

# Checklist for Claims of Beneficial Use Received at CSG Counter

Application # <u>R-85252</u>	WRD Reviewer <u>CM</u>
Transfer #	
Date Received <u>8/10/2021</u>	
CWRE Name <u>Doann Hamilton</u>	

**Priority Date:** 7/30/2002

**Fees Required:**

YES  NO A fee of \$230 must accompany this form for permits with priority dates of July 9, 1987, or later.

YES  NO A fee of \$230 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 \$ \_\_\_\_\_

1063 TREASURY 4178 MISC CASH ACCT. COPIES \_\_\_\_\_ OTHER (IDENTIFY) \_\_\_\_\_

0243 Instream Lease 0244 Mine Water Mgmt Plan 0245 Cons Water

1063 TREASURY 4179 WRD OPERATING ACCT.

MISCELLANEOUS

0407 COPY & TAPE FEES	4611	\$	
0410 RESEARCH FEES		\$	
0408 MISC REVENUE (IDENTIFY)		\$	
TC42 DEPOSIT LAB (IDENTIFY)		\$	
0240 EXTENSION OF TIME		\$	

WATER RIGHTS	EXAM FEE	RECORD FEE
0201 SURFACE WATER		0202
0203 GROUND WATER		0204
0205 TRANSFER		

WELL CONSTRUCTION	EXAM FEE	RECORD FEE
0218 WELL DRILL CONSTRUCTION		0219
LANDOWNER'S PERMIT		0220
0200 OTHER (IDENTIFY)	COBU	2222.00

0667 TREASURY 0487 HYDROELECTRIC

0223 POWER LICENSE FEE (PWWRD)	LC NUMBER	\$
0231 HYDRO LICENSE FEE (PWWRD)		\$

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

SPECIAL INSTRUCTIONS:

RETURN TO APPLICANT – LETTER ATTACHED

**Groundwater File Review:** N/A

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

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

# T.4S. R.1E. Section 31, W.M.

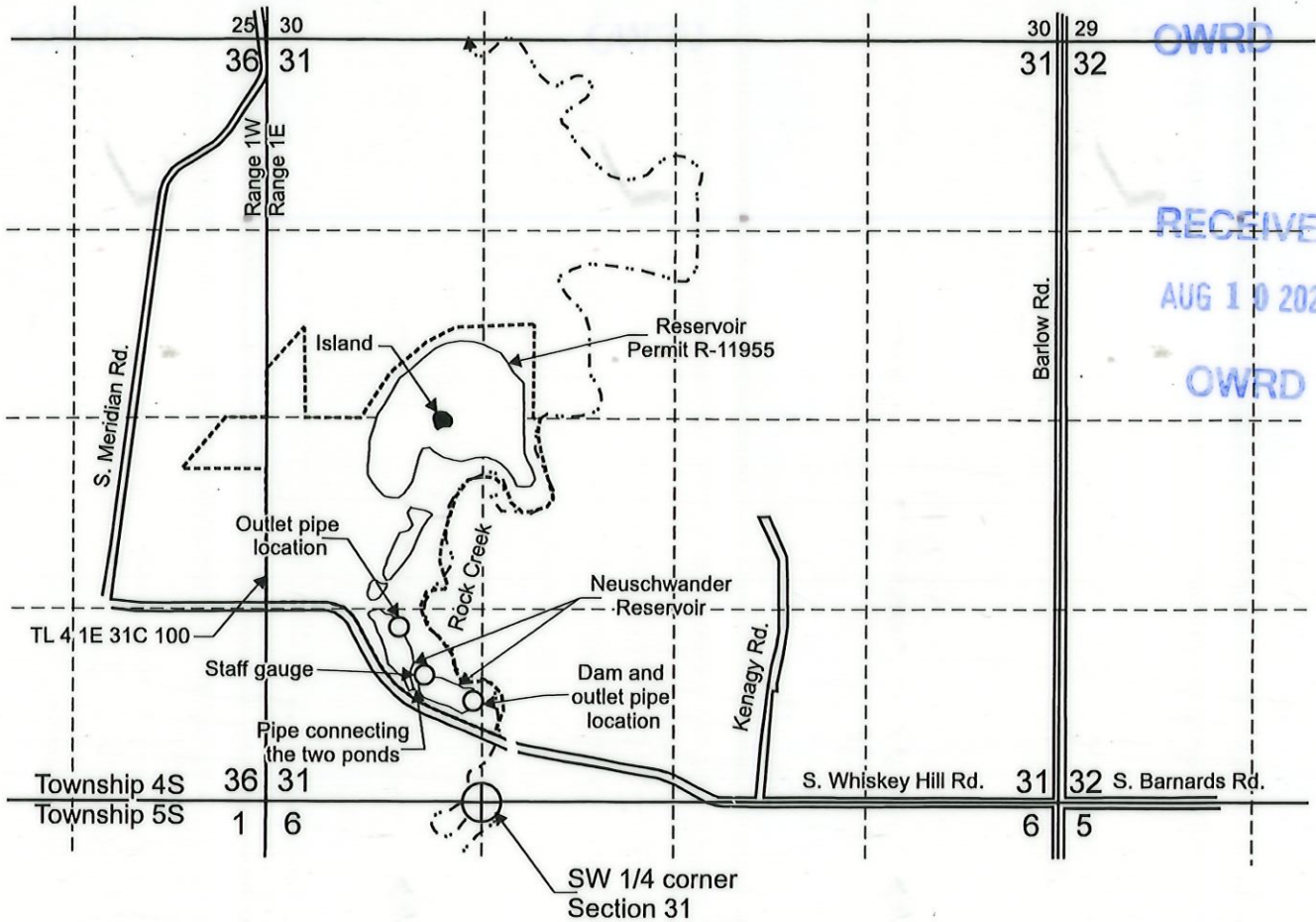
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Neuschwander Reservoir is located in the SWSW, Section 31, T.4S., R.1E. W.M.

Dam is located 690 feet north and 60 feet west from the SW 1/4 corner, Section 31.

 Area (3.1 Acres) submerged at full stage by Neuschwander Reservoir authorized under Application R-85252, Permit R-13572.

 Tax lot boundary



EXPIRES: *July 30, 2023*



Scale: 1" = 1,320'



0 1,320 Feet

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 R-85252, Permit R-13572

Pacific Hydro-Geology Inc.

Raymon Neuschwander  
T.4S. R.1E. Section 31, W.M.

6/7/2021

**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](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.  
Claims received without the correct fee of \$200 will be returned.**

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**SECTION 1  
GENERAL INFORMATION**

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**1. File Information**

APPLICATION # <b>R-85252</b>	PERMIT # (IF APPLICABLE) <b>R-13572</b>	PERMIT AMENDMENT # (IF APPLICABLE) <b>NA</b>
---------------------------------	--	---

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

APPLICANT/BUSINESS NAME <b>Carolyn R Neuschwander Living Trust, Carolyn R Neuschwander, Trustee</b>		PHONE No.	ADDITIONAL CONTACT No.	
ADDRESS <b>6097 Whiskey Hill Rd</b>				
CITY <b>Hubbard</b>	STATE <b>OR</b>	ZIP <b>97032</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 holder of record (this may, or may not, be the current property owner)**

PERMIT HOLDER OF RECORD <b>Raymond Neuschwander</b>			
ADDRESS <b>6097 Whiskey Hill Rd</b>			
CITY <b>Hubbard</b>	STATE <b>OR</b>	ZIP <b>97032</b>	

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

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4. Date of Site Inspection:

October 22, 2020

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Ray Neuschwander	October 22, 2020	Manager

6. County

Clackamas

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 <b>Doann Hamilton</b>		PHONE NO. <b>(503) 632-5013</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's of Record Signature or Acknowledgement

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

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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
	Raymond Neuschwander	manager	6-28-2021

**SECTION 3  
CLAIM DESCRIPTION**

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

RESERVOIR NAME OR NUMBER	SOURCE	TRIBUTARY
Neuschwander Reservoir	Runoff	Rock 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)
Neuschwander Reservoir	Multiple purposes	November 1 through December 31	9.92 AF
<b>Total Quantity of Water Stored</b>			<b>9.92 AF</b>

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:

The reservoir is divided into two sections by a road that separates them. The upper section feeds the lower section through an 8-inch green PVC sewer pipe connecting the two that stays open to allow the two sections to act as a single reservoir. The reservoir receives water from runoff and seasonal rain and both sections have 8-inch outlet pipes that can be opened to drain the reservoir, if needed. The lower section has a one-foot-diameter, black, corrugated drain pipe as an overflow pipe that feeds back into Rock Creek.

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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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

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(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.")

1. One of the uses of stored water authorized by Permit R-13572 is nursery use under Permit S-53973. Permit S-53973 has been cancelled; therefore, nursery use of the stored water is not included in this claim.

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2. After field verifying, the dam is more correctly located at:

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- 690 feet north and 60 feet west from the SW 1/4 corner, Section 31.

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3. After field verifying the size of the reservoir, the storage area was reduced from the originally authorized 24.79 AF to 9.92 AF.

5. Claim Summary:

RESERVOIR NAME OR #	MAXIMUM STORAGE AUTHORIZED BY PERMIT (AF)	MAXIMUM STORAGE DEVELOPED (AF)
Neuschwander Reservoir	24.79 AF	9.92 AF

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):

Neuschwander Reservoir

**A. Reservoir Location**

1. Is the reservoir on-channel?

NO

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

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TWP	RNG	MER	SEC	QQ	GLOT	DLC	MEASURED DISTANCES
4S	1E	WM	31	SW SW			690 feet north and 60 feet west from the SW ¼ corner, Section 31.

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

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If "NO" items 2 through item 5 may be deleted.

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6. Additional notes or comments related to the system:

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The dam is located on the lower section of the reservoir.

**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

If "NO", items 2 through 4 relating to this section may be deleted.

**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

If "NO", items 2 through 4 relating to this section may be deleted.

**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)
8 feet	7 feet	3.1 acres total (1.4 lower section, 1.7 upper section)	9.92 AF

4. Provide reservoir volume calculations:

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$$\text{Volume} = (\text{surface area in acres}) \times (\text{maximum depth}) \times 0.4$$

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$$\text{Volume} = (3.1 \text{ Acres}) \times (8 \text{ feet}) \times 0.4 = 9.92 \text{ AF}$$

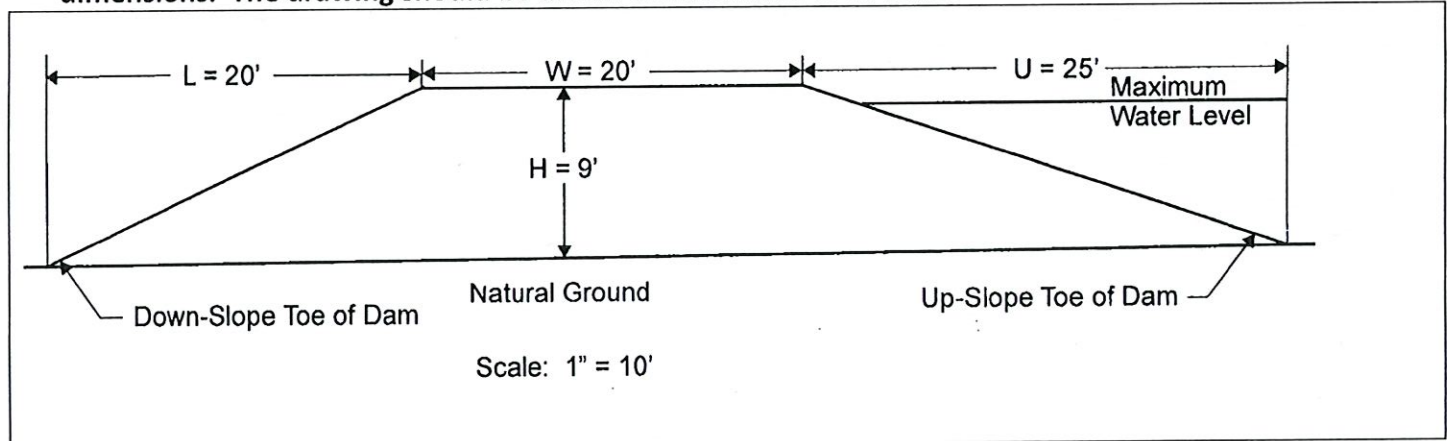
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5. Provide the following information concerning the physical characteristics of the dam:

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
20 feet	9 feet	20 feet	25 feet	1.61 feet	45%	36%

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.



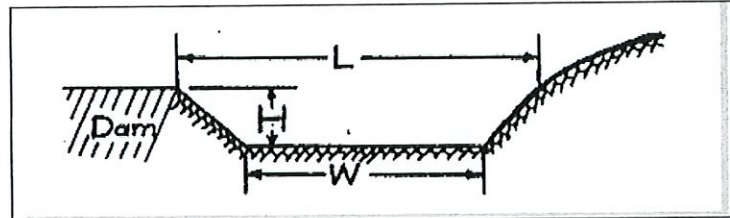
7. Describe the outlet works (size and type of the outlet conduit and location):

A gate valve handle extending outside an 8-inch, black, corrugated, vertical pipe is located on the east end of the lower section of the reservoir inside the dam. The valve opens up another 8-inch outlet pipe which runs to the east toward Rock Creek. The upper section of the reservoir has a similar set-up at the NE side to drain that section of the reservoir to the east to Rock Creek.



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

BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
A 1 FOOT DIAMETER CORRUGATED DRAIN PIPE IS LOCATED AT THE NORTH EAST CORNER OF THE SOUTH SECTION OF THE RESERVOIR TO ALLOW EXCESS WATER TO FLOW BACK TO ROCK CREEK		<p><b>RECEIVED</b></p> <p><b>AUG 10 2021</b></p> <p><b>OWRD</b></p>



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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	<b>October 16, 2003</b>		
BEGIN CONSTRUCTION (A)	<b>NA</b>	<b>NA</b>	<b>NA</b>
COMPLETE CONSTRUCTION (B)	<b>NA</b>	<b>NA</b>	<b>NA</b>
COMPLETE APPLICATION OF WATER (C)	<b>October 1, 2008 extended to October 1, 2021</b>	<b>November 2020</b>	<b>All permit conditions were met upon installation of the staff gage on October 13, 2020, and water was impounded for the 2020-2021 water year.</b>

\* 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

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*If "NO", items b through f relating to this section may be deleted.*

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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.

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b. Has a meter been installed?

YES

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Neuschwander Reservoir	USGS Style C	NA	Working	1.61 feet	October 13, 2020

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

**4. Recording and reporting conditions**

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

NO

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

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**5. Outlet Pipe**

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

YES

*If "NO", items b through c relating to this section may be deleted.*

b. Has the outlet pipe been installed?

YES

*If "YES", items c relating to this section may be deleted.*

**6. 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?

NO

c. When was the fish screening installed?

DATE	BY WHOM
NA	

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):

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> (search for ODFW Small Pump Screen Self Certification), 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).

**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>

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**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.**

### 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

*If "NO", items b and c relating to this section may be deleted.*

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### 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? YES
- 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? YES

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

**a1) 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.

**Compliance:**

The reservoir was constructed in an existing flooded area developed with raised banks to protect additional riparian areas.

**e1) Condition:**

Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the director. a

**Compliance:**

Staff gage was installed October 13, 2020.

**e2) Condition of Extension signed September 8, 2017:**

If a meter or other suitable measuring device is not installed by October 1, 2021, this will be the last extension granted for Permit R-13572 and future extension request shall be denied.

**Compliance:**

Staff gage was installed October 13, 2020.

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**e3) Condition:**

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy Prior downstream rights.

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**Compliance:**

The reservoir is equipped with two 8-inch diameter outlet pipes.

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**e4) Condition:**

The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The required screens are to be in place, functional, and approved by ODFW before diversion of any water.

**Compliance:**

Per letter from ODFW dated November 6, 2012 a fish screen is not required.

**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
Letter from ODFW, November 6, 2012	Letter stating a fish screen is not required for Permit R-13572.

**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 map 4 1E 31 and 31C, overlain by a 2014 aerial photo titled USDA-FSA-APFO NAIP County Mosaic and obtained on line 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
- 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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# T.4S. R.1E. Section 31, W.M.

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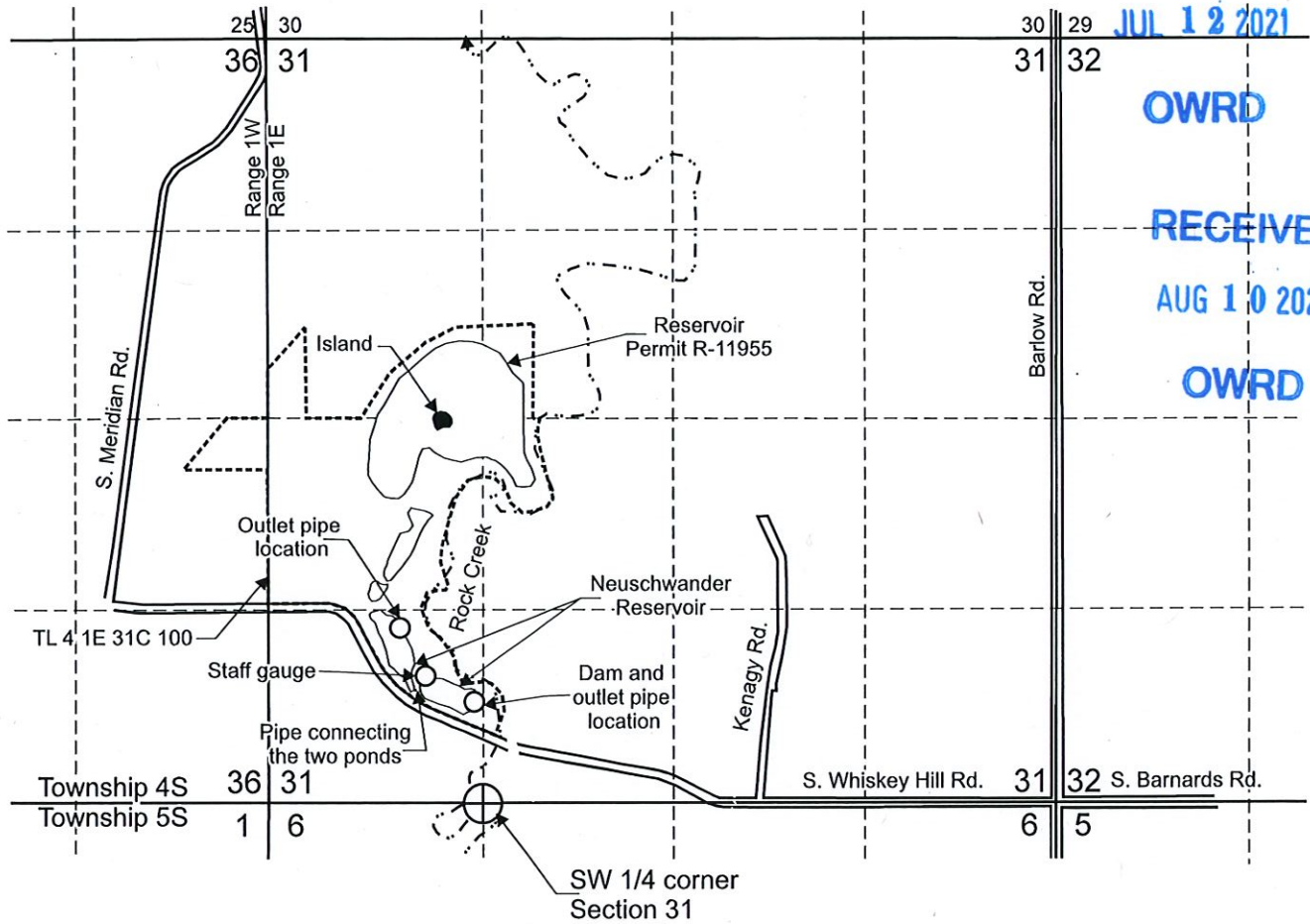
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Neuschwander Reservoir is located in the SWSW, Section 31, T.4S., R.1E. W.M.

Dam is located 690 feet north and 60 feet west from the SW 1/4 corner, Section 31.

□ Area (3.1 Acres) submerged at full stage by Neuschwander Reservoir authorized under Application R-85252, Permit R-13572.

----- Tax lot boundary



EXPIRES: *June 30, 2023*

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 R-85252, Permit R-13572

Raymon Neuschwander  
T.4S. R.1E. Section 31, W.M.

Pacific Hydro-Geology Inc.

07/2021

NeuschwanderR-85252COBUMap.cdr



# Oregon

Theodore R. Kulongoski, Governor

## Department of Fish and Wildlife

Northwest Region

17330 SE Evelyn Street

Clackamas, OR 97015-9514

(971) 673-6000

FAX (971) 673-6070



November 6, 2012

JOEL NEUSCHWANDER  
6097 S WHISKEY HILL RD  
HUBBARD, OR 97032

RE: Permit R-13572

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I am writing this letter in reference to Permit R-13572 in the name of Joel Neuschwander. ODFW has determined that native migratory fish are not currently nor were historically present at the point of diversion for the reservoir. Therefore, ODFW does not require fish screening for this reservoir.

Please let me know if you have any questions or need any further clarification.

Sincerely,

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Danette Faucera  
Assistant District Fish Biologist  
North Willamette Watershed District

Cc: Brook Geffen-Prett, Pacific Hydro-Geology Inc.

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WATER RESOURCES DEPT  
SALEM, OREGON