

**CLAIM OF
BENEFICIAL USE
for Transfer with Multiple
Changes – Surface Water**



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 transfers where the application was submitted on July 9, 1987, or later.

Enter the date the transfer application was submitted:

09/27/2022

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 503-986-0900.

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>

SECTION 1

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer involving multiple changes.

YES

Mark all that apply:

- | | |
|--|--|
| 1. ☒ Change in POD(s) or Additional POD(s) | 2. ☒ Change in Place of Use |
| 3. ☐ Change in Character of Use | 4. ☐ Change in Character of Use – Reservoir |

A separate section will be completed for each type of change authorized in the transfer final order.

1. File Information

APPLICATION #

T-14097

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2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Brewster Rd LLC; attn: Barney Kropf		PHONE NO. 206-227-6412	ADDITIONAL CONTACT NO.
ADDRESS 23495 Powerline Rd			
CITY Harrisburg	STATE OR	ZIP 97446	E-MAIL Barney.kropf@yahoo.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 Brewster Rd LLC; attn: Barney Kropf		
ADDRESS 23495 Powerline Rd		
CITY Harrisburg	CITY Harrisburg	ZIP 97446

4. Date of Site Inspection:

07/18/2025

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Anthony Knox	07/18/2025	Irrigation System Installer
Leon Kauffman	07/18/2025	Partial Landowner

6. County:

Linn

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		
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 Theodore R. Ressler		PHONE NO. 503-701-4535	ADDITIONAL CONTACT NO.
ADDRESS Summit Water Resources, LLC, 4784 SE 17th Avenue, Suite 111			
CITY Portland	STATE OR	ZIP 97202	E-MAIL tressler@summitwr.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
	Barney Kropf	Member of Brewster Rd LLC	9/3/25

SECTION 3

Changes Made

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

Change #1

New or Additional Point of Diversion

Change in POD(s) or Additional POD(s)

Did the transfer order authorize a change in the points of diversion or additional points of diversion?

YES

If "NO", this Section can be deleted.

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

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)	SOURCE
POD 2	South Santiam River and Willamette Basin Project Reservoirs

2. Variations:

Was the use developed differently from what was authorized by the transfer final order, or extension final?

NO

If yes, describe below.

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

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3. Claim Summary:

NEW OR ADDITIONAL POD NAME OR #	MAXIMUM RATE AUTHORIZED IN ORDER	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
POD 2	0.51 cfs (live flow) 92.2 acre-feet (stored water)	0.85 cfs	0.53 cfs

System Description

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

NO

If "YES" you will need to copy and complete Sections A, B, or C in this Section for each POD.

POD Name or Number this section describes (only needed if there is more than one):

POD 2

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

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Cornell	2.5WH	2554329	Centrifugal	3-inch	2.5-inch

2. Motor Information

MANUFACTURER	HORSEPOWER
Baldor	15

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
15	40 psi ^A	15 ft ^B	0 ^C	0.85 cfs

Notes

^A Operating pressure measured on discharge mainline just downstream of pump discharge.

^B Vertical lift from water surface to pump.

^C Lift downstream of pump discharge is a component of the measured operational pressure.

4. Provide pump calculations:

$$Q_{\text{pump}} = \frac{(\text{Hp})(\text{conversion factor})}{(\text{lift} + \text{pressure}) \text{ total head in feet}} = \text{cfs}$$

Conversion factor:

$$\text{Centrifugal Pumps, 75\% eff. } \frac{(550 \text{ ft lb/sec/Hp})(.75)}{(62.4 \text{ lb/cu ft})} = 6.61 \text{ ft}^4/\text{sec/Hp}$$

$$Q_{\text{pump}} = \frac{(15)(6.61)}{(15 + 40 \times 2.54)} = 0.85 \text{ cfs} = 381 \text{ gpm}$$

Note: minor frictional losses upstream of the pump (suction line, etc.) accounted for by the 2.54 ft H₂O/psi conversion factor (versus 2.31 ft H₂O/psi).

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)
33,721,990 gallons	33,722,470 gallons	2 minutes	0.53 cfs (240 gpm)

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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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?

NO

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

NO

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

Change #2

Change in Place of Use

Did the transfer order authorize a change in the place of use?

