

**CLAIM OF
BENEFICIAL USE
for Transfer New or Additional
POD Only**



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 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.

The \$230 fee is included with this COBU.

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

This Claim is being submitted for a transfer where the only authorized change was a change in either point(s) of diversion or additional point(s) of diversion, or a combination of both. **YES NO**

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

1. File Information

APPLICATION # **S-72555**
T-13497

Revised 7/1/2021

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2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Bailey Nurseries, Inc.		PHONE NO. 503-457-6897	ADDITIONAL CONTACT NO.
ADDRESS PO Box 398			
CITY Dayton	STATE OR	ZIP 97114	E-MAIL jon.estes@baileynursery.com

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 Bailey Nurseries, Inc.		
ADDRESS PO Box 398		
CITY Dayton	STATE OR	ZIP 97114

4. Date of Site Inspection:

September 26, 2024

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Jon Estes	9/26/24	Water Resources Manager, Bailey Nurseries

6. County:

Yamhill

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 N/A		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

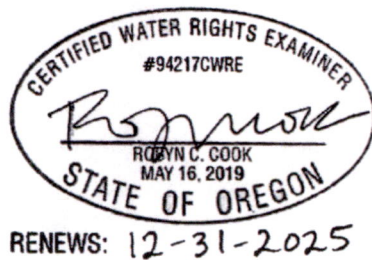
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SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

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

Seal and Signature



CWRE NAME Robyn Cook		PHONE NO. 971-200-8505	ADDITIONAL CONTACT NO.
ADDRESS GSI Water Solutions, Inc., 650 NE Holladay Street, Suite 900			
CITY Portland	STATE OR	ZIP 97232	E-MAIL rcook@gsiws.com

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
	Jon Estes	Water Resources Manager, Bailey Nurseries	1/16/2025

SECTION 3 CLAIM DESCRIPTION

Note: The Claim only needs to describe the new or additional point(s) of diversion. This Claim does not need to provide information for the original point(s) of diversion unless the original point of diversion is either a new or additional point of diversion on another right involved in this transfer.

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

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)	SOURCE
CP POD	Willamette River Basin Project Reservoirs

2. Variations:

Was the use developed differently from what was authorized by the transfer final order, **YES** **NO**
or extension final? If yes, describe below.

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

N/A

3. Claim Summary:

NEW OR ADDITIONAL POD NAME OR #	MAXIMUM <u>VOLUME</u> AUTHORIZED IN ORDER	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
CP POD	48.0 acre-feet	5.7 cfs	5.7 cfs

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SECTION 4
SYSTEM DESCRIPTION

Are there multiple new or additional Points of Diversion (POD)s?

YES **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):

CP POD

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

PUMP	MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Pump 1	Cornell Pump Co.	5RB-75-4	253019.13.06.0.00	Centrifugal	8"	5"
Pump 2	Cornell Pump Co.	4YB5022	65548	Centrifugal	8"	5"
Booster	Paco	0-40707-04001-188	98B00699	Centrifugal	6"	6"

2. Motor Information

PUMP	MANUFACTURER	HORSEPOWER
1	Baldor	75
2	Marathon	50
Booster	Baldor	30

3. Theoretical Pump Capacity

PUMP	HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
Pump 1	75 HP	18	10 ft	81 ft	3.9 cfs
Pump 2	50 HP	40	10 ft	81 ft	1.8 cfs

4. Provide pump calculations:

Pump calculations are provided in Attachment B.

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5. Measured Pump Capacity (using meter if meter was present and system was operating)

PUMP	INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
Pump 1	130,771,000 gal	130,774,500 gal	2 min	3.9 cfs
Pump 2	276,019,625 gal	276,021,255 gal	2 min	1.8 cfs

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

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? YES NO

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

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? YES NO

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

D. Additional notes or comments related to the system:

N/A

**SECTION 5
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 NEW AND/OR ADDITIONAL POD(S) WERE READY FOR USE *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	July 14, 2021	
COMPLETENESS DATE FROM ORDER (C)	October 1, 2022	March 2023*

* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE *AN EXTENSION OF TIME WAS APPROVED EXTENDING THE "C" DATE TO OCTOBER 1, 2024.

2. Is there an extension final order(s)? YES NO

If "NO", you may delete the following table.

