



**Oregon**  
Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

June 23, 2021

Krautmann Family Nursery LLC  
4194 71<sup>st</sup> Ave SE  
Salem OR 97317

On June 18, 2021, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application S-88181 Permit S-54994

The COBU included a report and map. The Department hopes to review your submittal within approximately 2 - 4 years. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at:

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

Customer Service phone: (503) 986-0900

Enclosed is your receipt for the \$200.00 COBU recording fee

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file S-88181

Doann Hamilton/Pacific Hydro-Geology Inc, CWRE

# Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer:
Transfer #:	
Date Received:	
CWRE Name:	
Priority Date (s):	

## Fees Required:

- YES  NO  A fee of \$200 must accompany this form for permits with priority dates of July 9, 1987, or later.
- YES  NO  A fee of \$200 must accompany this form for any transfers 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.

Fill in App or Transfer Number

## Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4) )

## Report Review:

- On form provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

**MONEY SLIP**

DATE: \_\_\_\_\_ RECEIPT #: \_\_\_\_\_

RECEIVED FROM: \_\_\_\_\_ APPLICATION PERMIT TRANSFER

CASH  CHECK # \_\_\_\_\_ OTHER (IDENTIFY) \_\_\_\_\_ TOTAL RECD \$ \_\_\_\_\_

**1083 TREASURY 4178 MISC CASH ACCT.**

0407 COPIES \_\_\_\_\_ \$ \_\_\_\_\_  
 OTHER: (IDENTIFY) \_\_\_\_\_ \$ \_\_\_\_\_

0243 Instream Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**1083 TREASURY 4270 WRD OPERATING ACCT.**

MISCELLANEOUS

0407 COPY & TAPE FEES 4611 \$ \_\_\_\_\_

0410 RESEARCH FEES \$ \_\_\_\_\_

0409 MISC REVENUE (IDENTIFY) \$ \_\_\_\_\_

TC162 DEPOSIT LIAB. (IDENTIFY) \$ \_\_\_\_\_

0240 EXTENSION OF TIME \$ \_\_\_\_\_

**WATER RIGHTS**

0201 SURFACE WATER EXAM FEE \$ \_\_\_\_\_ RECORD FEE \$ \_\_\_\_\_

0203 GROUND WATER \$ \_\_\_\_\_ 0204 \$ \_\_\_\_\_

0205 TRANSFER \$ \_\_\_\_\_

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ \_\_\_\_\_ RECORD FEE \$ \_\_\_\_\_

LANDOWNER'S PERMIT \$ \_\_\_\_\_ 0219 \$ \_\_\_\_\_

OTHER (IDENTIFY) COBU \$ 200.00 0220 \$ \_\_\_\_\_

**0607 TREASURY 0487 HYDROELECTRIC**

0233 POWER LICENSE FEE (FWWRD) LIC NUMBER \$ \_\_\_\_\_

0231 HYDRO LICENSE FEE (FWWRD) \$ \_\_\_\_\_

HYDRO APPLICATION \$ \_\_\_\_\_

**SPECIAL INSTRUCTIONS:**


RETURN TO APPLICANT -- LETTER ATTACHED

## Groundwater File Review:

- Pump Test not required (Priority Date prior to December 20, 1988) \*If no, include pump test flyer w/acknowledgment letter
- Pump Test required (Priority Date on or after December 20, 1988)
- Pump Test submitted
- Pump Test not submitted

# CLAIM OF BENEFICIAL USE

## for Surface Water Permits claiming more than 0.1 cfs

**OREGON** 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)

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**A fee of \$200 must accompany this form for permits  
 with priority dates of July 9, 1987, or later.**

### SECTION 1

#### GENERAL INFORMATION

**1. File Information:**

APPLICATION # <b>S-88181</b>	PERMIT # <b>S-54994</b>	PERMIT AMENDMENT # <b>T-NA</b>
---------------------------------	----------------------------	-----------------------------------

**2. Property Owner (current owner information):**

APPLICANT/BUSINESS NAME <b>Krautmann Family Nursery LLC</b>		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS <b>4194 71<sup>st</sup> Ave SE</b>			
CITY <b>Salem</b>	STATE <b>OR</b>	ZIP <b>97317</b>	E-MAIL

