

# 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](http://www.oregon.gov/OWRD)

A fee of \$200 must accompany this form for any Transfer final orders **RECEIVED**  
including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights  
has a priority date of July 9, 1987, or later, the fee is required.

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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 and ask for the Certificate Section.

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  NO

Mark all that apply:

- Change in POD(s) or Additional POD(s)
- Change in Place of Use
- Change in Character of Use
- 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-12079
--------------------------

2. Property Owner (current owner information) See additional owner information on Page 10.

APPLICANT/BUSINESS NAME Cynthia Miani (TL 4400 and TL 200)		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS 1630 Paula Drive			
CITY Yuba City	STATE CA	ZIP 95993	E-MAIL

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 Wheeler Soil and Water Conservation District		
ADDRESS 40535 Hwy 19		
CITY Fossil	STATE OR	ZIP 97830

4. Date of Site Inspection:

September 15, 2020
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5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Gabriel M. Williams	9/8/2020	Project Manager for Irrigation Pivot
Wayne Lindquist	10/29/2020	Operator of Irrigation System

6. County:

Wheeler
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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

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**SECTION 2  
SIGNATURES**

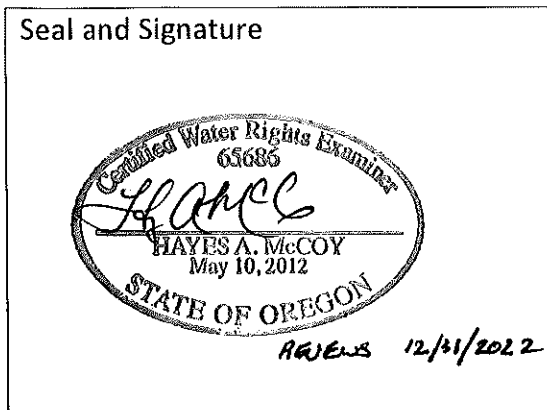
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CWRE Statement, Seal and Signature

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



CWRE NAME Hayes McCoy		PHONE NO. (541)923-7554	ADDITIONAL CONTACT NO.
ADDRESS 1180 SW Lake Road #201			
CITY Redmond	STATE OR	ZIP 97756	E-MAIL hayes@ham-engr.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
	Chase Schultz	District Manager	11/12/2020

**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 #1	John Day River

**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 #1	1.78	1.78	Not Measured

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**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):

## 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 (For TL 4200, 4201, and 303-Charron & Bond)

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Berkeley	B2-1/22PL	B78694	Centrifugal	8"	2.5"

### 2. Motor Information

MANUFACTURER	HORSEPOWER
Berkeley	20hp

### 3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
20 hp	63psi	5 feet	8 feet	0.76 cfs

### 4. Provide pump calculations:

$Q=(20hp)*(6.61)/(13+161)$ <ul style="list-style-type: none"> <li>Pump is equipped with a variable frequency drive.</li> </ul>
--

### 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)
Not operating	797704		

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

### 6. Additional notes or comments related to the system:

Drought – irrigation not in operation.
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**1. Pump Information (For TL 4400 and 200 - Miami)**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Cornell	3 WH-CC	TC0743TT8	Centrifugal	8"	3"

**2. Motor Information**

MANUFACTURER	HORSEPOWER
Cornell	30 hp

**3. Theoretical Pump Capacity**

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
25 hp	59 psi	5 feet	8 feet	1.02 cfs

**4. Provide pump calculations:**

$$Q = (25\text{hp}) * (6.61) / (13 + 149)$$

- Pump is equipped with a variable frequency drive to adjust HP to meet flow requirements.

**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)
Not operating	667895		

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

**6. Additional notes or comments related to the system:**

Drought – irrigation not in operation.

**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.

**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.

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**Change #2**

**Change in Place of Use**

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

YES NO  
**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
30.4 (Cert 92007)	30.4
40.9 (Cert 79986)	40.9

**2. Variations:**

Was the use developed differently from what was authorized by the transfer final order? YES NO  
If yes, describe below.

**NO**

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

[Empty rectangular box for description]

**Change #3**

**Change in Character of Use**

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

YES NO  
**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?

YES NO  
**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	June 21, 2019	
COMPLETENESS DATE FROM ORDER (C)	October 1, 2020	March 20, 2020

\* 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)?  
If "NO", you may delete the following table.

