

**CLAIM OF  
BENEFICIAL USE  
for Transfers Character of Use and  
Place of Use**



**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 7" 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>

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**SECTION 1**

**GENERAL INFORMATION**

**Type of Authorized Change**

This Claim is being submitted for a transfer where the character of use and the place of use were the only changes that were authorized.

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

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**YES**

**1. File Information**

|                                 |
|---------------------------------|
| APPLICATION #<br><b>T-13592</b> |
|---------------------------------|

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

|  |                        |                                  |  |
|--|------------------------|----------------------------------|--|
| APPLICANT/BUSINESS NAME<br><b>James Beard, Trustee, Trin Corp Roth 401K – Lone Mountain Resort Park, LLC</b> |                        | PHONE NO.<br><b>541-840-9733</b> | ADDITIONAL CONTACT NO.                 |
| ADDRESS<br><b>711 Medford Center PMB 126</b>   |                        |                                  |  |
| CITY<br><b>Medford</b>   | STATE<br><b>OREGON</b> | ZIP<br><b>97504</b>              | E-MAIL<br><b>jbeard.loan@gmail.com</b> |

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>James Beard, Trustee, Trin Corp Roth 401K – Lone Mountain Resort Park, LLC</b> |                        |                     |
| ADDRESS<br><b>711 Medford Center PMB 126</b>   |                        |                     |
| CITY<br><b>Medford</b>   | STATE<br><b>OREGON</b> | ZIP<br><b>97504</b> |

**4. Date of Site Inspection:**

|                                 |
|---------------------------------|
| <b>September 5, 6, 13, 2024</b> |
|---------------------------------|

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

| NAME                    | DATE                  | ASSOCIATION WITH THE PROJECT                |
|-------------------------|-----------------------|---|
| <b>Christopher Love</b> | <b>September 2024</b> | <b>Manager of Lone Mountain Resort Park</b> |
|                         |                       |   |

**6. County:**

|                  |
|------------------|
| <b>Josephine</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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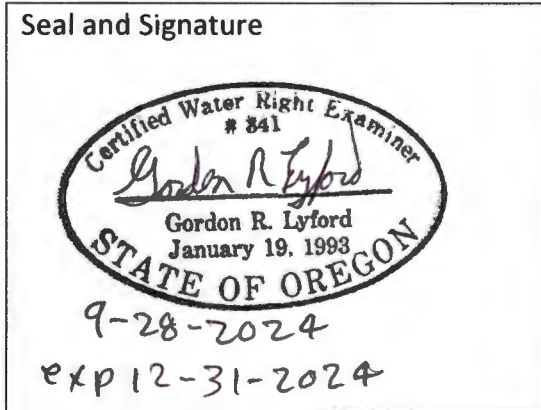
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**SECTION 2  
SIGNATURES**

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>Gordon R. Lyford | <b>PHONE NO.</b><br>541-596-2017 | <b>ADDITIONAL CONTACT NO.</b> |                                       |
| <b>ADDRESS</b><br>PO Box 118         |                                  |                               |                                       |
| <b>CITY</b><br>O'Brien               | <b>STATE</b><br>OREGON           | <b>ZIP</b><br>97534           | <b>E-MAIL</b><br>wrrw@frontiernet.net |

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    |
|-----------|--------------------|------------------------------------|---------|
|           | James Beard        | Owner of Lone Mountain Resort Park | 9-29-24 |
|           |                    |                                    |         |

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### SECTION 3

#### EXTENT OF CHANGES COMPLETED

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

#### Change #1

#### Change in Character of Use

**1. Claim Summary – Authorized Use(s):**

Provide the new uses authorized by the transfer final order:

| NEW USE(S) AUTHORIZED                            |
|--|
| <b>Group Domestic April 1 through November 1</b> |
|  |

**2. Variations:**

Were all the uses developed from what was authorized by the transfer final order? **YES**

If no, describe below.

*(e.g. "The order authorized changes in character of use to industrial, commercial, and livestock. The water user did not develop the commercial use.")*

**NA**

#### Change #2

#### Change in Place of Use

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

If Irrigation or Nursery Use:

| THE # OF ACRES ALLOWED         | THE # OF ACRES DEVELOPED       |
|--------------------------------|--------------------------------|
| <b>1.0 acers of irrigation</b> | <b>1.0 acres of irrigation</b> |
|                                |                                |

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If the new use(s) was not irrigation or nursery:

| NEW USE(S)                                       | WAS THE NEW PLACE OF USE DEVELOPED TO THE FULL EXTENT AUTHORIZED UNDER THE ORDER?<br>(INCLUDE THE LOCATION OF THE DEVELOPED PLACE USE ON THE CLAIM MAP) |
|--|---|
| <b>Group Domestic April 1 through November 1</b> | <b>YES</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.")

