

**CLAIM OF
BENEFICIAL USE
for Surface Water Permits
claiming 0.1 cfs or less**



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 priority date of the permit:

April 14, 2021

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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>

SECTION 1

GENERAL INFORMATION

1. File Information:

APPLICATION # S-89101	PERMIT # (IF APPLICABLE) S-55316	PERMIT AMENDMENT # (IF APPLICABLE)
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2. Property Owner (current owner information):

APPLICANT/BUSINESS NAME James B. Darby		PHONE NO. 907-229-0629	ADDITIONAL CONTACT NO.
ADDRESS 6789 North Applegate Road			
CITY Grants Pass	STATE Oregon	ZIP 97527	E-MAIL brantdarby@yahoo.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 SAME		
ADDRESS		
CITY	STATE	ZIP

ADDITIONAL PERMIT HOLDER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

September 17, 2025

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
James B. Darby	Sept. 17, 2025	Owner

6. County:

JOSEPHINE

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

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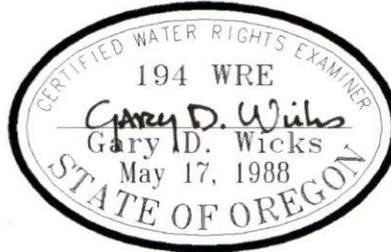
Add additional tables for owners of record as needed

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**SECTION 2
SIGNATURES**

CWRE Statement, Seal and Signature

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



Renewal Date: June 30, 2026

CWRE NAME Gary D. Wicks		PHONE NO. 541-479-3436	ADDITIONAL CONTACT NO. 541-660-9912
ADDRESS 311 NE "D" Street			
CITY Grants Pass	STATE Oregon	ZIP 97526	E-MAIL gdwicks@gmail.com

Permit Holder(s) of Record Signature or Acknowledgement

Each permit 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
	James B. Darby	Owner	

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**SECTION 3
CLAIM DESCRIPTION**

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

POD NAME	SOURCE	TRIBUTARY
POD	Stella Jane Reservoir	Jimmy Creek

2. Developed use(s), period of use, and rate for each use:

POD NAME	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (AC.-FT.)
POD	Irrigation	pasture	April 1 thru October 31	3.0
POD	Fire Protection, Livestock, Wildlife		Jan. 1 thru Dec. 31	1.0
Total Quantity of Water Used				4.0

3. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion to the place of use:

Water is pumped from Stella Jane Reservoir (Certificate No. 96767) via a 7.5 hp submersible pump equipped with an ODFW approved self-cleaning inlet screen. (See attached approval letter from Josh Kelsey, Screens and Passage Coordinator for ODFW) A totalizing flow meter is attached to the pump outlet. A three inch diameter underground PVC pipe conveys water to a box that quick couples to a 40 mm above ground poly-pipe. Nelson rotator sprinklers that are moved by hand are used to irrigate the place of use.

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**

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

The permit allows for the irrigation of 1.25 acres. The actual surveyed area that is being irrigated is 1.0 acres without overlap onto the existing place of use per Certificate No. 98042 and CW-125.

5. Claim Summary:

POD NAME	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	ACRES ALLOWED	ACRES DEVELOPED
POD	Not Specified	0.311 cfs (140.0 gpm) [124.0 gpm available for irrigation]	*0.015 cfs (6.8 gpm)	Irrigation	1.25 ac.	1.0 ac.

*NOTE: The 6.8 gpm is for the four sprinklers that irrigate the 1.0 acres authorized by Permit S-55316.

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SECTION 4
SYSTEM DESCRIPTION

Are there multiple PODs?

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):

POD

A. Place of Use

Attach Claim of Beneficial Use map.

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (Gov Lot), Quarter-Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, Gov Lot, and 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 and apply the water from the point of diversion to the place of use.

1. Is a pump used?

YES

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

2. Pump Information:

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)
Wolf	5LL8V	unknown	submersible

3. Theoretical Pump Capacity:

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (CFS)
7.5	60 psi	5 ft.	12 ft.	0.311 cfs (140.0 gpm)

4. Provide pump calculations:

P = pump hp = 7.5 E_f = efficiency factor = 7.04 (submersible pump)
H_l = lift head = suction lift (swl) + discharge lift (elev. diff.) = 5 + 12 = 17 ft.
H_p = pressure head = 152.4 ft. at 60 psi (assumes 10% friction loss)

$$Q = \frac{PE_f}{H_l + H_p} = \frac{7.5(7.04)}{17 + 152.4} = 0.311 \text{ cfs} = 140.0 \text{ gpm}$$

NOTE: 16 gpm are needed at the pump to clean the fish screen attached to the intake.
The discharge delivered to the irrigation system = 124 gpm (0.276 cfs).

