐ Plans ☐ Plat ☐ Specifications.

Attached is a Claim of Beneficial Use & Final Proof Map for T-12934.

If you have any questions please don't hesitate to call or email me.

| Copies | No. | Description                                           |
|--------|-----|-------------------------------------------------------|
| 1      | 1   | COBU (10 pages letter bond)                           |
| 1      | 2   | COBU Map (1 page mylar)                               |
| 1      | 3   | Aerial imagery (1 page letter bond)                   |
| 1      | 4   | Site photos (4 pages letter bond)                     |
| 1      | 5   | Letter from Dept Fish & Wildlife (1 page letter bond) |

Signed: \_\_\_\_\_

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