

Received
MAY 19 2026
OWRD

Application for Water Right Drought Temporary Transfer



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

This application will be returned if Parts 1 through Part 4 and all required attachments are not completed and included upon submittal.

Part 1 of 4 – Drought Temporary Transfer Application Minimum Requirements Checklist

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Drought Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Completed Applicant Information and Signature. **NOTE: If the applicant is a public agency, corporation or business, trust, or other organization, the title or authority of the person who signs the application on behalf of the entity and evidence of signatory authority or a signed statement that such authority exists must be included.**
- ☒ Part 4 – Information about Transferred Water Rights/Determined Claims: How many water rights/determined claims are to be transferred? 1 List them here: Permit R-15535 - COBU Pending; C-date 10/1/26
Please include a separate Part 4 for each water right - see instructions on last page.
- ☒ **Application Fee** - payable by check to the Oregon Water Resources Department (OWRD). The online fee calculator is located: https://apps.wrd.state.or.us/apps/wr/wr_transfer_calculator/drought_temporary_transfer.aspx

Required Attachments:

- ☒ Completed Drought Temporary Transfer Application Map.
- ☒ Yes ☐ N/A Completed Evidence of Use Affidavit and supporting documentation.
- ☒ Yes ☐ 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. **NOTE: This form is 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.**
- ☒ Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- ☐ Yes ☒ N/A Affidavit(s) of Consent from Deeded Landowner(s) or Deeded Water Right Holder(s) - **NOTE: only if the applicant does not own the land on which the water right is located or if the water right was severed from the land and conveyed separately to other individuals/entities.**
- ☐ Yes ☒ N/A Supplemental Form D –water rights/claims proposed for transfer are or will be located within or served by an irrigation or other water district AND the district **is not** the applicant
- ☐ Yes ☒ N/A Supplemental Form U -For water rights involving irrigation within portions of Morrow & Umatilla Counties only.

Required Groundwater Attachments:

- ☐ Yes ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ Yes ☒ 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 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

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Part 2 of 4 – Drought Temporary Transfer Application
Map Requirements Checklist

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The application will be returned if any of the map requirements listed below are not met.

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. The map need not be prepared by a Certified Water Right Examiner (CWRE)

☐ Yes ☒ N/A	If more than three water rights are involved, a separate map for each water right is required.
☒	Permanent quality printed with dark ink on polyester film or good quality paper. Maps may also be submitted as a PDF (portable document format) if they meet all other requirements.
☒	The preferred size is 8½ x 11 inches and should be no larger than 30 x 30 inches (one extra map copy is required for 30 x 30 inch maps). To request a waiver for a map larger than 30 x 30 inches, please send an email to mapwaiver@water.oregon.gov .
☒	A north arrow and a legend.
☒	Include the scale, which must be even-numbered and not exceed 1 inch = 1,320 feet. To request a waiver for a map scale that exceeds 1 inch = 1,320 feet, please send an email to mapwaiver@water.oregon.gov .
☒	Township, Range, Section, ¼ ¼, tax lot boundaries (property lines) and tax lot numbers, DLC, Government Lot, and other recognized public land survey lines.
☒	Major physical features including rivers, creeks, streams, lakes, reservoirs, ponds, roads and railroads. For any surface water on the map, indicate the direction of flow.
☒	All point(s) of diversion (POD for surface water), point(s) of appropriation (POA for wells/groundwater), or dam location(s) (or center of reservoir(s) if no dam exists) authorized by the water right(s), clearly labeled, shown by distance and bearing, or by coordinates (distance north/south and distance east/west) from a recognized public land survey corner. (This information can be found in the water right certificate or decree.) In addition, include latitude and longitude for each POD or POA in degrees-decimal with five or more digits after the decimal (example – 44.53764°) and the datum used (example – NAD 83, NAD 27 or WGS 84).
☐ Yes ☒ N/A	If a change in point(s) of diversion (POD for surface water) or a change in point(s) of appropriation (POA for wells/ groundwater) is proposed, include the proposed location(s), clearly labeled, shown by distance and bearing, or by coordinates (distance north/south and distance east/west) from a recognized public land survey corner. In addition, include latitude and longitude for each POD/POA in degrees-decimal with five or more digits after the decimal (example – 44.53764°) and the datum used (example – NAD 83, NAD 27 or WGS 84).
☒	General location of main canals, ditches, flumes, pipelines, pumps, or other water delivery features used to transport water from the point(s) of diversion, and/or reservoir/pond to the place of use, including delivery features at the place of use.
☒	Place of use (POU) by Township, Range, Section, and ¼ ¼, that includes separate hachuring for lands affected by changes proposed in this application, for lands left unchanged and not affected by this application, for each water right, for each priority date, for each use, and served by each point of diversion (POD), point of appropriation (POA), and/or reservoir/pond (POD).
☐ Yes ☒ N/A	For a place of use limited to a point, like a stock watering tank, include latitude and longitude for the place of use in degrees-decimal with five or more digits after the decimal (example – 44.53764°) and the datum used (example – NAD 83, NAD 27 or WGS 84).
☐ Yes ☒ N/A	If the use is irrigation, nursery, cranberry, or other similar uses with acreage associated with it, the place of use must include the number of acres in each quarter-quarter (¼ ¼) section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
☐ Yes ☒ N/A	If the use is supplemental irrigation, include the location(s) and water right reference number of the underlying primary right, registration, or claim.

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Part 3 of 4 – Drought Temporary Transfer Application
Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Bridge Creek Ranch LLC	PHONE NO(S). 541 681-5332	E-MAIL mpati@pape.com	
ADDRESS 355 Goodpasture Island Road	CITY Eugene	STATE OR	ZIP 97401

DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE.

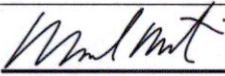
IMPORTANT NOTE - Electronic forms of documents: Beginning April 1, 2026, and unless requested otherwise by the applicant, the Department will send documents and notifications associated with processing of applications in electronic form (i.e., by email). These emails may come from an automated system (wrd_automated_email@water.oregon.gov).

Consider adding this email address to your safe sender list.

- ☒ The applicant is the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located. **NOTE: If the applicant is not the sole owner, include signatures of all deeded landowners (and mailing and e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/ entities to which the water right(s) were conveyed.**
- ☒ The person signing this application is doing so on behalf of a public agency, corporation or business, trust, or other organization and must provide evidence of signatory authority or a signed statement that such authority exists must be attached to this application.

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

I (we) also affirm that I (we) understand that approval of the change(s) proposed in this application does not constitute a right to trespass upon property or ditches not owned or controlled by the applicant.


Applicant signature

Mike Pati, Pres. of Pape Properties Inc.
sole member of Bridge Creek Ranch LLC
Print Name (and Title if applicable)

5/15/26
Date

Applicant signature

Print Name (and Title if applicable)

Date

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

AGENT/BUSINESS NAME Schwabe, Williamson & Wyatt Attn: Shonee Langford	PHONE NO(S) 503 540-4261	EMAIL ADDRESS slangford@schwabe.com	
ADDRESS 1211 SW 5th Ave. Suite 1900	CITY Portland	STATE OR	ZIP 97204

DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE. HOWEVER, ANY PROPOSED FINAL ORDER WILL BE SENT BY CERTIFIED MAIL.

IMPORTANT NOTE - Electronic forms of documents: Beginning on April 1, 2026, and unless requested otherwise by the applicant, the Department will send documents and notifications associated with processing of applications in electronic form (i.e., by email). These emails may come from an automated system (wrd_automated_email@water.oregon.gov). Consider adding this email address to your safe sender list.

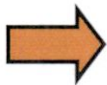
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- ☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. **NOTE: Complete Supplemental Form D.**

IRRIGATION DISTRICT NAME	ADDRESS (CITY, STATE, ZIP)	EMAIL
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- ☐ 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	ADDRESS (CITY, STATE, ZIP)	EMAIL
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To meet state land use compatibility requirements, you must list the names and mailing addresses of all affected local governments, including but not limited to county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed and/or used.

ENTITY NAME	ADDRESS (CITY, STATE, ZIP)	EMAIL
Wheeler County Planning	701 Adams St., Fossil, OR 97830	planning@wheelercountyor.gov

ENTITY NAME	ADDRESS (CITY, STATE, ZIP)	EMAIL
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PROPOSED CHANGES

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

Change to Surface Water Point(s) of Diversion:

- ☐ Point(s) of Diversion (POD) – the proposed POD(s) will replace the existing authorized POD(s)
- ☐ Additional Point(s) of Diversion (APOD) – the proposed POD(s) will be in addition to the existing authorized POD(s)

Change to Point(s) of Groundwater Appropriation:

- ☐ Point(s) of Appropriation (POA) – the proposed POA(s) will replace the authorized POA(s)
- ☐ Additional Point(s) of Appropriation (APOA) – the proposed POA(s) will be in addition to the authorized POA(s)

Changes in Place of Use and Character of Use:

- ☐ Place of Use (POU) - the proposed changes to the place of use will replace the authorized place of use
- ☒ Character of Use (USE) - the proposed changes to the character of use of the water right will modify the authorized character of use

Explain in your own words what you propose to accomplish with this transfer application, and why:

We are wanting to change the character of use for water currently stored in Painted Hills Reservoir under permit R-15535 from "fish life" to "irrigation" in order to beneficially use this water for irrigation. Drought conditions are present in Wheeler County and the amount of live flow available for irrigation from the ranch's standard sources will not be adequate for irrigation this season. Temporarily changing the character of use of this water will allow for an Emergency Use Permit to be applied for in order to apply this stored water as irrigation. OWRD transfer specialist Arla Davis confirmed the department would accept this application to change the subject permit given the 10/1/26 C-date and pending COBU (see attached 5/13/26 email).

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

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Part 4 of 4 – Drought Temporary Transfer Application
Authorized POD/POA

WATER RIGHT CERTIFICATE# Permit R-15535

Please use a separate Part 4 for each water right being changed.