YES

If "NO", this Section can be deleted.

1. Claim Summary – Authorized Use:

If Irrigation or Nursery Use:

THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
41.1	41.1

2. Variations:

Was the use developed differently from what was authorized by the transfer final order?

NO

If yes, describe below.

(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")

Change #3

Change in Character of Use

Did the transfer order authorize a change in character of use?

NO

If "NO", this Section can be deleted.

Change #4

Change in Character of Use – Reservoir

Did the transfer order authorize a change in character of use for a reservoir?

NO

If "NO", this Section can be deleted.

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SECTION 4

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 AUTHORIZED CHANGES WERE COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	11/12/2024	
COMPLETENESS DATE FROM ORDER (C)	10/01/2026	07/18/2025

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

2. Is there an extension final order(s)?

NO

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

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

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.

b. Has a meter been installed?

YES

c. Meter Information

POD NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD 2	Netafim	21-1001-0793	Working	33,721,990 gallons (7/18/2025 14:18)	2022

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. Fish Screening

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

YES

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

c. When was the fish screening installed?

DATE	BY WHOM
August 2022	Knox Ag Irrigation

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?

N/A

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?

YES;

see Attachment 3 for ODFW approval correspondence.

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?

NO

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.

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?
- b. Was a fishway required?
- c. Other conditions?

NO

NO

NO

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

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SECTION 5

ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
Attachment 1	Claim of Beneficial Use Map
Attachment 2	Water Right Information
Attachment 3	ODFW Correspondence
Attachment 4	Documentation of Signatory Authority

SECTION 6

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 point of diversion, visible system components, and the place of use were visited during the site inspection. The location of the point of diversion and the extent of the place of use were obtained from a field survey completed during the site inspection and an aerial photo [07/01/2024, GoogleEarth]. The map was created using Geographic Information System (GIS) software and spatial datasets obtained from ESRI, United States Geological Survey (USGS), Bureau of Land Management (BLM), OWRD, and Linn County. Additional data and information specific to the property appurtenant to the water right and the use water of under the water right described in this Claim of Beneficial Use report were obtained from the water user.

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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
- ☒ 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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Attachment 1

