

**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:

5/26/2022

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 Reimbursement Authority 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 NO

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-14019

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME David F. Davern & Pat Morache		PHONE NO. 541-621-6355	ADDITIONAL CONTACT NO.
ADDRESS 793 Netherlands Rd			
CITY Trail	STATE OR	ZIP 97541	E-MAIL farestdavern@gmail.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 Same		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

1/29/2026

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
David Davern	1/29/2026	Owner

6. County:

Jackson

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 n/a		
ADDRESS		
CITY	STATE	ZIP

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.



CWRE NAME Bryce Michael Withers	PHONE NO. 541-389-2837	ADDITIONAL CONTACT NO.
ADDRESS PO Box 1830		
CITY Bend	STATE OR	ZIP 97709
E-MAIL brycewrs@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
	David F. Davern	Transfer Holder	4-20-2026
	Pat Morache	Transfer Holder	4-20-26

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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 NO

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	Big Butte Creek

2. Variations:

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

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	0.024 CFS	0.024 CFS	n/a

System Description

Are there multiple new or additional Points of Diversion (POD)? YES 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
Grundfos	10807-12		Submersible		

2. Motor Information

MANUFACTURER	HORSEPOWER
Grundfos	3/4

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
3/4	60	0'	72'	0.024

4. Provide pump calculations:

See attached OWRD pump calculations.

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)

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

6. Additional notes or comments related to the system:

The submersible pump in the river at POD 2 pumps to a cistern adjacent to the home. A second pumping system pumps from the cistern to the home. The cistern pump is a Grundfos 15 SQE07 model, 2 HP, and the theoretical pump capacity is 0.09 cfs (see attached pump capacity calculations).

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

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

Change #2

Change in Place of Use

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

YES NO

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
n/a	n/a

2. Variations:

Was the use developed differently from what was authorized by the transfer final order? YES 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.")

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Change #3

Change in Character of Use

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

YES NO

If "NO", this Section can be deleted.

1. Claim Summary – New Use(s):

Provide the new uses authorized by the transfer final order:

NEW USE(S) AUTHORIZED
<u>Domestic Use</u>

2. Variations:

Were all the uses developed from what was authorized by the transfer final order?

YES NO

If no, describe below.

(e.g. "The order authorized changes in character of use to industrial, commercial, and livestock. The water user did not develop the commercial use.")

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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)	10/1/2026	1/29/2026

* 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

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 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.

b. Has a meter been installed?

YES NO

c. Meter Information

POD NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD 2	Unknown	25- 051045	Working	8	2025
POD 1 (see note below)					

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?

YES 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 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
February 2024	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) 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?

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.

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):

POD 1, the original authorized POD is on the neighbor's property and consists of a defunct ditch system that is not in use or accessible to the T-14019 holder. The water user does not have access nor desire to access POD 1. It is not possible for the water user to meter that part of system. We ask that the Oregon Water Resources Department exempt the transfer holder from the metering requirement for the portion of the water right that they do not own, nor have access to. The transfer holder metered their useable diversion point (POD 2) for the new domestic system authorized by the transfer final order, and put in an ODFW approved fish screen. Please see the attached email regarding the POD 1 from OWRD Watermaster Shavon Haynes.

SECTION 5

ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
CBU Map	Claim of Beneficial Use Map
Pump Calcs	OWRD Pump Capacity Calculations
ODFW Letter	ODFW Fish Screen Letter
Watermaster Letter	POD 1 meter letter

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SECTION 6

CLAIM OF BENEFICIAL USE MAP

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.

In order to properly examine your claim, the Department must have an accurate map that meets the criteria described in OAR 690-014-0170 and OAR 690-305-0010, which are provided below for your convenience:

OAR 690-014-0170 Minimum Requirements for Maps for Permit or Transfer Final Order Claims of Beneficial Use

- (1) Maps submitted by a CWRE as part of the Claim of Beneficial Use shall meet the standards in OAR chapter 690, division 305. In addition, the map shall meet the following criteria:
 - (a) Horizontal accuracy is required only to ten feet for the purpose of locating and quantifying water rights. Maps shall be developed from any standard survey method. Traverse closures are not required.
 - (b) Maps shall clearly designate the place of use and point of diversion or appropriation for each source and use.
 - (c) The map shall indicate by description, in relation to the point of diversion or appropriation, the location of any fish screens, by-pass devices, and measuring devices required by the permit or transfer final order.
 - (d) The following statement shall be placed on the map: "This map is not intended to provide legal dimensions or locations of property ownership lines."
- (2) A CWRE may make a written request to the Director for a waiver of one or more mapping standards. The Director will determine whether the waiver shall be allowed and will respond to such requests in writing.

