

**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 \$230 will be returned.

Received by OWRD

JUN 02 2025

Salem, OR

**SECTION 1
GENERAL INFORMATION**

1. File Information

APPLICATION # R-87872	PERMIT # (IF APPLICABLE) R-15344	PERMIT AMENDMENT # (IF APPLICABLE) NA
---------------------------------	--	---

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Townsend HB LLC	PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS 23400 NE Townsend Way		
CITY Fairview	STATE OR	ZIP 97024
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 holder of record (this may, or may not, be the current property owner)

PERMIT HOLDER OF RECORD Townsend Farms
ADDRESS 23400 NE Townsend Way
CITY Fairview
STATE OR
ZIP 97024

ADDITIONAL PERMIT HOLDER OF RECORD NA
ADDRESS
CITY
STATE
ZIP

4. Date of Site Inspection:

May 6, 2025

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Juan "Larry" Martinez	May 6, 2025	Farm Operations Supervisor

6. County

Clackamas 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.

Seal and Signature



Received by OWRD
JUN 02 2025
Salem, OR

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'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
<i>Michael E. Townsend</i>	Michael E. Townsend	President	5-16-25

Received by OWRD

SECTION 3

CLAIM DESCRIPTION

JUN 02 2025

Salem, OR

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

RESERVOIR NAME OR NUMBER	SOURCE	TRIBUTARY
Reservoir	Unnamed Stream	Deep 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)
Reservoir	Multiple Purpose	November 1 through May 31	9.74 AF
Total Quantity of Water Stored			9.74 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:

This permit R-15344 is an enlargement of Certificate 24378 (0.5 AF) which is located within the southern portion of this reservoir. This claim of beneficial use will only describe the AF of this permit.

Because the reservoir was built on a steep slope, the reservoir was constructed with a north pond overflowing into the southern pond.

Runoff from the hills above the north pond, flow down the road above the pond and into the grassy area before channeling into a section of rip-rap just above the north pond. The water from this rip-rap cascades into the pond through additional rock with blackberries and other shrubbery at the north end of the pond.

The north pond also receives water from a drain tile through 4 inch PVC at the northwest corner of the pond. The north pond holds 11 feet of water and has a staff gauge, outlet pipe and a spill way. The outlet pipe is an 8 inch steel pipe located at the bottom of the north pond and extends south into the south pond. There is a tee in this line to the surface on the west end of the dam where a turnkey is located to open and shut the outlet pipe as needed. An additional 2 inch fitting with a valve is located at the end of the 8 inch steel pipe inside the south pond that can also be used to open and shut the outlet pipe if needed.

The spillway is located in the center of the dam about one foot down from the dam surface. The spillway consists of a 20 inch corrugated pipe encased in concrete on the north pond side. The pipe extends through the dam to the south and discharge into the south pond. On the south pond side, the pipe sits on a small concrete block and discharges the water over rip-rap with in the south pond. This connects the two ponds into one reservoir.

The south pond receives water from the north pond and two additional drain tiles, one located on the southwest bank and the other near the center on the east side. The water from the west side drains down into 16 inch corrugated plastic pipe sitting vertical with a hold cut out of the side to reduce rate of the flow into the reservoir. The water from the east side discharges through 4 inch corrugated plastic pipe into the pond over riprap.

The south pond holds 14 feet of water and has a staff gauge and spillway. The spillway is concrete lined feature on top of the dam and allows the overflow water to go over the dam and onto grass covered rip-rap on the south side and on into a ditch.

If the south pond needs evacuated, a portable centrifugal pump can be used.

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.

NO

(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.")

None

Received by OWRD
JUN 02 2025
Salem, OR

5. Claim Summary:

RESERVOIR NAME OR #	MAXIMUM STORAGE AUTHORIZED BY PERMIT (AF)	MAXIMUM STORAGE DEVELOPED (AF)
Reservoir	8.6 AF	9.74 AF

Received by OWRD
JUN 02 2025
Salem, OR

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):

Reservoir

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
2S	4E	WM	21	SWNW	NA	NA	475 north and 600 feet east from the W ¼ corner, Section 21

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

If "NO" items 2 through item 5 may be deleted.

6. Additional notes or comments related to the system:

1. Permit R-15344 is enlargement of the original 0.5 AF under Certificate 24378 which is within the South Pond of this reservoir, therefore the total permitted AF equals 9.1 AF.
2. Because the reservoir was built on a steep slope, the reservoir was constructed with a north pond overflowing into the southern pond.

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

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

JUN 02 2025

Salem, OR

YES

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?

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

2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)
Earth; Straight and Uniform	10 ft	10 ft	0 ft	0.017 0.025	60 ft	650 ft	9.2%	0.0 cfs
Grass – short 3 inches	10 ft	10 ft	0 ft	0.034	10 ft	75 ft	13.3%	0.0 cfs
Rock Cuts; Jagged and irregular	10 ft	8 ft	0.5 ft	0.035 0.045	1 ft	38 ft	2.6%	13.9 to 17.9 cfs
Stoney Bed, Weeds on Bank	10 ft	10 ft	0 ft	0.025 0.04	20 ft	50 ft	40%	0.0 cfs

3. Provide calculations:

Gravity Flow Ditch System: Manning's Formula=

$$V = (1.486/n) (R^{0.66}) (S^{0.5})$$

n = coefficient of roughness

R = hydraulic radius

S = slope

4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)
Not flowing at time of site visit			

Attach measurement notes

E. Reservoir

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

NO

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

If "NO", skip items 2; answer items 3 through 8.

3. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and as-built plans and specifications are not required, complete the table and items 4 through 8.

POND SECTION	MAXIMUM DEPTH	AVERAGE DEPTH	SURFACE AREA (IN ACRES)	VOLUME (IN ACRE FEET)
North pond	11.0 feet	11.0 feet	0.8 acres	3.52 AF
South Pond	14.0 feet	14.0 feet	1.2 acres	6.72 AF- 0.5 AF = 6.22 AF

4. Provide reservoir volume calculations:

Volume = (surface area in acres) x (maximum depth) x 0.4

Volume – North pond = (0.8 Acres) x (11.0) x 0.4 = 3.52 AF

Volume – South pond = (1.2 Acres) x (14.0) x 0.4 = 6.72 AF - 0.5 AF Certificate 24378 = 6.22 AF

Total = 9.74 AF

5. Provide the following information concerning the physical characteristics of the dam:

POND SECTION	CREST WIDTH (W)	DAM HEIGHT AT CENTERLINE (H)	DISTANCE FROM DOWNSTREAM TOP OF DAM TO DOWNSTREAM TOE (L)	DISTANCE FROM UPSTREAM TOP OF DAM TO UPSTREAM TOE (U)	WATER LEVEL AT INSPECTION	DOWN- STREAM SLOPE	UP- STREAM SLOPE
North pond	20 ft	13 ft	50 ft	25 ft	7.08 ft	40%	52%
South Pond	20 ft	8 ft	30 ft	25 ft	12.68 ft	27%	60%

6. Provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.

See attached figures

7. Describe the outlet works (size and type of the outlet conduit and location):

North pond	Has an 8 inch steel pipe located at the bottom of the pond and extends through the dam to the south and discharges into the south pond. There is a pipe teeing up to the surface on the west side of the spillway where a turnkey extends down to the pipe to open the gate when needed.
South pond	If evacuation of the impounded water is needed, a portable centrifugal pump will be used.

Received by OWRD
JUN 02 2025
Salem, OR

8. Describe the emergency spillway (dimensions and location):

POND SECTION	BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
North pond	USES A 20 INCH CORRUGATED PIPE	NA	NA
South pond	6 FEET	7 FEET	16 INCHES

**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 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	August 16, 2018		
BEGIN CONSTRUCTION (A)	NA	NA	NA
COMPLETE CONSTRUCTION (B)	August 16, 2023 extended to: October 1, 2025	March 2025	Staff gauge was installed
COMPLETE APPLICATION OF WATER (C)	August 16, 2023 extended to: October 1, 2025	March 2025	All the permit conditions were met and water was stored to the full capacity of the pond

* 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? YES

Received by OWRD

JUN 02 2025

Salem, OR

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Reservoir – North pond	Staff Gauge – Style A	Unknown	Working	7.08 ft May 6, 2025	March 2025
Reservoir – South pond	Staff Gauge – Style C	Unknown	Working	12.68 ft May 6, 2025	2024

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. Outlet Pipe

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

YES

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

b. Has the outlet pipe been installed?

NO

If "YES", items c relating to this section may be deleted.

c. Does the water user have other means to evacuate the reservoir?

