

**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 \$345 must accompany this form for permits
with priority dates of July 9, 1987, or later.**

Enter the date the priority date of the permit:

5/23/2019

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 503-986-0900.

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**

1. File Information

APPLICATION #	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
R-88774	R-15403	

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Lyle C. Horton		PHONE NO. (503) 339-6510	ADDITIONAL CONTACT NO. (503) 580-6788
ADDRESS 9000 Helmick Rd.			
CITY Monmouth	STATE OR	ZIP 97361	E-MAIL lhorton89@gmail.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 Lyle C. Horton		
ADDRESS 9000 Helmick Rd.		
CITY Monmouth	STATE OR	ZIP 97361

ADDITIONAL PERMIT HOLDER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

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4. Date of Site Inspection:

8/1/2025

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Chris Horton	8/1/2025	Owner during development

6. County

Polk

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		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

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



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CWRE NAME William E. McGill	PHONE NO. (503) 510-3026	ADDITIONAL CONTACT NO. (503) 931-0210
ADDRESS 15333 Pletzer Rd. SE		
CITY Turner	STATE OR	ZIP 97392
E-MAIL willmcgill.surveying@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
	Lyle Horton	Owner	8/27/25

SECTION 3 CLAIM DESCRIPTION

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

RESERVOIR NAME OR NUMBER	SOURCE	TRIBUTARY
Unnamed Pond	Staats Creek	Peterson 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 Pond	Multiple Purpose	Nov. 1 – May 31	15.0
Total Quantity of Water Stored			15.0

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:

Water is drawn through a 6" buried PVC pipe from POD 3 on Staats Creek to a 36" vertical corrugated black DPE sump containing 2 – 2/3 HP submersible pumps. The two pumps convey water above ground through a 2" PVC pipe to fill the pond.

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 ☐ 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.")

5. Claim Summary:

RESERVOIR NAME OR #	MAXIMUM STORAGE AUTHORIZED BY PERMIT (AF)	MAXIMUM STORAGE DEVELOPED (AF)
Unnamed Pond	15.0	15.0

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SECTION 4

SYSTEM DESCRIPTION

Are there multiple reservoirs?

YES ☐ 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):

Unnamed Pond

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A. Reservoir Location

1. Is the reservoir on-channel?

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YES ☐ NO ☒

2. Provide dam outlet location and/or point of diversion(s).

TWP	RNG	MER	SEC	QQ	GLOT	DLC	MEASURED DISTANCES
10S	5W	WM	4	NWNE	2		850' S and 2280' W from NE corner, sec. 4

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?

YES ☒ NO ☐

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)
(x2) Tsurumi Pump	L8-480A-62	1548434227	Submersible

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
2/3 (x2)	40	0'	10'	0.084

4. Provide pump calculations:

$$Q = (((2/3)*2)*7.04) / (101.6+10) = 0.084 \text{ cfs}$$

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

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
System not running at time of site inspection.			

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

6. Additional notes or comments related to the system:

Reservoir also has 37.0 acre-foot certificate 96164 authorized. 15.0 acre-feet is for additional water from Staats Creek to top off during the allowed season.

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?

YES ☒ 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?

YES ☒ NO

E. Reservoir

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

YES ☒ 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.

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
N/A			

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.

MAXIMUM DEPTH	AVERAGE DEPTH	SURFACE AREA (IN ACRES)	VOLUME (IN ACRE FEET)
11.5'	10.5'	3.98	37.0

4. Provide reservoir volume calculations:

$((3.98 \text{ ac.} + 3.07 \text{ ac.}) / 2) * 10.5 = 37.0 \text{ AF}$

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

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
9' - 12' (variable)	4' - 9.5' (variable)	18' max.	23' max.	3' (at staff gage)	2:1	2:1

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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.

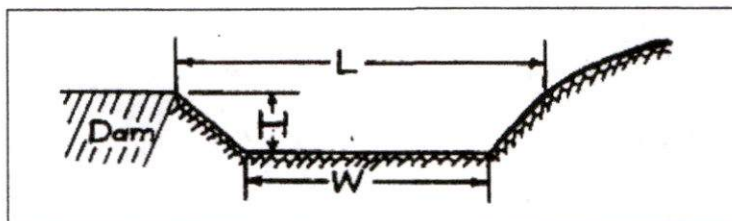
See attached drawing.

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

The outlet works is a 10" PVC pipe from the bottom of the pond through the East pond berm with a control valve located at the outside toe of the berm.