System capacity: 500 ☐ Cubic Feet per Second (CFS) ☐ Gallons Per Minute (GPM) ☒ Acre-Feet (AF)

Source (live flow, stored water, etc.): stored water

Describe the current water delivery system. Include information on the capacity of pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Please provide as much detail as possible:

Water is diverted from both Bridge Creek and Bear Creek during the April 1-14 fill window (when available) in order to fill Painted Hills Reservoir under permit R-15535. There is currently 431.7 ac-ft of water stored within Painted Hills Reservoir under this permit. There is a 100-hp pump that draws water out of the reservoir (stored under other water rights) that provides irrigation for the ranch. NOTE: each year the applicant releases 25% of the water stored that year under Permit R-15535 as provided in Permit S-55289. No water

Amount proposed for transfer: 431.7 ☐ CFS ☐ GPM ☒ AF

Please check the appropriate box below and provide the requested information:

☐ If the water right was certificated under a decree, please indicate:

- Name of Decree: _____

☒ If the water right was certificated through the permit process, please indicate:

- Permit # R-15535 and the name(s) appearing on the permit: Bridge Creek Ranch LLC

☐ If Proof of Appropriation under the water right has been determined by the Department, please indicate:

Special Order Volume # _____, Page # _____

and the name(s) appearing on the Proof of Appropriation Special Order: _____

Table 1A – For Both SW and GW Rights - Location of Existing SW POD(s) or GW POA(s)

NOTE: If the POD/POA name is not specified on the Certificate, assign it a name or number below

Authorized POA/POD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Bear Creek	10	S	20	E	35	SW	NE	1701
Measured Distances (from a recognized survey corner)								
2550 feet South and 2600 feet West from the NE corner of section 35								
If authorized point is groundwater:								
☐ Well log attached and associated with the well described above and on the accompanying application map.								
AND/OR								
☐ No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								
								☐ CFS ☐ GPM

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Part 4 of 4 continued – Drought Temporary Transfer Application

Authorized POD/POA - Table 1A Continued

WATER RIGHT CERTIFICATE OF PERMIT R-15535

Authorized POA/POD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Bridge Creek	10	S	21	E	31	SE	SE	3600

Measured Distances (from a recognized survey corner)

160 feet North and 1850 feet East from the S1/4 corner of Section 31

If authorized point is groundwater:

☐ Well log attached and associated with the well described above **and** on the accompanying application map.
AND/OR
☐ No well log is available - construction of the authorized well is provided in table below.

OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								☐ CFS ☐ GPM

Authorized POA/POD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot

Measured Distances (from a recognized survey corner)

If authorized point is groundwater:

☐ Well log attached and associated with the well described above **and** on the accompanying application map.
AND/OR
☐ No well log is available - construction of the authorized well is provided in table below.

OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								☐ CFS ☐ GPM

Authorized POA/POD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot

Measured Distances (from a recognized survey corner)

If authorized point is groundwater:

☐ Well log attached and associated with the well described above **and** on the accompanying application map.
AND/OR
☐ No well log is available - construction of the authorized well is provided in table below.

OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								☐ CFS ☐ GPM

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Part 4 of 4 continued – Drought Temporary Transfer Application
Proposed POD/APOD Information – Surface Water Right(s) ONLY

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WATER RIGHT CERTIFICATE # Permit R-15535

Table 1BSW - Location of Proposed Surface Water POD/APOD(s)

Proposed POD/APOD Name or Number	Twp	Rng	Sec	1/4	1/4	Tax Lot, DLC, or Gov-Lot
Type of Change (from Page 4): ☐ POD or ☐ APOD			From Authorized POD: ☐ UPSTREAM or ☐ DOWNSTREAM			
Measured Distances (from a recognized survey corner)						
Fish Screen Information:						
☐ Yes ☐ No The proposed POD/APOD has an existing approved fish screen pursuant to ORS 540.525 or 540.532						
If Yes, please, submit documentation of the approved fish screen with your application, such as any Oregon Department of Fish and Wildlife (ODFW) fish screening certification letter and/or passage approval letter.						
Additional Information/Remarks:						
Proposed POD/APOD Name or Number	Twp	Rng	Sec	1/4	1/4	Tax Lot, DLC, or Gov-Lot
Type of Change (from Page 4): ☐ POD or ☐ APOD			From Authorized POD: ☐ UPSTREAM or ☐ DOWNSTREAM			
Measured Distances (from a recognized survey corner)						
Fish Screen Information:						
☐ Yes ☐ No The proposed POD/APOD has an existing approved fish screen pursuant to ORS 540.525 or 540.532						
If Yes, please, submit documentation of the approved fish screen with your application, such as any Oregon Department of Fish and Wildlife (ODFW) fish screening certification letter and/or passage approval letter.						
Additional Information/Remarks:						
Proposed POD/APOD Name or Number	Twp	Rng	Sec	1/4	1/4	Tax Lot, DLC, or Gov-Lot
Type of Change (from Page 4): ☐ POD or ☐ APOD			From Authorized POD: ☐ UPSTREAM or ☐ DOWNSTREAM			
Measured Distances (from a recognized survey corner)						
Fish Screen Information:						
☐ Yes ☐ No The proposed POD/APOD has an existing approved fish screen pursuant to ORS 540.525 or 540.532						
If Yes, please, submit documentation of the approved fish screen with your application, such as any Oregon Department of Fish and Wildlife (ODFW) fish screening certification letter and/or passage approval letter.						
Additional Information/Remarks:						

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Part 4 of 4 continued –Temporary Transfer Application
Proposed POA/APOA Information – Groundwater Right(s) ONLY

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WATER RIGHT CERTIFICATE # Permit R-15535

Table 1B-GW - Location of Proposed Groundwater POA/APOA(s)

Proposed POA/APOA Name or Number	Twp	Rng	Sec	1/4	1/4	Tax Lot, DLC, or Gov-Lot		
Bridge Creek	10 S	21 E	31	SE	SE	3600		
Measured Distances (from a recognized survey corner) 160 feet North and 1850 feet East from the S1/4 corner of Section 31								
Type of Change (from Page 4): ☐ POA or ☐ APOA								
☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								☐ CFS ☐ GPM
Proposed POA/APOA Name or Number	Twp	Rng	Sec	1/4	1/4	Tax Lot, DLC, or Gov-Lot		
Measured Distances (from a recognized survey corner)								
Type of Change (from Page 4): ☐ POA or ☐ APOA								
☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								☐ CFS ☐ GPM
Proposed POA/APOA Name or Number	Twp	Rng	Sec	1/4	1/4	Tax Lot, DLC, or Gov-Lot		
Measured Distances (from a recognized survey corner)								
Type of Change (from Page 4): ☐ POA or ☐ APOA								
☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								☐ CFS ☐ GPM

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Part 4 of 4 continued – Temporary Transfer Application
Authorized POU “FROM” LANDS

WATER RIGHT CERTIFICATE # **OWNR** Permit R-15535

Will **ALL** of the change(s) proposed on Page 4 affect the entirety of the water right?

☐ Yes - Complete **only** Table 2B on page 10. ☒ No - Complete **both** Table 2A below **and** Table 2B on page 10.

Table 2A - Description of Existing **AUTHORIZED** (the “from” or “off” lands) Place of Use, Character of Use, and POD/POA(s) appearing on the Water Right Certificate **BEFORE PROPOSED CHANGES**.

NOTE: List only that part or portion of the Water Right Certificate that will be changed.

Authorized POD/POA(s) Name(s) from Table 1A	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot	Acres	Authorized Use	Priority Date
Bear Ck & Bridge Ck	10	S	20	E	25	NE SW	1700	FISH LIFE	2000
Bear Ck & Bridge Ck	10	S	20	E	25	NW SW	1700	FISH LIFE	2000
Bear Ck & Bridge Ck	10	S	20	E	25	SW SW	1700	FISH LIFE	2000
Bear Ck & Bridge Ck	10	S	20	E	25	SE SW	1700	FISH LIFE	2000
Bear Ck & Bridge Ck	10	S	20	E	25	NW SE	1700	FISH LIFE	2000
Bear Ck & Bridge Ck	10	S	20	E	25	SW SE	1700	FISH LIFE	2000
Bear Ck & Bridge Ck	10	S	20	E	26	SE SE	1800	FISH LIFE	2000
Bear Ck & Bridge Ck	10	S	20	E	35	NE NE	1701	FISH LIFE	2000
Bear Ck & Bridge Ck	10	S	20	E	36	NW NE	1704	FISH LIFE	2000
Bear Ck & Bridge Ck	10	S	20	E	36	NE NW	1704	FISH LIFE	2000
Bear Ck & Bridge Ck	10	S	20	E	36	NW NW	1704	FISH LIFE	2000
Bear Ck & Bridge Ck	10	S	20	E	36	SE NW	1704	FISH LIFE	2000
TOTAL ACRES									

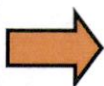
Additional remarks:

Reservoir is currently not at full pool and only those areas currently inundated are proposed for transfer.

For Place of Use - Irrigation Water Rights ONLY

☒ Yes ☐ No Are there other water right certificates, water use permits or groundwater registrations associated with the “from” lands? If YES, list the certificate, water use permit, or ground water registration number(s):

C-68551 (310 ac-ft, 1978), C-68553 (490 ac-ft, 1983)



Pursuant to ORS 540.523, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

Land Use Information Form

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

NAME Bridge Creek Ranch LLC			PHONE 541 681-5332		
MAILING ADDRESS 355 Goodpasture Island Rd					
CITY Eugene		STATE OR	ZIP 97401	EMAIL mpati@pape.com	

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:
10S	20E	25	mult.	1700	EFU	☐ Diverted ☐ Conveyed ☒ Used	EFU
10S	20E	36	NW-NW	1704	EFU	☐ Diverted ☐ Conveyed ☒ Used	EFU
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

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

Wheeler County

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

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

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

Source of water: ☒ Reservoir/Pond ☐ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 431.7 ☐ 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:

We are pursuing a Drought Temporary Transfer for Character of Use change designation for water currently stored in Painted Hills Reservoir under permit R-15535. The water is currently classified as for "Fish Life" and we are seeking to temporarily change this to Irrigation due to the drought conditions.