Claim of Beneficial Use Map

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Claim of Beneficial Use

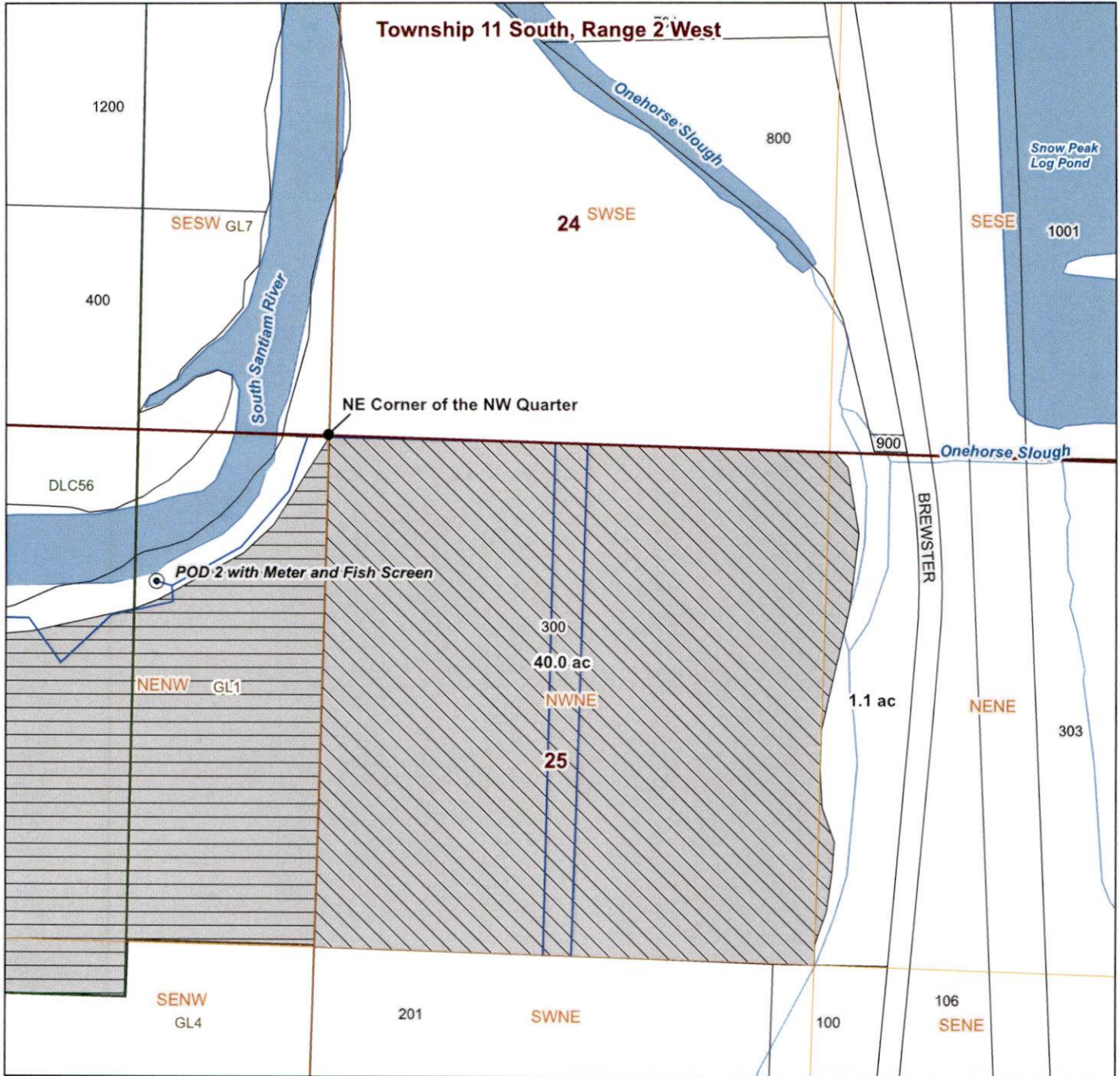
Transfer T-14097

A Water Right held by Brewster Road LLC
Linn County

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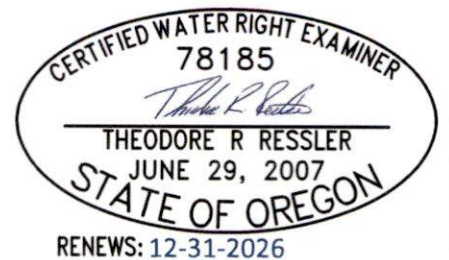


LEGEND

- Point of Diversion (POD)
- Mainlines
- ▨ T-14097 Place of Use (POU), 41.1 ac IR
- ▨ Certificate 86665 Place Of Use (POU)
- Tax Lots
- Watercourse
- Waterbody

POD Location Description

POD 2
350 feet west, 390 feet south from the NE corner of the NW Quarter of Section 25 (NENW), Township 11 South, Range 2 West, W.M.



Date: 8/18/2025
Data Sources: BLM, ESRI, OWRD, USGS, Linn County
Disclaimer: This map is not intended to provide legal dimensions or property ownership lines.



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Attachment 2

Water Right Information

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING
T-14097, Linn County	)	A CHANGE IN POINT OF DIVERSION AND
	)	CHANGE IN PLACE OF USE

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

BREWSTER ROAD LLC
ATTN: BARNEY KROPF
24395 POWERLINE ROAD
HARRISBURG, OR 97446

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Findings of Fact

1. On September 27, 2022, BREWSTER ROAD LLC., ATTN: BARNEY KROFT filed an application to change the point of diversion and to change the place of use under Certificate 94546. The Department assigned the application number T-14097.
2. Notice of the application for transfer was published on October 11, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On August 9, 2023, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14097 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of September 11, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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.