YES

DESCRIBE HOW THE WATER USER PLANS TO EVACUATE THE RESERVOIR	HAS THIS PLAN BEEN APPROVED BY THE DEPARTMENT?	BY WHOM?
For the south pond: Use of a centrifugal pump	Unknown	Townsend farm

6. 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 dated September 16, 2024

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

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?

NO

- Per ODFW letter dated September 16, 2024

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

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?

NO

d. Was submittal of a water management and conservation plan required?

NO

Received by OWRD
JUN 02 2025
Salem, OR

e. 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):

a) 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, Division 415, shall be followed.

Compliance:

Water into the reservoir flows over either riprap or vegetation.

Received by OWRD

JUN 02 2025

Salem, OR

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 – 400 scale
North and South Pond Cross-Section Map	11x17 figure showing North and South Pond Cross-Section with vertical exaggeration
North Pond Cross-Section Map	Figure showing North Pond Cross-Section 1" = 10'
South Pond Cross-Section Map	Figure showing South Pond Cross-Section 1" = 10'
Letter from ODFW, September 16, 2024	Letter stating a fish screening and fish passage 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.

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 2 4E 21, 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.

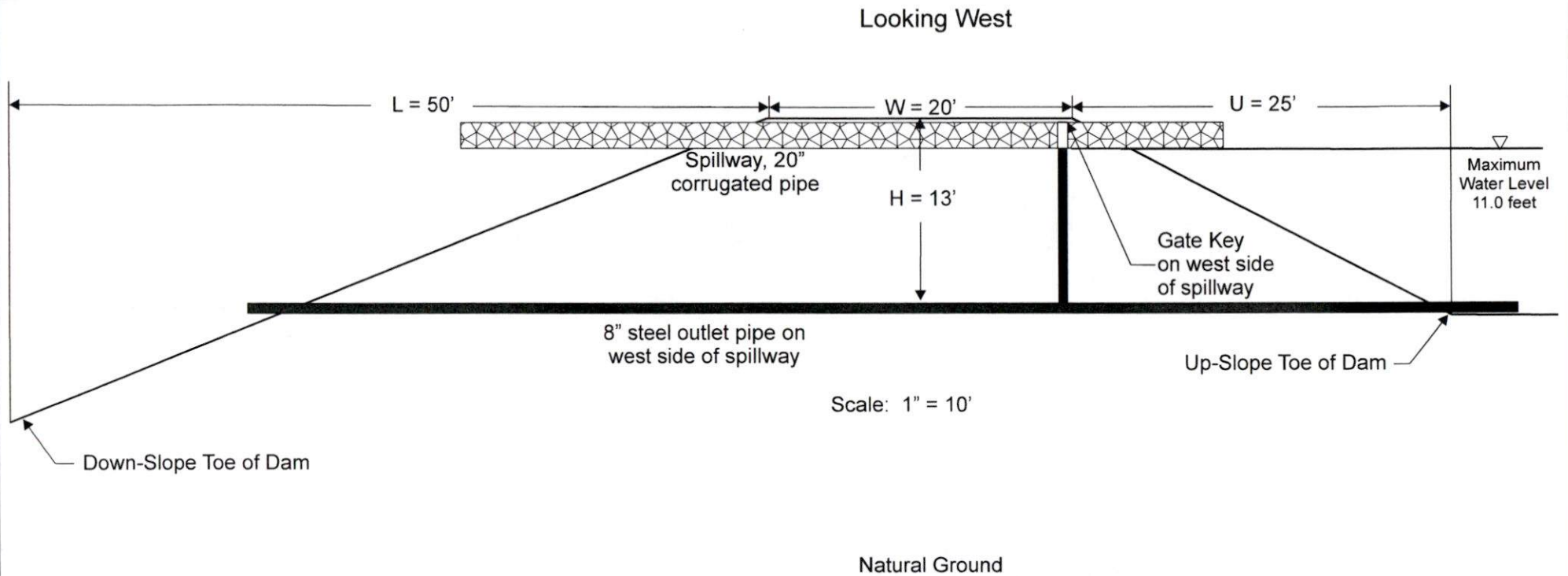
(Reminder: Incomplete maps and/or claims may be returned.)