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If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO
125	898	October 1, 2024

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** **NO**

If "NO", items b through f relating to this section may be deleted. The transfer and extension Final Orders do not require installation of a meter; however, a meter has been installed at the POD and is described here.

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** **NO**

c. Meter Information

POD NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
CP POD (Pump 1)	McCrometer	23-00724-10	Working	130,771,000 gal	March 2023
CP POD (Pump 2)	McCrometer	1709732-06	Working	276,019,625 gal	March 2023

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

4. Recording and reporting conditions

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

If "NO", item b relating to this section may be deleted. Item b was deleted.

5. Fish Screening

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

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

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** **NO**

c. When was the fish screening installed?

DATE	BY WHOM
March 2023	Owner

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) and the permit was issued prior to February 1, 2011:

- Has the self-certification form previously been submitted to the Department? **NA YES NO**

If not, go to <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>, complete and attach a copy of the 'ODFW Small Pump Screen 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? **NA YES* NO**

***A fish screen approval letter is included in Attachment C.**

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>

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.

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?

YES NO

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

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 NO**
- b. Was a fishway required? **YES NO**
- c. Other conditions? **YES NO**

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
Attachment A	Transfer Final Order and Extension Final Order
Attachment B	Pump Calculations
Attachment C	Fish Screen Approval Letter
Attachment D	Claim of Beneficial Use Maps

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 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 location of the additional point of diversion was confirmed during the site inspection using a handheld GPS. The map was created using Geographic Information System (GIS) software and spatial datasets obtained from Bureau of Land Management, Environmental Systems Research Institute, Oregon Water Resources Department, and United States Geological Survey. Additional information specific to the use of water under the water right described in this Claim of Beneficial Use report was obtained from the water right holder.

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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
- N/A 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")
- ☒ Application and permit number or transfer number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

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Attachment A

Transfer T-13497 Final Order & Extension Final Order
Claim of Beneficial Use – Bailey Nurseries, Inc.

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application)	FINAL ORDER APPROVING AN
T-13497, Yamhill County)	ADDITIONAL POINT OF DIVERSION

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

BAILEY NURSERIES INC., JON ESTES
PO BOX 398
DAYTON, OR 97114

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Findings of Fact

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1. On June 23, 2020, BAILEY NURSERIES INC., JON ESTES filed an application for an additional point of diversion under Certificate 94391. The Department assigned the application number T-13497.
2. Notice of the application for transfer was published on August 4, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. After proof of completion, any water right certificate issued to confirm the changes to Certificate 94391 under Transfer T-13497 is to remain in the name of the Palmer Creek Water District Improvement Company.
4. On January 25, 2021, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13497 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of February 24, 2021, for the applicant to respond. The applicant requested that the Department proceed with issuance of a

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

5. On May 19, 2021, the Department issued a Preliminary Determination proposing to approve Transfer T-13497 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on May 25, 2021, and in the News Register newspaper on May 21 and 28, 2021, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

6. The right to be transferred is as follows:

Certificate: 94391 in the name of PALMER CREEK WATER DISTRICT IMPROVEMENT COMPANY (perfected under Permit S-54756)
Use: IRRIGATION of 48.0 ACRES
Priority Date: JULY 13, 1992
Volume: 48.0 ACRE-FEET STORED WATER ONLY
Period of Use: MARCH 1 THROUGH OCTOBER 31 OR AS MAY BE FURTHER LIMITED BY THE BUREAU OF RECLAMATION WATER SUPPLY CONTRACT
Source: WILLAMETTE RIVER BASIN PROJECT RESERVOIR, CONSTRUCTED UNDER PERMIT R-1625, A TRIBUTARY OF WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	3 W	WM	4	NW SW	PCWDIC POD - 4700 FEET NORTH AND 1290 FEET EAST FROM THE SE CORNER OF DLC 58

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	3 W	WM	8	SW NE	51	9.8
5 S	3 W	WM	8	SE NW	51	0.2
5 S	3 W	WM	8	NE SW	51	1.0
5 S	3 W	WM	8	SE SW	51	0.9
5 S	3 W	WM	8	NW SE	51	26.9
5 S	3 W	WM	8	SW SE	51	9.2
Total						48.0

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7. Transfer Application T-13497 proposes an additional point of diversion approximately 7.1 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	3 W	WM	10	NW NW	CP POD - 608 FEET NORTH AND 40 FEET WEST FROM THE NORTHERLY NW CORNER OF DLC 54

8. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

Transfer Review Criteria [OAR 690-380-4010(2)]

9. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13497.
11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.
13. All other application requirements are met.

