


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

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 # S-88571	PERMIT # S-55152	PERMIT AMENDMENT # T-NA
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2. Property Owner (current owner information):

APPLICANT/BUSINESS NAME King Estate Winery LP		PHONE NO.	ADDITIONAL CONTACT NO.	
ADDRESS 80854 Territorial Hwy				
CITY Eugene	STATE OR	ZIP 97405	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 or holder of record (this may, or may not, be the current property owner):

PERMIT HOLDER OF RECORD King Estate Winery Inc. c/o Mark Dorman			
ADDRESS 80854 Territorial Hwy			
CITY Eugene	STATE OR	ZIP 97405	

ADDITIONAL PERMIT HOLDER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

September 12, 2023

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Mark Dorman	September 12, 2023	Director of new Construction / Maintenance

6. County

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

Permit Holder 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
	MARK DORMAN	DIRECTOR OF MAINTENANCE-KE	7/8/2024

SECTION 3

CLAIM DESCRIPTION

1. Point of diversion name or number:

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POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)
POD

2. Point of diversion source and tributary:

POD NAME OR NUMBER	SOURCE	TRIBUTARY
POD	West Reservoir constructed under Permit R-12087	Farman Creek

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)
POD	Irrigation	Grape stocks, vegetable, flowers and cover crop	March 1 through October 31	2.64 AF
Total Quantity of Water Used				2.64 AF

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 West Reservoir using a 2-inch Predator 212cc trash pump to convey water through 2-inch reinforced synthetic rubber hose with a meter and a foot-valve at the end and submerged to a depth of 19 feet within the reservoir. The water is pumped into 2-inch PVC stand-up pipe that connects to the buried 3-inch mainline. The 2-inch stand-up pipe also has a tee valve where mobile tractor tanks can be filled to add additional water by spraying the crops.

The 3-inch buried PVC mainline continues south along the west edge of the fields. At the southern edge of the north field, and the northern edge of the middle and south fields, the mainline reduces to 2-inch buried PVC that extends east to the far edge of each field. From this 2-inch buried PVC mainline, every 6 feet for the north field and every 8 feet for the middle and south fields, a 3-foot-long, 1-inch poly tubing tees up with a gate valve and a "Y" quick-connect where one or two lines of drip tape can be attached per row, extending north or south to the far end of each field.

The crops are irrigated as needed and any additional areas not currently planted can be planted in cover crop of oats or clover.

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).

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 reduced place of use based on field verification:

Original authorized place of use:

20S	5W	2	SW NE	3.3
20S	5W	2	SE NE	2.4
20S	5W	2	NW SE	<u>5.0</u>
Total:				10.7

Revised place of use:

20S	5W	2	SW NE	DLC 37	2.1
20S	5W	2	NW SE	DLC 37	1.0
20S	5W	2	NW SE	Lot 4	<u>3.4</u>
Total:					6.5

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**2. The location of Point of Diversion is more correctly placed at:
1,835 feet south and 2,150 feet west from the NE corner, Section 2.**

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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	2.64 AF	0.13 cfs (from 2.64 AF stored water)	Not Measured	Irrigation	10.7	6.5

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
20S	5W	WM	2	SW NE	NA	37	Irrigation	2.1	NA
20S	5W	WM	2	NW SE	NA	37	Irrigation	1.0	NA
20S	5W	WM	2	NW SE	Lot 4	NA	Irrigation	3.4	NA
Total Acres Irrigated								6.5	

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
Predator – trash pump	2 inch - 212cc	Unknown	Centrifugal	2 inch	2 inch

3. Motor Information:

MANUFACTURER	HORSEPOWER
Predator	158 gpm or 0.35 cfs or approximate 5 Hp

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4. Theoretical Pump Capacity:

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
5 Hp	40 psi	19 feet	~ 60 feet	0.19 cfs

5. Provide pump calculations:

$$Q \text{ Pump} = \frac{(5 \text{ Hp}) \times (7.04 \text{ ft}^4/\text{sec Hp})}{(79 \text{ ft lift} + 101.6 \text{ ft pressure head})} = 0.19 \text{ cfs}$$

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?

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

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8. Mainline Information:

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MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
3 inch	~1,500 feet	PVC	Buried

9. Lateral or Handline Information:

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
2 inch	~ 60 feet	Reinforced EPDM –synthetic rubber hose	Above ground and submerged in the pond
2 inch	~800 feet	PVC	Buried
1 inch	~300 feet	Flexible poly tubing	Above ground and buried

10. Sprinkler Information:

LOCATION	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.