4. On September 26, 2024, the Department issued a Preliminary Determination proposing to approve Transfer T-14097 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 October 1, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

5. The right to be transferred is as follows:

Certificate: 94546 in the name of JAMES L. FLEISHMAN AND KATHRYN FLEISHMAN (perfected under Permit S-51923)
Use: IRRIGATION OF 41.1 ACRES
Priority Date: DECEMBER 23, 1992
Rate: 0.51 CUBIC FOOT PER SECOND AND 92.2 ACRE-FEET STORED WATER ONLY
Limit/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, (or its equivalent) and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Period of Use: STORED WATER APRIL 1 TO SEPTMEBER 30 UNDER U.S. BOR CONTRACT, LIVE STREAM FLOW: APRIL 1-30 AND OCTOBER 1-31
Source: SOUTH SANTIAM RIVER AND WILLAMETTE BASIN PROJECT RESERVOIRS, UNDER PERMIT R-5363, TRIBUTARIES OF SANTIAM RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
11 S	2 W	WM	25	NE NW	POD 1 - SOUTH 83 DEGREES 15 MINUTES WEST; 148 FEET FROM THE NORTH 1/4 CORNER OF SECTION 25

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
11 S	2 W	WM	25	NE NE	0.1
11 S	2 W	WM	25	NW NE	39.8
11 S	2 W	WM	25	SE NE	1.2
Total:					41.1

6. Transfer Application T-14097 proposes to move the authorized point of diversion for the entire right approximately 435 feet downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
11 S	2 W	WM	25	NE NW	POD 2 - 390 FEET SOUTH AND 350 FEET WEST FROM THE NE CORNER OF THE NW QUARTER OF SECTION 25

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7. Transfer Application T-14097 also proposes to change the place of use of 1.2 acres located in the SENE of Section 25 of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
11 S	2 W	WM	25	NE NE	1.0
11 S	2 W	WM	25	NW NE	0.2
Total					1.2

8. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost share funds.

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2), 690-380-2110(2), and 690-380-2200]

9. Water has been used within the five-year period prior to submittal of Transfer Application T-14097 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 water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14097.
11. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
12. The proposed point of diversion diverts water from the same source of surface water as the authorized point of diversion, as required by OAR 690-380-2110(2).
13. The proposed change as conditioned, would not result in enlargement of the right.
14. The proposed change as conditioned, would not result in injury to other existing water rights.
15. All other application requirements are met.

Conclusions of Law

The change in point of diversion and change in place of use proposed in Transfer Application T-14097 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in point of diversion and change in place of use proposed in Transfer Application T-14097 are approved.

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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 94546 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of diversion and the new place of use.
4. Water right Certificate 94546 is cancelled.
5. The quantity of water diverted at the new point of diversion (POD 2), shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1).
6. Water shall be acquired from the same source of surface water as the original point of diversion.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
9. Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the Oregon Water Resources Department (OWRD) a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

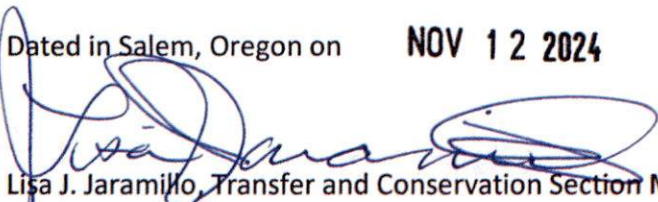
The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

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10. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. 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 changes and full beneficial use of the water.
11. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on

NOV 12 2024


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Mailing date: **NOV 13 2024**

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Attachment 3
ODFW Correspondence



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

July 25, 2022

Attn. Ted Ressler
Summit Water Resources, LLC
PO Box 11268
Portland, OR 97211



RE: Brewster Road LLC – Proposed Fish Screen for Hazelnut Orchard

To whom it may concern,

Oregon Department of Fish and Wildlife has reviewed the fish screen design for Brewster Road LLC's proposed 0.45 cfs (200 gpm) diversion on the South Santiam River, N 44.59076 W 122.87768. The fish screen they plan on installing is a Pump-Rite L250. This model of passive screen, when installed and maintained properly is capable of screening up to 0.56 cfs (250 gpm), while protecting all age classes of anadromous salmonids from entrapment and impingement. ODFW concludes that this screen will meet current state and federal fish screening criteria set forth by National Marine Fisheries Service for a maximum withdraw rate of 0.56 cfs (250 gpm). A by-pass device will not be required at this point of diversion as this is an end of pipe screen.

Once the screen is purchased and installed ODFW will need to conduct a final inspection and at that point will issue a final inspection and approval letter. If there are any questions regarding the design approval for Brewster Road LLC proposed POD on the South Santiam River, please call me at 541-967-2162.