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

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 #1	Saddle McCrometer	13-11824-08	Working	797704	October, 2013
POD #1	Saddle McCrometer	13-11825-08	Working	667895	October, 2013

If a meter has been installed, items d through f relating to this section may be deleted.

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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
October, 2013	Wayne Lindquist

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? No, Fish Screen letter included

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**

**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 5  
ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
COBU Map	Claim of Beneficial Use Map
ODFW Letter	ODFW letter approving fish screen

**Additional Ownership Information**

**Bond Living Trust (TL 4200 and TL 303)  
41620 Burnt Ranch Road  
Mitchell, OR 97750**

**Steven Charron (TL 4201)  
1225 Emory Street  
San Jose, CA 95126**

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## 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.

AERIAL PHOTO - GOOGLE EARTH, 8/11/2016

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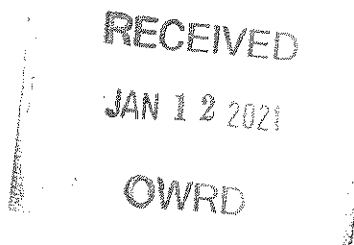
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## Map Checklist

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) *1" = 500' AS TRANSFER*
- 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
- 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

Kate Brown, Governor

Department of Fish and Wildlife  
John Day Fish Screening and Passage  
357 Patterson Bridge Rd.  
P.O. Box 515  
John Day, OR 97845  
Voice: 541-575-0561  
FAX (541) 575-0868  
[www.dfw.state.or.us/](http://www.dfw.state.or.us/)

October 30, 2020



Attn: Gabe Williams  
Wheeler SWCD  
PO Box 431  
38289 Hwy 19-207  
Fossil, OR 97830

Dear Mr. Williams,

Your fish screen was inspected on 03/10/2020. In reference to water right transfer file number T-12079 this letter confirms that a National Marine Fisheries Service criteria fish screen as approved by ODFW is located on the property near GPS coordinates: 44.63373, -120.22076.

In regards to the inspection of the fish screen located on Bridge Creek, the following has been determined:

1. The screen located at coordinates 44.63373, -120.22076 is a Sure-Flo SCS-6
2. This screen is approved for water use up to 725 GPM or 1.61 CFS.
3. All screen and pump configurations meet National Marine Fisheries Service criteria at the time of inspection, any changes or modifications to the configurations will not be covered by this certification letter.
4. This screen is an end of pipe screen; therefore, no by-pass is required.

Please contact me if you have any questions regarding this letter.

Sincerely,

*Nathaniel Ashley*

Nathaniel Ashley  
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department