Conclusions of Law

The additional point of diversion proposed in Transfer Application T-13497 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional point of diversion proposed in Transfer Application T-13497 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 94391 and any related decree.
3. Water right Certificate 94391 is cancelled.
4. The quantity of water diverted at the new additional point of diversion (CP POD), together with that diverted at the original point of diversion (PCWDIC POD), shall not exceed the quantity of water lawfully available at the original point of diversion (PCWDIC POD).

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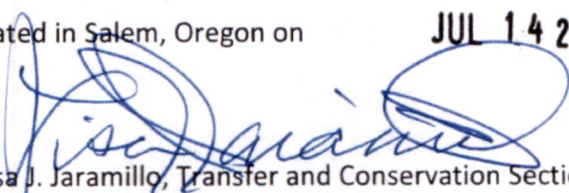
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5. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.
6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
7. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on

JUL 14 2021


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing date: **JUL 15 2021**

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**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE STATE OF OREGON**

In the Matter of Application for Extension)	FINAL ORDER APPROVING AN EXTENSION
of Time for Transfer Application T-13497,)	OF TIME FOR A PERMANENT TRANSFER
Yamhill County)	

Applicant

Bailey Nurseries Inc.
PO Box 398
Dayton, OR 97114
jon.estes@baileynursery.com

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Authority

Oregon Administrative Rules (OAR) 690-380-5140(2) authorizes the Department to grant an extension of time to complete a transfer.

OAR 690-380-6020 establishes an application process and criteria for the review of extensions of time to complete a transfer as authorized by a final order issued under OAR Division 380.

OAR 690-380-6020 (3) establishes that extensions are granted for one year, from October 1 to October 1 of each year. Extensions may be granted for longer time if the applicant can justify the need for a longer period of time by submission of pertinent evidence.

Findings of Fact

1. On August 17, 2022, the Department received an application for extension of time for Transfer Application T-13497.
2. On July 14, 2021, the Department signed an order, which was mailed on July 15, 2021, approving Transfer Application T-13497 to add an additional point of diversion. The order was recorded in Special Order Volume 121, Pages 21-24. The order set a transfer completion date of October 1, 2022.
3. Since the approval of the transfer, the applicant has installed a new pump, pipeline, and completed electrical upgrades to the well.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

4. To fully complete the change, the applicant needs to purchase and install a floating screen and revise the design for the additional point of diversion.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2023. Consistent with OAR 690-380-6020(3), the Department will extend the transfer completion date to October 1, 2024.

Conclusions of Law

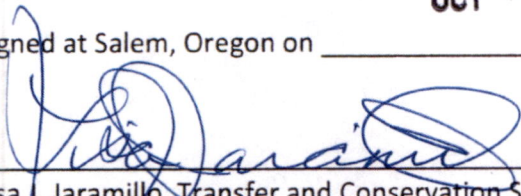
Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the applicant has shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-13497.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-13497 shall be extended to **October 1, 2024**.

OCT 11 2022

Signed at Salem, Oregon on _____.



Lisa J. Jaramillo, Transfer and Conservation Section Manager for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

Mailing date: **OCT 13 2022** _____

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Attachment B

Pump Calculations

Claim of Beneficial Use – Bailey Nurseries, Inc.

CP POD - Pump 1

Pump Capacity Calculation Sheet

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 75
Efficiency = 6.61
Lift = 81
PSI = 18

Results Calculated

$(hp)(\text{efficiency}) = 495.75$
Head based on psi = 45.7
Total dynamic head = 126.7
(head + lift)

Pump Capacity = 3.9 cubic feet per second

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CP POD - Pump 2

Pump Capacity Calculation Sheet

using Department designed formula:

$(\text{hp})(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 50
Efficiency = 6.61
Lift = 81
PSI = 40

Results Calculated

(hp)(efficiency) = 330.5
Head based on psi = 101.6
Total dynamic head = 182.6
(head + lift)

Pump Capacity = 1.8 cubic feet per second

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Attachment C

Fish Screen Approval Letter

Claim of Beneficial Use – Bailey Nurseries, Inc.