- ☒ 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

Received by OWRD

JUN 02 2025

Salem, OR



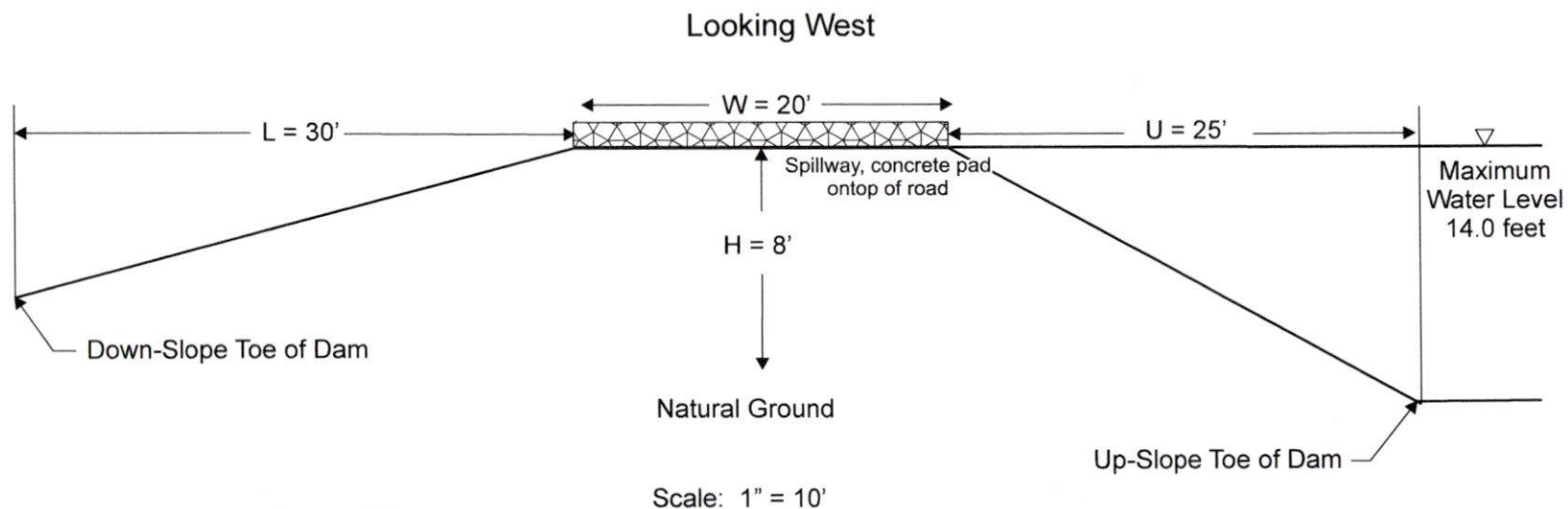
Received by OWRD
JUN 02 2025
Salem, OR

Pacific Hydro-Geology Inc.

05/2025

North Pond Cross-Section Map
Application R-87872, Permit R-15344

Townsend Farms
T.2S. R.4E. Section 21, W.M.



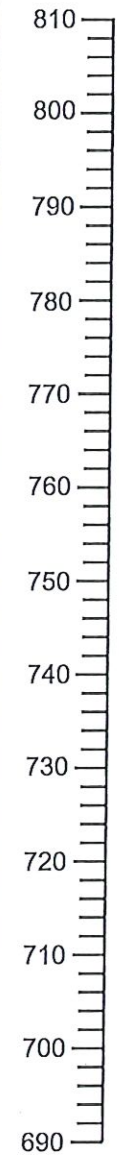
Received by OWRD
JUN 02 2025
Salem, OR

Pacific Hydro-Geology Inc.

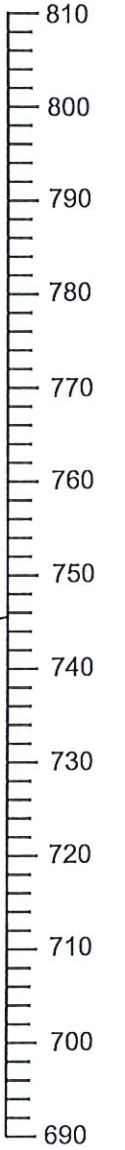
South Pond Cross-Section Map
Application R-87872, Permit R-15344