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 ➔

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For Local Government Use Only

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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 use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): WCZO 3.1(a)

☐ Land uses to be served by the proposed water use(s), 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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

Name: Chad Bolton Title: Planning Director

Signature: Chad Bolton Date: 5/4/2026

Governmental Entity: Wheeler County Phone: (541) - 763 - 3200

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:

Please complete this form and return it to the applicant. **For new water right applications only**, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

Applicant Name: _____

Staff Name: _____ Title: _____

Staff Signature: _____ Date: _____

Governmental Entity: _____ Phone: _____

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AFTER RECORDING RETURN TO: **OWRD**

Myles Conway
Schwabe Williamson & Wyatt
549 SW Mill View Way, Suite 100
Bend, Oregon 97702

UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS SHALL BE
SENT TO:

Robert J. Riecke
Bridge Creek Ranch LLC
355 Goodpasture Island Road
Eugene, OR 97440

STATE OF OREGON

County of Wheeler

SS

I certify that this instrument was
received and recorded in the book of
records of said county.

Barbara S. Sitton
Wheeler County Clerk

DEED

by: *J. Sheffield* Deputy.

DOC#: 20080444 PAGES: 5
RCPT: 951 46.00
12/22/2008 2:06 PM
REFUND: .00

SPECIAL WARRANTY DEED

DERBY SMITH PARTNERS LLC ("Grantor") conveys and specially warrants to BRIDGE CREEK RANCH LLC, an Oregon limited liability company ("Grantee"), the real property described on Exhibit A attached hereto, free of encumbrances created or suffered by Grantor except as set forth on Exhibit B attached hereto.

The true consideration for this conveyance is \$1,750,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

[Signature appears on the following page]

1 - SPECIAL WARRANTY DEED
PIX/120068/166587/MCO/3223050.1

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Dated this 22 day of December, 2008.

GRANTOR:

DERBY SMITH PARTNERS LLC

William L. Smith
By William L. Smith
Its Managing member

ACKNOWLEDGMENT

STATE OF OREGON)
) ss.
County of Deschutes)

This instrument was acknowledged before me on the 22nd day of December, 2008, by
William L. Smith as managing member of DERBY SMITH PARTNERS LLC.



Sharon A. Mitchell
Notary in and for the State of Oregon
My Commission Expires: Aug. 24/2010

2 - SPECIAL WARRANTY DEED
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EXHIBIT A
LEGAL DESCRIPTION

Located in WHEELER COUNTY, OREGON:

In Township 10 South, Range 20 East of the Willamette Meridian, Wheeler County, Oregon:

Section 24: That portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying Westerly of Bridge Creek County Road No. 14.

Section 25: All that portion lying Westerly of Bridge Creek County Road No. 14.

Section 36: NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; Also, two tracts of land more particularly described in that certain Bargain and Sale Deed Recorded May 9, 1980, in Wheeler County Deed Records as Microfilm No. M-35-736.

In Township 10 South, Range 21 East of the Willamette Meridian, Wheeler County, Oregon:

Section 30: That portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying Westerly of Bridge Creek County Road No. 14.

Section 31: All that portion lying Easterly of Bridge Creek and Westerly of Bridge Creek County Road No. 14.

EXHIBIT A
PIX/120068/166587/MCO/3223050.1

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EXHIBIT B
TITLE EXCEPTIONS

7. As disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.
8. As disclosed by the tax roll, the premises herein described are classified as forest lands. In the event of declassification, said premises will be subject to additional taxes and interest pursuant to the provisions of ORS Chapter 321.
9. Existing rights of way for roads, highways, irrigation ditches, canals and pole lines.
10. Reservations contained in Patents from the United States of America and in Deeds from the State of Oregon, if any.
11. Any adverse claim based upon the assertion that:
Rights of the public and governmental bodies in and to any portion of the premises herein described lying below the high water mark of the Bridge Creek or Bear Creek, including any ownership rights which may be claimed by the State of Oregon below the high water line.
12. Right of the public to enter, view, examine and study the subject property, including the terms and provisions thereof:
Recorded: August 25, 1947
Book/Page: 25/596 (Records of Wheeler County, Oregon)
13. An Easement created by instrument, subject to the terms and provisions thereof:
Dated: December 3, 1963
Recorded: December 11, 1963
Book/Page: 30/566 (Records of Wheeler County, Oregon)
Grantor: John Hudspeth, Florence Hudspeth, Fred Hudspeth and Margaret Hudspeth, co-partners, doing business as Hudspeth Sawmill Company and Hudspeth Lane & Livestock Company, Roger Hudspeth, doing business as Paulina Cattle Company, and Jamie Hudspeth, his wife; Ron Hudspeth and Jane Hudspeth, husband and wife
In Favor of: Hudspeth Pine, Inc.
Purpose: Road access
14. Easements, Conditions and Restrictions created by final judgment:
Filed: February 24, 1971
Case No. 2250
Court: Wheeler County Circuit Court
Between: State of Oregon, by and through its State Highway commission, composed of Glenn L. Jackson, Fred W. Hill and Thaddeus B. Bruno, and CBC Company, an Oregon corporation; The Connecticut Mutual Life Insurance Company, a Connecticut corporation; Eastern Oregon Land Company, a California corporation; and First National Bank of Oregon, a national banking association.
15. Restrictions, Covenants and Conditions, including the terms and provisions thereof, as contained in deed:
From: United States of America
To: Brooks Resources Corporation, an Oregon corporation
Recorded: May 9, 1980
Book/Page: 35/736 (Records of Wheeler County, Oregon)

EXHIBIT B
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16. Scenic Easement, Restrictions and Covenants created by instrument, subject to the terms and provisions thereof:
Dated: February 6, 1980
Recorded: May 9, 1980
Microfilm No.: M-35-737 (Records of Wheeler County, Oregon)
Grantor: Brooks Resources Corporation, an Oregon corporation
In Favor of: United States of America
17. A Telephone Line Right-of-way Easement created by instrument, subject to the terms and provisions thereof:
Dated: March 21, 1985
Recorded: April 5, 1985
Microfilm No.: M-37-221 (Records of Wheeler County, Oregon)
Grantor: Brooks Resources Investment Corporation, an Oregon corporation
In Favor of: Telephone Utilities of Eastern Oregon, Inc., an Oregon corporation
Purpose: Telephone line access
18. An Easement created by instrument, subject to the terms and provisions thereof:
Dated: November 15, 2000
Recorded: November 27, 2000
Microfilm No.: 000393 (Records of Wheeler County, Oregon)
Grantor: Derby Smith Partners, LLC, an Oregon limited liability company
In Favor of: Thomas E. Norton and Mary T. Norton, husband and wife
Purpose: Road purposes
- Re-Recorded: December 15, 2000
Microfilm No.: 000405 (Records of Wheeler County, Oregon)

EXHIBIT B
PDX/120068/166587/MCO/3223050.1

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**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.oregon.gov/OWRD

Use a separate affidavit for each water right included in the transfer application.

NOTE: Supporting documentation must be attached.

State of Oregon)
County of Deschutes) SS

I, Benn Eilers, in my capacity as consultant to Bridge Creek Ranch LLC,
mailing address 20582 Sierra Dr., Bend, OR 97701,
telephone no.(s) 541 678-3969, e-mail address benn@rsiengr.com,

being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on:

Check only the box that applies:

- ☒ Personal observation. Explain the specific grounds for your knowledge:
I personally monitored diversion flow rates/volumes and reservoir stage/volume of Painted Hills Reservoir over the past five years.
- ☐ Professional expertise. Explain the specific grounds for your knowledge:

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2. I attest that I have read and understand the terms and conditions of water use under Certificate # Permit R-15535, and that I have attached copies of documents demonstrating beneficial water use consistent with those terms and conditions (i.e., documentation showing compliance with the terms and conditions of the right).

Examples of documentation demonstrating compliance with the terms and conditions include, but are not limited to:

- Information showing that a required water meter was installed
- Copies of submitted static water level measurement reports (for groundwater sources)
- Copies of submitted annual water use reports
- Written confirmation from Oregon Department of Fish & Wildlife (ODFW) documenting installation of required fish screen(s)

3. I attest that water was beneficially used under Certificate # Permit R-15535 for the following purpose (e.g., crops, pasture, commercial use, industrial use, etc.): Fish Life

4. I attest that water from the authorized source was diverted/appropriated, conveyed, and applied to the authorized place of use under Certificate # Permit R-15535 through the current water delivery system used to apply water or the system that was in place at some point within the five years prior to submittal of this Transfer Application.
5. I attest that the following is a description of the water delivery system attested to in Item #4 above. Please check all applicable boxes below and include information that describes the type, model, dimensions (size/diameter, length, etc.) and delivery capacity, in cubic feet per second (cfs) or gallons per minute (gpm):

- ☐ Pump(s) in stream:
- ☐ Pump(s) in reservoir/pond:
- ☐ Pump(s) in well(s):
- ☒ Headgate in stream/canal: Diversions with fish screens present on Bridge Creek and Bear Creek
- ☐ Headgate in reservoir pond:
- ☐ Other (describe also include its general location in the description):
-
- ☐ Gravity Ditch:
- ☒ Pipeline: Water from both diversions is routed to Painted Hills Reservoir through gravity fed pipelines
- ☐ Sprinklers:
- ☐ Other (also include its general location in the description):

6. Can you attest to beneficial water use under Certificate # Permit R-15535, consistent with the terms and conditions of the water right, during the past five years on the **entire** place of use or a **portion** of the place of use?

- ☐ No [skip to Question 7]
- ☐ Yes, my knowledge is specific to only the **portion** of the place use described below: [complete **Table 1** below, then go to Question 8]
- ☒ Yes, water was used on the **entire** place of use [skip to Question 8]

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Table 1. Description of Water Use

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

7. Can you attest to beneficial water use under Certificate # _____, consistent with the terms and conditions of the water right, during the past five years on the **entire** place of use or a **portion** of the place of use?

☐ No [skip to Question 7]

☐ Yes, my knowledge is specific to only the **portion** of the place use described below: [complete **Table 1** below, then go to Question 8]

☐ Yes, water was used on the **entire** place of use [skip to Question 8]

☐ I attest, as indicated under either **Item a.** or **Item b.** below, that:

a. Beneficial water use is evidenced by one of the following:

☐ Certificate # _____ confirming beneficial water use to perfect Permit # _____ was issued within the past five years.

NOTE: This cannot be a remaining right certificate.

☐ Certificate # _____ confirming completion of a change in place of use, point(s) of diversion/ appropriation, or character of use authorized under Transfer Application #T-_____ was issued within the past five years.

☐ Part or all of the water right was leased instream at some point within the last five years. The instream lease number is: _____

NOTE: If the entire right proposed for transfer was not leased, then additional evidence of use is needed for the portion not leased instream.

☐ Water has been diverted at the actual current point of diversion for more than 10 years for beneficial use under Certificate # _____ (For Historic POD Transfers).

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b. Water was not used in the past 5 years, but the water right is not subject to forfeiture and documentation is attached to support the assertion that the presumption of forfeiture for nonuse would be rebutted under ORS 540.610(2) due to the following:

- ☐ Consistent with ORS 540.610(2)(e), the period of nonuse occurred during a period of time within which land was withdrawn from use in accordance with the Federal Conservation Reserve Program.
- ☐ Consistent with ORS 540.610(2)(h), the nonuse occurred during a period of time when I/we was/were using reclaimed water in lieu of using water under the water right.
- ☐ Consistent with ORS 540.610(2)(j), I/we was/were unable to make full beneficial use of the water because water was not available. During this time I/we had a facility capable of handling the full allowed rate and duty, and I/we was/were otherwise ready, willing and able to beneficially use the entire amount of water allowed under the water right.
- ☐ Consistent with ORS 540.610(2)(L), the nonuse occurred during a period of time within which the exercise of the water right was not necessary due to climatic conditions. During this time I/we had a facility capable of handling the full allowed rate and duty, and I/we was/were otherwise ready, willing and able to beneficially use the entire amount of water allowed under the water right.
- ☐ Consistent with ORS 540.610(2)(n), the nonuse of the supplemental water right occurred during a period of time when the primary water right used in conjunction with the supplemental water right was leased as an in-stream water right pursuant to ORS 537.348.
- ☐ Other (please explain and cite the statutory reference under ORS 540.610(2) that applies):

9. I understand that if I do not attach one or more of the documents shown in **Table 2** to support the above statements, my application will be considered incomplete.

NOTE: Table 2 is located on Page 5


Affiant Signature

Ben Eilers
Printed Name

5/15/26
Date

Signed and sworn to (~~or affirmed~~) before me this 15th day of May, 2026.




Notary Public for Oregon

My Commission Expires: May 22, 2026

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Table 2. Supporting Documentation

Supporting Documents	Examples
A confirming water right certificate that was issued within the last five years. (NOT a remaining right certificate.)	• Copy of a water right certificate confirming the beneficial use of water under a Water Use Permit that shows date of issuance • Copy of a water right certificate confirming completion of a change in place of use, point of diversion/appropriation, or character of use authorized by an approved Water Right Transfer showing issuance date
Records such as Farm Service Agency (FSA) crop reports, irrigation district records, Natural Resources Conservation Service (NRCS) farm management plan, or records of other water suppliers	• 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 • Conservation Reserve Enhancement Program (CREP) Report
Dated satellite imagery, aerial photos or other photographs containing sufficient detail to establish location and date of photograph (i.e., dated aerial photographs)	• Multiple photos can be submitted to show different areas of a water right • If photograph does not print with a “date stamp” or without the source identified, the date of the photograph and source should be added Sources for dated aerial photos: OSU – https://www.oregonexplorer.info OWRD – https://www.oregon.gov/owrd Google Earth – https://earth.google.com/
Approved instream lease establishing beneficial use for instream purposes within the last 5 years	Copy of final order approving an instream lease that shows instream lease number and date of issuance
If water has not been beneficially used in the past 5 years, documentation showing the right is not subject to forfeiture under ORS 540.610. (NOTE: Refer to ORS 540.610(2) for rebuttals to the presumption of forfeiture.)	• Copy of an agreement or contract for the use of reclaimed municipal water • Contract showing the authorized place of use enrolled in the Conservation Reserve Enhancement Program (CREP). • Copy of the Governor’s executive order declaring a drought in the county within which the water right is located
Any other documentation with sufficient detail to support the affidavit attesting to beneficial use during the past 5 years	See attached RSI memos regarding storage and release in 2023, 2024, and 2025

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20340 Empire Ave. Ste E8
Bend, OR 97703
(541) 771-6911

Memorandum

Date: July 27th, 2023
From: Benn Eilers, Resource Specialists Inc. (benn@rsiengr.com)
Re: Temperature monitoring of Painted Hills Reservoir release into Bridge Creek

In accordance with Permit S-55289, Bridge Creek Ranch LLC is required to release 25% of additionally stored water in Painted Hills Reservoir. The timing and release rate into Bridge Creek varies depending on an Oregon Department of Fish and Wildlife (ODFW) determination of a "normal" or "dry" flow year and is stipulated in the permit as seen below:

VOLUME AND RATE OF RELEASE FOR – BRIDGE CREEK:

Normal Year Release		
Period of Release	June 15 — July 15 (up to 31 days)	July 16 — August 15 (up to 31 days)
Maximum Volume Released in Each Period	93.75 ACRE-FEET	21.25 ACRE-FEET
Rate of Release (CFS) (+/- 20%)	1.52 CFS	0.34 CFS

Dry Year Release		
Period of Release	June 1 — July 15 (up to 45 days)	July 16 — August 5 (up to 21 days)
Maximum Volume Released in Each Period	93.75 ACRE-FEET	21.25 ACRE-FEET
Rate of Release (+/- 20%)	1.05 CFS	0.51 CFS

VOLUME/RATE OF RELEASE – BEAR CREEK:

ALL WATER YEAR TYPES	
Period of Release	June 1-September 15 (101 days)
Maximum Volume Released in Each Period	10.0 ACRE-FEET
Rate of Release (+/- 20%)	0.05 CFS

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ODFW determined 2023 to be a "normal" year, and the release into Bridge Creek began on June 15th. The purpose of the release into Bear Creek was for vegetation establishment, however flows in Bear Creek were still high enough during the release period that additional water was not necessary to supplement the vegetation.

During the storage period of 2023, Bridge Creek Ranch was able to store an additional 157 acre-ft of water in Painted Hills Reservoir. The amount of water needing to be released to Bridge Creek was

calculated to be 39.25 acre-ft (25%). On June 15th at approximately 11 am, the outflow from the reservoir was opened and adjusted to discharge rate of approximately 725 GPM (1.615 CFS). Flow was measured with an inline Seametrics flowmeter at the base of the dam.

The release proceeded until June 27th 7:40 pm at which point the total volume on the flowmeter read 39.25 ac-ft (Figure 1).



Figure 1 - Flowmeter at completion of release

Water temperature was measured at three points on Bridge Creek and at the release point near the base of the dam. The monitoring locations are labeled T1 – T4 as seen in Figure 2. The lower most monitoring location (T4) is located very near the property boundary, approximately 1 mile downstream of T3. Temperature was recorded using Hobo Tidbit V2 temperature loggers at 30 minute intervals. Data were downloaded from the sensors for analysis and plotting.

Flow rates in Bridge Creek were examined over the release period and show that the discharge was approximately double the long term average (Figure 3).

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Figure 2 - Temperature monitoring locations

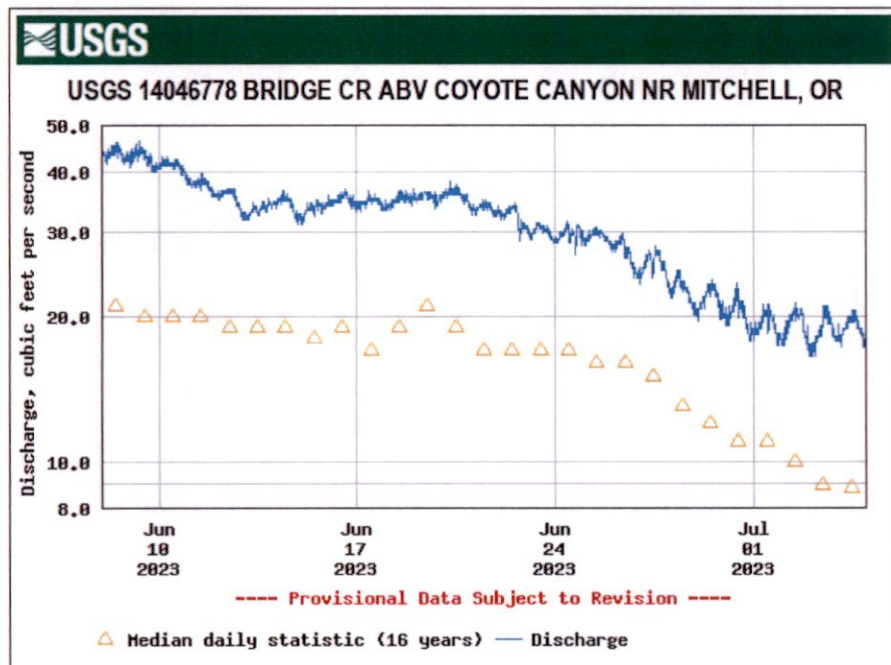


Figure 3 - Discharge in Bridge Creek during release period

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The recorded temperature measurements are plotted below in Figure 4. The data from T2 was clipped to the release period of 6/15/23 – 6/27/23 for clarity.

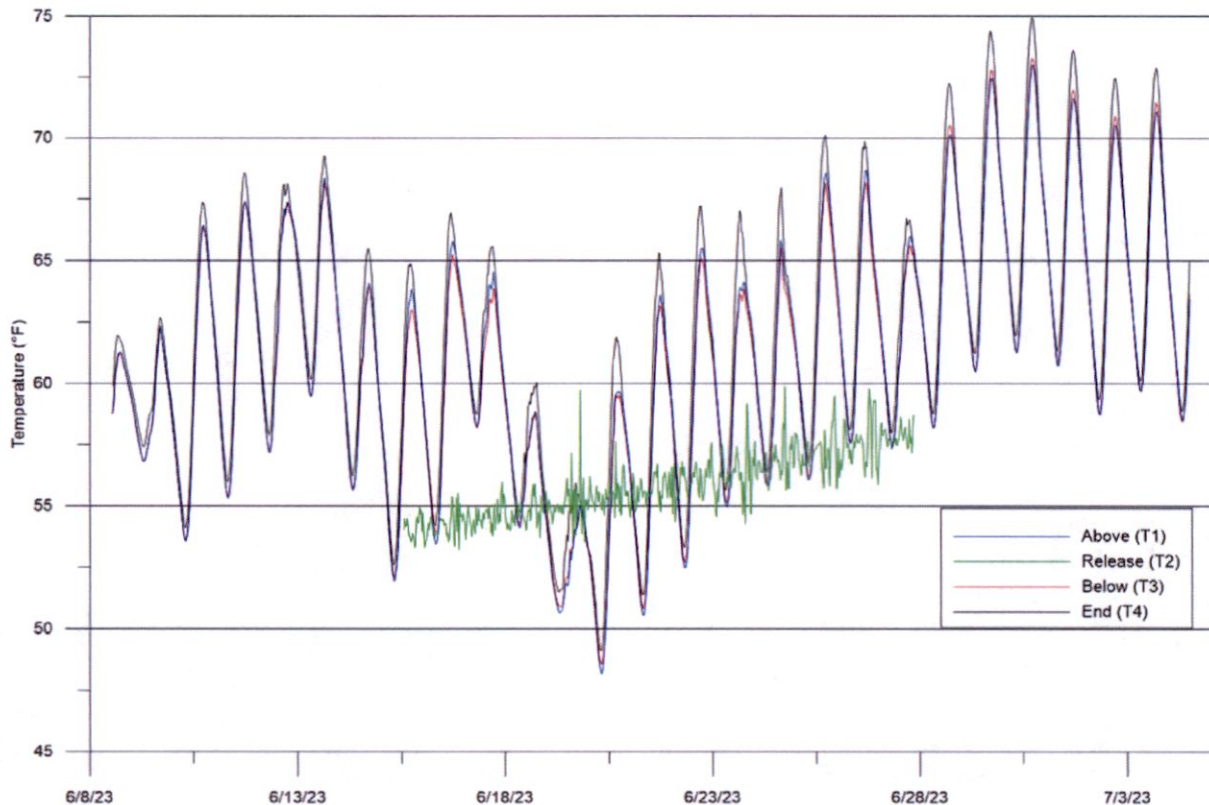


Figure 4 - Recorded temperatures in Bridge Creek and Painted Hills Reservoir release

Diel fluctuations of 7-10 degrees (F) are prominent on the Bridge Creek thermistors. The temperature of the release from the Reservoir begins at roughly 54 degrees and steadily increases to approximately 58 degrees at the end of the release. A cold front on 6/19 – 6/20 pushed stream temperatures down below the release temperature from the Reservoir, but other than those two days the temperature of the release from the Reservoir was significantly below the observed temperatures in Bridge Creek.

It is difficult to see in the plot; however, the general trend is that during the release period the peak temperatures observed at T3 were below what was seen upstream at T1. This is the opposite of what is observed after the release period and can be directly attributed to beneficial outcomes of the release. By computing the daily average and maximum values at each of the sensors we can get a sense of the magnitude of influence of the release.

Plotting the daily average temperature allows some of the trends to be more easily visualized. The magnitude of the influence is minor, however unmistakable (Figure 5). Daily average and maximum temperatures values are provided in Table 1.

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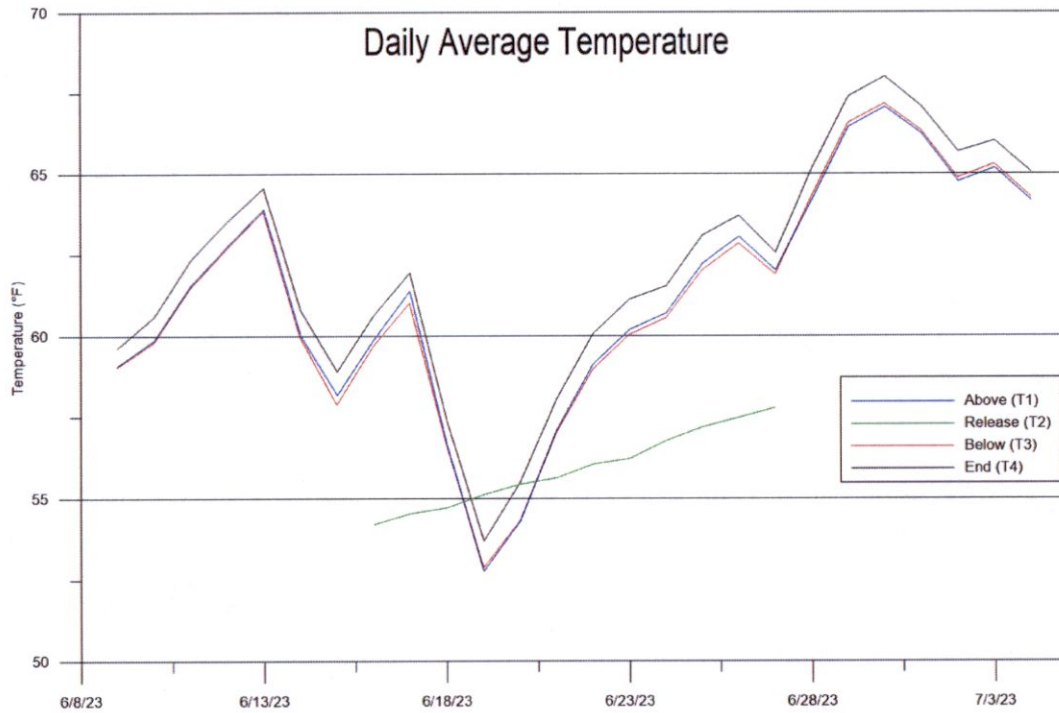


Figure 5 - Daily average temperature of Bridge Creek and release

Table 1 - Daily average and maximum temperatures

Date	Daily Average Temperature (°F)					Daily Maximum Temperature (°F)			
	Above (T1)	Release (T2)	Below (T3)	End (T4)	Delta T3-T1	Above (T1)	Below (T3)	End (T4)	Delta T3-T1
6/8/23	59.608		59.589	60.215	-0.019	62.062	62.062	62.062	0.000
6/9/23	59.084		59.051	59.635	-0.033	62.362	62.276	62.704	-0.086
6/10/23	59.873		59.805	60.597	-0.068	66.429	66.344	67.372	-0.085
6/11/23	61.560		61.494	62.342	-0.066	67.413	67.285	68.571	-0.128
6/12/23	62.756		62.692	63.526	-0.064	67.372	67.372	68.142	0.000
6/13/23	63.917		63.843	64.569	-0.073	68.356	68.185	69.256	-0.171
6/14/23	60.024		59.960	60.804	-0.064	64.074	63.903	65.487	-0.171
6/15/23	58.177	54.056	57.885	58.906	-0.292	63.819	63.005	64.888	-0.814
6/16/23	59.877	54.217	59.687	60.629	-0.190	65.788	65.23	66.943	-0.558
6/17/23	61.392	54.545	61.027	61.957	-0.365	64.546	63.862	65.574	-0.684
6/18/23	56.662	54.722	56.632	57.392	-0.030	59.486	59.315	60.046	-0.171
6/19/23	52.780	55.123	52.892	53.706	0.112	55.038	54.995	55.949	-0.043
6/20/23	54.320	55.443	54.322	55.508	0.002	59.659	59.529	61.891	-0.130
6/21/23	57.090	55.632	57.015	58.048	-0.075	63.604	63.176	65.316	-0.428
6/22/23	59.119	56.051	58.967	60.065	-0.152	65.53	65.102	67.199	-0.428
6/23/23	60.194	56.221	60.040	61.134	-0.154	64.117	63.819	67.028	-0.298
6/24/23	60.703	56.773	60.553	61.541	-0.150	65.829	65.53	67.971	-0.299
6/25/23	62.226	57.189	62.028	63.092	-0.198	68.571	68.142	70.115	-0.429
6/26/23	63.055	57.481	62.843	63.709	-0.212	68.657	68.185	69.858	-0.472
6/27/23	62.020	57.785	61.896	62.556	-0.124	66	65.615	66.729	-0.385
6/28/23	64.207		64.325	65.184	0.118	70.115	70.502	72.221	0.387
6/29/23	66.449		66.570	67.389	0.122	72.437	72.783	74.381	0.346
6/30/23	67.061		67.169	68.000	0.108	72.997	73.299	74.943	0.302
7/1/23	66.246		66.345	67.080	0.099	71.62	71.964	73.602	0.344
7/2/23	64.763		64.879	65.689	0.116	70.543	70.887	72.437	0.344
7/3/23	65.181		65.302	66.024	0.122	71.06	71.447	72.869	0.387
7/4/23	64.182		64.291	65.055	0.109	69.942	70.329	71.92	0.387

The largest impact of the release is illustrated by the sharp demarcation in temperatures, and temperature differences occurring once the release from the Reservoir is stopped on 6/27. The magnitude of the change occurring is approximately 0.25 degree reduction for the daily average and 0.75 degree reduction for the peak temperatures.

This was the first year of conducting a summer release from Painted Hills Reservoir into Bridge Creek. The results seen from the temperature analysis are encouraging and show a positive impact from the release. Flows in Bridge Creek were approximately 200% of normal during the release period. Assuming the same release regime occurred during flows closer to normal, the thermal impacts of the release would be roughly double what was seen in 2023. During low water years, even though the release rate will be reduced, the impact should be much larger in magnitude than what was observed this year.