Oregon

Tina Kotek, Governor

**Department of Fish and Wildlife
The Dalles Screen Shop**

3561 Klindt Drive
The Dalles, OR 97058
(541) 296-8026
FAX (541) 296-7889
odfw.com

January 9th, 2025

Attn. Jon Estes
Bailey Nurseries Inc
Po Box 398
Dayton, OR 97114



RE: Transfer T-12798, T-13497

To whom it may concern,

The Oregon Department of Fish and Wildlife has reviewed the fish screens associated with the diversion point on Lambert Slough, a tributary to the Willamette River at 45.15651 -123.05020 for Transfers T-12798 and T-13497. This site was inspected virtually with photos submitted by the water user.

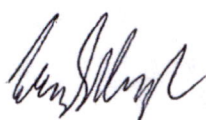
The fish screens in use at this point of diversion are two River Screens. These active screens, when installed and maintained properly are capable of screening up to 3.31 cfs each for a combined max withdrawal rate of 6.63 cfs, while protecting all age classes of native fish present from entrapment and impingement. ODFW concludes that these screens will meet ODFW criteria. A bypass device is not required at this point of diversion as this is an end of pipe screen.

The approval is contingent on the following: the screen is installed prior to any withdraw of water, the screens are installed so that the effective screen area is submerged during operation, and the screen is regularly inspected and maintained to ensure it remains in working order, including removing debris as necessary, and the screen is annually inspected when it is not in use.

If you have any questions regarding this letter, please contact me at 541-296-8026

Sincerely,

Toby Schuyler

 1/9/2025

NW Region Fish Screen and Passage Coordinator

Received
JAN 24 2025
OWRD

Received

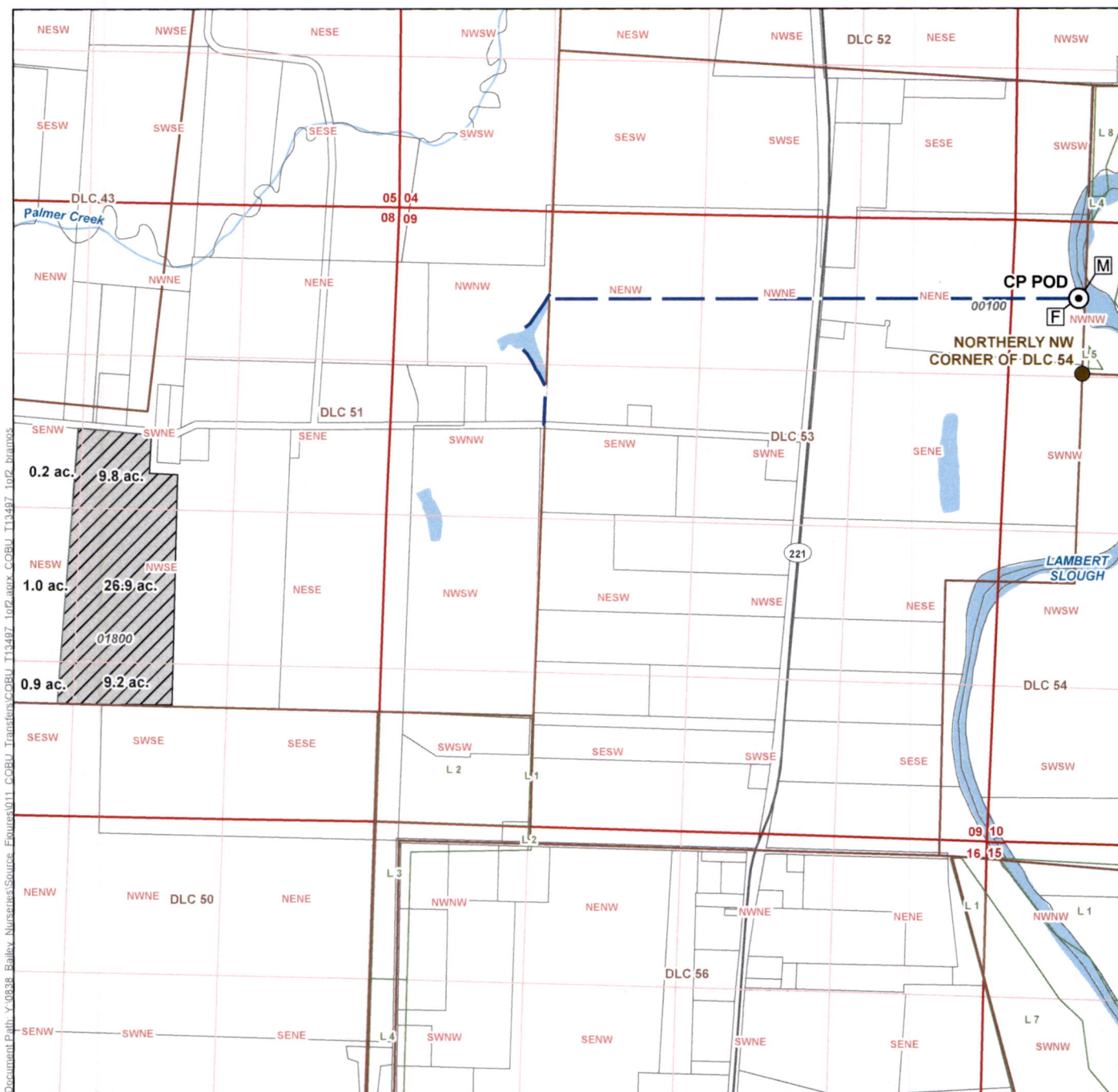
JAN 24 2025

OWRD

Attachment D

Claim of Beneficial Use Map

Claim of Beneficial Use – Bailey Nurseries, Inc.



LEGEND

Point of Diversion (POD)

Fish Screen

Meter

Conveyance Line

Place of Use (POU)

All Other Features

Tax Lot

Donation Land Survey (DLC)

Government Lot (GL)

Major Road

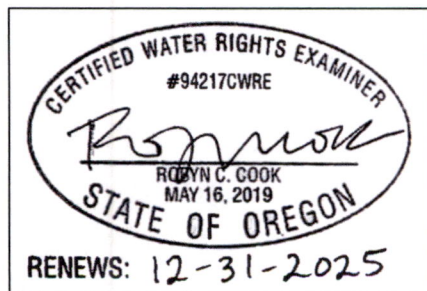
Watercourse

Waterbody

Claim of Beneficial Use Map Application S-72555; Transfer T-13497 Map 1 of 2 Yamhill County

Township 5 South, Range 3 West (W.M.)

