

**CLAIM OF
BENEFICIAL USE
for Reservoir Permits by
CWRE's (not self-certified)**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

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

Enter the date the priority date of the permit:

August 21, 1992

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 Reimbursement Authority program that allows it to enter into a voluntary agreement with an applicant for expedited services. Applicants interested in an estimate of the cost and timeline for expedited processing must submit a Reimbursement Authority Estimate Application and required fee. The form and additional information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

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**SECTION 1
GENERAL INFORMATION**

1. File Information

APPLICATION #	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
R-72623	R-11489	NA

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Magee Ohana, LLC Leilani Magee, Member, Manager		PHONE NO. 808.354.6373	ADDITIONAL CONTACT NO.
ADDRESS 104 Johnson Road			
CITY Kula	STATE HAWAII	ZIP 96790	E-MAIL leilanimagee@gmail.com

If the current property owner is not the permit holder of record, it is recommended that an assignment be filed with the Department. ***Each*** permit holder of record must sign this form.

3. Permit holder of record (this may, or may not, be the current property owner)

PERMIT HOLDER OF RECORD Magee Ohana, LLC		
ADDRESS 104 Johnson Road		
CITY Kula	STATE HAWAII	ZIP 96790

ADDITIONAL PERMIT HOLDER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:**July 14, 2025, September 25, 2025****5. Person(s) interviewed and description of their association with the project:**

NAME	DATE	ASSOCIATION WITH THE PROJECT
Leilani Magee	July 14, 2025	Member, Manager for Permit Holder, Magee Ohana, LLC

6. County**Polk****7. If any property described in the place of use of the permit final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):**

OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

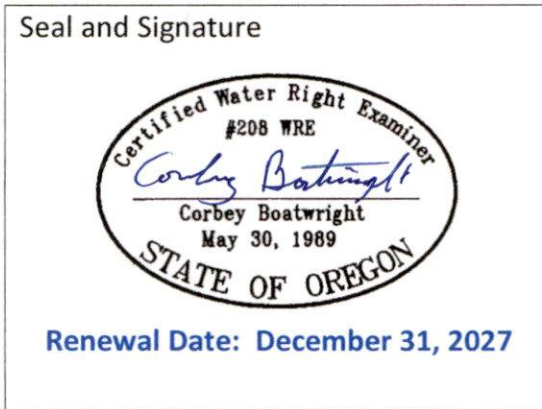
Add additional tables for owners of record as needed

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 Corbey Boatwright		PHONE NO. 503.363.9225	ADDITIONAL CONTACT NO.
ADDRESS Boatwright Engineering, Inc. 2613 12th Street SE			
CITY Salem	STATE OREGON	ZIP 97302	E-MAIL corbey@boatwrightengr.com

Permit Holder(s) of Record Signature or Acknowledgement

Each permit or transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Leilani Magee	Member, Manager Ohana Magee LLC	8.12.26

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SECTION 3

CLAIM DESCRIPTION

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

RESERVOIR NAME OR NUMBER	SOURCE	TRIBUTARY
Reservoir A	Unnamed Stream	Crowley Creek

2. Developed use(s), period of use, and acre foot (af) for each use:

RESERVOIR NAME OR NUMBER	USES	SEASON OR MONTHS WHEN WATER WAS APPROPRIATED FOR STORAGE	VOLUME STORED (AF)
Reservoir A	Recreation	A storage appropriation window is not defined on the permit. Capture begins with fall rain season and fills during fall and winter months. Unnamed Creek dries up in the spring.	1.03 AF
Total Quantity of Water Stored			1.03 AF

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

Reservoir is on a small channel. Water flows directly into the north end of the pool area.

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 the development of three reservoirs. The permit holder only developed one of the reservoirs." or "The permit allowed for the storage of 9 acre feet of water. The reservoir was developed to hold 5.2 acre feet.")

The permit allowed for the development of four reservoirs. The permit holder only developed one of the reservoirs. The developed reservoir, Reservoir A, is the most southerly, and the most downstream, one.

5. Claim Summary:

RESERVOIR NAME OR #	MAXIMUM STORAGE AUTHORIZED BY PERMIT (AF)	MAXIMUM STORAGE DEVELOPED (AF)
Reservoir A	9.1 AF	1.03 AF

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SECTION 4
SYSTEM DESCRIPTION

Are there multiple reservoirs? NO

If "YES" you will need to copy and complete Sections A through E for each reservoir.

