

Checklist for Claims of Beneficial Use Received at CSG Counter

Application # <u>S-72129</u>	WRD Reviewer <u>CM</u>
Transfer #	
Date Received <u>6-14-2021</u>	
CWRE Name <u>Daniel Scalas</u>	

Priority Date: 1/8/1992
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))

MONEY SLIP

DATE: _____ RECEIPT #: _____

RECEIVED FROM: _____ APPLICATION: _____
 PERMIT: _____
 TRANSFER: _____

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

0083 TREASURY 4178 MISC CASH ACCT.

0407 COPIES _____ \$ _____
 OTHER (IDENTIFY) _____ \$ _____

0243 Interm Lease _____ 0244 Min Water Mgmt Plan _____ 0245 Cons Water _____

0083 TREASURY 4270 WRD OPERATING ACCT.

MISCELLANEOUS

0407 COPY & TAPE FEES 4611 \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE (IDENTIFY) \$ _____

10-162 DEPOSIT (MISC IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS

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

0203 GROUND WATER \$ _____ 0202 \$ _____

0205 TRANSFER \$ _____ 0204 \$ _____

WELL CONSTRUCTION

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

LANDOWNER'S PERMIT \$ _____ 0219 \$ _____

OTHER (IDENTIFY) COBU \$ _____ 0220 \$ _____

0207 TREASURY 0487 HYDROELECTRIC

0231 POWER LICENSE FEE (PWWRD) LIC NUMBER \$ _____

0231 HYDRO LICENSE FEE (PWWRD) \$ _____

HYDRO APPLICATION \$ _____

SPECIAL INSTRUCTIONS:

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)

Groundwater File Review: N/A

Pump Test Required? YES NO Pump Test Submitted? YES NO*

*If no, include pump test flyer w/acknowledgment letter

CLAIM OF BENEFICIAL USE for Surface Water Permits claiming more than 0.1 cfs



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

RECEIVED

JUN 14 2021

OWRD

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

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:
http://www.oregon.gov/owrd/pages/wr/cwre_info.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 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
http://www.oregon.gov/owrd/pages/mgmt_reimbursement_authority.aspx

SECTION 1 GENERAL INFORMATION

1. File Information

APPLICATION # (G, R, S OR T) S-72129	PERMIT # (IF APPLICABLE) S-53428	PERMIT AMENDMENT # (IF APPLICABLE) N/A
--	--	--

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Michael & Diane Tyrholm		PHONE NO. 541-882-2180	ADDITIONAL CONTACT NO.
ADDRESS 3510 Collier Lane			
CITY Klamath Falls	STATE OR	ZIP 97603	E-MAIL

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

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

PERMIT OR TRANSFER HOLDER OF RECORD Same as above		
ADDRESS		
CITY	STATE	ZIP

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD N/A		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Michael Tyrholm	4/7/09	Owner

6. County:

7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

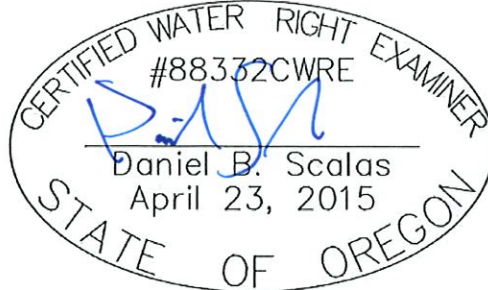
OWNER OF RECORD N/A		
ADDRESS		
CITY	STATE	ZIP

RECEIVED
JUN 14 2021
OWRD

**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.



**RECEIVED
JUN 14 2021
OWRD**

RENEWAL 06/30/22

CWRE NAME Daniel B. Scalas		PHONE NO. (541) 884-4666	ADDITIONAL CONTACT NO.
ADDRESS 1435 Esplanade Ave.			
CITY Klamath Falls	STATE OR	ZIP 97601	E-MAIL dscalas@adkinsengineering.com

Permit or Transfer 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
<i>Mike Tyrholm</i>	Michael Tyrholm	Owner	<i>2-15-2021</i>
<i>Diane Tyrholm</i>	Diane Tyrholm	Owner	<i>2-15-2021</i>

SECTION 3
CLAIM DESCRIPTION

RECEIVED
JUN 14 2021
OWRD

1. Point of diversion name or number:

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)
POD 1
POD 2

2. Point of diversion source and tributary:

POD NAME OR NUMBER	SOURCE	TRIBUTARY
POD 1	Miller Creek	Lost River
POD 2	Smith Reservoir	Lost River