NA

**SECTION 4**

**CONDITIONS**

All conditions contained in the transfer, 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 "COMPLETENESS DATE" |
|----------------------------------|--------------------|--|
| ISSUANCE DATE                    | January 31, 2022   |  |
| COMPLETENESS DATE FROM ORDER (C) | October 1, 2023    | A 2" DLJ water meter was installed June 8, 2023.<br>Full beneficial use was made by August 31, 2023.                       |

\* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

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2. Is there an extension final order(s)?  
If "NO", you may delete the following table.

3. Measurement Conditions:

a. Does the transfer 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.

b. Has a meter been installed? **YES**

c. Meter Information

| POD/POA NAME OR # | MANUFACTURER | SERIAL #  | CONDITION (WORKING OR NOT) | CURRENT METER READING | DATE INSTALLED |
|-------------------|--------------|-----------|----------------------------|-----------------------|----------------|
| PORD              | DLJ, 2"      | 22-068399 | Working                    | 02325500 Gallons      | June 8, 2023   |
|                   |              |           |                            |                       |                |

If a meter has been installed, items d through f relating to this section may be deleted.

4. Other conditions required by the transfer final order:

a. 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):

|    |
|----|
| NA |
|----|

**SECTION 5  
ATTACHMENTS**

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

| ATTACHMENT NAME | DESCRIPTION  |
|-----------------|--|
| COBU Map        | The COBU map drawn by Gordon R. Lyford dated September 28, 2024. |
|                 |  |
|                 |  |

**General description the Lone Mountain Resort Park water system:**

The water system for the Lone Mountain Resort Park is complicated and includes two wells, and surface water from the West Fork Illinois River provided by T-13592. The water is treated for domestic use, is inspected by Josephine County, and has a Public Water System number of OR41-95444. Well 1 pumps water into three 2000 gallon storage tanks, well 2 pumps water into three 2000 gallon water tanks. The river water can be pumped into the well 1 storage tanks for domestic use or pumped directly to the irrigation of lawns and ornamentals. From the six 2000 gallon storage tanks pressure pumps are used to move water to the places of use and all water is metered.

During the wet season well 2 provides all group domestic water needs. During the dry season well 1, well 2, and the river water can all be used to supply treated group domestic water as needed. During the irrigation season river water is used to irrigate one acre of lawns and ornamentals. The river water is pumped from the O'Brien ditch with a 5 HP centrifugal pump and through a water meter. The lawns and ornamentals are irrigated with impact sprinklers, oscillating sprinklers, popup sprinklers, and drippers. The underground domestic PVC pipe distribution system is arranged in a loop layout.

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## SECTION 6

### CLAIM OF BENEFICIAL USE MAP

A 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 must identify the developed new place of use. The existing point(s) of diversion or point(s) of appropriation are required to be included on the Claim map, based on the locations described in the transfer final order.

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.

GPS, Josephine County Assessor's Plat Map, and Google Earth images – June 7, 2013; July 2, 2016; June 21, 2021; and July 18, 2023.

### 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
- 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 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")
- Transfer application number
- North arrow
- Legend
- CWRE stamp and signature

