

**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>

Received by CWRE
OCT 8 2021
Salem, OR

**SECTION 1
GENERAL INFORMATION**

1. File Information

APPLICATION # R-86226	PERMIT # (IF APPLICABLE) R-14320	PERMIT AMENDMENT # (IF APPLICABLE)
---------------------------------	--------------------------------------------	------------------------------------

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Bruce & Helle Ruddenklau		PHONE NO. 503.932.0558	ADDITIONAL CONTACT NO.
ADDRESS 12500 SW Salt Creek Road			
CITY Amity	STATE OR	ZIP 97101	E-MAIL ruddenkl@viclink.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 Bruce & Helle Ruddenklau			
ADDRESS 12500 SW Salt Creek Road			
CITY Amity	STATE OR	ZIP 97101	

ADDITIONAL PERMIT HOLDER OF RECORD Northwest Farm Credit Services, FLCA			
ADDRESS 380 Farm Credit Drive SE			
CITY Salem	STATE Oregon	ZIP 97301	

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4. Date of Site Inspection:

December 6, 2019

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Bruce Ruddenklau	12/6/2019	Owner

6. County

Yamhill

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.



CWRE NAME Corbey Boatwright		PHONE NO. (503) 363-9225	ADDITIONAL CONTACT NO.	
ADDRESS 2613 12th Street SE				
CITY Salem	STATE OR	ZIP 97302	E-MAIL corbey@boatwrightengr.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
	Bruce Ruddenklau	Owner	10/31/24
	Helle Ruddenklau	Owner	10/31/24
	Cooper Morris	Northwest Farm Credit Services, FLCA	10/31/24

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SECTION 3
CLAIM DESCRIPTION

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

RESERVOIR NAME OR NUMBER	SOURCE	TRIBUTARY
Unnamed Reservoir	Unnamed Stream	Tributary of Salt 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)
Unnamed Reservoir	Irrigation	Nov 1 through May 31	84 AF
Total Quantity of Water Stored			84 AF

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 Dam was placed near the north end of Ruddenklau property and backs up to the south almost to Salt Creek Road. The Dam does have a 30-inch outlet under the dam that has a manhole in the center that has stop logs to act as an overflow structure. There is a 20-foot-wide spillway that goes around the dam on the east side. The stop log overflow structure was modified, and approved by dam safety, so all of that water will now flow over the spillway.

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).

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. **YES**

(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.")

The permit allowed 84.0 acre feet of storage. The permit holder only developed 80.0 acre feet of storage.

5. Claim Summary:

RESERVOIR NAME OR #	MAXIMUM STORAGE AUTHORIZED BY PERMIT (AF)	MAXIMUM STORAGE DEVELOPED (AF)
Unnamed Reservoir	84.0	80.0

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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):

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
6 S	5 W	WM	1	NE-NE	---	77	257' S & 325' W from NE COR Sec 1

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

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

6. Additional notes or comments related to the system:

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NONE	OCT 31 2024
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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

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

E. Reservoir

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

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

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
YES	January 12, 2015	YES	80.0

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**SECTION 5
CONDITIONS**

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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	Sep 7, 2006		
BEGIN CONSTRUCTION (A)	None	2006-2007	Constructed Dam and Reservoir Pool
COMPLETE CONSTRUCTION (B)	Oct 1, 2010 Pmt Oct 1, 2018 TE	Summer 2014	Corrected spillway by installing reinforced concrete with iron frame for stoplogs. Installed staff gage.
COMPLETE APPLICATION OF WATER (C)	Oct 1, 2010 Pmt Oct 1, 2018 TE	Summer 2015	Maximum water stored and in compliance with all conditions.

* 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)? **YES**

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.

b. Has a meter been installed? **No**

c. Meter Information

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

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
Mike McCord	Watermaster	2014 (verbal)
Joel Plahn	Watermaster	2019 (in writing, see attached)

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED
Staff Gage	Working	2014

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4. Recording and reporting conditions

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

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

6. Fish Screening

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

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**

Screening was installed in the overflow structure to prevent the escape of any stocked fish. The overflow structure has been modified to be just the controlled outlet. The fish screen is no longer needed in that structure. No screen has been placed on the spillway, as no stocking of fish has taken place and none is planned.

c. When was the fish screening installed?

DATE	BY WHOM
2014	Bruce Ruddenklau

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):

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> (search for ODFW Small Pump Screen Self Certification), complete and attach a copy of the 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?
- 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>

NA

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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.