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 or holder of record (this may, or may not, be the current property owner):**

PERMIT HOLDER OF RECORD <b>Mark Krautmann and Heritage Seedling Inc.</b>			
ADDRESS <b>4194 71<sup>st</sup> Ave SE</b>			
CITY <b>Salem</b>	STATE <b>OR</b>	ZIP <b>97317</b>	

ADDITIONAL PERMIT HOLDER OF RECORD <b>NA</b>			
ADDRESS			
CITY	STATE	ZIP	

4. Date of Site Inspection:

March 4, 2020  
August 11, 2020  
March 3, 2021  
May 17, 2021 – verbal discussion

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Lynda Boyer	March 4, 2020 Aug 1st 11, 2020	Native Plant Manager

6. County

Marion

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.

Seal and Signature

The seal is oval-shaped with the text "Oregon Water Rights Examiner" around the top edge and "83903" in the center. A blue ink signature "Doan" is written across the seal. Below the signature, the name "DOANN M. HAMILTON" and the date "May 10, 2012" are printed. Below the seal, the date "June 20, 2021" is handwritten in blue ink.

CWRE NAME <b>Doann Hamilton</b>		PHONE NO. <b>(503) 632-5016</b>	ADDITIONAL CONTACT NO. <b>(503) 349-6946</b>
ADDRESS <b>18487 S. Valley Vista Road</b>			
CITY <b>Mulino</b>	STATE <b>OR</b>	ZIP <b>97042</b>	E-MAIL <b>phgdmh@gmail.com</b>

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Permit Holder 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
<i>Krautman Family Nursery LLC by Mark Krautman, Pres.</i>	<i>Krautman Family Nursery LLC by Mark Krautman, Pres.</i>	<i>Pres.</i>	<i>24 May '21</i>

**SECTION 3  
CLAIM DESCRIPTION**

**1. Point of diversion name or number:**

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)
POD

**2. Point of diversion source and tributary:**

POD NAME OR NUMBER	SOURCE	TRIBUTARY
POD	Reservoir constructed under Permit R-2299, Certificate 29423	Little Pudding River

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

POD NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
POD	Nursery	NA	Year round	25.0 AF
<b>Total Quantity of Water Used</b>				<b>25.0 AF</b>

**4. 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 the reservoir using a 15 Hp centrifugal pump to convey water through a 4 inch above ground steel pipe to the north in a shed housing the meter and pressure tank before exiting the shed to the south. The line goes underground about 25 feet into the 8-inch mainline (same location the surface water discharges into the mainline). The 8-inch mainline runs east to west to the end of the reservoir where the 8-inch tees into a 6-inch mainline that runs to several of the different fields. Four-inch lines tee from the 6-inch mainline with risers attached to a 3-inch gate valve. Water is applied from the 3-inch gate valve using 2-inch lay flat hose with t-tape driplines or 2-inch aluminum hand lines with impact sprinklers.

This area is covered by several other water rights. T-9821 irrigates the SE corner of the farm while Permit G-17479 is a groundwater right that can irrigate the same area.

Drip irrigation can mostly cover about 10 acres at a time and are irrigated as needed. While the impact sprinklers can run about 26 heads at a time in combination with rest of the irrigation system.

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).

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**5. Variations:**

Was the use developed differently from what was authorized by the permit, or permit amendment 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.")

1. After field verifying the location of crops being irrigated, the place of use was reduced from the originally authorized acreage.

Original authorized place of use:

8S	2W	1	SWSW	DLC 41	1.3
8S	2W	2	NW SE	DLC 41	0.4
8S	2W	2	SW SE	DLC 41	12.2
8S	2W	2	SE SE	DLC 41	20.3
8S	2W	11	NENE	DLC 41	22.5
8S	2W	11	NWNE	DLC 41	1.2
8S	2W	11	SWNE	DLC 41	11.4
8S	2W	11	SENE	DLC 41	5.7
8S	2W	11	NWNE	DLC 41	1.1
8S	2W	12	NWNW	DLC 41	17.8
8S	2W	12	SWNW	DLC 41	6.6

**Total: 100.5**

Revised place of use:

8S	2W	1	SWSW	DLC 41	1.3
8S	2W	2	NW SE	DLC 41	0.4
8S	2W	2	SW SE	DLC 41	12.2
8S	2W	2	SE SE	DLC 41	20.3
8S	2W	11	NENE	DLC 41	22.5
8S	2W	11	NWNE	DLC 41	1.2
8S	2W	11	SWNE	DLC 41	11.4
8S	2W	11	SE NE	DLC 41	1.8
8S	2W	11	NWNE	DLC 41	1.1
8S	2W	12	NWNW	DLC 41	17.8
8S	2W	12	SWNW	DLC 41	6.6

**Total: 96.6**

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**6. Claim Summary:**

POD NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POD	25.0 AF	2.80 cfs	Not measured	Nursery	100.5	96.6

**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**

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
8S	2W	WM	1	SWSW	NA	41	Nursery	1.3	NA
8S	2W	WM	2	NWSE	NA	41	Nursery	0.4	NA
8S	2W	WM	2	SWSE	NA	41	Nursery	12.2	NA
8S	2W	WM	2	SESE	NA	41	Nursery	20.3	NA
8S	2W	WM	11	NENE	NA	41	Nursery	22.5	NA
8S	2W	WM	11	NWNE	NA	41	Nursery	1.2	NA
8S	2W	WM	11	SWNE	NA	41	Nursery	11.4	NA
8S	2W	WM	11	SE NE	NA	41	Nursery	1.8	NA
8S	2W	WM	11	NWSE	NA	41	Nursery	1.1	NA
8S	2W	WM	12	NWNW	NA	41	Nursery	17.8	NA
8S	2W	WM	12	SWNW	NA	41	Nursery	6.6	NA
<b>Total Acres Irrigated</b>								<b>96.6</b>	<b>NA</b>

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (Glot), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, Glot, 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 6 may be deleted.

**2. Pump Information:**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Berkeley	32ZPL	F05070P	Centrifugal	6 inches	4 inches



**3. Motor Information:**

MANUFACTURER	HORSEPOWER
Baldor	15 Hp

**4. Theoretical Pump Capacity:**

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
15 Hp	10 psi	10 feet	0 feet	2.80 cfs

**5. Provide pump calculations:**

$$Q \text{ Pump} = \frac{(15 \text{ Hp}) \times (6.61 \text{ ft}^4/\text{sec Hp})}{(10 \text{ ft lift} + 25.4 \text{ ft pressure head})} = 2.80 \text{ cfs}$$

**6. 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 running during site visit			

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

**7. Is the distribution system piped?**

YES

If "NO" items 8 through item 13 may be deleted.

**8. Mainline Information:**

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
8 inch	2,870 feet	PVC	Buried
6 inch	8,580 feet	PVC	Buried
4 inch	4,740 feet	PVC	Buried
4 inch	25 feet	Steel pipe	Above ground

**9. Lateral or Handline Information:**

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
2 inch	4,740 feet	PVC	Buried
2 inch – Lay flat hose	720,000 feet	Vinyl hose	Above

**10. Sprinkler Information:**

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
Nelson Purple 3/32"	50 psi	1.8 gpm	200	104	0.42 cfs
Rainbird impact 3/32"	50 psi	3.8 gpm	200	104	0.88 cfs

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

**11. Drip Emitter Information:**

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

**12. 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
T-tape 5/8 5C-12-34C	0.567 gpm / 100 feet	15,675 feet / acre	7,000 feet / acres	39.69 gpm/acre x 10.0 acres = 396.9 gpm or 0.88 cfs	
			7,000 feet /acre x 0.567 gpm / 100 feet= 39.69 gpm / acre Note: max acres IR at one time is 10.0 acres		

**13. Pivot Information:**

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
NA				

**C. Storage**

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

YES

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

If "YES" is it a:           Storage Tank  
  Bulge in System / Reservoir

YES

YES

Complete appropriate table(s), unused table may be deleted.

**2. Storage Tank:**

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
Fiberglass pressure tank	81 gallon	Above ground

**3. Bulge in System / Reservoir:**

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)
Reservoir constructed under Permit R-2299, Certificate 29423	11 feet	55.5 AF

**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.

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## 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:

They rotate between several different types of crops needing different types of irrigation layout and planting distances. These calculations are of the most common layouts using a combination of different drip tape and overhead sprinkler system at any one time using a rate of 0.89 cfs.