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20340 Empire Ave. Ste E8
Bend, OR 97703
(541) 771-6911

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Memorandum

Date: September 3rd, 2024
From: Benn Eilers, Resource Specialists Inc. (benn@rsiengr.com)
Re: Temperature monitoring of Painted Hills Reservoir release into Bridge Creek - 2024

In accordance with Permit S-55289, Bridge Creek Ranch LLC is required to release 25% of additionally stored water in Painted Hills Reservoir. The timing and release rate into Bridge Creek varies depending on an Oregon Department of Fish and Wildlife (ODFW) determination of a "normal" or "dry" flow year and is stipulated in the permit as seen below:

VOLUME AND RATE OF RELEASE FOR – BRIDGE CREEK:

Normal Year Release		
Period of Release	June 15 — July 15 (up to 31 days)	July 16 — August 15 (up to 31 days)
Maximum Volume Released in Each Period	93.75 ACRE-FEET	21.25 ACRE-FEET
Rate of Release (CFS) (+/- 20%)	1.52 CFS	0.34 CFS

Dry Year Release		
Period of Release	June 1 — July 15 (up to 45 days)	July 16 — August 5 (up to 21 days)
Maximum Volume Released in Each Period	93.75 ACRE-FEET	21.25 ACRE-FEET
Rate of Release (+/- 20%)	1.05 CFS	0.51 CFS

VOLUME/RATE OF RELEASE – BEAR CREEK:

ALL WATER YEAR TYPES	
Period of Release	June 1-September 15 (101 days)
Maximum Volume Released in Each Period	10.0 ACRE-FEET
Rate of Release (+/- 20%)	0.05 CFS

ODFW determined 2024 to be a "normal" year, and the release into Bridge Creek began on June 15th. The purpose of the release into Bear Creek was for vegetation establishment, however flows in Bear Creek were still high enough during the release period that additional water was not necessary to supplement the vegetation.

During the storage period of 2024, Bridge Creek Ranch was able to store an additional 154.5 acre-ft of water in Painted Hills Reservoir. The amount of water needing to be released to Bridge Creek was

calculated to be 38.625 acre-ft (25% of the additionally stored water). On June 15th at approximately 10 am, the outflow from the reservoir was opened and adjusted to a discharge rate of approximately 725 GPM (1.615 CFS). Flow was measured with an inline Seametrics flowmeter at the base of the dam.

The flow meter totalizer was not reset from the release in 2023 and the beginning reading was 39.25 acre-feet. The release proceeded until June 27th 7:00 pm at which point the total volume on the flowmeter read 80.00 ac-ft (Figure 1). The photo was taken just prior to turning off the outlet headgate.



Figure 1 - Flowmeter at completion of release

Water temperature was measured at three points on Bridge Creek and at the release point near the base of the dam. The monitoring locations are labeled T1 – T4 as seen in Figure 2. The lower most monitoring location (T4) is located very near the property boundary, approximately 1 mile downstream of T3. Temperature was recorded using Hobo Tidbit V2 temperature loggers at 30 minute intervals. Data were downloaded from the sensors for analysis and plotting.

Flow rates in Bridge Creek (USGS 14046778) were examined over the release period and show that the discharge was well above the long term average (Figure 3).

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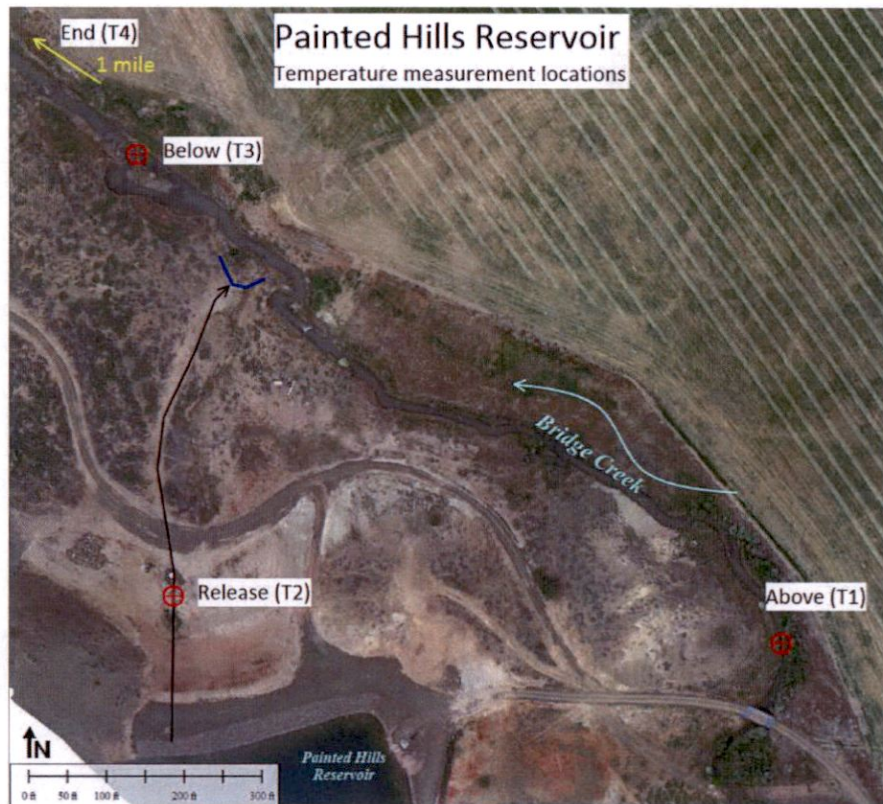


Figure 2 - Temperature monitoring locations

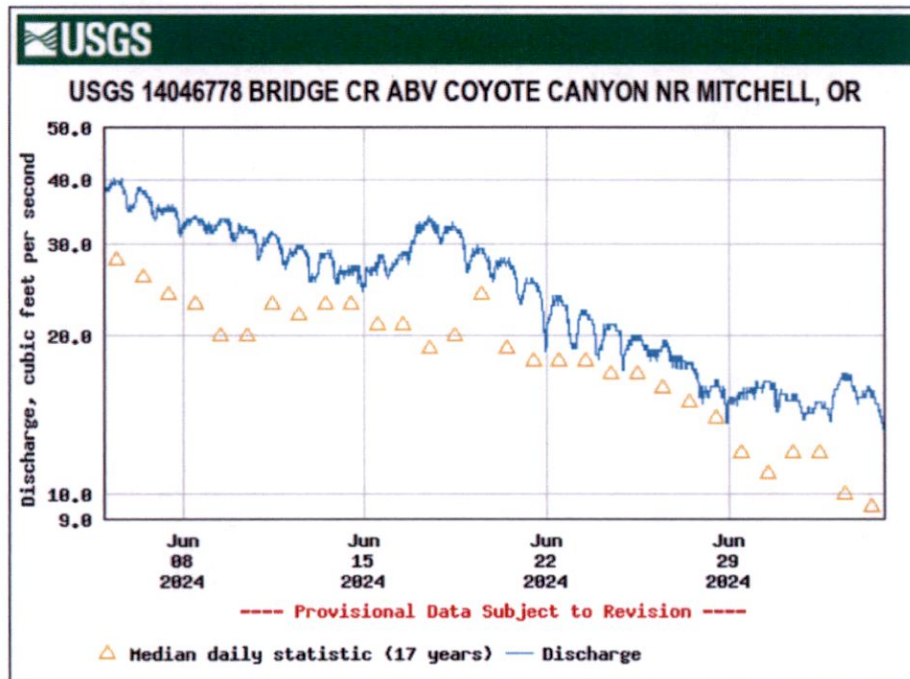


Figure 3 - Discharge in Bridge Creek during release period

The recorded temperature measurements are plotted below in Figure 4. The data from T2 was clipped to the release period of 6/15/23 – 6/27/23 for clarity.

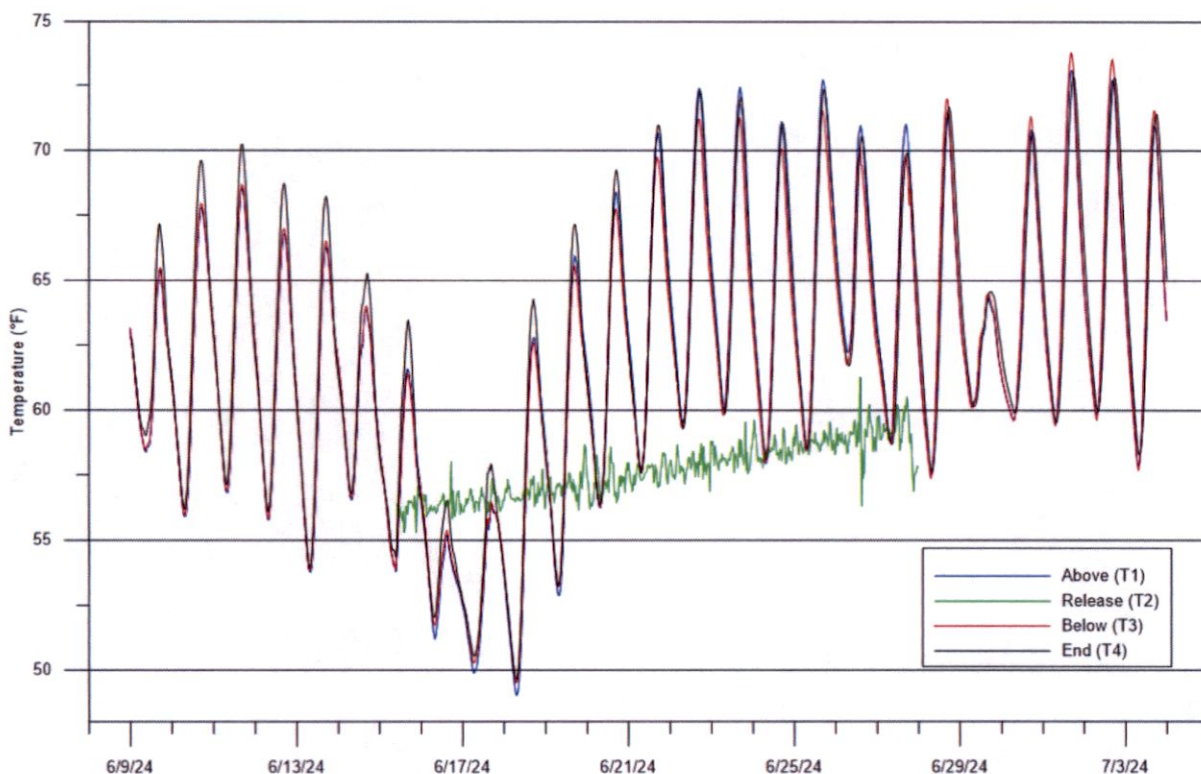


Figure 4 - Recorded temperatures in Bridge Creek and Painted Hills Reservoir release

Diel fluctuations of 5-12 °F are prominent on the Bridge Creek thermistors. The temperature of the release from the Reservoir begins at roughly 56 °F and steadily increases to approximately 59 °F at the end of the release. A cold front on 6/16 – 6/18 pushed stream temperatures down below the release temperature from the Reservoir, but other than those two days the temperature of the release from the Reservoir was significantly below the observed temperatures in Bridge Creek.