CERTIFIED WATER RIGHTS EXAMINER STAMP



Received

JAN 24 2025

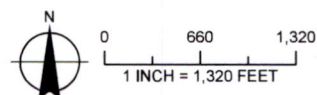
OWRD

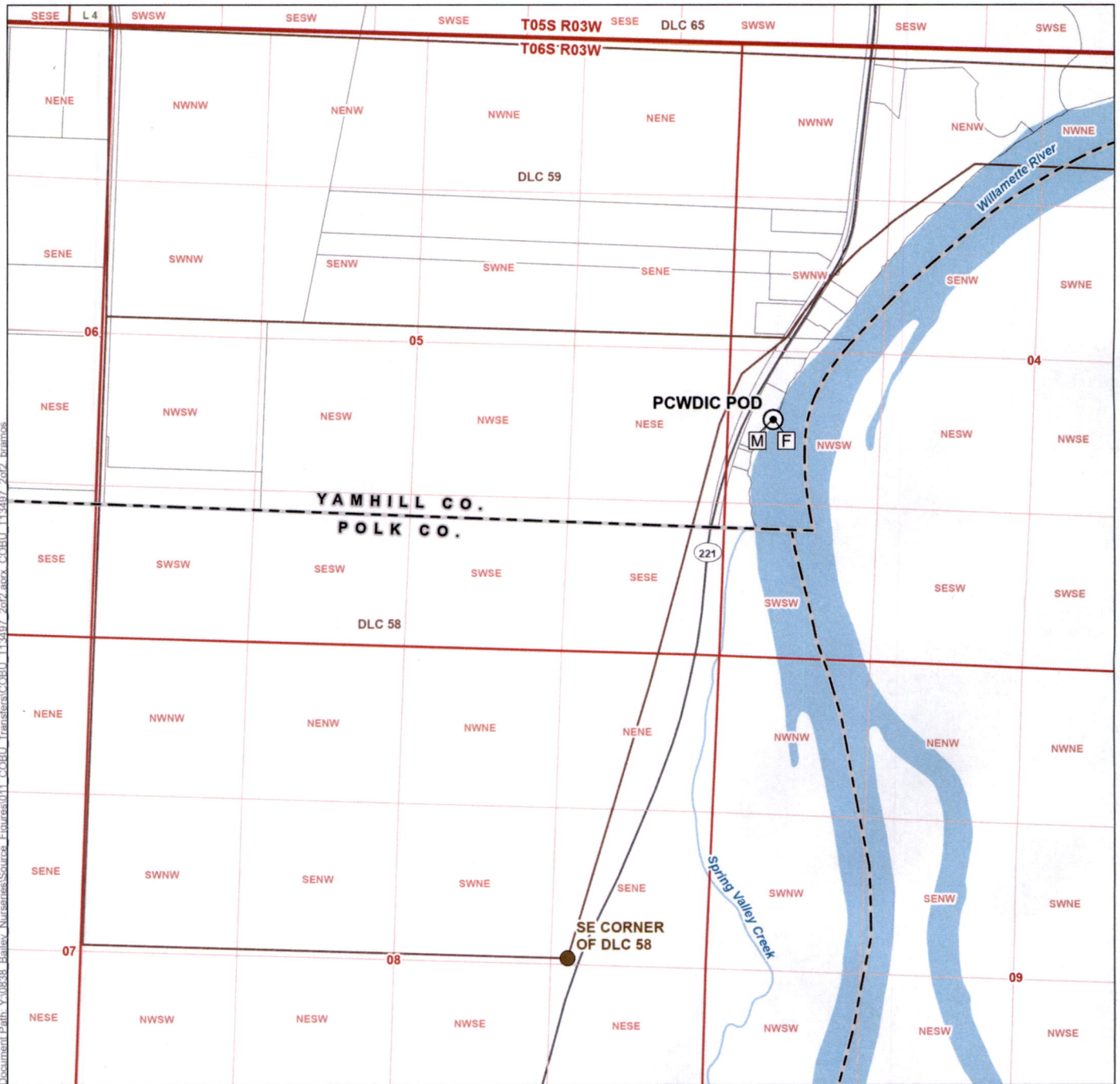
LOCATION DESCRIPTION

CP POD
Located 608 feet North and 40 feet West from the Northerly NW corner of DLC 54, Township 5 South, Range 3 West (W.M.)

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

Date: January 10, 2025
Data Sources: BLM, ESRI, OWRD, USGS

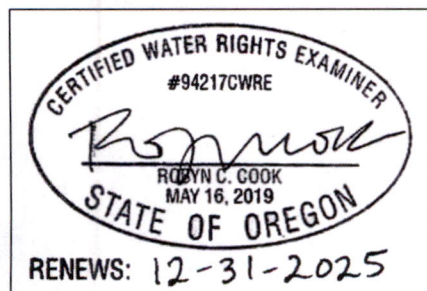




LEGEND

- Point of Diversion (POD)
- Fish Screen
- Meter
- All Other Features
- County Boundary
- Tax Lot
- Donation Land Survey (DLC)
- Major Road
- Watercourse

CERTIFIED WATER RIGHTS EXAMINER STAMP



Claim of Beneficial Use Map Application S-72555; Transfer T-13497 Map 2 of 2

Yamhill County

Township 6 South, Range 3 West (W.M.)

Received

JAN 24 2025

OWRD

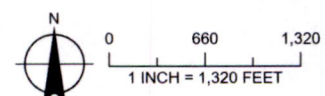
LOCATION DESCRIPTION

PCWDIC POD
Located 4,700 feet North and 1,290 feet East from the SE corner of DLC 58, Township 6 South, Range 3 West (W.M.)

DISCLAIMER

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

Date: September 24, 2024
Data Sources: BLM, ESRI, OWRD, USGS





January 17, 2025

Gerry Clark
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

RE: Claim of Beneficial Use for Transfer T-13497

Gerry:

On behalf of Bailey Nurseries, Inc., please find enclosed a Claim of Beneficial Use report for Transfer T-13497.

Please do not hesitate to contact me at 541-753-0933 with questions about the enclosed COBU.

Sincerely,

A handwritten signature in blue ink that reads "Zach Pike-Urlacher".

Zach Pike-Urlacher
Water Resources Consultant

A handwritten signature in blue ink that reads "Robyn Cook".

Robyn Cook, RG, PG, CWRE
Principal Hydrologist

Enclosures:
Claim of Beneficial Use for Transfer T-13497 and \$230 fee

Received

JAN 24 2025

OWRD