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

Reservoir A

A. Reservoir Location

1. Is the reservoir on-channel? YES

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

TWP	RNG	MER	SEC	QQ	GLOT	DLC	MEASURED DISTANCES
7S	4W	WM	6	SW-SW	NA	37	POD: 1495' S & 855' E of W 1/4 Cor, Sec 6 44.987746°, -123.231659° WGS84 Datum

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), and Quarter-Quarters (QQ).

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport the water from the point(s) of diversion to the reservoir.

1. Is a pump used? NO

6. Additional notes or comments related to the system:

None

C. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe? NO

D. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? NO

E. Reservoir

1. Does the reservoir require the submittal of as-built plans and specifications? NO

If "YES", answer item 2; items 3 through 8 relating to this section may be deleted.

If "NO", skip items 2; answer items 3 through 8.

2. Complete the table:

HAVE THE DOCUMENTS BEEN SUBMITTED? YES OR NO	WHEN WERE THE DOCUMENTS SUBMITTED?	HAVE THEY BEEN APPROVED BY THE DEPARTMENT?	NUMBER OF ACRE FEET STORED
NA			

3. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and as-built plans and specifications are not required, complete the table and items 4 through 8.

MAXIMUM DEPTH	AVERAGE DEPTH	SURFACE AREA IN ACRES	VOLUME IN ACRE FEET
~6 FT	$1.03 \text{ AF} \times 0.5 = 0.56 \text{ AF}$ $0.56 \text{ AF} \times 43,560 = 24,394 \text{ CF}$ $24,394 \text{ CF at elev. } \sim 209.75 \{23,466 \text{ CF, volume at closest contour} - 209.75\}$ Average depth = ~4.25 ft	0.33	1.03 AF

4. Provide reservoir volume calculations:

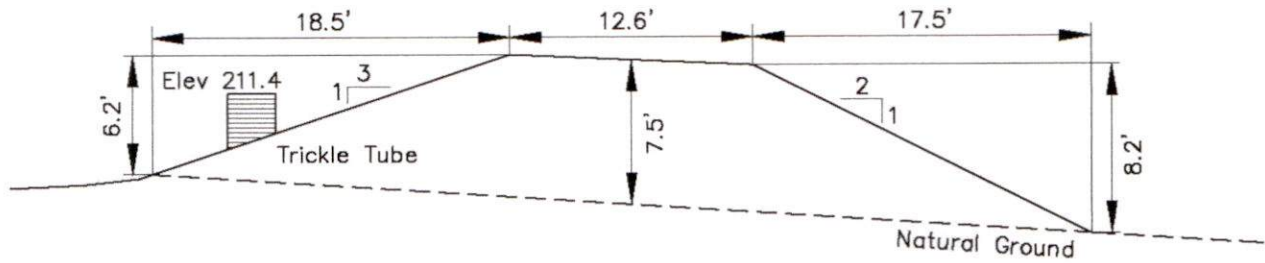
The reservoir volume was determined by a topographic field survey of the pool area to ascertain the volume and the maximum water storage elevation allowed.

Permit R-11489		
Reservoir A		
VOLUME CALCULATIONS OF WATER STORED		
ELEVATION	AREA (acres)	VOLUME (ac-ft)
205.5	0.01	0
206	0.02	0.01
207	0.10	0.08
208	0.15	0.20
209	0.20	0.38
210	0.25	0.60
211	0.30	0.87
211.4*	0.33	1.03
Elevation, Area and Volume Data is based on Field Topographic Survey.		
*Elevation at top of Trickle Tube		

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

CREST WIDTH (W)	DAM HEIGHT AT CENTERLINE (H)	DISTANCE FROM DOWNSTREAM TOP OF DAM TO DOWNSTREAM TOE (L)	DISTANCE FROM UPSTREAM TOP OF DAM TO UPSTREAM TOE (U)	WATER LEVEL AT INSPECTION	DOWN-STREAM SLOPE	UP-STREAM SLOPE
12.6'	7.5'	17.5'	18.5'	209.2	2:1	3:1

6. Provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.



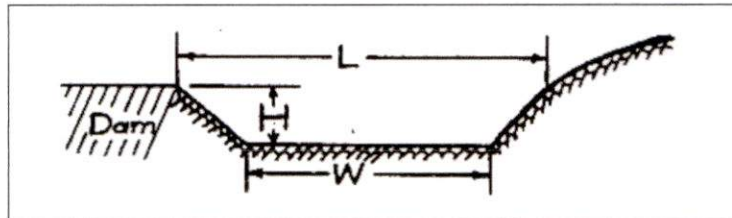
Scale: 1" = 10'

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

8" gate on 8" pipe to trickle tube, 12" trickle tube outlet. Located near the west end of the dam.

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

BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
10'	27'	2.5'



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SECTION 5 CONDITIONS

All conditions contained in the permit, permit amendment, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits and any extension final orders contain any or all of the following dates; the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or extension final order:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	May 10, 1994		
BEGIN CONSTRUCTION (A)	May 10, 1995 Pmt	April 4, 1995	Construction of Reservoir A commenced, per Form A Notice of Beginning of Construction, in file. Approved by DM (Dallas Miller)
COMPLETE CONSTRUCTION (B)	October 1, 1996 Pmt October 1, 2005 TE October 1, 2019 TE	October 15, 1995	Reservoir A construction completed, per information submitted to OWRD 10-16-1995, in file. See attached photos dated 11-20-1995.
COMPLETE APPLICATION OF WATER (C)	October 1, 1997 Pmt October 1, 2006 TE October 1, 2020 TE	Spring 1996	Reservoir A filled to capacity and in compliance with all permit conditions.

* must be within period between permit or any extension final order issuance and the date to completely apply water

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

YES

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

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed?

NO

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
NA					

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department? **YES**

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NAME	TITLE	APPROXIMATE DATE
Joel Plahn	Watermaster, District 22	February 11, 2026

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED
Trickle Tube	NA	August 23, 1995

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? **NO**

5. Outlet Pipe

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

b. Has the outlet pipe been installed? **YES**

6. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? **NO**

7. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? **NO**

8. Other conditions required by permit, permit amendment final order, or extension final order

a. Was the water user required to restore the riparian area if it was disturbed? **NO**

b. Was a fishway required? **NO**

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

d. Was submittal of a water management and conservation plan required? **NO**

e. Other conditions? **NO**

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

NA

SECTION 6
ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
Claim of Beneficial Use	Map
Meter/Measurement requirement Permit R-11489	Email approval for measuring device from Joel Plahn, District 22 Watermaster
Fredrick Magee Construction Photos	Dated photos from 1995 construction and finished reservoir with beginning of stored water.

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Jeanne Boatwright

From: PLAHN Joel M * WRD <joel.m.plahn@water.oregon.gov>
Sent: Wednesday, February 11, 2026 7:27 AM
To: Jeanne Boatwright
Cc: SKAUG Jonnine L * WRD; PLAHN Joel M * WRD
Subject: RE: Meter/Measure requirement Permit R-11489

Hi Jeanne,

The existing trickle tube is a suitable measuring device and approved to meet the condition in the permit. Let me know if you need anything else from me.

Thanks, Joel Plahn
District 22 Watermaster
Cell 503-508-2394



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From: Jeanne Boatwright <jeanne@boatwrightengr.com>
Sent: Tuesday, February 10, 2026 2:18 PM
To: PLAHN Joel M * WRD <joel.m.plahn@water.oregon.gov>
Subject: Meter/Measure requirement

Hi Joel,

We are working on an old water right – Appl R-72623, Pmt R-11489. I’m going to overload you with a bunch of information and history.

The permit allowed for the construction of 4 reservoirs, each holding up to 9.1 AF, for a total of 36.4 AF. Storage use is for Irrigation, Livestock, and Recreation.

There is an IR permit associated with it – Appl S-72624, Pmt S-51523. The allowance from each reservoir is: 3.95 AF for IR; 0.25 AF for LV; and, 4.9 AF for RC.

Only Reservoir A was constructed - sometime between 1995 and 1999. The completed pond shows up on Google Earth in July of 2000.