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

BOTTOM WIDTH (W) *	TOP WIDTH (L) *	SPILLWAY DEPTH (H) *
* The spillway is located at the NE corner of the pond berm and consists of a vertical section of 48" concrete pipe with a concrete floor. A 12" PVC buried overflow pipe goes from the floor of the vertical 48" concrete spillway pipe and connects to the 10" pond drain pipe. The top of 48" concrete spillway pipe is 1' below the top of the pond berm.		



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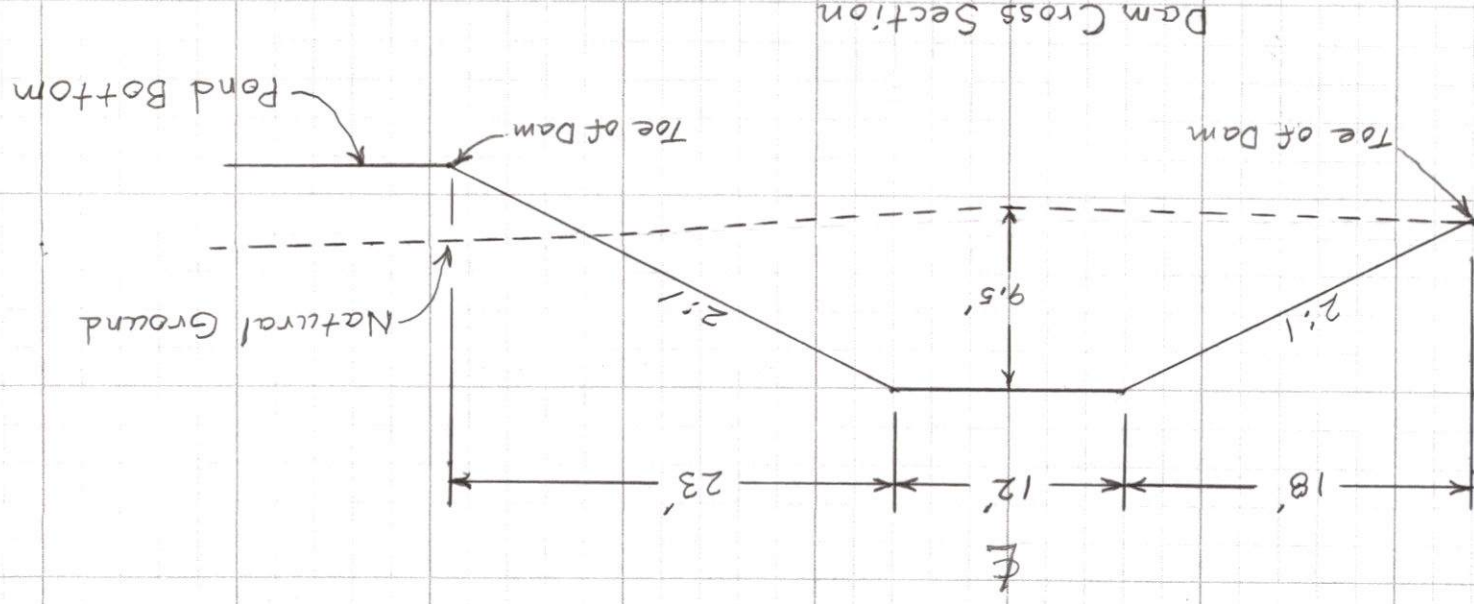
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Horton COBU

Permit R-15403

Scale 1" = 10' Vert. & Horiz.

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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	2/10/2020		
BEGIN CONSTRUCTION (A)	2/10/2025	Sep. 2020	Installed fish screen and pumping system.
COMPLETE CONSTRUCTION (B)	N/A	N/A	N/A
COMPLETE APPLICATION OF WATER (C)	2/10/2025	May 2021	Completed pumping 15 AF of storage water into 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 ☒ NO

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 ☐ NO

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 ☐ NO

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD 3	Netafim	19-50078108	Working	020312722	Sep. 2020

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

YES ☒ NO

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5. Outlet Pipe

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

☒ YES* NO

**Pond is off-channel, so no minimum diameter is required.*

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

b. Has the outlet pipe been installed?

☐ YES NO

6. 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
Fall 2019	Chris Horton

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 ☐ YES ☐ NO

- 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? ☒ NA ☐ YES ☐ NO
- 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.

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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 ☐ NO ☒

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 ☐ NO ☒

b. Was a fishway required? YES ☐ NO ☒

c. Was submittal of a letter from an engineer required prior to storage of water? YES ☐ NO ☒

d. Was submittal of a water management and conservation plan required? YES ☐ NO ☒

e. 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):

--

SECTION 6

ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
ODFW Letter	ODFW approval of fish screen
Photos (X12)	Taken at 8/1/2025 COBU site inspection
Easement	Easement across neighboring property for POD

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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.