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

POD/POA 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 1	Irrigation	Pasture-hay	3-1 thru 4/14	2008: 267.5 AF
POD 2	Irrigation	Pasture-hay	3/1 thru 9/30	2008: 477.2 AF
Total Quantity of Water Used				2008: 744.7 AF

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

POD 1 - Miller Creek

POD 1 within Miller Creek was constructed by the previous owner, Richard Smith. A diversion channel and fish screen are in place to prevent fish from being drawn into the pump. Water is diverted from Miller Creek by a 40 HP pump into a 12" aluminum pipe. Water is conveyed westerly approximately 300' over a ±40' hill before emptying into Ditch #1. The ditch conveys water by gravity in a southerly direction approximately 15,600' before emptying into the easterly side of Smith Reservoir, also known as Boggs Lake.

POD 2 - Boggs Lake Diversion

Water is diverted from Smith Reservoir (Boggs Lake) by a 25 HP submersible motor and pumped above ground through a 14" steel pipe in a westerly direction approximately 200' before reducing to a 12" steel pipe. The 12" mainline continues up a ridge above ground in a westerly direction approximately 130' before discharging into Ditch #2. From the discharge pipe, Ditch #2 conveys water in both northerly and southerly directions. At the end of the discharge pipe, a headgate (HG-1) is provided to close off flow to the south. Water diverted to the north is conveyed by an earthen ditch approximately 3,550' to HG-2. Water continues north approximately 900' to T-1. At the tee, water is conveyed both easterly and westerly. Water is conveyed ±700' to the east before terminating. This ditch flood irrigates lands in the NW 1/4 SE 1/4 of Section 8. Water is conveyed westerly approximately 850' before terminating. This ditch irrigates lands in the NE 1/4 SW 1/4 of Sec 8. Water can be diverted from HG-2 to Ditch #3. Water is diverted to lands west of Ditch #3 through various sizes of CMP, PVC, and steel pipes, ranging from 12" to 20". Ditch #3 is used to flood irrigate lands in SW 1/4 SE 1/4, NW 1/4 NE 1/4, SW 1/4 NE 1/4, SE 1/4 NE 1/4, NW 1/4 SE 1/4, NE 1/4 SE 1/4, and SE 1/4 SE 1/4. Excess surface water is conveyed by an earthen ditch to a sump where runoff is temporarily stored. The captured runoff is pumped by a 25 HP pump in an easterly direction through ±1,300' of 8" aluminum pipe to an earthen ditch. This ditch conveys water easterly for approximately 330' and empties back into Boggs Lake.

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).

5. 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. **NO**

(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.")

N/A

6. Claim Summary:

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POD 1	4.27 CFS	5.88 CFS	N/A	Irrigation	170.7	170.7
POD 2	512.1 AF	2122.88 AF	N/A	Irrigation	170.7	170.7

RECEIVED

JUN 14 2021

OWRD

**SECTION 4
SYSTEM DESCRIPTION**

**RECEIVED
JUN 14 2021
OWRD**

Are there multiple PODs?

YES

If "YES" you will need to copy and complete Sections 4B through 4E for each POD.

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

POD 1

A. Place of Use

1. Is the right for municipal use?

NO

TWP	RNG	MER	SEC	QQ	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
40S	14E	WM	8	NESW			Irrigation	12.0	
40S	14E	WM	8	NWSE			Irrigation	8.4	
40S	14E	WM	8	SWSE			Irrigation	11.4	
40S	14E	WM	17	NWNE			Irrigation	18.0	
40S	14E	WM	17	SWNE			Irrigation	28.0	
40S	14E	WM	17	SENE			Irrigation	9.2	
40S	14E	WM	17	NESE			Irrigation	34.4	
40S	14E	WM	17	NWSE			Irrigation	10.9	
40S	14E	WM	17	SESE			Irrigation	38.4	
Total Acres Irrigated								170.7	

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
unknown	unknown	unknown	Centrifugal	unknown	14"

3. Motor Information

MANUFACTURER	HORSEPOWER
GE	40

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
40	0	5'	40'	5.88

5. Provide pump calculations:

See Appendix D for theoretical pump calculations.

