

**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 \$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:

4/22/2022

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>

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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 #

T-13993

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Shella Delcurto		PHONE NO.	ADDITIONAL CONTACT No.
ADDRESS 46411 Oliver Rd.			
CITY Halfway	STATE OR	ZIP 97834	E-MAIL mightydashin@yahoo.com

APPLICANT/BUSINESS NAME Roger Gulick		PHONE NO.	ADDITIONAL CONTACT No.
ADDRESS 46152 Oliver Rd.			
CITY Halfway	STATE OR	ZIP 97834	E-MAIL Jenny-gulick@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 Whitney Collins/ Eagle Valley SWCD			
ADDRESS 3990 Midway Dr.			
CITY Baker City	STATE OR	ZIP 97834	

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4. Date of Site Inspection:

11/21/2024

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Dan Axness	11/21/2024	Idaho Power Fish passage coordinator
Shella DelCurto	11/21/2024	Landowner/irrigator

6. County:

Baker

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)):

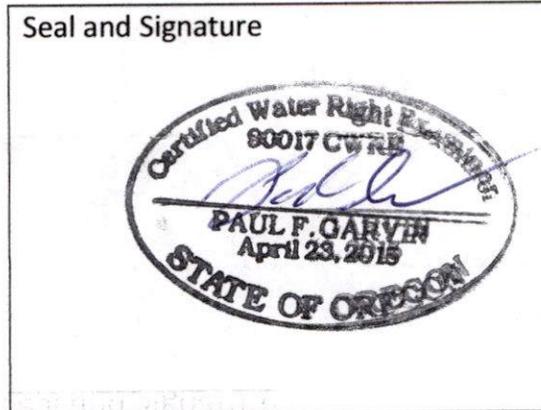
OWNER OF RECORD			
ADDRESS			
CITY	STATE	ZIP	

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.



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CWRE NAME Paul Garvin		PHONE NO. 503-347-7188	ADDITIONAL CONTACT NO.	
ADDRESS 1705 Main St. Ste. 101				
CITY Baker City	STATE OR	ZIP 97814	E-MAIL Garvin.hydrogeo@gmail.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
	Shella Delcurto	owner	12-24-24
	Roger Gulick	owner	12-24-24

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
Dearth	East Pine Creek

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.")

3. Claim Summary:

NEW OR ADDITIONAL POD NAME OR #	MAXIMUM RATE AUTHORIZED IN ORDER	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
Dearth	NA, 360.7 ac total, max of 1/40th cfs/acre = 9 cfs	12.5 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):

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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 NA

PUMP ID	MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
NA						

2. Motor Information

PUMP ID	MANUFACTURER	HORSEPOWER
NA		

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
NA				

4. Provide pump calculations:

NA

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)
NA			

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.

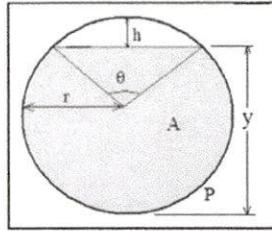
2. Complete the table:

PIPE SIZE	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE	COMPUTED RATE OF WATER FLOW (IN CFS)
16"	PVC	150	4'	291'	$4'/291' = 0.0137$	12.5

3. Provide calculations:

$$v = 1.31(c)(r^{0.63})(s^{0.54})$$

v = mean velocity of flow in feet per second
 c = coefficient of roughness
 r = hydraulic radius in feet
 s = slope of energy gradient



Partially Full Pipe Flow Parameters
(More Than Half Full)

$$\theta = 2 \arccos \left(\frac{r-h}{r} \right)$$

$$A = \pi r^2 - \frac{r^2(\theta - \sin \theta)}{2}$$

$$P = 2\pi r - r\theta$$

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Known:

C = 150; circle radius = 0.7'; slope = 0.0137; y = 1; and h = 0.33

By formulas above:

$\theta = 116$ degrees

A = 1.18 ft²

P = wetted perimeter = 2.82'

r = hydraulic radius = A/P = 0.42'

v = 10.6 ft/s

Q = v * A

Solving for Q = theoretical maximum flow through pipe

10.6 * 1.18 = 12.5 cfs

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)
-	-	-	-

Attach measurement notes.

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?