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?

YES

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

Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Have by-pass device been installed?

NO

The permit states that by-pass devices ". . . provide adequate upstream and downstream passage for fish." That is the definition of fish passage, not by-pass. Therefore, no by-pass device was installed.

c. Describe the diversion works as related to whether a by-pass device is installed or unnecessary:

(Provide a letter from ODFW indicating the device is approved or is unnecessary. If there is no letter from ODFW, explain whether or not a by-pass device is necessary.)

DESCRIPTION (E.G. "ODFW HAS APPROVED THE BY-PASS DEVICE" OR "NO BY-PASS DEVICE IS NECESSARY BECAUSE THERE IS A DIRECT DIVERSION FROM THE STREAM VIA A PUMP ON RIVER LEFT STREAM BANK WITH FOOT VALVE DESCENDING DIRECTLY INTO NATURAL POOL.") IN ADDITION, YOU MAY ATTACH PHOTOS TO THIS CLAIM.	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM
<p>A letter from Ben Walczak, dated August 15, 2014, states that ODFW evaluated the watershed and does not require fish passage or diversion screening as previously required in Permit R-12954. ODFW determined that native migratory fish are not, nor were historically, present at the point of diversion. The reservoir is located on a drainage swale that ends about 60' north of Salt Creek Road, and just south of the tail of the reservoir. Letters dated 11-8-2006 and 8-13-2014, from ODFW Assistant District Fish Biologists Danette Ehlers & Ben Walczak, respectively, state that:</p> <p><i>". . . ODFW evaluated the watershed and available fish habitat and determined that native migratory fish are not currently nor were historically present at the point of diversion. Therefore, Oregon's fish passage and screening requirements do not need to be met at this site."</i> (2006 letter for reservoir source)</p> <p><i>". . . native migratory fish are not currently nor were historically present at the point of diversion, ODFW does not require fish passage or diversion screening as required in Permit R-12954."</i> (2014 letter for reservoir source)</p>	<p>N/A</p>	<p>N/A</p>

- 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? **YES**
 - b. Was a fishway required? **NO**
 - c. Was submittal of a letter from an engineer required prior to storage of water? **YES**
 - d. Was submittal of a water management and conservation plan required? **NO**
 - e. Other conditions? **YES**

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

7. a. Restoration of riparian area. In Compliance. The constriction area around the reservoir was reseeded. The original conditions were farm fields.

7. c. Submittal of Engineer's letter. In Compliance. Letter submitted by Corbey Boatwright PE. January 12, 2015 as succeeding engineer of record for Robert Slyh, PE.

7. e. Construction performed under supervision of a PE. In Compliance. The initial construction was observed by Mr. Slyh. The spillway construction was observed by Mr. Boatwright.

7. e. Core trench observation required. We believe it was In Compliance. Mr. Slyh was on site and then WRD staff visited the site. We believe it was one or both of John Falk, PE and Bill Ferber, Water Master. This was based on information by construction contractor, Ernie Sharer. This information was submitted in the Engineer's Letter.

7. e. Construction conforms to approved plans and specifications on file at WRD. In Compliance. Construction and deviations were described and documented in the Engineer's Letter.

7. e. No water stored used until written certification by Engineer of Record. In Compliance. See Engineer's Letter. January 12, 2015.

7. e. Construction deviations and revised area – capacity curve to be submitted with Engineer's Letter. In Compliance. See Engineer's Letter. January 12, 2015.

7. e. Installation of outlet gate. In Compliance. 20" Waterman gate valve.

**SECTION 6
ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
Claim of Beneficial Use	Proof Survey Map
ODFW Letters	November 8, 2006 and August 13, 2015 Letters from Danette Ehlers and Ben Walczak, both Assistant District Fish Biologists

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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.

As built data was collected in the field at the completion of construction. Field survey using Leica TPS400 3" station tied point of diversion to 3" Brass Cap at the northeast corner of Section 1 from Yamhill County Survey Record of corner restoration CS r8184. Google Earth photo dated 7-26-2018.

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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Salem, OR

Jeanne Boatwright

From: PLAHN Joel M * WRD <Joel.M.Plahn@oregon.gov>
Sent: Friday, December 6, 2019 7:07 AM
To: Jeanne Boatwright
Cc: PLAHN Joel M * WRD
Subject: RE: Permit R-14330 Ruddenklau

Hi Jeanne,

Yes, the staff gage is acceptable and meets the condition in the permit.

Thanks, Joel Plahn



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: Jeanne Boatwright <jeanne@boatwrightengr.com>
Sent: Thursday, December 05, 2019 2:28 PM
To: PLAHN Joel M * WRD <Joel.M.Plahn@oregon.gov>
Subject: Permit R-14330 Ruddenklau

Hi Joel,

We are preparing the CBU for the above listed permit. The permit calls for a meter, but we had them install a USGS porcelain enamel staff gage in 2014; meeting the condition within their approved Extension of Time. I thought I had an approval from Mike back in 2014-2015, but I cannot find it. It may have been over the phone or in person with nothing in writing. Can I get an approval of the gage as an alternate measuring method? There is no use reporting requirement.

Jeanne Boatwright
Boatwright Engineering, Inc.
2613 12th Street SE
Salem, Oregon 97302
ph: 503-363-9225

Received by DWRD
OCT 31 2019
Salem, OR



Oregon

Theodore R. Kulongoski, Governor

Department of Fish and Wildlife

Northwest Region
17330 SE Evelyn Street
Clackamas, OR 97015-9514
(503) 657-2000
FAX (503) 657-2050

November 8, 2006

Bruce and Helle Ruddenklau
12500 Salt Creek Rd.
Amity, OR 97101



R-86226

RE: Fish Screening and Bypass for Permit R-14320

Dear Bruce and Helle,

Thank you for contacting the Oregon Department of Fish and Wildlife concerning a fish screen for your reservoir, currently being constructed under permit R-14320. During a site visit conducted by myself and Bob Hair (ODFW, The Dalles Screen Shop) on October 16, 2006, ODFW evaluated the watershed and available fish habitat and determined that native migratory fish are not currently nor were historically present above your reservoir. Therefore, Oregon's fish passage and screening requirements do not need to be met for this site. However, during the visit, we discussed the possibility of future stocking of your reservoir with *non-native fish*. Due to this possibility, we concluded that your reservoir should be screened adequately to contain these fish and prevent them from escaping into flowing waters. The original screen design discussed during this visit was subsequently altered by your engineer. I agreed to the new design concept during a follow-up conversation with Bruce on October 18, 2006. As ODFW understands, the final design will incorporate a screen with 1/8-inch mesh onto the top of the dam boards inside the manhole. This will prevent fish from spilling over the dam boards while allowing water to pass through. This screen will be monitored for damage and cleared of debris, as needed.

As this is a preliminary design concept, Bruce has agreed to send photos of the screen in place, once construction is complete. At that time, I will send a follow-up letter approving the final screen or recommending further adjustments.

Please feel free to contact me if you have any further questions.

Danette Ehlers

Assistant District Fish Biologist
North Willamette Watershed District

Received by OWRD

OCT 31 2006

Salem, OR

RECEIVED

NOV 13 2006

WATER RESOURCES DEPT
SALEM, OREGON

Cc: Bob Hair, ODFW
Gerry Clark, OWRD



August 13, 2014

Bruce and Helle Ruddenklau
12500 Salt Creek Rd.
Amity, OR 97101

RE: Permit R-14320

Mr. and Mrs Ruddenklau,

I am writing this letter in reference to Permit R-14320 in the name of Bruce and Helle Ruddenklau. Based on a letter dated November 8, 2006, stating that ODFW evaluated the watershed and determined that native migratory fish are not currently nor were historically present at the point of diversion, ODFW does not require fish passage or diversion screening as required in Permit R-12954. However, as fish may be present in the reservoir from a previous stocking, ODFW requests you drain the pond completely, humanely euthanize fish before retrofitting, and then refill the pond. Additionally, if fish are to be planted in the pond at a future date approved screening will once again be required.

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

Sincerely,

Ben Walczak
Assistant District Fish Biologist
North Willamette Watershed District

Cc: Ken Loffink, ODFW
Pete Baki, ODFW
Tom Murtagh, ODFW
Joel Plahn, OWRD

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OCT 31 2024

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OREGON



WATER RESOURCES
DEPARTMENT

Received by OWRD

OCT 31 2024

Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Bruce + Helle Ruddenkluw

12500 SW Salt Creek Road Amity OR 97101

Transaction Type: CRU X2 Permits S-54340 + R-86226

Fees Received: \$ 460⁰⁰

Cash

Check:

Check No.

10400

Name(s) on Check:

Ruddenkluw Farms LLC

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Nick Neese

(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.