11. Drip Emitter Information:

SIZE	OPERATING PSI	EMITTER OUTPUT (GPM)	TOTAL NUMBER OF EMITTERS	MAXIMUM NUMBER USED	TOTAL EMITTER OUTPUT (CFS)
NA					

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
4 inch	1.34 gpm/100ft	14,000 ft	4,500 ft	0.13 cfs	None

13. Pivot Information:

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
NA				

C. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)? NO

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

If "YES" is it a: Storage Tank NO
Bulge in System / Reservoir 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)
West Reservoir under Certificate 90716	~ 6 feet	2.64 AF

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

If "NO", items 2 through 4 relating to this section may be deleted.

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:

None

**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:

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	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	October 23, 2018		
BEGIN CONSTRUCTION (A)	October 23, 2023	NA	NA
COMPLETE CONSTRUCTION (B)	NA	NA	NA
COMPLETE APPLICATION OF WATER (C)	October 23, 2023	July 2019	With the installation of the meter, all the permit conditions were met and water was put to full use.

* 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
POD	Sensus	1586709	Working	29,897,554 gallons (September 12, 2023)	July 2019

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**

Per ODFW letter issued after meeting onsite March 27, 2023

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

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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 issued after meeting onsite March 27, 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? **YES**
- 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):

a1) Condition:
 If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

Compliance:
 The pump for the Point of Diversion sits on a pallet placed on a partially concreted pad. The hose into the pond is laid out on the bank of the pond but is not moved once installed for the season. Therefore, there is no disturbance of the riparian area.

**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
BLM Cadastral Map	BLM Cadastral Map T. 20S. R. 5W. showing DLC and Government Lot locations
Letter from ODFW, after March 27, 2023 meeting	Letter stating fish screening and bypass devices are not required.

**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.

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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 19053500, 19053600, 20050100, and 20050200 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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T.20S. R.5W. Section 2, W.M.






35 36
2 1

J. Thompson
DLC 37

TL 20 5W 02 801

Dam is located 455 feet south and 1,030 feet west (Reference Certificate 90716: 300 feet south and 900 feet west) from the NE 1/16 corner, Section 2.

Point of Diversion is located 1,835 feet south and 2,150 feet west from the NE corner, Section 2.

-  West Reservoir
-  Acres (6.5 acres) irrigated under Application S-88571, Permit S-55152
-  Mainlines
-  Tax lot boundary
-  Donation Land Claim boundary



NE 1/16th corner
Section 2

West Reservoir

Dam

Point of Diversion and meter

To Farman Creek



King Estate Winery

Scale: 1" = 400'



Lot 4

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

Claim of Beneficial Use Map
Application S-88571, Permit S-55152

Pacific Hydro-Geology Inc.

King Estate Winery
T.20S. R.5W. Section 2, W.M.

12/2023



Oregon

Tina Kotek, Governor

Department of Fish and Wildlife

Mid Coast Fish District
810 SW Alder Street, Unit C
Newport, OR 97365
(541) 265-8306
Fax (541) 867-0311
www.myodfw.com



King Estate Winery
Attn: Mark Dorman
King Estate Winery INC
80854 Territorial HWY
Eugene, OR 97405

Regarding screening requirements for water right S-55152,

Dear Mark,

Thank you for meeting with us on March 27, 2023, to review the screening requirements for the intake for water right S-55152. The Oregon Department of Fish and Wildlife (ODFW), Mid Coast Fish District reviewed site conditions for fish use and migration in the small stream leading to the pond and determined there was no fish use in the pond or immediately downstream.

The District concluded that the stream gradient directly below the irrigation pond was over 20% for approximately a quarter of a mile, and that any fish use occurring in the stream would be downstream of the pond. Because of the gradient, there is no fish use in the pond or downstream until the gradient lessens. We would recommend the installation of a water bypass pipe be installed to supply water to downstream fish habitat at a rate similar to natural stream flow. The bypass pipe should be deep enough in order to provide a continual flow of water through the water use period of March-October. The Department acknowledges that this water bypass is not a requirement for the use of the water but would provide protection for fish habitat downstream of the pond.

Since there is no fish use in the pond there is no requirement for screening the intake for irrigation purposes. If you have any questions, please contact Dylan O'Keefe at 541-961-8360 or dylan.j.okeefe@odfw.oregon.gov.

Sincerely,

Dylan O'Keefe
Mid Coast Assistant District Fish Biologist
dylan.j.okeefe@odfw.oregon.gov

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