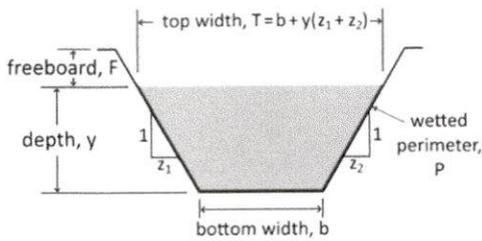
YES NO

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

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)
Unlined Stoney Bed, Weeds on Bank	5'	3'	1.5'	0.03	40'	3,865'	0.0103	27.2

3. Provide calculations:



$$v = \frac{1.486}{n} r^{2/3} s^{1/2}$$

v = mean velocity of flow in feet per second
 r = hydraulic radius in feet
 s = slope of the energy gradient
 n = coefficient of roughness

Ditch - Trapezoidal ditch cross section

N = 0.03; z=1/slope=60 deg → z=0.5774

Given: B=3', H=1.5, T= B*(2*z*H) therefore T = 4.7'

A = Area = (B+zH)H = 5.8'

WP = wetted perimeter = B+2H*((1+z^2)^.5) = 6.5'

R= hydraulic radius = ((B+zH)*H)/(B+2H*((1+z^2)^.5)) = 0.90'

and V=1/n×R^2/3×s^1/2, = 4.7 ft/s and Q=V×A

Solving for Q = 27.2 cfs = theoretical maximum flow through Ditch

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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)
-	-	-	-

Attach measurement notes.

D. Additional notes or comments related to the system:

**SECTION 5
CONDITIONS**

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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	3/20/2023	
COMPLETENESS DATE FROM ORDER (C)	10/1/2027	10/2023

* 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)?

YES NO

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

4. Recording and reporting conditions

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

YES NO

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
10/2023	Idaho Power Company

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

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.

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

b. Have by-pass devices been installed? YES NO

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

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

DESCRIPTION (E.G. "ODFW HAS APPROVED THE BY-PASS DEVICE" OR "NO BY-PASS DEVICE IS NECESSARY BECAUSE THERE IS A DIRECT DIVERSION FROM THE STREAM VIA A PUMP ON RIVER LEFT STREAM BANK WITH FOOT VALVE DESCENDING DIRECTLY INTO NATURAL POOL.") IN ADDITION, YOU MAY ATTACH PHOTOS TO THIS CLAIM.	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM
ODFW has approved the bypass device (documentation attached)	10/2023	Idaho Power

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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):

**SECTION 6
ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
ODFW letter	Letter from ODFW indicating approval of fish passage at the APOD (dated 10/1/2025)

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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 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.

Map was created using publicly available GIS data, GIS software handheld GPS, aerial imagery dated 10/2023, and ground truthing.

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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.) ***Not required for this type of Claim of Beneficial Use**
- 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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Tina Kotek, Governor

Department of Fish and Wildlife

Fish Division
4034 Fairview Industrial Drive SE
Salem, OR 97302
(503) 947-6201
FAX (503) 947-6202
www.dfw.state.or.us/

September 25, 2025

Dan Axness
Principle Construction and Engineering Project Manager
Idaho Power Environmental Affairs
1834 Main St. Baker City, OR 97814



RE: Fish Screen for Oliver Sullivan Diversion on Pine Creek (OWRD T-13993)

This letter is regarding the fish screen installed at the newly designed water diversion on Pine Creek at (44.892732, -117.088628), in Baker County, Oregon. This project combined three water diversion into one POD. This change was permitted under OWRD water right transfer T-13993.

The water right requires that the new point of diversion be screened with a fish screen and/or by-pass device constant with ODFW's standards. The fish screen plans were reviewed by ODFW during design and a post-construction inspection was completed in June of 2025. The fish screen consists of three paddlewheel-driven drum screens, each rated for 5 cfs. When in operation and maintained properly, these screens will protect native migratory fish from entrainment and impingement and will meet the state's fish screening requirements up to a diversion rate of 15 cfs.

This letter constitutes ODFW's approval in writing that the screening and bypass comply with ODFW's requirements. This approval is contingent on the screen being regularly inspected and maintained to ensure it remains in working order (including debris removal).

Sincerely,

Katherine Nordholm
ODFW Fish Screens and Passage Coordinator

Cc: Jorden Smith, ODFW Hydro and Water Rights Coordinator
Nathaniel Ashley, ODFW Fish Screens Coordinator
Ethan Brandt, ODFW District Fish Biologist

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