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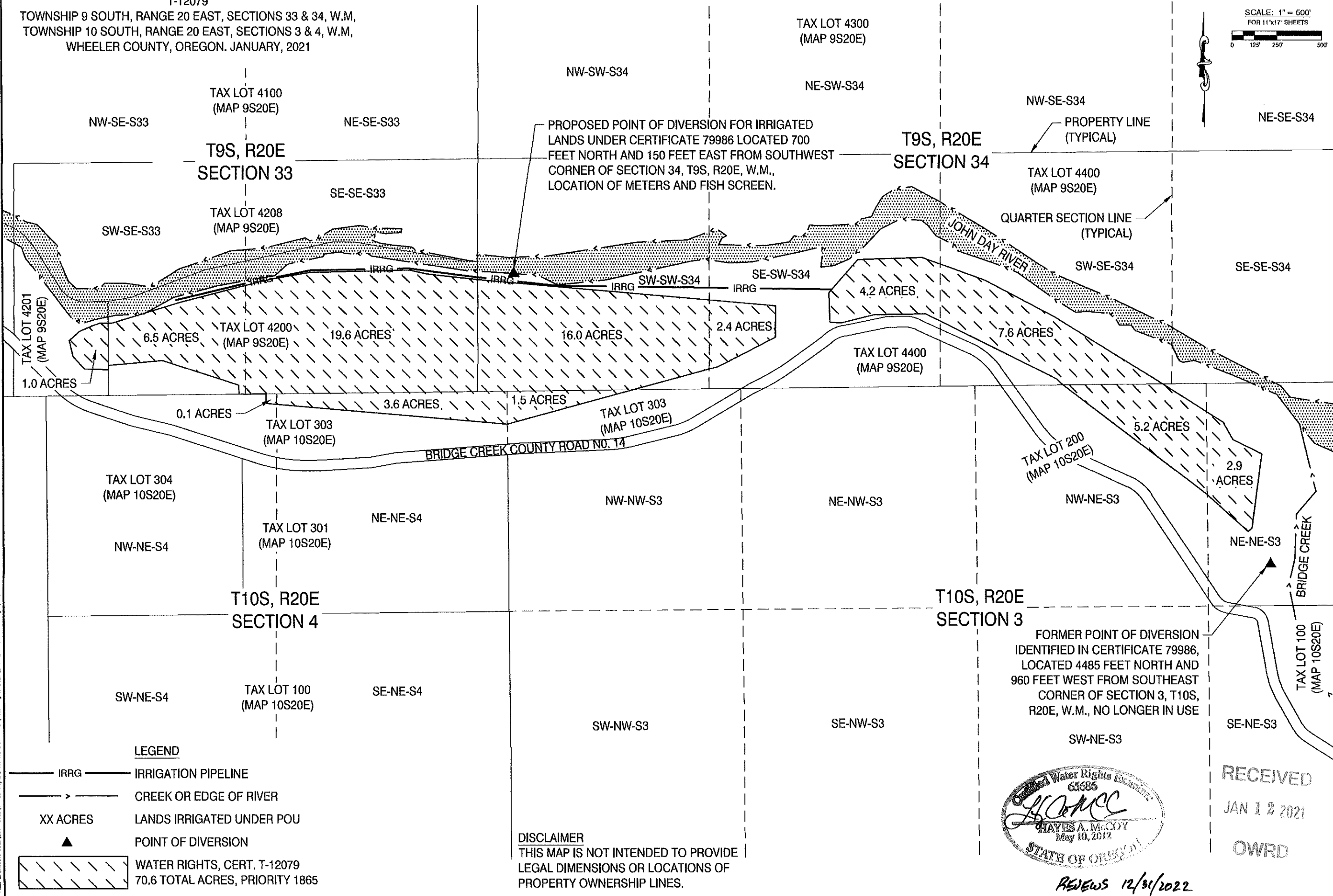
# CLAIM OF BENEFICIAL USE MAP

T-12079

TOWNSHIP 9 SOUTH, RANGE 20 EAST, SECTIONS 33 & 34, W.M.,  
TOWNSHIP 10 SOUTH, RANGE 20 EAST, SECTIONS 3 & 4, W.M.,  
WHEELER COUNTY, OREGON. JANUARY, 2021

COBU MAP # 1276

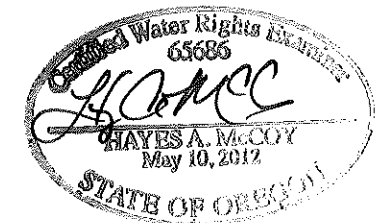
SCALE: 1" = 500'  
FOR 11"x17" SHEETS



PROPOSED POINT OF DIVERSION FOR IRRIGATED LANDS UNDER CERTIFICATE 79986 LOCATED 700 FEET NORTH AND 150 FEET EAST FROM SOUTHWEST CORNER OF SECTION 34, T9S, R20E, W.M., LOCATION OF METERS AND FISH SCREEN.

FORMER POINT OF DIVERSION IDENTIFIED IN CERTIFICATE 79986, LOCATED 4485 FEET NORTH AND 960 FEET WEST FROM SOUTHEAST CORNER OF SECTION 3, T10S, R20E, W.M., NO LONGER IN USE

**DISCLAIMER**  
THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.



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REVIEWS 12/31/2022

DATE:	
REVISION:	
No.	Δ Δ Δ Δ Δ Δ Δ Δ
DATE:	01/12/21
DRAWING STATUS:	COBU MAP

**H.A. MCCOY**  
ENGINEERING & SURVEYING, LLC  
1180 SW Lane Road, Suite 201, Beaverton, OR 97005  
TEL: 503.636.0200  
FAX: 503.636.0201  
h.mccoy@hamccoy.com

PROJECT: CLAIM OF BENEFICIAL USE MAP  
PROJECT LOCATION: WHEELER COUNTY  
CLIENT:

SHEET TITLE: CLAIM OF BENEFICIAL USE MAP

JOB NO. 14-83  
DRAWN BY: JJW  
DRAWING: COBU

FILE: Z:\Inactive Jobs\2014 Jobs\14-83 Wayne's WR Transfer - R20\Water Rights 2020\210112-1483-WR-Transf-1/12/2021 12:15 PM - Owner