Sincerely,

Bryce Macnab

Fish Screens and Passage Coordinator

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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

October 26, 2022



Attn. Barnabas Kropf
Brewster Road LLC
24495 Powerline Rd
Harrisburg, OR 97446

RE: Brewster Road LLC T-14097, S-89272

To whom it may concern,

Oregon Department of Fish and Wildlife has reviewed the fish screen associated with your point of diversion on the South Santiam River, N 44.59076 W 122.87768 and is associated with two water rights T-14097 and S-89272. This site was inspected virtually with photos submitted by the landowner.

The diversion pump station is designed to accommodate a maximum of 229 gpm and will not exceed the fish screens maximum intake of 250 gpm. The fish screen that is in use at this point of diversion is a Pump-Rite L250. This model of passive screen, when installed and maintained properly is capable of screening up to 0.56 cfs or 250 gpm, while protecting all age classes of native fish present from entrapment and impingement. ODFW concludes that this screen will meet current state and federal fish screening criteria set forth by National Marine Fisheries Service for a maximum withdraw rate of 0.56 cfs (250 gpm) under transfer T-14097 and S89272. A by-pass device is not required at this point of diversion as this is an end of pipe screen.

This approval is contingent on the following: the screen is installed prior to any withdraw of water, the screen is 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 there are any questions regarding the approval of the screen for transfer T-14097 or S-89272, please call me at 541-967-2162.

Sincerely,

Toby Schuyler 10/26/2022

Toby Schuyler

Fish Screens and Passage Coordinator

CC: Ted Ressler, Summit Water Resources, LLC

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Attachment 4
Documentation of Signatory Authority

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Corporation Division

HOME

Business Xpress **business name search** oregon business guide

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uniform commercial code uniform commercial code search documents & data services

Business Name Search

New Search	Printer Friendly	Business Entity Data				07-16-2025 14:51
Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1782634-98	DLLC	ACT	OREGON	02-12-2021	02-12-2026	
Entity Name	BREWSTER ROAD, LLC					
Foreign Name						

New Search		Printer Friendly		Associated Names	
Type	PPB	PRINCIPAL PLACE OF BUSINESS			
Addr 1	24395 POWERLINE RD				
Addr 2					
CSZ	HARRISBURG	OR	97446	Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	01-23-2025	Resign Date	
Of Record	095468-13	WEATHERFORD THOMPSON, LLC				
Addr 1	130 FIRST AVENUE W					
Addr 2						
CSZ	ALBANY	OR	97321	Country	UNITED STATES OF AMERICA	

Type	MAL MAILING ADDRESS				
Addr 1	SCOTT G COWGILL				
Addr 2	PO BOX 667				
CSZ	ALBANY	OR	97321	Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER				Resign Date	
Name	TANYA		KAUFFMAN				
Addr 1	33745 ROWELL LN						
Addr 2							
CSZ	LEBANON	OR	97355	Country	UNITED STATES OF AMERICA		

Type	MEM	MEMBER				Resign Date	
Name	BENJAMIN		KROPF				
Addr 1	23114 87TH AVE W						
Addr 2							
CSZ	EDMONDS	WA	98026	Country	UNITED STATES OF AMERICA		

Type	MEM	MEMBER				Resign Date	
Name	BARNABAS		KROPF				
Addr 1	24395 POWERLINE RD						
Addr 2							
CSZ	HARRISBURG	OR	97446	Country	UNITED STATES OF AMERICA		



September 11, 2025

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

Subject: Claim of Beneficial Use for Transfer T-14097

Mr. Clark:

On behalf of the permittee, please find enclosed Claim of Beneficial Use (COBU) report for Transfer T-14097 accompanied by a check in the amount of \$345 for payment of the COBU submittal fee. Please do not hesitate to contact me at 503-701-4535 with questions about the enclosed COBU.

Respectfully submitted,

Theodore Ressler, RG, CWRE
Summit Water Resources LLC

Enclosures:

Claim of Beneficial Use for Transfer T-14097

Check # 1085 in the amount of \$345

Cc: Barney Kropf – Brewster Road, LLC

Received
SEP 17 2025
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