(This pump is also used to irrigate 31.3 acres in addition to the 1.0 acres approved per Permit No. S-55316.)

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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 (CFS)
0	638.98 gallons	20 minutes	0.071 cfs (32 gpm) @ 19 sprinklers

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

6. Sprinkler Information:

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
Nelson R2000	40	2.0 gpm	54	4 (on 1 acre)	0.018 cfs (8 gpm)

Reminder: For sprinkler output determination use the reference information at the end of this document.

7. Drip Emitter Information:

SIZE	OPERATING PSI	EMITTER OUTPUT (GPM)	TOTAL NUMBER OF EMITTERS	MAXIMUM NUMBER USED	TOTAL EMITTER OUTPUT (CFS)
NA					

8. Drip Tape Information:

DRIPPER SPACING IN INCHES	GPM PER 100 FEET	TOTAL LENGTH OF TAPE	MAXIMUM LENGTH OF TAPE USED	TOTAL TAPE OUTPUT (CFS)	ADDITIONAL INFORMATION
NA					

C. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)?

NO

If "NO", item 2 and 3 relating to this section may be deleted.

D. 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.

E. 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?

NO

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

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F. Additional notes or comments related to the system:

The 7.5 hp submersible pump in Stella Jane Reservoir is also used to irrigate an additional 31.3 acres of land approved per Certificates No. 93298 (0.6 ac.), 98041 (10.0 ac.), 98042 (6.0 ac.) and per CW-125 (14.7 ac.). The 54 sprinklers is the maximum set operating at one time.

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 use 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	7-27-2021		
BEGIN CONSTRUCTION (A)	7-27-2026	June 2023	Began
COMPLETE CONSTRUCTION (B)	7-27-2026	September 2023	Completed Construction
COMPLETE APPLICATION OF WATER (C)	7-27-2026	September 2023	Began applying water

* 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)?

NO

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

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.

b. Has a meter been installed?

YES

c. Meter Information

POD NAME	MANUFACTURER	SERIAL No.	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD	Gryvoze	none	working	638.98 gallons	September 2023

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.

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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
September, 2023	Owner

Reminder: If the permit or transfer final order was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion **involves a pump** *and* the **total** diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs):

- Has the self-certification form previously been submitted to the Department?

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

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

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?

NO

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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
No by-pass device is needed because the water is diverted from an off-stream reservoir: (Stella Jane Reservoir per Certificate No. 96767).	NA	NA

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

SEE ABOVE

(Provide a letter from ODFW indicating the device is approved or is unnecessary.)

See attached letter from Josh Kelsey, Screens and Passage Coordinator for ODFW.

7. 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? **NO**
- b. Other conditions? **YES**

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

A fish screen is required and was installed.

**SECTION 6
ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
COBU Map	
ODFW Letter	

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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.

An open traverse and aerial photos were used to create the final proof survey plat. Traverse measurements were made to topographic features and property corners of record. This data was used to establish the position of the POD in Stella Reservoir relative to the CS1/16 Corner of Section 17. The locations of the place of use, West Side Road, Stella Jane Reservoir and Jimmy Creek are based upon actual survey ties. Picture points were also surveyed. These were used to rotate and scale a Google Earth aerial photo dated August, 2024 which was then used for drafting the Illinois River and other features. This survey was executed using a Wild T-1600 Theomat and a Distomat DI-1600 EDM with a combined accuracy of 1 sec. and 3 mm ± 2 ppm.

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
- Quarter-Quarters illustrated and named (NENE, NWNE, 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



Oregon

Tina Kotek, Governor

Department of Fish and Wildlife

Rogue Watershed District Office

1495 East Gregory Rd.

Central Point, OR 97502

Phone: 541-826-8774

Fax: 541-826-8776

www.odfw.com



September 24, 2025

James Darby
1898 NW Sunview Place
Grants Pass, OR 97526

Dear James,

Regarding OWRD Permit S-55316, ODFW has determined the fish screen within the reservoir meets current fish protection criteria, and fish bypass devices are not necessary. Stella James Reservoir also has an overflow equipped with a jump height exceeding criteria found in Section 6 "Exclusion Barriers" of NOAA/NMFS 2022 design manual. For this reason, the overflow does meet current exclusion barrier criteria. This approval is contingent on the following: current passage/barrier conditions remain unchanged, screen is installed so effective screen area is submerged during operation, the screen is regularly inspected and maintained to ensure it remains in working order (including debris removal), and the screen is annually inspected when it is not in use. Thank you.

Sincerely,

Josh Kelsey
Screens and Passage Coordinator
Fish Screening and Passage Program
(541) 857-2424

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Our mission is to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations.