

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
 For questions, please call (503) 986-0900, and ask for Transfer Section.

Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: Certificates 13593 and 96311**
 Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

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Attachments:

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- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation. Salem, OR
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Evidence of Use Form not enclosed or incomplete
<input type="checkbox"/> Additional signature(s) required	<input type="checkbox"/> Part _____ is incomplete

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

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Part 2 of 5 – Transfer Application Map

Salem, OR

Your transfer application <u>will be returned</u> if any of the map requirements listed below are not met.
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Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Bridge Creek Ranch LLC		PHONE NO. 541-681-5332	ADDITIONAL CONTACT NO.
ADDRESS 355 Goodpasture Island Road			FAX NO.
CITY Eugene	STATE OR	ZIP 97401	E-MAIL mpati@pape.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME Schwabe, Williamson & Wyatt Attn: Elizabeth Howard and Lindsay Thane		PHONE NO. 503-796-2093 503-796-2059	ADDITIONAL CONTACT NO.
ADDRESS 1211 SW 5th Ave., Suite 1900			FAX NO.
CITY Portland	STATE OR	ZIP 97204	E-MAIL ehoward@schwabe.com and lthane@schwabe.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:
This transfer application proposes to add an additional point of diversion (POD) on Bridge Creek in Section 31 as a POD for Certificates 13593 and 96311. The new POD will serve both of these water rights and will be located on Bridge Creek Ranch's (BCR) property, whereas the current POD which also currently serves both water rights is located on U.S. Bureau of Land Management Property (BLM).

The transfer application proposes to add the POD as an authorized POD only for the irrigated acres under the water rights that are located on Bridge Creek Ranch's property.

If this transfer is approved, much of the existing infrastructure associated with the authorized POD in Section 6 will be removed and the land on which it is located will be revegetated. BCR currently has an authorization from the BLM to use the POD in Section 6, but that authorization expires on December 31, 2024. If this transfer is approved, then the Section 6 POD infrastructure, such as the concrete-box fish screen structure and two pipes, will be removed, leaving in place only the diversion structure on the streambank with a fish screen over the entrance. The land where the portion of the POD structure will be removed will then be revegetated as directed by the BLM. The existing Section 6 POD will be used to irrigate a seed mix that will be planted on an 8-acre BLM field in Section 6, which will require initial irrigation until the perennial native plants are established. Thereafter, the BLM intends to lease the water rights for the 8 acres instream.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check One Box

- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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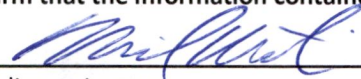
JAN 24 2023

By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Bend Bulletin.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

I (we) affirm that the information contained in this application is true and accurate.




 Applicant signature

Mike Pati, President
 Print Name (and Title if applicable)

12/15/22
 Date

 Applicant signature

 Print Name (and Title if applicable)

 Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No*

**If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? Yes No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

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RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

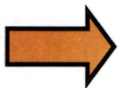
Salem, OR

Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME N/a	ADDRESS	
CITY	STATE	ZIP

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME N/a	ADDRESS	
CITY	STATE	ZIP



To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Wheeler County	ADDRESS 701 Adams Street, P.O. Box 447	
CITY Fossil	STATE Oregon	ZIP 97830

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

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Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;
- OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;
- OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

Microsoft Word 2010

- Unlock the document by clicking the **Review** tab; toggle the **Restrict Editing** icon at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the "**Allow only this type of editing in the document: Filling in forms**" in the "Editing restrictions" section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page ~~5~~ 6 of ~~9~~ 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 13593

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Description of Water Delivery System

System capacity: 5.0 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Salem, OR

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water is diverted from the point of diversion (POD) through a headgate and then piped to a fish screen. The water flows out of the fish screen and into a 12" PVC pipe that goes to a booster pump. Water is either pumped for irrigation right after going through the booster pump or it bypasses the booster pump, travels to the Painted Hills Reservoir, and is redistributed from the reservoir, which is used as a bulge in system, to irrigation or to a small bulge from which it is put to irrigation. The irrigation system infrastructure through which water travels is both HDPE and PVC pipelines. Water is used for irrigation using hand lines, wheel lines, and pivots.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		10 S	21 E	6	NE	NE	100	*
New POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		10 S	21 E	31	SE	SE	3600	1,850 feet east and 160 feet north from the south ¼ corner, Section 31.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

*The POD location is not specifically described in Certificate 13593. The Bridge Creek adjudication map labels the ditch as Ben Taylor ditch #2. The Decree also refers to the POD as "Sutton Ditch". This appears to be the same POD as the one shown on the final proof map for Certificate 68553. The specific location of the POD on the final proof map for Certificate 68553 is 590 feet south and 2160 feet east from north ¼ corner, Section 6.

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

Place of Use (POU)

Supplemental Use to Primary Use (S to P)

- | | |
|---|---|
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water
POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 13593

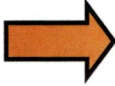
List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date					
EXAMPLE																											
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901	
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901	
10	S	20	E	25	SE	NE	1700		0.9	IR and domestic	POD	12/31/1868	APOD	10	S	20	E	24	SE	SW	1700		13.2	IR and domestic	POD & New POD	12/31/1868	
10	S	20	E	25	NE	SW	1700		1.9	IR and domestic	POD	12/31/1868	APOD	10	S	20	E	25	NW	NE	1700		4	IR and domestic	POD & New POD	12/31/1868	
10	S	20	E	25	NW	SE	1700		2.0	IR and domestic	POD	12/31/1868	APOD	10	S	20	E	25	SW	NE	1700		10.6	IR and domestic	POD & New POD	12/31/1868	
10	S	20	E	25	SW	SE	1700		1.3	IR and domestic	POD	12/31/1868	APOD	10	S	20	E	25	SE	NE	1700		5.2	IR and domestic	POD & New POD	12/31/1868	
10	S	20	E	25	SE	SE	1700		0.7	IR and domestic	POD	12/31/1868	APOD	10	S	20	E	25	NE	NW	1700		18.3	IR and domestic	POD & New POD	12/31/1868	
10	S	21	E	30	SW	SW	1700		4.9	IR and domestic	POD	12/31/1868	APOD	10	S	20	E	25	SE	NW	1700		13.3	IR and domestic	POD & New POD	12/31/1868	
10	S	21	E	30	SE	SW	1700		0.2	IR and domestic	POD	12/31/1868	APOD	10	S	20	E	25	NE	SW	1700		1.5	IR and domestic	POD & New POD	12/31/1868	
10	S	21	E	31	NE	NW	3600		0.1	IR and domestic	POD	12/31/1868	APOD	10	S	20	E	25	NE	SE	1700		14.6	IR and domestic	POD & New POD	12/31/1868	
10	S	20	E	25	NE	NW	1700		0.2	IR and domestic	POD	12/31/1868	APOD	10	S	20	E	25	NW	SE	1700		23.8	IR and domestic	POD & New POD	12/31/1868	
													APOD	10	S	20	E	25	SW	SE	1700		2.5	IR and domestic	POD & New POD	12/31/1868	
TOTAL ACRES:									12.2					TOTAL ACRES:									--	Received by OWRD			

For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? Yes No NA

If YES, list the certificate, water use permit, or ground water registration numbers:



Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Salem, OR

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department’s web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right

CERTIFICATE # 96311

JAN 24 2023

Description of Water Delivery System

Salem, OR

System capacity: 5.0 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water is diverted from the point of diversion (POD) through a headgate and then piped to a fish screen. The water flows out of the fish screen and into a 12" PVC pipe that goes to a booster pump. Water is either pumped for irrigation right after going through the booster pump or it bypasses the booster pump, travels to the Painted Hills Reservoir, and is redistributed from the reservoir, which is used as a bulge in system, to irrigation or to a small bulge from which it is put to irrigation. The irrigation system infrastructure through which water travels is both HDPE and PVC pipelines. Water is used for irrigation using hand lines, wheel lines, and pivots.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Original POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		11 S	21 E	9	NE SW	100	Last chance or Carrol Ditches – 1650 feet North and 80 feet West from S1/4 Corner, Section 9.
Additional POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		11 S	21 E	6	NE NE	100	590 feet South and 2160 feet east from N1/4 Corner, Section 6.
Additional POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		11 S	21 E	9	NW NW	100	960 feet South and 780 feet East from NW Corner, Section 9.
New POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		10 S	21 E	31	SE SE	3600	1,850 feet east and 160 feet north from the south ¼ corner, Section 31.

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|--|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed (“to” or “on” lands) section of Table 2 on the next page. Use the “CODES” listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 96311

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
11	S	21	E	5	NW	NW	110		3.0	IR and domestic	Orig. POD, Add'l POD, and Add'l POD	1868	APOD	10	S	21	E	31	SW	NE	3600		11.0	IR and domestic	Orig., Add'l Add'l, and New POD	1868
11	S	21	E	5	SW	NW	110		9.6	IR and domestic	Orig. POD, Add'l POD, and Add'l POD	1868	APOD	10	S	21	E	31	NW	SE	3600		22.8	IR and domestic	Orig., Add'l Add'l, and New POD	1868
11	S	21	E	5	SE	NW	110		2.9	IR and domestic	Orig. POD, Add'l POD, and Add'l POD	1868	APOD	10	S	21	E	31	SW	SE	3600		0.1	IR and domestic	Orig., Add'l Add'l, and New POD	1868
11	S	21	E	5	NE	SW	110		20.8	IR and domestic	Orig. POD, Add'l POD, and Add'l POD	1868	APOD	10	S	21	E	31	SE	SE	3600		9.4	IR and domestic	Orig., Add'l Add'l, and New POD	1868
11	S	21	E	5	NW	SW	110		4.7	IR and domestic	Orig. POD, Add'l POD, and Add'l POD	1868														
11	S	21	E	5	SE	SW	110		0.5	IR and domestic	Orig. POD, Add'l POD, and Add'l POD	1868														
TOTAL ACRES:								---	TOTAL ACRES:											43.3						

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? Yes No NA

If YES, list the certificate, water use permit, or ground water registration numbers:



Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

Salem, OR

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department’s web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right

Application for Water Right Transfer

Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
) ss
 County of WHEELER)

Received by OWRD

I, GORDON TOLTON, in my capacity as RANCH MANAGER, BRIDGE CREEK RANCH, LLC,
 mailing address 355 GOODPASTURE ISLAND ROAD, EUGENE, OR 97401
 telephone number (541)214-0602, being first duly sworn depose and say:

JAN 24 2023

Salem, OR

1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation Professional expertise

2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # 96311; **OR**

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

- OR**
- Confirming Certificate # 96311 has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): Crops. The applicant irrigated the crops utilizing the water delivery system. The water delivery system first diverts water from the point of diversion (POD), through a headgate, and then it is piped to a fish screen. The water flows out of the fish screen and into a 12" PVC pipe that goes to a booster pump. Water is either pumped for irrigation right after going through the booster pump or it bypasses the booster pump, travels to the Painted Hills Reservoir, and is redistributed from the reservoir, which is used as a bulge in system, to irrigate the crops or to a small bulge from which it is put to irrigation use. The irrigation system infrastructure through which water travels is both HDPE and PVC pipelines. Water is used for irrigation using hand lines, wheel lines, and pivots.

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Randy Tolta
Signature of Affiant

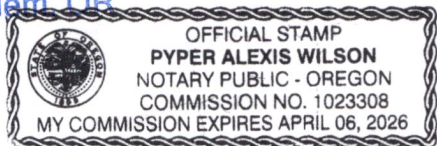
12-23-2022
Date

Received by OWRD

JAN 24 2023

Signed and sworn to (or affirmed) before me this 23rd day of Dec., 2022.

Salem, OR



Piper Alexis Wilson
Notary Public for Oregon

My Commission Expires: 04/06/2026

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate) A copy of Certificate 96311, which was issued on June 17, 2022 is attached herewith to evidence use under that water right.	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> ● Power usage records for pumps associated with irrigation use ● Fertilizer or seed bills related to irrigated crops ● Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> ● District assessment records for water delivered ● Crop reports submitted under a federal loan agreement ● Beneficial use reports from district ● IRS Farm Usage Deduction Report ● Agricultural Stabilization Plan ● CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.

	Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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STATE OF OREGON

COUNTY OF WHEELER

CERTIFICATE OF WATER RIGHT

Received by OWRD

JAN 24 2023

Salem, OR

THIS CERTIFICATE ISSUED TO

U.S. BUREAU OF LAND MANAGEMENT
3050 NE THIRD ST
PRINEVILLE OR 97754

confirms the right to use the waters of BRIDGE CREEK tributary to John Day River for IRRIGATION OF 119.7 ACRES and DOMESTIC.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Wheeler County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 12, at Page 388. The date of priority is 1868.

The amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed one-fortieth of one cubic foot per second per acre of land irrigated before June 15, and one-eighthieth of one cubic foot per second per acre after June 15, during the irrigation season from March 1 to October 1 of each year, measured at the point of diversion from the stream.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
11 S	21 E	WM	9	NE SW	ORIGINAL POD - LAST CHANCE OR CARROL DITCHES - 1650 FEET NORTH AND 80 FEET WEST FROM S1/4 CORNER, SECTION 9
11 S	21 E	WM	6	NE NE	ADDITIONAL POD - 590 FEET SOUTH AND 2160 FEET EAST FROM N1/4 CORNER, SECTION 6
11 S	21 E	WM	9	NW NW	ADDITIONAL POD - 960 FEET SOUTH AND 780 FEET EAST FROM NW CORNER, SECTION 9

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	21 E	WM	31	SW NE	11.0
10 S	21 E	WM	31	NW SE	22.8
10 S	21 E	WM	31	SW SE	0.1
10 S	21 E	WM	31	SE SE	9.4
11 S	21 E	WM	5	NW NW	3.0
11 S	21 E	WM	5	SW NW	9.6
11 S	21 E	WM	5	SE NW	2.9
11 S	21 E	WM	5	NE SW	20.8
11 S	21 E	WM	5	NW SW	4.7
11 S	21 E	WM	5	SE SW	0.5
11 S	21 E	WM	5	NW SE	0.8

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

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IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
11 S	21 E	WM	5	SW SE	12.9
11 S	21 E	WM	5	SE SE	4.4
11 S	21 E	WM	6	NE NE	5.8
11 S	21 E	WM	8	NE NE	9.0
11 S	21 E	WM	8	NW NE	2.0

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

The water user shall maintain fish screens or fish by-pass devices, as appropriate, at the new points of diversion.

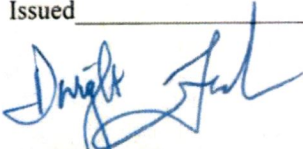
The quantity of water diverted at the additional points of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

This certificate is issued to confirm changes in ADDITIONAL POINTS OF DIVERSION approved by an order of the Water Resources Director entered JULY 24, 2006, at Special Order Volume 69, Page 187, approving Transfer Application T-9873, supersedes Certificate 13592, State Record of Water Right Certificates.

JUN 17 2022

Issued _____



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Land Use Information Form



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

Received by OWRD

JAN 24 2023

NOTE TO APPLICANTS

Salem, OR

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

Land Use Information Form

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JAN 24 2023

Salem, OR



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

Applicant(s): Bridge Creek Ranch LLC, Attn: Mike Pati

Mailing Address: 355 Goodpasture Island Road

City: Eugene

State: OR

Zip Code: 97401

Daytime Phone: 541-681-5332

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>See</u>	<u>Attached</u>	<u>Page</u>	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Wheeler County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) Bridge Creek

Estimated quantity of water needed: 5.07 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

The applicant proposes to add an additional point of diversion on Bridge Creek to irrigate the authorized places of use under Certificates 96311 and 13593 that are on the applicant's property.



Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): WZCO 3.1 (3)(a); WCZO 3.1 (4)(a); WCZO 6.9
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

DSL fill/removal permit and Floodplain Development permit from local jurisdiction may be required.

Name: Matt Davis Title: Planning Director

Signature:  Phone: 541-728-1275 Date: 12/23/2022

Government Entity: Wheeler County Planning Department

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Received by OWRD

JAN 24 2023

Salem, OR

JAN 24 2023

Land Use Information Form Attachment
Transfer Application for Certificates 96311 and 13593
For Bridge Creek Ranch, LLC

Salem, OR

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>10 S</u>	<u>21 E</u>	<u>31</u>	<u>SE SE</u>	<u>3600</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>10 S</u>	<u>21 E</u>	<u>31</u>	<u>NW SE</u>	<u>3600</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>10 S</u>	<u>21 E</u>	<u>31</u>	<u>SW NE</u>	<u>3600</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>10 S</u>	<u>21 E</u>	<u>31</u>	<u>SW SE</u>	<u>3600</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>10 S</u>	<u>21 E</u>	<u>31</u>	<u>NE NW</u>	<u>3600</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>10 S</u>	<u>21 E</u>	<u>31</u>	<u>NW NW</u>	<u>3600</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>10 S</u>	<u>21 E</u>	<u>30</u>	<u>SE SW</u>	<u>3600</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>10 S</u>	<u>21 E</u>	<u>30</u>	<u>SW SW</u>	<u>3600</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>10 S</u>	<u>21 E</u>	<u>36</u>	<u>NE NE</u>	<u>1703</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>10 S</u>	<u>20 E</u>	<u>24</u>	<u>SE SW</u>	<u>1700</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>10 S</u>	<u>20 E</u>	<u>25</u>	<u>NW NE</u>	<u>1700</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>10 S</u>	<u>20 E</u>	<u>25</u>	<u>SW NE</u>	<u>1700</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>10 S</u>	<u>20 E</u>	<u>25</u>	<u>SE NE</u>	<u>1700</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>10 S</u>	<u>20 E</u>	<u>25</u>	<u>NE NW</u>	<u>1700</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>10 S</u>	<u>20 E</u>	<u>25</u>	<u>SE NW</u>	<u>1700</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>10 S</u>	<u>20 E</u>	<u>25</u>	<u>NE SW</u>	<u>1700</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>10 S</u>	<u>20 E</u>	<u>25</u>	<u>SE 1/4</u>	<u>1700</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>11 S</u>	<u>21 E</u>	<u>6</u>	<u>NE NE</u>	<u>100</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Irrigation</u>
<u>11 S</u>	<u>21 E</u>	<u>5</u>	<u>NW NW, SW NW, SE NW, NE SW, NW SE, SW SE, SE SE</u>	<u>100</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Irrigation</u>
<u>11 S</u>	<u>21 E</u>	<u>8</u>	<u>NE NE</u>	<u>100</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Irrigation</u>
<u>11 S</u>	<u>21 E</u>	<u>9</u>	<u>NE SW</u>	<u>100</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Irrigation</u>
<u>11 S</u>	<u>21 E</u>	<u>9</u>	<u>SE NW and NW SW</u>	<u>100</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Irrigation</u>
<u>11 S</u>	<u>21 E</u>	<u>9</u>	<u>NW NW</u>	<u>100</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Irrigation</u>

Application for Water Right Transfer Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing.
Supporting documentation must be attached.

State of Oregon)
) ss
County of WHEELER)

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I, GORDON TOLTON, in my capacity as RANCH MANAGER, BRIDGE CREEK RANCH, LLC,
mailing address 355 GOODPASTURE ISLAND ROAD, EUGENE, OR 97401
telephone number (541)214-0602, being first duly sworn depose and say:

Salem, OR

1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation Professional expertise

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for
Certificate # _____; **OR**
- My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
13593	10	S	20	E	WM	24	SE	SW	1700	13.2
13593	10	S	20	E	WM	25	NW	NE	1700	4
13593	10	S	20	E	WM	25	SW	NE	1700	10.6
13593	10	S	20	E	WM	25	SE	NE	1700	5.2
13593	10	S	20	E	WM	25	NE	NW	1700	18.3
13593	10	S	20	E	WM	25	SE	NW	1700	13.3
13593	10	S	20	E	WM	25	NE	SW	1700	1.5
13593	10	S	20	E	WM	25	NE	SE	1700	14.6
13593	10	S	20	E	WM	25	NW	SE	1700	23.8
13593	10	S	20	E	WM	25	SW	SE	1700	2.5
13593	10	S	20	E	WM	25	SE	SE	1700	21.6
13593	10	S	20	E	WM	36	NE	NE	3600	0.2
13593	10	S	21	E	WM	30	SW	SW	3600	5.5
13593	10	S	21	E	WM	30	SE	SW	3600	0.1

13593	10	S	21	E	WM	31	NE NW	3600	3.3
13593	10	S	21	E	WM	31	NW NW	3600	9.5

OR

- Confirming Certificate # _____ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

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(continues on reverse side)

Salem, OR

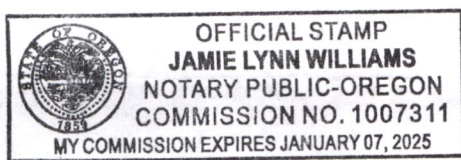
3. The water right was used for: (e.g., crops, pasture, etc.): Crops. The applicant irrigated the crops utilizing the water delivery system. The water delivery system first diverts water from the point of diversion (POD), through a headgate, and then it is piped to a fish screen. The water flows out of the fish screen and into a 12" PVC pipe that goes to a booster pump. Water is either pumped for irrigation right after going through the booster pump or it bypasses the booster pump, travels to the Painted Hills Reservoir, and is redistributed from the reservoir, which is used as a bulge in system, to irrigate the crops or to a small bulge from which it is put to irrigation use. The irrigation system infrastructure through which water travels is both HDPE and PVC pipelines. Water is used for irrigation using hand lines, wheel lines, and pivots.

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Gordon Tolton
Signature of Affiant

12-19-2022
Date

Signed and sworn to (or affirmed) before me this 19 day of December, 2022.



[Signature]
Notary Public for Oregon
My Commission Expires: 01/07/2025

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input checked="" type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
Enclosed herewith are: (1) Bridge Creek Ranch's 2022 power expenditures	

<p>for the power used to run the pumps that are used to irrigate the place of use under Certificate 13593;</p> <p>(2) 2022 Habco Agricultural Services invoice for herbicides that were applied to the acres described in this affidavit and to other land on which Bridge Creek Ranch and White Butte Ranch (a nearby ranch owned by the same owners as Bridge Creek Ranch) grow crops; and</p> <p>(3) Invoice for the seed Bridge Creek Ranch purchased in 2021. That seed was planted and then irrigated in 2022 on the acres described in this affidavit and on other land where Bridge Creek Ranch and White Butte Ranch grow crops.</p>	
<p><input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers</p>	<ul style="list-style-type: none"> ● District assessment records for water delivered ● Crop reports submitted under a federal loan agreement ● Beneficial use reports from district ● IRS Farm Usage Deduction Report ● Agricultural Stabilization Plan ● CREP Report
<p><input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph</p> <p>Photos taken July 2022 depict haying of the barley that was irrigated on the portion of the place of use in the SENE and NESE, Section 25, Township 10 South, Range 20 East, W.M. The first photo shows a pivot used to irrigate the field.</p>	<p>Multiple photos can be submitted to resolve different areas of a water right.</p> <p>If the photograph does not print with a “date stamp” or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com</p>
<p><input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years</p>	<p>Copy of instream lease or lease number</p>

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Bill Date	Bill Amount	Arrears	Paid Amt	Paid Date	Meter Read	KWH	Demand Read	Read Date	Bill Type	Average KWH
11/30/22	.00	.00	.00		73578	0		11/30/22	3	0
10/31/22	.00	.00	.00		73578	0		10/31/22	3	0
09/30/22	1,977.03	.00	-1,977.03	10/25/22	73578	34544		09/30/22	0	1,151
08/31/22	2,199.05	.00	-2,199.05	09/22/22	39034	39613		08/31/22	0	1,277
07/31/22	2,116.79	.00	-2,116.79	08/23/22	99421	37735		07/31/22	0	1,217
06/30/22	926.57	.00	-926.57	07/27/22	61686	10561		06/30/22	0	352
05/31/22	1,635.26	.00	-1,635.26	06/21/22	51125	26741		05/31/22	0	862
04/30/22	1,293.88	.00	-1,293.88	05/31/22	24384	18947		04/30/22	0	631
03/31/22	554.75	.00	-554.75	04/26/22	5437	2091		03/31/22	0	67
02/28/22	860.00	.00	-860.00	03/22/22	3346	0		02/28/22	3	0
01/31/22	.00	.00	.00		3346	0		01/31/22	3	0
12/31/21	.00	.00	.00		3346	0		12/31/21	3	0
11/30/21	.00	.00	.00		3346	0		11/30/21	3	0

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Change Member History | Print History

BRIDGE CREEK RANCH LLC

Mbr Sep: 6124-010
 Status: Active Electric

Location: 701890000
 Meter: 31234251

Dist: 10
 Rate: 35
 Class: 35
 Cycle: 70

Ledger

Notes Exist

Add a Note

Future: .00
 Balance: .00

Payments(0)

Adjustments(0)

Misc

Read Date: 11/30/22 Read Type: 2 Days of Service: 30
 Bill Date: 11/30/22 Bill Type: 3 Average Temp: 0.0
 Due Date: 12/30/22 Multiplier: 1

Current Read: 73578 Demand Read:
 Previous Read: 73578 Actual Demand:
 KWH: 0 Billed Demand:
 Lgt KWH: 0
 KVA: Horsepower:
 KVAR:

Energy:	.00	Penalty:	.00
Fuel:	.00	Other Amt 1:	.00
Lgt Charge:	.00	Other Amt 2:	.00
Tax:	.00	Other Amt 3:	.00
Local Tax:	.00	Interest:	.00
Franch Tax:	.00	Member Fee:	.00
Gross Tax:	.00	Cons Deposit:	.00
OtherTax:	.00	Other Deposit:	.00
Misc Chg:	.00	Bill Amount:	.00
Other Chg:	.00	BB Amount:	.00
Equipment:	.00	Arrears:	.00
Round Up:	.00	Ancillary:	.00
Contract:	.00	Net:	.00

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est good

Department of Forest Service

Service to National Forests and State Lands Oregon 97754 ALL BUSINESS ONLY FOR PRIVATE

States Department of Agriculture

REC'D AUG 22 2022

REC'D AUG 22 2022

INVOICE

HABCO AGRICULTURAL SERVICES

1950 Lyons Rd
 Ellensburg, WA 98926
 Phone: (541) 233-9306

Date 7/15/2022
 Invoice # 20020
 For Custom Spraying

Kale@habcoag.com

Job Description:
 Applied herbicide at White Butte and Bridge Creek for control of thistle, knap weed, white top on roads, barn yards, reservoir, field edges, etc.

Quantity	Description	Unit price	Amount
5.63 GAL	Curtail Herbicide	\$67.10 GAL	\$ 377.78
1.81 GAL	Spreader- 90 Surfactant	\$17.60 GAL	\$ 31.86
1 GAL	Pendulum Herbicide	\$61.86 GAL	\$ 61.86
2.92 GAL	Milestone Herbicide	\$335.5 GAL	\$ 979.68
2.26 GAL	Sly-Tac Surfactant	\$80.31 GAL	\$ 181.50
9.5 GAL	Glyphosate (Round-Up)	\$45.10 GAL	\$ 428.45
4.69 GAL	Weedmaster	\$41.25 GAL	\$ 193.46
3.5 GAL	Pasture Guard	\$133.10 GAL	\$ 465.85
8.44 GAL	Platoon (2-4,D)	\$11.72 GAL	\$ 98.92
19.5 HOURS	APPLICATION	\$90/HOUR	\$ 1,755.00

AUG 22 2022

Make all checks payable to 'Habco Agricultural Services'
 If you have any questions concerning this invoice, contact Kale Haberman at (541)233-9306 or by email at Kale@habcoag.com.

-Balance due \$ 4,574.34

Deduct -1.91 gal Milestone (\$640.81)
 -8.44 gal Platoon (\$98.92)
 -2.5 gal Spreader 90 (\$44.00)
Total deduct (\$783.73)

Chemicals used from Bridge Creek inventory

Total balance due \$3,790.61

Thank you for your business!

10-35-701.81

Bill To Name	Quantity	UOM	Description 1	Description 2	Actual Ship Date	Lot Serial Number	Order Date
WHITE BUTTE RANCH	750	LB	SORDAN 79 SEED	50 LB BG	07/28/2022	CWC398-C3GBAW	07/13/2022
WHITE BUTTE RANCH	2,000.00	LB	SORDAN 79 SEED	50 LB BG	07/14/2022	CWC398-C3GBAW	07/13/2022
WHITE BUTTE RANCH	39,860.00	LB	28.8-3.2-9.6 7.3S 0.2147HA	BULK LB WECO	06/23/2022	410206944	06/23/2022
WHITE BUTTE RANCH	9	BG	TEFF, TENDER (COATED) SEED	50 LB BG BLYS	06/16/2022	821-21-TEN21CTD	06/14/2022
WHITE BUTTE RANCH	100	LB	TEFF, TENDER (COATED) SEED	50 LB BG BLYS	06/01/2022	831-20-TEN20CTD	05/31/2022
WHITE BUTTE RANCH	2,000.00	LB	SORDAN 79 SEED	50 LB BG	06/16/2022	CWC398-C3GBAW	05/25/2022
WHITE BUTTE RANCH	-460	LB	BARLEY-HAYS SEED	2000 LB TO	06/29/2022	W6-21-HB-8	04/11/2022
WHITE BUTTE RANCH	6,000.00	LB	BARLEY-HAYS SEED	2000 LB TO	04/12/2022	W6-21-HB-8	04/11/2022
WHITE BUTTE RANCH	30,200.00	LB	35.8-0.0-0.0 9.1S 0.2668HA	BULK LB WECO	03/31/2022	410206674	03/31/2022
WHITE BUTTE RANCH	6,680.00	LB	30.0-0.0-10.0 7.6S 0.2237HA	BULK LB WECO	03/25/2022	410206673	03/23/2022
WHITE BUTTE RANCH	12,800.00	LB	1.5-5.0-5.0 17.3S 0.0755HA 15	BULK LB WECO	03/25/2022	410206599	03/23/2022
WHITE BUTTE RANCH	4,000.00	LB	BARLEY-HAYS SEED	2000 LB TO	03/24/2022	W6-21-HB-8	03/21/2022
WHITE BUTTE RANCH	4,000.00	LB	HOODY SEED	BULK LB	11/03/2021	831-20-HOO20	11/02/2021
WHITE BUTTE RANCH	5,680.00	LB	30.8-0.0-8.8 7.7S 0.2953HA	BULK LB WECO	08/23/2021	410206471	08/23/2021
WHITE BUTTE RANCH	2	BG	WG PRO BALANCE 16-16-16 7.5	50 LB BG WECO	07/28/2021		07/28/2021
WHITE BUTTE RANCH	25	LB	HARDY LAWN MIX SEED	25 LB BG LNDM	07/28/2021	SPO-1600-LM	07/28/2021
WHITE BUTTE RANCH	1,100.00	LB	TRITICALE WINTERBOOST UNT	50 LB BG BLYS	07/12/2021	M50-20-104314	07/12/2021
WHITE BUTTE RANCH	32,640.00	LB	31.7-0.0-7.1 8.1S 0.2364HA	BULK LB WECO	07/12/2021	410206373	07/12/2021
WHITE BUTTE RANCH	-400	LB	SORGHUM SUDANGRASS SEED	50 LB BG STAR	07/12/2021	SS26004ABAMS	07/06/2021
WHITE BUTTE RANCH	400	LB	SORGHUM SUDANGRASS SEED	50 LB BG STAR	07/06/2021	SS26004ABAMS	07/06/2021
WHITE BUTTE RANCH	1,000.00	LB	SORGHUM SUDANGRASS SEED	50 LB BG STAR	06/24/2021	SS26005ABMS	06/24/2021
WHITE BUTTE RANCH	20,040.00	LB	28.2-3.5-10.6 7.0S 0.2365HA	BULK LB WECO	06/16/2021	410206306	06/14/2021
WHITE BUTTE RANCH	1,500.00	LB	CHARISMA SEED	50 LB BG	06/15/2021	W12-20-CHO-20	06/14/2021
WHITE BUTTE RANCH	3,250.00	LB	SORGHUM SUDANGRASS SEED	50 LB BG STAR	06/15/2021	SS26005ABMS	06/14/2021
WHITE BUTTE RANCH	30,200.00	LB	29.8-0.0-9.9 7.9S 0.2219HA	BULK LB WECO^	04/26/2021	410206122	04/22/2021

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BCR Page Field (SENE and NESE, Section 25) Haying of Irrigated Barley July, 2022



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BCR Page Field (SENE and NESE, Section 25) Haying of Irrigated Barley July, 2022



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BCR Page Field (SENE and NESE, Section 25) Haying of Irrigated Barley July, 2022