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)
N/A			

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

7. Is the distribution system piped?

YES

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
12"	300'	Aluminum	Above ground

9. Lateral or Handline Information N/A

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
N/A			

10. Sprinkler Information N/A

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
N/A					

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

11. Pivot Information N/A

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
N/A				

12. Additional notes or comments related to the system:

C. Storage

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

NO

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

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?

YES

RECEIVED

JUN 14 2021

OWRD

2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)
Ditch #1	25'	15'	6'	.03	±39'	±15,600	0.25%	738.7cfs

3. Provide calculations:

See Appendix D for calculations.

4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)
N/A			

RECEIVED

JUN 14 2021

OWRD

POD 2

A. Place of Use

1. Is the right for municipal use?

NO

TWP	RNG	MER	SEC	QQ	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
40S	14E	WM	8	NESW			Irrigation	12.0	
40S	14E	WM	8	NWSE			Irrigation	8.4	
40S	14E	WM	8	SWSE			Irrigation	11.4	
40S	14E	WM	17	NWNE			Irrigation	18.0	
40S	14E	WM	17	SWNE			Irrigation	28.0	
40S	14E	WM	17	SENE			Irrigation	9.2	
40S	14E	WM	17	NESE			Irrigation	34.4	
40S	14E	WM	17	NWSE			Irrigation	10.9	
40S	14E	WM	17	SESE			Irrigation	38.4	
Total Acres Irrigated								170.7	

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/appropriation to the place of use.

1. Is a pump used?

YES

2. Pump Information **Unknown submersible pump was installed by previous owner**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Unknown	Unknown	Unknown	Submersible	14"	14"
Vertiline	8CH	D06668	Submersible	10"	8"

3. Motor Information

MANUFACTURER	HORSEPOWER
Unknown	25
Halloshaft	25

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
25	0' (open discharge)	0''	±17'	10.3cfs
25	0' (open discharge)	±4'	±31'	5.0cfs

5. Provide pump calculations:

See Appendix D for theoretical pump calculations

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)
N/A			

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

7. Is the distribution system piped?

YES

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
14"	200'	Steel	Above Ground
12"	130'	Steel	Above Ground
8"	1,300'	Aluminum	Above Ground

9. Lateral or Handline Information N/A

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
N/A			

10. Sprinkler Information N/A

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
N/A					

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

11. Pivot Information N/A

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
N/A				

12. Additional notes or comments related to the system:

**This system also irrigates lands listed under Permit S-28984.
 The mainline from the reservoir has a McCrometer meter installed on the 12" steel mainline.
 The 25 HP re-pump has a dedicated power meter in which water usage is calculated.
 Operating pressures are assumed.
 Excess water is captured, pumped and reused, eliminating waste.
 The pump calculations are theoretical in value only.**

C. Storage

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

NO

**RECEIVED
 JUN 14 2021
 OWRD**

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

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? **YES**

2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	“N” FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)
Ditch #2 - Earth	25’	8’	1.5’	.03	±11’	±3550’	±0.31%	±80.8cfs
Ditch #3 - Earth	12’	6’	1.5’	.03	±11’	±5800’	±0.19%	±36.4cfs
Sump to Lake	12’	3’	3.0’	.03	±3’	±330’	±0.91%	±176.5cfs

3. Provide calculations:

See Appendix D for calculations.

4. If an actual measurement was taken, provide the following: N/A

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)
N/A			

**RECEIVED
JUN 14 2021
OWRD**

SECTION 5 CONDITIONS

All conditions contained in the permit, permit amendment, 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:

Permits, transfer final orders, 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, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	8/12/98		
BEGIN CONSTRUCTION (A)	8/12/99	Unknown constructed by previous owner	The reservoir was constructed, POD 1 was developed and a ditch was constructed to convey water from Miller Creek to Smith reservoir
COMPLETE CONSTRUCTION (B)	N/A	Unknown constructed by previous owner	Pump installed in Smith reservoir, water conveyed to top of ridge, ditch constructed to convey water to permitted grounds
COMPLETE APPLICATION OF WATER (C)	10/01/02	Unknown constructed by previous owner	Unknown, completed by previous owner

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)? NO

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement? NO

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? NO

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test? NO

7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, 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? RECEIVED YES

JUN 14 2021

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD 1	See f. below				
POD 2	McCrometer	07-02801	Working	733696 (4/07/09)	Unknown

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
Gerald Clark	OWRD Program Analyst, Certificate Section	11/4/2009

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED
Dedicated power meter	Working	Unknown. Installed by previous owner.

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? **YES**

b. Have the reports been submitted? **YES**

METHOD OF SUBMITTING REPORT (PAPER OR ELECTRONIC)	WATER USER REPORTING ID
Electronically	30006

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

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? **YES**

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
Unknown	Dick Smith

RECEIVED

JUN 14 2021

OWRD

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**
 - If not, go to <http://www.oregon.gov/owrd/Pages/pubs/forms.aspx> , complete and attach a copy of the self-certification form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

RECEIVED
JUN 14 2021
OWRD

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: <http://www.oregon.gov/owrd/Pages/pubs/forms.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.

10. 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**

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
Fish & Game have approved. No by-pass required.	Unknown	Dick Smith

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order:

- a. Were there special well construction standards? **NO**
- b. Was submittal of a ground water monitoring plan required? **NO**
- c. Was the water user required to restore the riparian area if it was disturbed? **NO**
- d. Was a fishway required? **NO**

- e. Was submittal of a letter from an engineer required prior to storage of water? **NO**
- f. Was submittal of a water management and conservation plan required? **NO**
- g. 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):

	RECEIVED
--	----------

**SECTION 6
ATTACHMENTS**

JUN 14 2021
OWRD

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

ATTACHMENT NAME	DESCRIPTION
Appendix A	Copy of Permit S-53428
Appendix B	Copy of Final Proof Map on Paper
Appendix C	Signed Mylar map
Appendix D	Theoretical Pump Calculations and Gravity Flow Ditch Calculations
Appendix E	ODF&W Fish Screen Inspection Report
Appendix F	Copy of Tax maps 40-14, 40-14-08 & 40-14-17

**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 survey methods used to complete this Final Proof and COBU application include field measurements and NAIP 2018 aerial photography.

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion

- Locations of meters and/or measuring devices in relationship to point of diversion 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

RECEIVED

JUN 14 2021

OWRD

RECEIVED

JUN 14 2021

OWRD

APPENDIX A
Copy of Permit S-53428

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RICHARD A. SMITH
10166 E. LANGELL VALLEY RD.
BONANZA, OREGON 97623

PHONE: (541) 545-6314

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: S-72129

SOURCE OF WATER: RICHARD SMITH RESERVOIR, CONSTRUCTED UNDER PERMIT R-3511 AND PERMIT R-12503, TRIBUTARY TO RATTLESNAKE CREEK; AND MILLER CREEK, TRIBUTARY TO THE LOST RIVER

PURPOSE OR USE: IRRIGATION OF 170.7 ACRES

MAXIMUM RATE/VOLUME ALLOWED: 4.27 CUBIC FEET SECOND FROM MILLER CREEK AND NO MORE THAN 512.1 ACRE-FEET OF STORED WATER FROM RICHARD SMITH RESERVOIR

PERIOD OF USE: MARCH 1 THROUGH APRIL 14 FROM MILLER CREEK AND MARCH 1 THROUGH SEPTEMBER 30 FROM RICHARD SMITH RESERVOIR

DATE OF PRIORITY: JANUARY 8, 1992, FOR 150.1 ACRES AND AUGUST 12, 1996, FOR 20.6 ACRES

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, SECTION 5, T40S, R14E, W.M.; MILLER CREEK - 900 FEET SOUTH AND 1380 FEET WEST FROM NE CORNER, SECTION 5; RICHARD SMITH RESERVOIR - 1700 FEET SOUTH AND 338 FEET EAST FROM NE CORNER, SECTION 16

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4 12.0 ACRES
NW 1/4 SE 1/4 8.4 ACRES
SW 1/4 SE 1/4 11.4 ACRES
SECTION 8
NW 1/4 NE 1/4 18.0 ACRES
SW 1/4 NE 1/4 28.0 ACRES
SE 1/4 NE 1/4 9.2 ACRES
NE 1/4 SE 1/4 34.4 ACRES
NW 1/4 SE 1/4 10.9 ACRES

Application S-72129

Water Resources Department

PERMIT 53428

RECEIVED

JUN 14 2021

OWRD

SE 1/4 SE 1/4 38.4 ACRES
SECTION 17
TOWNSHIP 40 SOUTH, RANGE 14 EAST, W.M.

RECEIVED

JUN 14 2021

OWRD

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

For the Miller Creek diversion, the permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The required screens and fishways are to be in place and functional, and the fishway must be approved by Oregon Department of Fish and Wildlife before diversion of any water.

STANDARD CONDITIONS

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan:

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year of permit issuance. Complete application of water to the use shall be made on or before October 1, 2002. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued August 12, 1998

Dwight Ford for

Water Resources Department
Director

RECEIVED

JUN 14 2021

OWRD

Application S-72129 Water Resources Department
Basin 14 Volume 2 East Branch Lost River & Misc.

PERMIT 53428
District 17

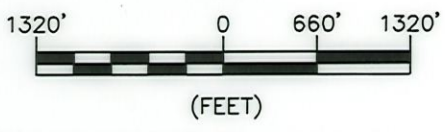
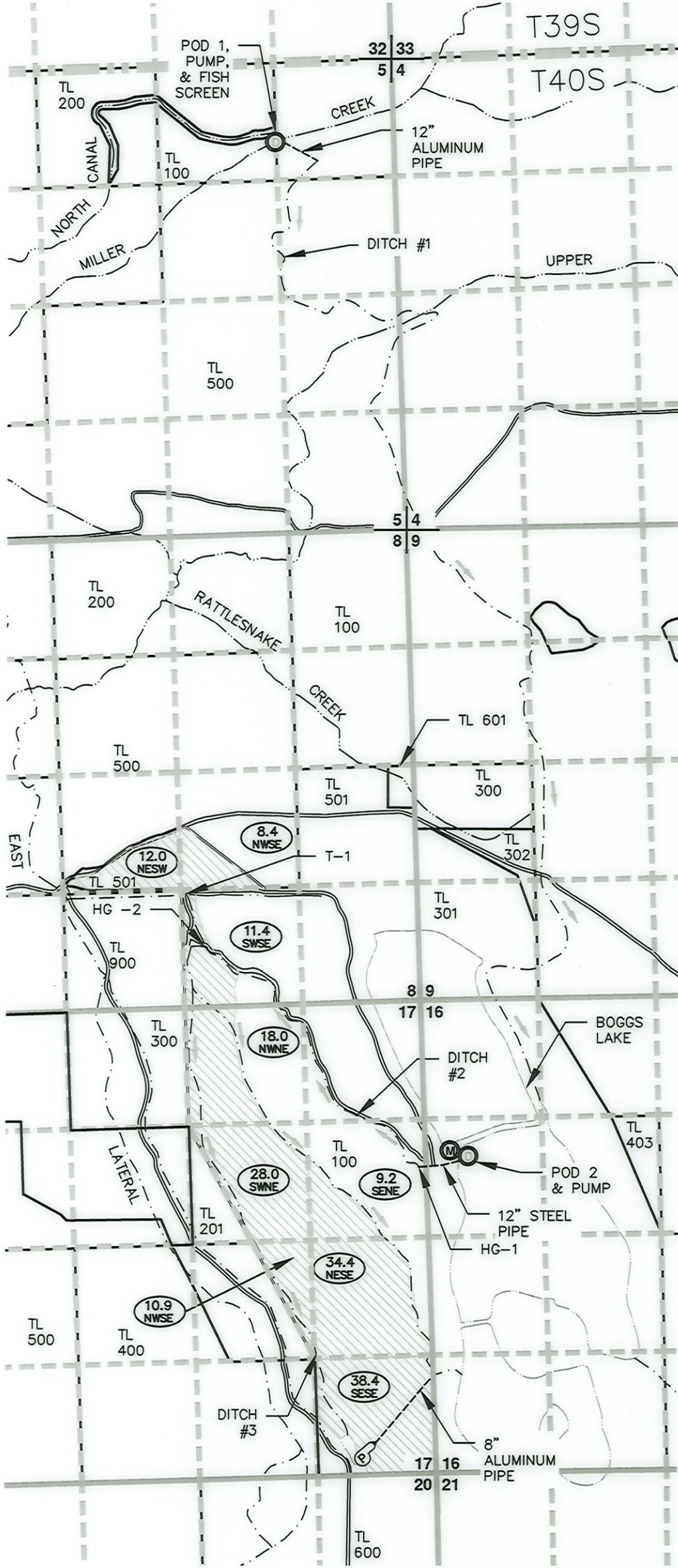
1

RECEIVED

JUN 14 2021

OWRD

APPENDIX C
Signed Mylar Map



POINTS OF DIVERSION FOR PERMIT S-53428

DATE OF PRIORITY: JANUARY 8, 1992 FOR 150.1 ACRES, AND AUGUST 12, 1996 FOR 20.6 ACRES.

POD 1 - 900 FEET SOUTH AND 1380 FEET WEST FROM NORTHEAST CORNER OF SECTION 5, T40S, R14E, W.M., LOCATED IN THE NW 1/4 NE 1/4 OF SECTION 5

POD 2 - 1700 FEET SOUTH AND 338 FEET EAST FROM NORTHEAST CORNER OF SECTION 16, T40S, R14E, W.M., LOCATED IN THE SW 1/4 NW 1/4 OF SECTION 15

NOTES

1. THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT ONLY, AND IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY LINES.
2. FOR TAX LOT INFORMATION, SEE TAX MAPS INCLUDED WITH THIS APPLICATION.
3. THIS MAP WAS PREPARED FROM FIELD MEASUREMENTS, NAIP 2018 AERIAL PHOTOGRAPH, KLAMATH COUNTY TAX MAP 40 14, 40 14 8, AND 40 14 17.

LEGEND

- TAX LOT BOUNDARY
- - - DITCH LINE
- CREEK LINE
- TOWNSHIP LINE
- SECTION LINES
- - - 1/4 1/4 LINES
- LAKE BOUNDARY
- GRAVEL/DIRT ROADWAY
- - - ABOVEGROUND PIPE
- 9.2 SENE (with arrows) IRRIGATED ACREAGE
- TL 500 TAX LOT NUMBER
- M SUITABLE MEASURING DEVICE
- O POINT OF DIVERSION
- 17/16 20/21 SECTION CORNER
- FLOW DIRECTION
- P PUMP

RECEIVED
JUN 14 2021
OWRD



AL ADKINS ENGINEERING & SURVEYING
o / 541.884.4666 w / AdkinsEngineering.com
1435 ESPLANADE AVENUE, KLAMATH FALLS, OR 97601

SERVING S. OREGON & N. CALIFORNIA

CLAIM OF BENEFICIAL USE AND FINAL PROOF MAP
FOR
MICHAEL & DIANE TYRHOLM
T40S, R14E, SEC. 8 & 17, W.M.
KLAMATH COUNTY, OREGON
PERMIT No. G-53428
APPLICATION No. G-72129

COBU MAP #1300

RECEIVED

JUN 14 2021

OWRD

APPENDIX D
Theoretical Pump Capacity Calculations and
Gravity Flow Ditch Calculations

RECEIVED

JUN 14 2021

OWRD

Mike Tyrholm

January 24, 2014

Job No.: 1413-0201

Application #: S-72129

Permit #: S-53428

Pump Capacity Calculation Sheet

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine/Submersible = 7.04

Data Entry (fill in underlined blanks)

HP = 25
Efficiency = 7.04
Lift = 35
PSI = 0 (assumed)

Results Calculated

$(hp)(\text{efficiency}) = 176$
Head based on psi = 0.0
Total dynamic head = 35.0
(head + lift)

Pump Capacity = 5.03 feet per second

RECEIVED

JUN 14 2021

OWRD

Mike Tyrholm

January 24, 2014

Job No.: 1413-0201

Application #: S-72129

Permit #: S-53428

Pump Capacity Calculation Sheet

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine/Submersible = 7.04

Data Entry (fill in underlined blanks)

HP = 25
Efficiency = 7.04
Lift = 17
PSI = 0 (assumed)

Results Calculated

(hp)(efficiency) = 176
Head based on psi = 0.0
Total dynamic head = 17.0
(head + lift)

Pump Capacity = 10.35 feet per second

RECEIVED

JUN 14 2021

OWRD

APPENDIX E
ODF&W Fish Screen Inspection Report



Oregon

John A. Kitzhaber, MD, Governor

Department of Fish and Wildlife

Rogue Watershed District Office

1495 East Gregory Road

Central Point OR 97502

(541) 826-8774

(541) 826-8776

dfw.state.or.us



December 7, 2015

RECEIVED
DEC 07 2015

BY:

Mike Tyrholm
3703 Collier Lane
Klamath Falls, OR 97603

RECEIVED

JUN 14 2021

OWRD

Dear Mike,

Regarding OWRD water right permit S-53428 (application S-72129), ODFW is satisfied that the condition for fish screening at your point-of-diversion has been met, and has determined that a fishway is not required. Thank you.

Sincerely,

Rich Kilbane
SW Field Coordinator
Fish Screening and Passage Program

(541) 826-8774 ext. 243

Cc: Adkins Engineering, CWRE



RECEIVED

JUN 14 2021

OWRD

APPENDIX F
Copy of Tax Maps 40-14, 40-14-08, & 40-14-17

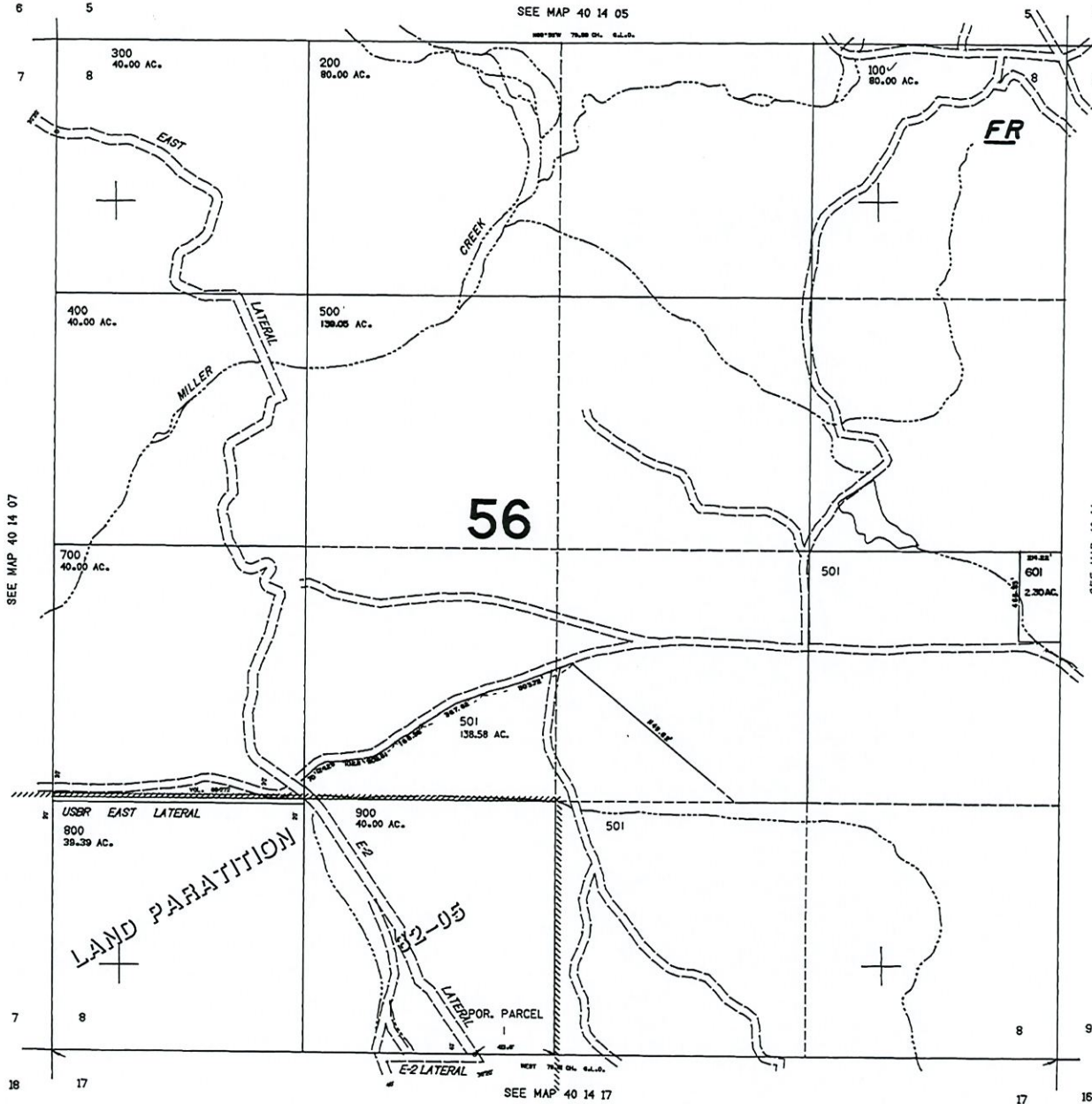
REVISED 4-23-07

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 08 T.40S. R.14E. W.M.
KLAMATH COUNTY

40 14 08

1"=400'