Prior to the start of the release the general trend was seeing consistent warming from upstream to downstream. Highest peak temperatures were observed at the lowest measured point (T4). This trend continued approximately halfway through the release period at which point the peak observed temperatures were occurring at the most upstream monitoring location (T1).

Immediately after the release was turned off on 6/27 the temperature monitoring just below the release exhibited the largest temperature swings including the highest peak temperatures.

By computing the daily average and maximum values at each of the sensors we can get a sense of the magnitude of influence of the release.

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Plotting the daily average temperature allows some of the trends to be more easily visualized. The magnitude of the influence is minor, however unmistakable (Figure 5 and Figure 6). Daily average and maximum temperatures values are provided in Table 1.

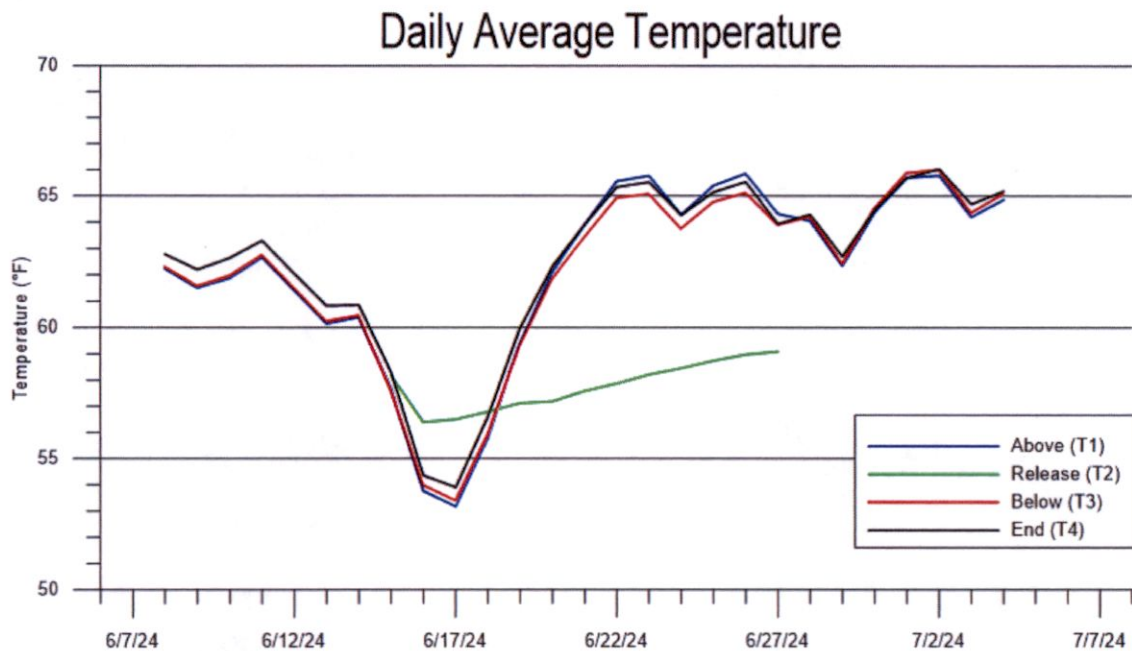


Figure 5 - Daily average temperature of Bridge Creek and release

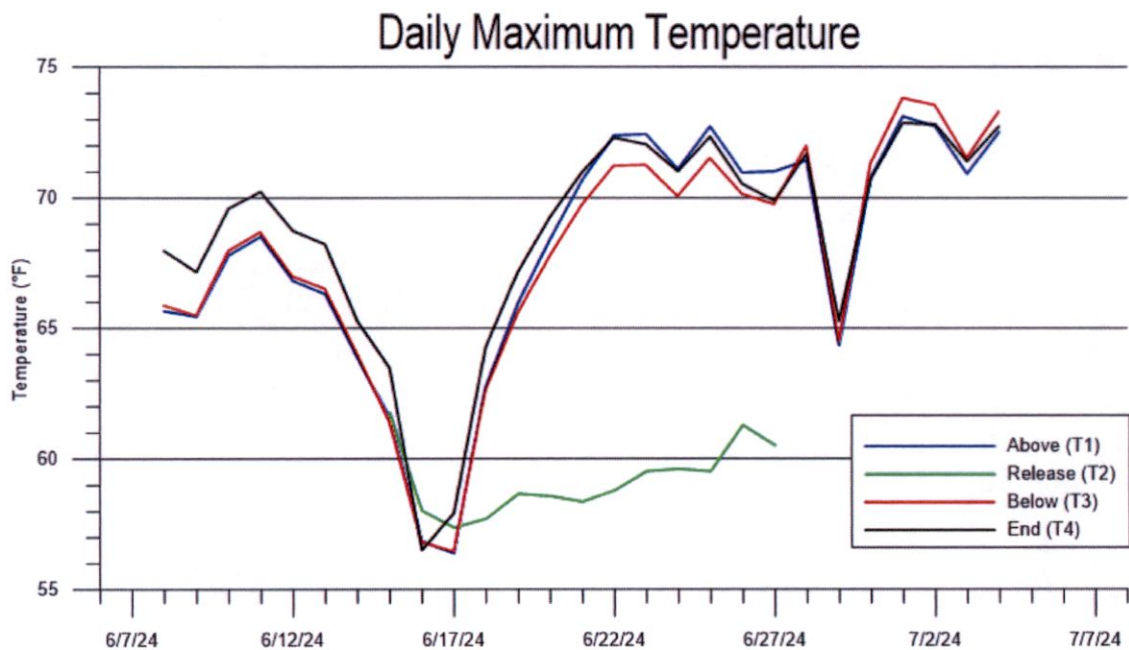


Figure 6 - Daily maximum temperature of Bridge Creek and release

Table 1 - Daily average and maximum temperatures

	Date	Daily Average Temperature (°F)					Daily Maximum Temperature (°F)				
		Above (T1)	Release (T2)	Below (T3)	End (T4)	Delta T3-T1	Above (T1)	Release (T2)	Below (T3)	End (T4)	Delta T3-T1
	6/8/24	62.235		62.306	62.783	0.071	65.658		65.872	67.971	0.214
	6/9/24	61.511		61.581	62.201	0.070	65.444		65.487	67.158	0.043
	6/10/24	61.886		61.974	62.645	0.088	67.798		67.971	69.6	0.173
	6/11/24	62.668		62.757	63.301	0.089	68.527		68.698	70.243	0.171
	6/12/24	61.407		61.497	62.039	0.090	66.814		66.985	68.742	0.171
	6/13/24	60.153		60.240	60.831	0.087	66.301		66.515	68.227	0.214
	6/14/24	60.399		60.469	60.859	0.070	63.862		64.033	65.273	0.171
RELEASE ↑	6/15/24	57.673	58.169	57.609	58.296	-0.064	61.59	61.761	61.419	63.475	-0.171
	6/16/24	53.763	56.393	53.995	54.358	0.232	56.858	58.023	56.815	56.512	-0.043
	6/17/24	53.171	56.498	53.405	53.904	0.233	56.383	57.376	56.469	57.936	0.086
	6/18/24	55.804	56.792	55.921	56.592	0.117	62.791	57.722	62.62	64.288	-0.171
	6/19/24	59.397	57.119	59.318	59.977	-0.079	65.959	58.669	65.574	67.158	-0.385
	6/20/24	62.118	57.186	61.847	62.320	-0.270	68.4	58.582	67.757	69.256	-0.643
	6/21/24	63.921	57.586	63.444	63.911	-0.477	70.673	58.368	69.728	70.974	-0.945
	6/22/24	65.564	57.871	64.923	65.337	-0.642	72.394	58.798	71.231	72.307	-1.163
	6/23/24	65.773	58.213	65.086	65.526	-0.687	72.437	59.529	71.274	72.05	-1.163
	6/24/24	64.279	58.458	63.758	64.267	-0.521	71.103	59.616	70.072	71.017	-1.031
↓	6/25/24	65.397	58.742	64.770	65.145	-0.627	72.739	59.529	71.533	72.351	-1.206
	6/26/24	65.854	58.978	65.126	65.537	-0.729	70.974	61.29	70.158	70.543	-0.816
	6/27/24	64.324	59.090	63.911	63.936	-0.414	71.017	60.517	69.771	69.901	-1.246
	6/28/24	64.058		64.219	64.300	0.162	71.447		72.007	71.704	0.560
	6/29/24	62.352		62.428	62.698	0.077	64.332		64.503	65.273	0.171
	6/30/24	64.387		64.543	64.472	0.156	70.803		71.317	70.716	0.514
	7/1/24	65.703		65.889	65.703	0.186	73.126		73.818	72.869	0.692
	7/2/24	65.791		66.005	66.036	0.214	72.739		73.558	72.826	0.819
	7/3/24	64.209		64.371	64.692	0.162	70.93		71.533	71.404	0.603
	7/4/24	64.863		65.085	65.187	0.222	72.523		73.299	72.739	0.776

The largest impact of the release is illustrated by the sharp demarcation in temperatures, and temperature differences occurring once the release from the Reservoir was stopped on 6/27. The magnitude of the change is approximately 0.6 °F reduction for the daily average and 1.1 °F reduction for the peak temperatures as measured from T1 to T3.

This was the second year of conducting a summer release from Painted Hills Reservoir into Bridge Creek. The flow rate in Bridge Creek during the 2023 release was approximately 200% of normal, minimizing the thermal impact of the release. The flow rate in Bridge Creek during the 2024 release was less than what was seen in 2023, however it was still above normal. The positive thermal impacts of the release into Bridge Creek increase with decreasing flows. Seeing the positive thermal change (i.e. temperature reduction) during the release, even when Bridge Creek is flowing higher than normal conditions, is encouraging for the impacts that could be seen during a low water year.

During low water years, even though the release rate will be reduced, the impact should be significantly greater in magnitude than what was observed during 2023 and 2024.