Survey method used was aerial photo provided by Maxar Technologies.
Source Date: 7/9/2024

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
- ☐ N/A 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
- ☒ Quarter-Quarters illustrated and named (NE NE, NW NE, etc.)
- ☒ 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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Oregon

Kate Brown., 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

March 4, 2020

Chris Horton
14850 Airlie Rd
Monmouth, OR 97361



RE: OWRD Application R-88774/Permit R-15403

To Whom It May Concern,

This letter is in regards to fish screening and passage requirements set forth in Oregon Water Resources Department Application File R-88774/Permit R-15403. This is a permit to store public waters, the source of which is Staats Creek, tributary to Peterson Creek, approximately 14.5 miles west of Jefferson, OR.

The water user provided photos and a verbal description of the fish screen that has been installed at the point of diversion associated with Application R-88774. Based on this information, the screen is confirmed to be a Pump Rite L500, which is capable of effectively screening up to 500 gpm. This screen will provide greater coverage than necessary to meet National Marine Fisheries Service criteria to protect all age classes of salmonids from entrapment and impingement at this diversion. As this is an end-of-pipe screen, there are no by-pass devices required.

With the proper care, use, and maintenance of this Pump Rite L500, fish screening and by-pass device requirements are satisfied for Application R-88774.

If you have any questions in regards to this letter, please contact me at 541-296-8026.

Sincerely,

Hilary A. Doulos
Fish Screen and Passage Coordinator

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8-1-2025 Horton COBU Storage Pond

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8-1-2025 Horton COBU Storage Pond Staff Gage

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8-1-2025 Horton COBU Fish Screen (Pump Rite 2-500)

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8-1-2025 Horton COBU 10" Outlet Pipe For Pond Drain & Spillway

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8-1-2025 Horton COBU 2 1/2 HP Submersible Pump

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8-1-2025 Horton COBU Twin 2/3 HP Submersible Pumps

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TSURUMI PUMP		SUBMERSIBLE PUMP	
TSURUMI MFG. CO., LTD.		THERMALLY PROTECTED MOTOR A PROTECTION TECHNIQUE	
NO.	15482434227	Man. Y/M	158
MODEL	LB-4804	-G2	
BORE	2	IN.	
HERTZ.	60	PHASE	1
HEAD MAX.	39.5	FT	12 m
FLOW MAX.	62.4	GPM	0.236 m³/min
OUT-PUT	2/3	HP	0.48 kW
VOLT	115	V	POLE 2
AMP.	5.9	A	INS. E
S'de View ROTATION		Top View ROTATION	
		MADE IN TAIWAN	

INDOORS OR OUTDOORS
ENCLOSURE TYPE 1
BOTTLER TYPE 1
Conforms to UL Std 778
Cert. to CULCSA 222
C222 No. 104

Intertek
2001003
01453

8-1-2025 Horton COBU Pump Tag

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8-1-2025 Horton COBU 36" Culvert Pump Sump

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8-1-2025 Horton COBU Inside Pump Sump

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8-1-2025 Horton COBU Flow Meter

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8-1-2025 Horton COBU Flow meter S/N

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8-1-2025 Horton COBU Pond Overflow Spillway

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MAY 23 2019

OWRD

Chris & Joan Horton
14850 Airlie Rd
Monmouth, OR 97361

RE: Easement to Statts Creek for water diversion

Donald & Wilma Burch Revocable Living Trust
3110 Clay St Se
Albany, OR 97321

The Donald & Wilma Burch Revocable Living Trust (hereon referred to as Grantor) hereby grants an easement to Chris & Joan Horton (the Grantee) for a pipe and pump to divert water from Statts Creek located on Grantor's property, map number 10.5.4, tax lot 201, Polk County, Oregon. The water will be diverted to the pond on Grantee's property, map number 10.5.4, tax lot 305, Polk County, Oregon at the northeast corner.

Donald Burch

Donald M Burch, agent

5-11-18

date

CH

Chris Horton

5/11/18

date

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JUL 02 2018

OWRD

R-88774

OREGON



WATER RESOURCES
DEPARTMENT

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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Lyle C. Horton 9000 Helmick Rd.
Monmouth, OR 97361

Transaction Type: COBU

Fees Received: \$ 345.00

☐ Cash

☒ Check:

Check No. 2447

Name(s) on Check: Will McGill Surveying 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:

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.