This site is also comingled with other water rights (Permit G-17479 and T-9821) irrigating different parts of the property at the same 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 permit extension of time:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	April 27, 2016		
BEGIN CONSTRUCTION (A)	NA	NA	NA
COMPLETE CONSTRUCTION (B)	April 27, 2021	October 2020	A fish screen approved by ODFW was installed.
COMPLETE APPLICATION OF WATER (C)	April 27, 2021	April 2021	All permit conditions were completed and the water was put to full use.

\* 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.

a. Did the Extension Final Order require the submittal of Progress Reports?

NO

If "NO", item 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 OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD	McCrometer	05-08225-04	working	28,139,400 gallons March 4, 2020 35,362,300 gallons March 3, 2021	October 12, 2005

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

If "NO", item b relating to this section may be deleted.

b. Have the reports been submitted?

YES

If the reports have not been submitted, attach a copy of the reports if available.

**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
October 2020	Heritage Seedlings and Liners

Reminder: If the permit 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**

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? **YES**

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**

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
<b>Per OWRD Letter dated November 17, 2020 a by-pass is not necessary for this diversion.</b>		

**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? **YES**
- b. Was a fishway required? **NO**
- c. Was submittal of a water management and conservation plan required? **NO**
- d. Other conditions? **NO**

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

**a) Condition:**

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

**Compliance:**

Mainline from POD to the pump shed is buried under the road and within the reservoir In the reservoir the intake section is encased within a concrete structure. The screen extends from this concrete structure into the reservoir and attached to the concrete structure. Any maintained or work on the screen can only be done when the reservoir is drained thus allowing minimal disturbance of the reservoir itself and therefore no riparian area is disturbed.

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**SECTION 6**

**ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
Claim of Beneficial Use Map	Claim of Beneficial Use Map
BLM Cadastral Map	BLM Cadastral Map T.8S. R.2W. showing DLC and Government Lot locations
Letter from ODFW, November 17, 2020	Letter approving the fish screen and stating a fish by-pass devise is not necessary for this diversion point.

**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.

The COBU map was prepared using tax assessor's maps 08 2W 01, 2D, 11A, and 12, overlain by a 2014 aerial photo titled USDA-FSA-APFO NAIP County Mosaic and obtained online from the Natural Resources Conservation Service. Image Metadata:  
<http://datagateway.nrcs.usda.gov/Catalog/ProductDescription/NAIPM.html>

## Map Checklist

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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.)
- 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

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# Oregon

Kate Brown, Governor

Department of Fish and Wildlife  
The Dalles Screen Shop  
3561 Klindt Drive  
The Dalles, OR 97058  
(541) 296-8026  
FAX (541) 296-7889  
odfw.com

November 17, 2020

Heritage Seedlings and Liners  
Attn: Lynda Boyer  
4194 71<sup>st</sup> Ave Se  
Salem, OR 97317



RE: OWRD Application S-88181/Permit S-54994

To Whom It May Concern,

This letter is a follow up to a letter dated March 24, 2020 regarding fish screening and passage requirements set forth in Oregon Water Resources Department Permit S-54994, which requires a criteria fish screen to be installed prior to diversion of water from Waldo Lake, a reservoir within the Little Pudding River system.

Waldo Lake was drained in mid-October 2020 in order to allow access to the intake to determine the best option for installing a criteria fish screen. Based on feedback I provided at a site inspection on October 27, 2020, the water user has modified the previous intake structure and installed a self-cleaning Clemons CW800, which provides protection for all age classes of salmonids up to 875 gpm, or 1.95 cfs, based on National Marine Fisheries Service fish screening criteria. With the proper use, care, and maintenance of the Clemons CW800, the fish screening requirements for Permit S-54994 are satisfied. As this screen is an end-of-pipe screen, there are no by-pass devices necessary for this diversion.

If you have any questions in regards to this letter, please contact me at 541-296-8026, or 541-705-5021.