Townsend Farms
T.2S. R.4E. Section 21, W.M.
05/2025

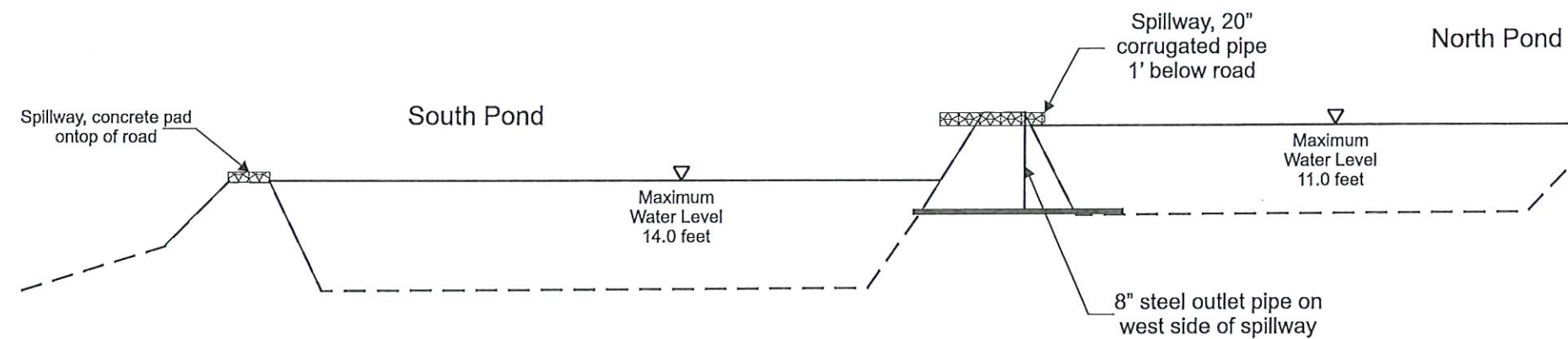
Elevation
(Feet, MSL)



Elevation



Looking west
Note: vertical exaggerations



Received by OWRD
JUN 02 2025
Salmon, OR



Vertical Scale: 1 inch = 20 feet
Horizontal Scale: 1 inch = 75 feet

Note: Elevations are estimated from USGS 7.5 Minute
Topographic Survey Map from National Geographic Oregon
SeamlessTopographic Maps on CD-ROM, Version 2.7.5, 2002

Pacific Hydro-Geology Inc.

North and South Pond Cross-Section Map
Application R-87872, Permit R-15344

Townsend Farms
T.2S. R.4E. Section 21, W.M.

05/2025



Oregon

Tina Kotek, Governor

Department of Fish and Wildlife

Northwest Region

17330 SE Evelyn Street

Clackamas, OR 97015-9514

(971) 673-6000

FAX (971) 673-6070

September 16, 2024

Townsend Farms, Inc
Attn: Deke Gunderson
33865 NW Vadis Rd.
Cornelius, OR 97113



Received by OWRD

JUN 02 2025

Salem, OR

RE: Status of Fish Screens and Passage for R-15344

To whom it may concern,

The Oregon Department of Fish and Wildlife (ODFW) is submitting this letter regarding the fish screening condition contained in permit R-15344 in the name of Townsend Farms, Inc. The permit allows the water user to submit evidence in writing that ODFW has determined screens and/or passage devices are not necessary.

After inspection of aerial imagery, ODFW has determined that native fish are not currently or were historically present at this location. Therefore, fish screening and passage devices are not necessary for R-15344, which allows the storage of water from unnamed stream, a tributary of Deep Creek in the Clackamas River Basin (Application R-87872, Permit R-15344).

Although ODFW has determined that fish screening and passage devices are not necessary for R-15344, the permittee shall not stock fish in the associated reservoirs without a fish transport permit approved by ODFW. Per ORS 498.222 and OAR 635-007-0600, all persons transporting fish in Oregon need to have a fish transport permit issued by the Oregon Department of Fish and Wildlife (ODFW). **As part of the permitting process, the permittee may need to screen the outlet of the reservoirs to ensure that fish cannot escape into public waters.** Please let me know if you need any additional information or have any further questions.

Sincerely,

Michael D. Hayworth
Oregon Department of Fish and Wildlife
Assistant District Fish Biologist
Michael.D.Hayworth@ODFW.Oregon.Gov

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



Received by OWRD

JUN 02 2025

Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Townsend Farms Inc
23400 NE Townsend Way Fairview, OR 97024
Transaction Type: COBU

Fees Received: \$ 230.00

☐ Cash

☒ Check:

Check No. 160153

Name(s) on Check: Townsend Farms Inc

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: Sarah Benham
(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.