In 1995, the original permit holder, Conrad Koning, assigned both permits to Frederick & Masako Magee. Per the OWRD website page for the reservoir, they acquired an extension of time to 10-1-2020.

Fred Magee passed away on 12-13-2019. Masako’s obituary was published in the Maui Hawaii newspaper July 13, 2024 (can’t access the whole obit in the Hawaii paper to get the actual death date).

In 2021, Masako had deeded the Polk County Property with the water rights, to Magee Ohana LLC. Per the current Secy. of State Business Records, their daughter, Leilani Magee, is the Member and Manager of the LLC.

Last year, Leilani contacted us about getting the CBU finished for reservoir A for in-pool recreational use only. There has been no irrigation or livestock use of the water over all these years, and none is planned, so the S permit will be cancelled.

We field surveyed the topography of the dam, and acquired cross sections of the pool area. The storage volume is 1.2 AF. The maximum water depth is 6-ft.

The permit requires a meter or other suitable measuring device. My first question is – given the greatly reduced volume (36.4 to 1.2, or 9.1 to 1.2), and the use limited to in-pool only, is there any possibility of waiving the requirement for a measuring device? I'm not sure what purpose it would serve.

Your advice?

Jeanne Boatwright
Boatwright Engineering, Inc.
2613 12th Street SE
Salem, Oregon 97302
ph: 503-363-9225

Jeanne Boatwright

From: SKAUG Jonnine L * WRD <Jonnine.L.SKAUG@water.oregon.gov>
Sent: Wednesday, February 11, 2026 7:23 AM
To: PLAHN Joel M * WRD
Cc: Jeanne Boatwright
Subject: RE: Meter/Measure Requirement

Good morning,

we can't remove a meter requirement conditions, but whatever you approve as a "suitable" device will suffice to move forward.

Thank you,

Jonnine Skaug
Certificate Specialist
Water Rights Services Division
Oregon Water Resources Dept
725 Summer Street NE, Suite A
Salem OR 97301

Phone: 503-979-3943
Fax: 503-986-0901
www.oregon.gov/OWRD

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Teleworking Monday – Thursday 7am to 5:30pm (in office every other Thursday)

From: PLAHN Joel M * WRD <Joel.M.PLAHN@water.oregon.gov>
Sent: Wednesday, February 11, 2026 7:18 AM
To: SKAUG Jonnine L * WRD <Jonnine.L.SKAUG@water.oregon.gov>
Cc: Jeanne Boatwright <jeanne@boatwrightengr.com>; PLAHN Joel M * WRD <Joel.M.PLAHN@water.oregon.gov>
Subject: Meter/Measure Requirement

Hi Jonnine

If a permit states, "a meter or other suitable measuring device as approved by the Director". Is there any way possible for me to now determine no measurement device is required at all? [Permit: R 11489 *](#) has that condition but I do not feel any measurement device is needed. If this is not possible then Jeanne and I will need to get creative, maybe we could use the trickle tube a measurement device. For example, I could use a tape measure to measure down the existing trickle tube to get a water level. Let me know your thoughts.

Thanks, Joel Plahn
District 22 Watermaster
Cell 503-508-2394

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Frederick Magee Construction Photos – Summer & Fall, 1995



COMPACTING THE DAM FOR POND "A"