OAR 690-305-0010 General Map Criteria

Each map submitted to the Department shall meet the following general criteria in addition to any specific criteria identified in the rules for the relevant water right transaction:

- (1) Drawing
 - (a) The map shall be drafted on paper or polyester film with ink or otherwise printed in an indelible form with sufficient clarity so as to be easily reproduced or scanned. Maps may be submitted electronically in portable document format (pdf) and must be prepared consistent with, and include the same information as, a paper map.
 - (b) The preferred paper size is 8.5 inches by 11 inches and should be no larger than 30 inches by 30 inches. A map greater than 30 inches by 30 inches may be submitted if the Department grants, by mail or electronic means, advance approval of the larger size.

- (c) Beginning April 1, 2029, regardless of whether the map is submitted electronically, on paper, or on polyester film, for any map that OAR chapter 690 requires be prepared by a Certified Water Right Examiner, a digital file containing the coordinate system and geospatial features of the map as specified by the Department shall be submitted in addition to the map, unless the Department provides a waiver. The digital file shall be submitted as a shapefile or other approved format in a manner required by the Department.
 - (d) A platted and recorded subdivision map, deed description survey map, or county assessor map may be submitted as the application map if all of the required information included in sections (2) and (3) of this rule is clearly shown.
 - (e) An aerial image may be provided in addition to the map to aid the Department in understanding the proposal.
 - (f) The map submitted under subsection (a) shall be the official record of the water right. An aerial image or digital file shall not be the official record of the water right.
- (2) Scale
- (a) The map shall be drawn to a standard, even-numbered scale and one-inch shall not exceed 1320 feet.
 - (b) The map scale may exceed 1320 feet per inch if the Department grants, by mail or electronic means, advance approval of the requested scale.
 - (c) Notwithstanding subsection (a) and (b), for maps identifying the location of a municipal use place of use, one-inch can exceed 1320 feet; provided that the scale is sufficient to identify the quarter-quarters involved in the place of use.
- (3) Features: Features shall be clearly identified and labeled. Unless otherwise indicated in rule, the following features must be included in each map submitted to the Department:
- (a) Mapping scale.
 - (b) North directional symbol.
 - (c) Legend.
 - (d) General location of main canals, ditches, flumes, pipelines, pumps, or other water delivery features used to transport water from the point(s) of diversion or appropriation to the place use and to include the delivery features at the place of use.
 - (e) Other topographical features such as rivers, creeks, streams, lakes, reservoirs, ponds, roads, or railroads that may be helpful to clarify and identify the location of points of diversion, wells, dams, and places of use.
 - (f) Location and flow direction of the water way if the source is surface water. If multiple water ways exist in the area of the proposed diversion and use, the map must identify the location and flow direction of the additional water ways.
 - (g) Township, range, section, quarter-quarter, and tax lot(s), donation land claims, or government lots where water will be or has been diverted, conveyed, and used. If the map is for municipal use the map:
 - (A) Must identify but does not need to label the quarter-quarters,
 - (B) Does not need to identify or label tax lots, donation land claims, or government lots.

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- (h) Location of each proposed or developed diversion point, well (point of appropriation), or dam by reference to a recognized public land survey corner. For a reservoir without a dam, the center of the reservoir shall be referenced to a recognized public land survey corner.
 - (A) The locations shall be shown by distance and bearing, or by coordinates (distance north or south and distance east or west from the corner). In addition, they shall also include latitude and longitude as established by a global positioning system.
 - (B) Latitude and longitude coordinates shall be expressed as degrees-decimal with five or more digits after the decimal (e.g., 42.537649). The datum used to establish the coordinates shall be indicated on the map. Examples of datums include NAD 83, NAD 27 and WGS84.
- (i) Location of the proposed or developed place of use by township, range, section, and nearest quarter-quarter section.
 - (A) For irrigation or nursery use, the map shall additionally indicate the place of use in each quarter-quarter of a section by shading or hatchuring and indicate the number of acres in each quarter-quarter section, donation land claim, government lot, or other recognized public land survey lines.
 - (B) For places of use that are limited to a point, such as a stock watering tank, the location may also be identified by distance and bearing, or by coordinates (distance north or south and distance east or west from the corner). In addition, they shall include latitude and longitude as established by a global positioning system.
 - (C) Latitude and longitude coordinates shall be expressed as degrees-decimal with five or more digits after the decimal (e.g., 42.537649). The datum used to establish the coordinates shall be indicated on the map. Examples of datums include NAD 83, NAD 27 and WGS84.
 - (D) Where more than one point of diversion or well is included, the map must clearly identify the place(s) of use served by each point of diversion or well.
- (j) If for a supplemental irrigation application or claim of beneficial use, the location and water right reference number of the underlying primary right, registration or claim.
- (k) Any other information the Department requests and considers necessary to evaluate the water right transaction.