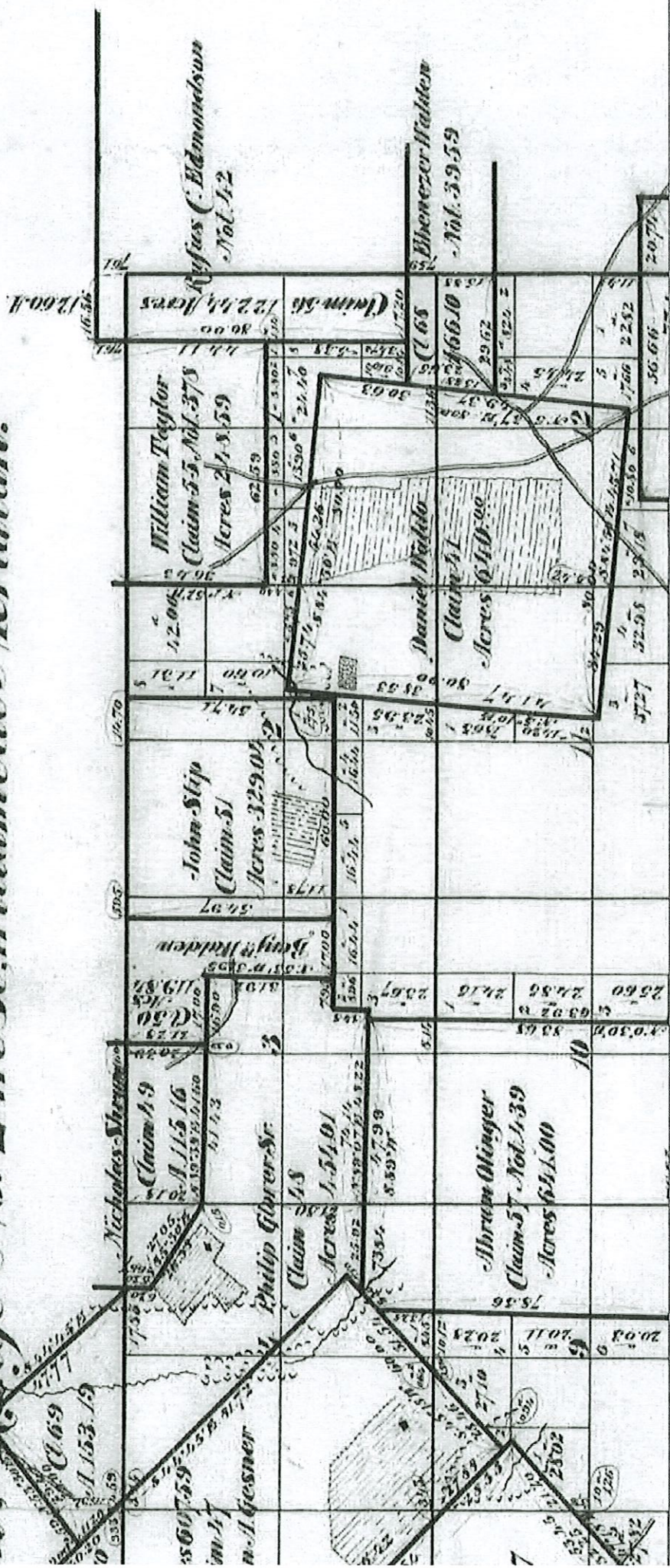
Sincerely,

Hilary A. Doulos  
Fish Screen and Passage Coordinator

CC: Doann Hamilton, CWRE  
Ben Walczak, ODFW Fisheries Biologist



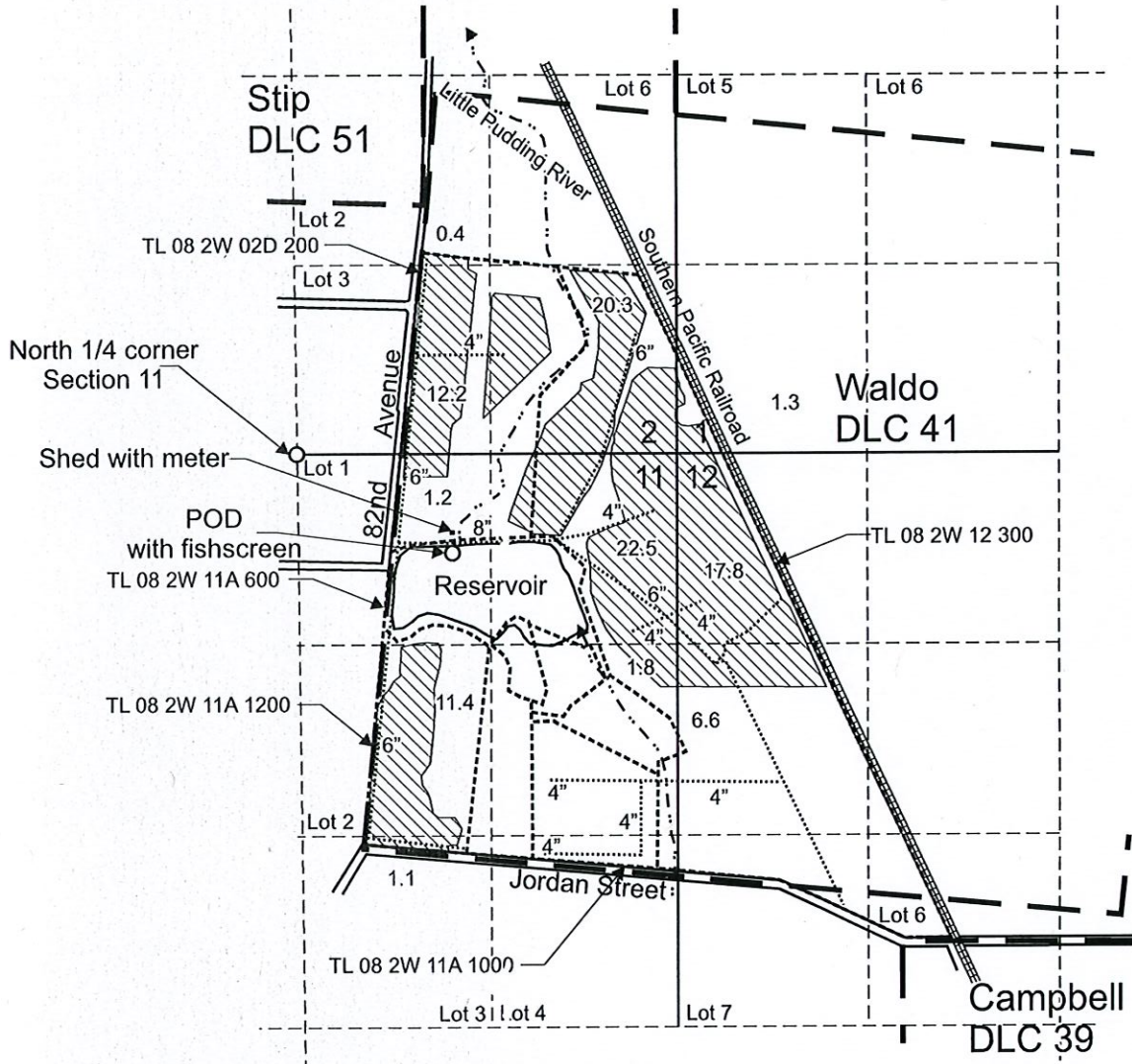
**Range No. 2 West. Tulumelle. Meridian.**



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# T.8S. R.2W. Sec. 1, 2, 11, & 12, W.M.

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POD is located 690 feet south and 1,070 feet east from the N 1/4 corner, Section 11.

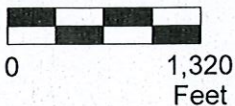
- Area (96.6 Acres) irrigated under Application S-88181, Permit S-54994.
- Tax lot boundary
- Donation Land Claim boundary
- Mainlines



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This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.

Scale: 1" = 1,320'



Claim of Beneficial Use Map  
Application S-88181, Permit S-54994

Heritage Seedling  
T.8S. R.2W. Sec. 1, 2, 11, & 12, W.M.

Pacific Hydro-Geology Inc.