CREATING THE RESERVOIR & MOVING THE EARTH



POND A - 1995 - THE FIRST "EMERALD" NOW IN PLACE

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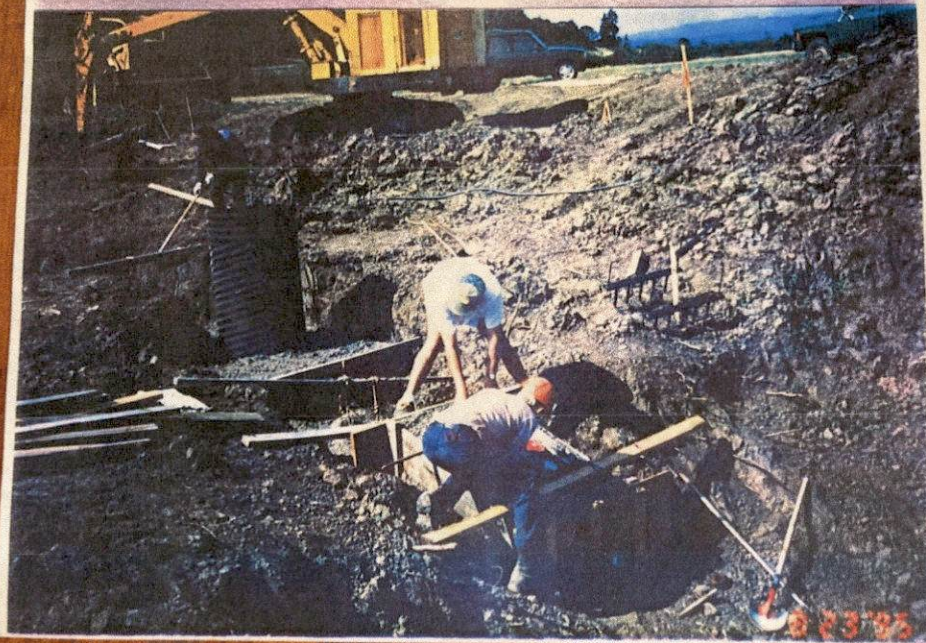
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CONSTRUCTION OF "PANDA" 1995



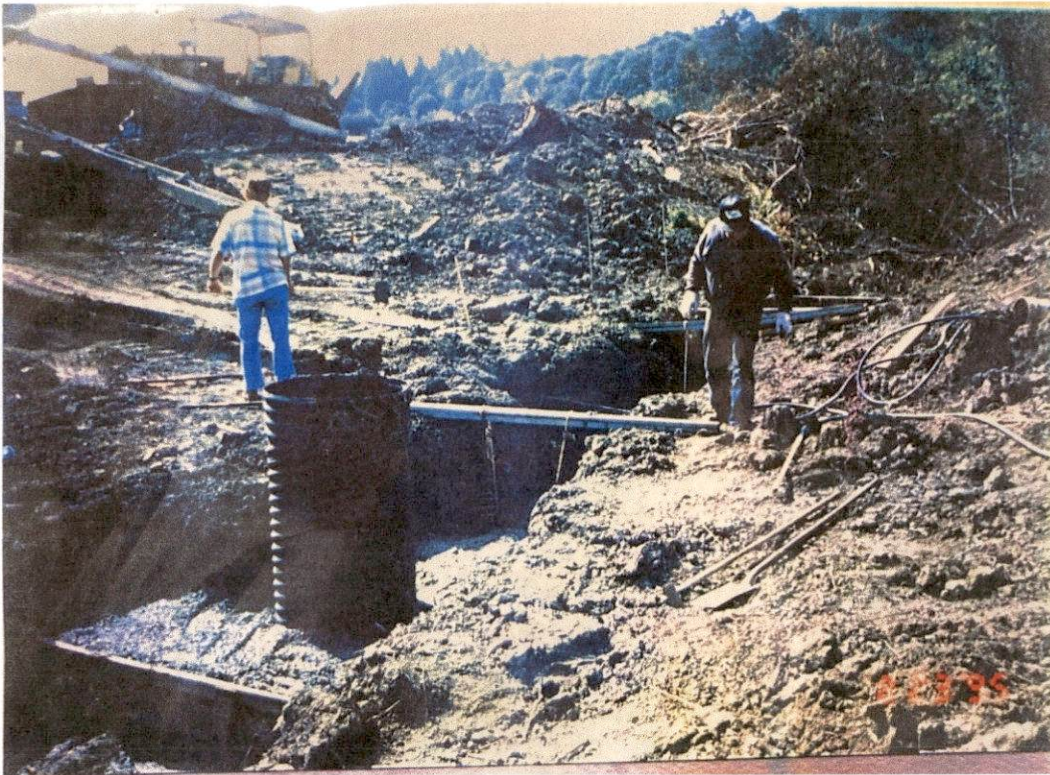
1995



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POND A - NOV 1995 ... recent Rainfall (early Nov) has filled the Pond. Banks are covered with green grass & straw to cover
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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Magee Ohana LLC / Leilani Magee
104 Johnson Rd, Kula Hawaii 96790

Transaction Type: Claim

Fees Received: \$ 345.00

☐ Cash

☒ Check:

Check No. 205

Name(s) on Check: Leilani Magee

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Corie Corrien
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.