CANCELLED NO.
900MI
600
1000

RECEIVED
JUN 14 2021
OWRD

182.000

7000

40 14 08

REVISED 04-15-2016

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

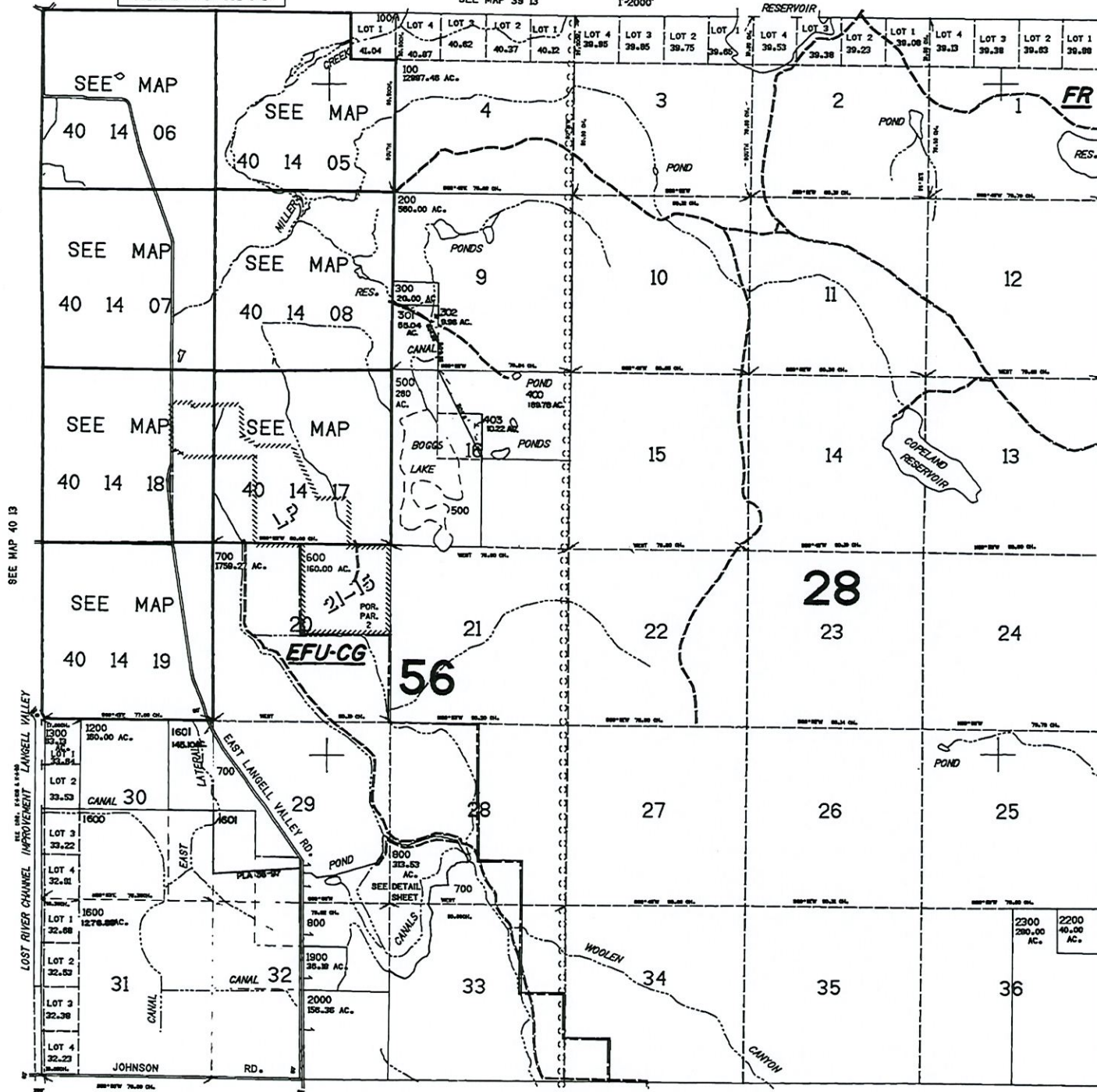
T.40S. R.14E. W.M. KLAMATH COUNTY

SEE MAP 39 13

1"=2000'

BIG ADOBE RESERVOIR

4014 & INDEX



CANCELLED NO. 401 402

SEE MAP 40 14V

150,000

RECEIVED
JUN 14 2021
OWRD

40 14 & INDEX