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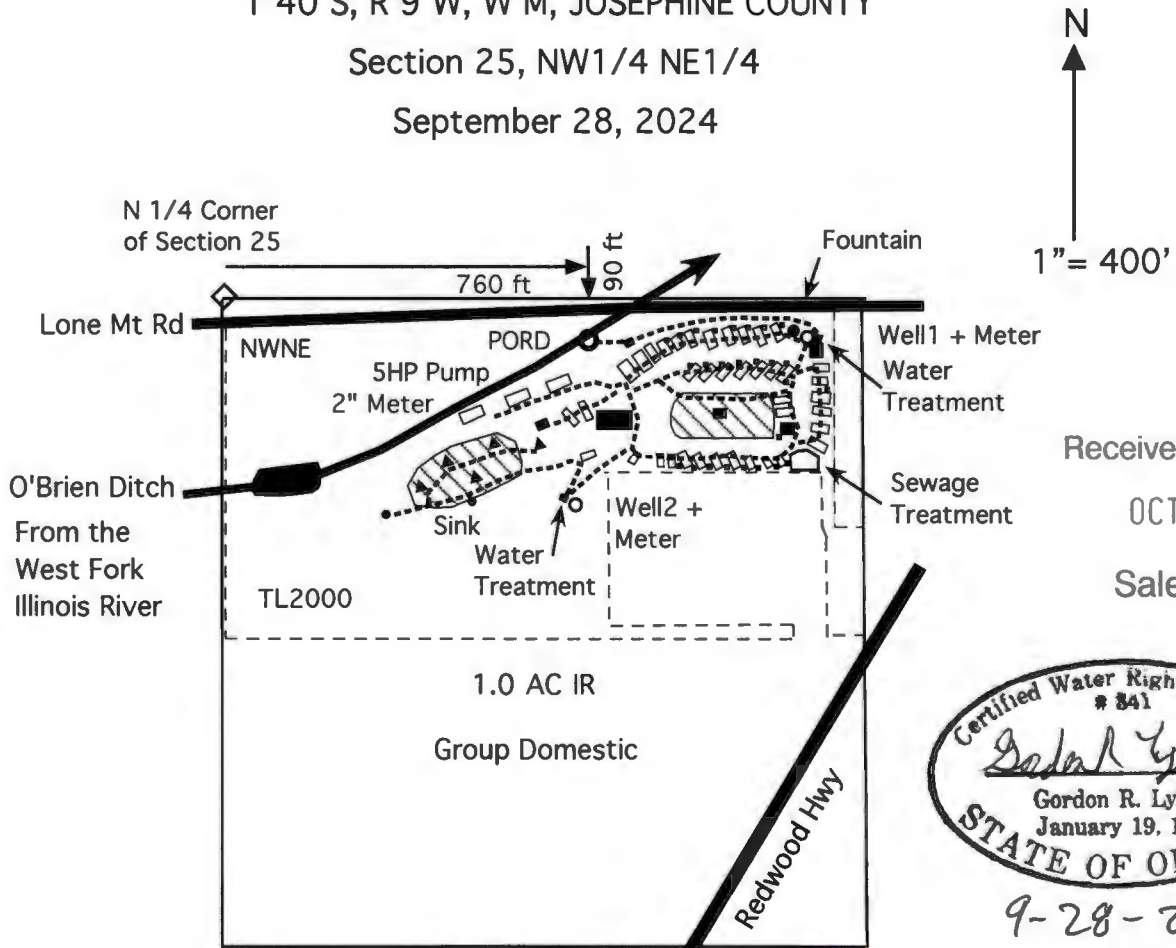
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# CLAIM OF BENEFICIAL USE MAP FOR T-13592

T 40 S, R 9 W, W M, JOSEPHINE COUNTY

Section 25, NW1/4 NE1/4

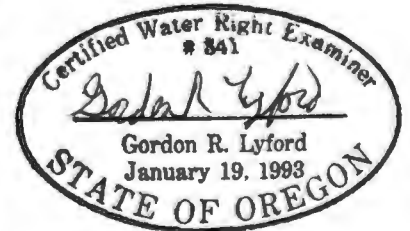
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9-28-2024

Exp 12-31-2024

- Tax lot lines
- Buried PVC Pipelines
- Point of re-diversion (PORD) from the O'Brien Ditch, 5 HP pump, and 2" water meter. The PORD is 90 feet south and 760 feet east from the north 1/4 corner of Section 25. The POD on the West Fork Illinois River and the ODFW fish screen are shown on the transfer map.
- Well1 - JOSE#59705 and Well2 - JOSE#60550.
- 1.0 acre of primary irrigation rights from the West Fork Illinois River under application S-6998 and permit S-4471 with a priority of February 17, 1920 at a rate of 0.0125 cfs and a duty of 3.5 acre feet. The 26 small squares are 0.01 acre lawns at RV slots.
- Group domestic uses from the West Fork Illinois River under application S-6998 and permit S-4471 with a priority of February 17, 1920 at a rate of 0.0125 cfs and a duty of 3.5 acre-feet during April 1 through October 31. Uses are in and around 42 RV slots, 5 tipis, the lodge, 3 pump houses, bathrooms, restrooms, laundry, a fountain, a sink, and the office.
- Diamond symbol
- Triangle symbol

This map was drawn by Gordon R. Lyford for James Beard, trustee of Trin Corp Roth 401K - Lone Mountain Resort Park LLC to support his claim of beneficial use under water right transfer 13592 to change the irrigation place of use and character of use. Lone Mountain Resort Park LLC owns tax lot 2000.

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