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Pump Capacity Calculation Sheet		POD 2 PUMP - DAVERN			
using Department designed formula:					
(hp)(efficiency) / (lift + psi head) = capacity in cfs					
Efficiency:					
Centrifugal = 6.61					
Turbine = 7.04					
Data Entry (fill in underlined blanks)					
HP =	<u>0.75</u>				
Efficiency =	<u>7.04</u>				
Lift =	<u>72</u>				
PSI =	<u>60</u>				
Results Calculated					
(hp)(efficiency) =	5.28				
Head based on psi =	152.4				
Total dynamic head =	224.4				
(head + lift)					
Pump Capacity =	0.024	cubic feet per second			

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Pump Capacity Calculation Sheet		<u>CISTERN PUMP DAVERN</u>			
using Department designed formula:					
(hp)(efficiency) / (lift + psi head) = capacity in cfs					
Efficiency:					
Centrifugal = 6.61					
Turbine = 7.04					
Data Entry (fill in underlined blanks)					
HP =	<u>2</u>				
Efficiency =	<u>7.04</u>				
Lift =	<u>0</u>				
PSI =	<u>60</u>				
Results Calculated					
(hp)(efficiency) =	14.08				
Head based on psi =	152.4				
Total dynamic head =	152.4				
(head + lift)					
Pump Capacity =	0.09	cubic feet per second			

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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



December 17, 2024

David Davern
793 Netherlands Rd.
Trail, OR 97541

Dear David,

Regarding OWRD Transfer #14019, ODFW has determined the fish screen at the point-of-diversion meets current fish protection criteria, and fish bypass devices are not necessary. This approval is contingent on the following: current conditions remain unchanged, screens are 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.

Meter Requirement for T-14019

2 messages

Bryce Withers <brycewrs@gmail.com>
To: Shavon.L.Haynes@water.oregon.gov
Cc: "farestdavern@gmail.com" <farestdavern@gmail.com>

Tue, Mar 31, 2026 at 8:03 AM

Hi Shavon,

RE: T-14019

I am working on a Claim of Beneficial Use project for a transfer. The transfer was applied for as an ADDITIONAL point and diversion, and change from Irrigation and Stock to Domestic Use.

Mr. Davern built out the new diversion point (POD 2) and installed a totalizing flowmeter and fish screen.

The Watermaster review included the "new and additional" meter requirement recommendation, and that requirement is in the final order.

The diversion for the authorized POD (POD 1), is a clogged old ditch that is not on Mr. Davern's property, but on Tax Lot 403, the neighboring property to the south.

Would you be willing to reconsider the meter requirement for the original authorized point of diversion? Thank you for your consideration.

—

Bryce Withers
Certified Water Right Examiner
Professional Land Surveyor

541-408-1400 cell

Water Right Services, LLC
PO Box 1830
Bend, OR 97709
brycewrs@gmail.com
<https://oregonwater.us>

HAYNES Shavon L * WRD <Shavon.L.Haynes@water.oregon.gov>
To: Bryce Withers <brycewrs@gmail.com>
Cc: "farestdavern@gmail.com" <farestdavern@gmail.com>

Fri, Apr 3, 2026 at 9:01 AM

Bryce,

Thanks for reaching out. If your client wishes to continue to have the ability to use the original POD then they will need to install a measurement device at the diversion.

Thanks,

1
No need to use POD 1 (original)

Shavon Haynes (him/his)

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District 13 Watermaster – Field Services

10 S. Oakdale, Room 309a Medford, Oregon 97501 | Phone (w) 541-774-6883 (c) 541-218-5125

Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: Bryce Withers <brycewrs@gmail.com>

Sent: Tuesday, March 31, 2026 8:04 AM

To: HAYNES Shavon L * WRD <Shavon.L.Haynes@water.oregon.gov>

Cc: farestdavern@gmail.com

Subject: Meter Requirement for T-14019

You don't often get email from brycewrs@gmail.com. Learn why this is important

[Quoted text hidden]

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