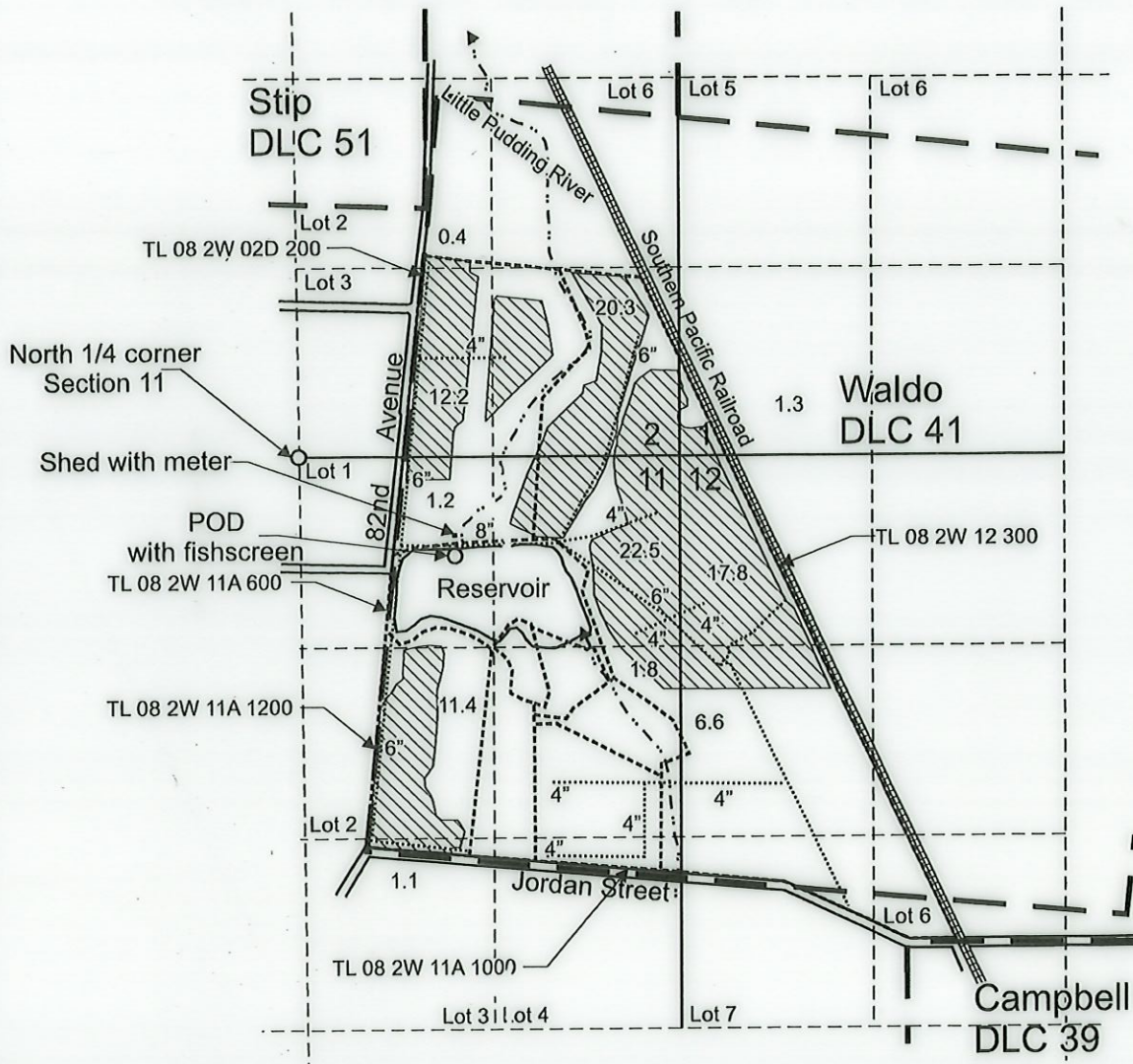
05/2021

# T.8S. R.2W. Sec. 1, 2, 11, & 12, W.M.


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POD is located 690 feet south and 1,070 feet east from the N 1/4 corner, Section 11.

 Area (96.6 Acres) irrigated under Application S-88181, Permit S-54994.

----- Tax lot boundary

— Donation Land Claim boundary

..... Mainlines

Scale: 1" = 1,320'



JUN 30 2021

This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.



Claim of Beneficial Use Map  
Application S-88181, Permit S-54994

Heritage Seeding  
T.8S. R.2W. Sec. 1, 2, 11, & 12, W.M.

Pacific Hydro-Geology Inc.

05/2021