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20340 Empire Ave. Ste E8
Bend, OR 97703
(541) 771-6911

Memorandum

Date: September 19th, 2025
From: Benn Eilers, Resource Specialists Inc. (benn@rsiengr.com)
Re: Temperature monitoring of Painted Hills Reservoir release into Bridge Creek - 2025

In accordance with Permit S-55289, Bridge Creek Ranch LLC is required to release 25% of additionally stored water in Painted Hills Reservoir. The timing and release rate into Bridge Creek varies depending on an Oregon Department of Fish and Wildlife (ODFW) determination of a "normal" or "dry" flow year and is stipulated in the permit as seen below:

VOLUME AND RATE OF RELEASE FOR – BRIDGE CREEK:

Normal Year Release		
Period of Release	June 15 — July 15 (up to 31 days)	July 16 — August 15 (up to 31 days)
Maximum Volume Released in Each Period	93.75 ACRE-FEET	21.25 ACRE-FEET
Rate of Release (CFS) (+/- 20%)	1.52 CFS	0.34 CFS

Dry Year Release		
Period of Release	June 1 — July 15 (up to 45 days)	July 16 — August 5 (up to 21 days)
Maximum Volume Released in Each Period	93.75 ACRE-FEET	21.25 ACRE-FEET
Rate of Release (+/- 20%)	1.05 CFS	0.51 CFS

VOLUME/RATE OF RELEASE – BEAR CREEK:

ALL WATER YEAR TYPES	
Period of Release	June 1-September 15 (101 days)
Maximum Volume Released in Each Period	10.0 ACRE-FEET
Rate of Release (+/- 20%)	0.05 CFS

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ODFW determined 2025 to be a "normal" year, and the release into Bridge Creek began on June 17th. The purpose of the release into Bear Creek was for vegetation establishment, however flows in Bear Creek were still high enough, and the vegetation has become establish in the infiltration area such that additional water was not necessary to supplement the vegetation.

During the storage period of 2025, Bridge Creek Ranch was able to store an additional 268.5 acre-ft of water in Painted Hills Reservoir. The amount of water needing to be released to Bridge Creek was

calculated to be 67.1255 acre-ft (25% of the additionally stored water). On June 17th at approximately 5 pm, the outflow from the reservoir was opened and adjusted to a discharge rate of approximately 550 GPM (1.23 CFS). Flow was measured with an inline 12" Seametrics AG3000 flowmeter at the base of the dam.

The flow meter totalizer was not reset from the release in 2024 and the beginning reading was 100.21 acre-feet. The release proceeded until July 15th 7:30 pm at which point the total volume on the flowmeter read 168.42 ac-ft (Figure 1) for a total released volume of 68.21 acre-ft.

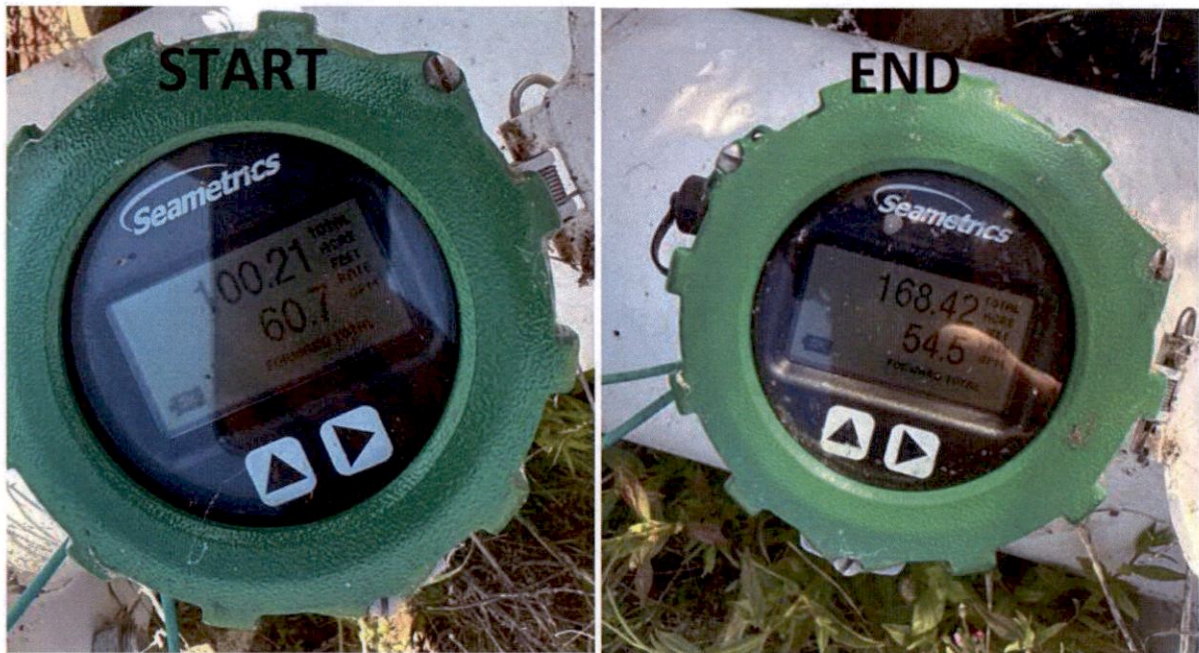


Figure 1 - Flowmeter at beginning and completion of release

Water temperature was measured at three points on Bridge Creek and at the release point near the base of the dam. The monitoring locations are labeled T1 – T4 as seen in Figure 2. The lower most monitoring location (T4) is located very near the property boundary, approximately 1 mile downstream of T3. Temperature was recorded using Hobo Tidbit V2 temperature loggers at 30 minute intervals. Data were downloaded from the sensors for analysis and plotting.

Flow rates in Bridge Creek (USGS 14046778) were examined over the release period and show that the discharge was above the long term average (Figure 3).

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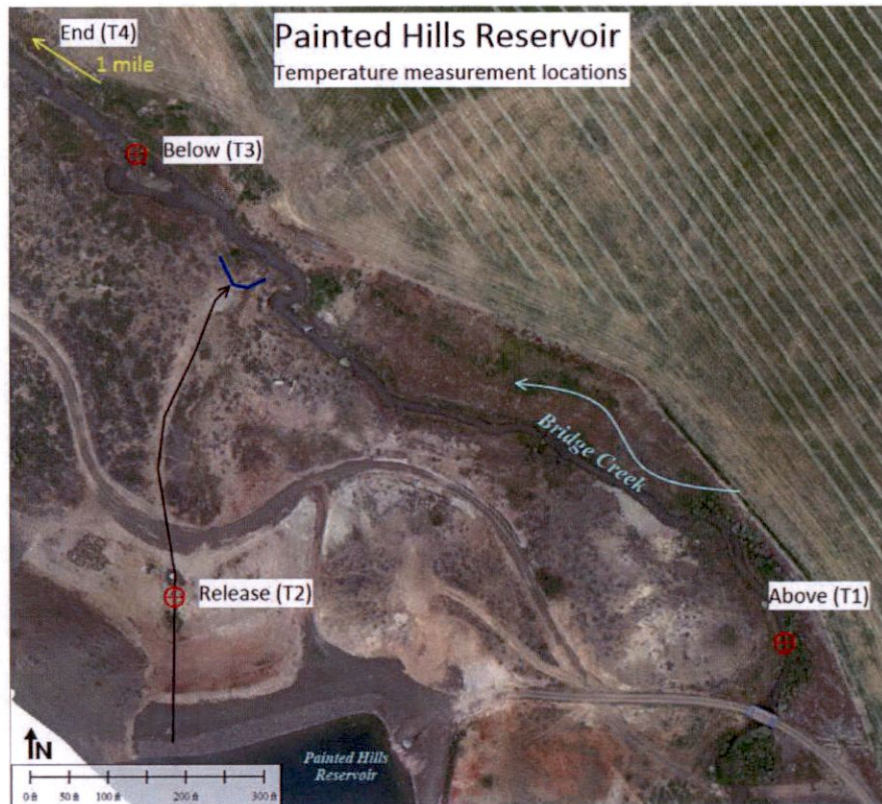


Figure 2 - Temperature monitoring locations

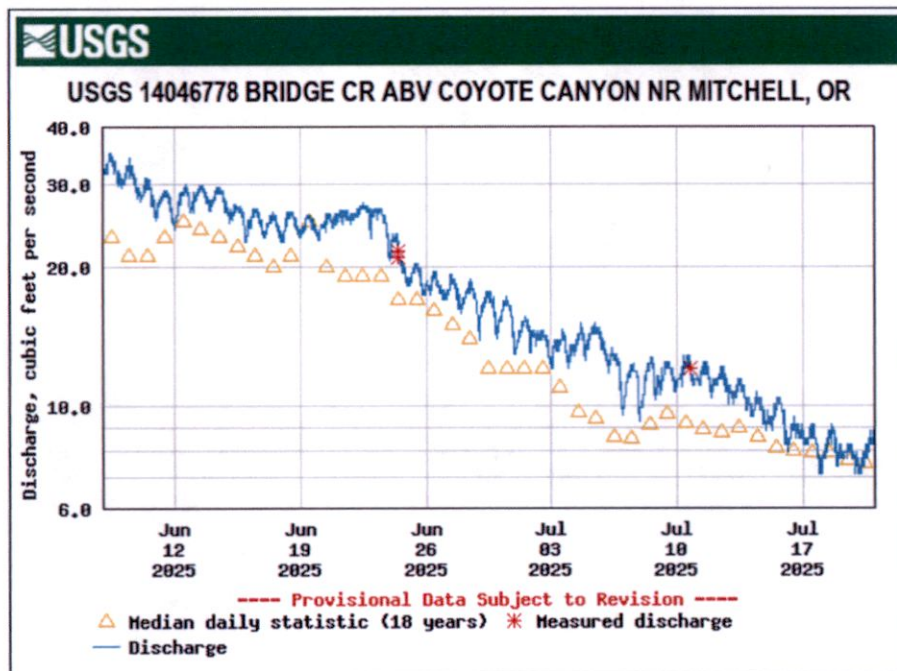


Figure 3 - Discharge in Bridge Creek during release period

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The recorded temperature measurements are plotted below in Figure 4. The data from T2 was clipped to the release period of 6/17/25 – 7/15/25 for clarity.

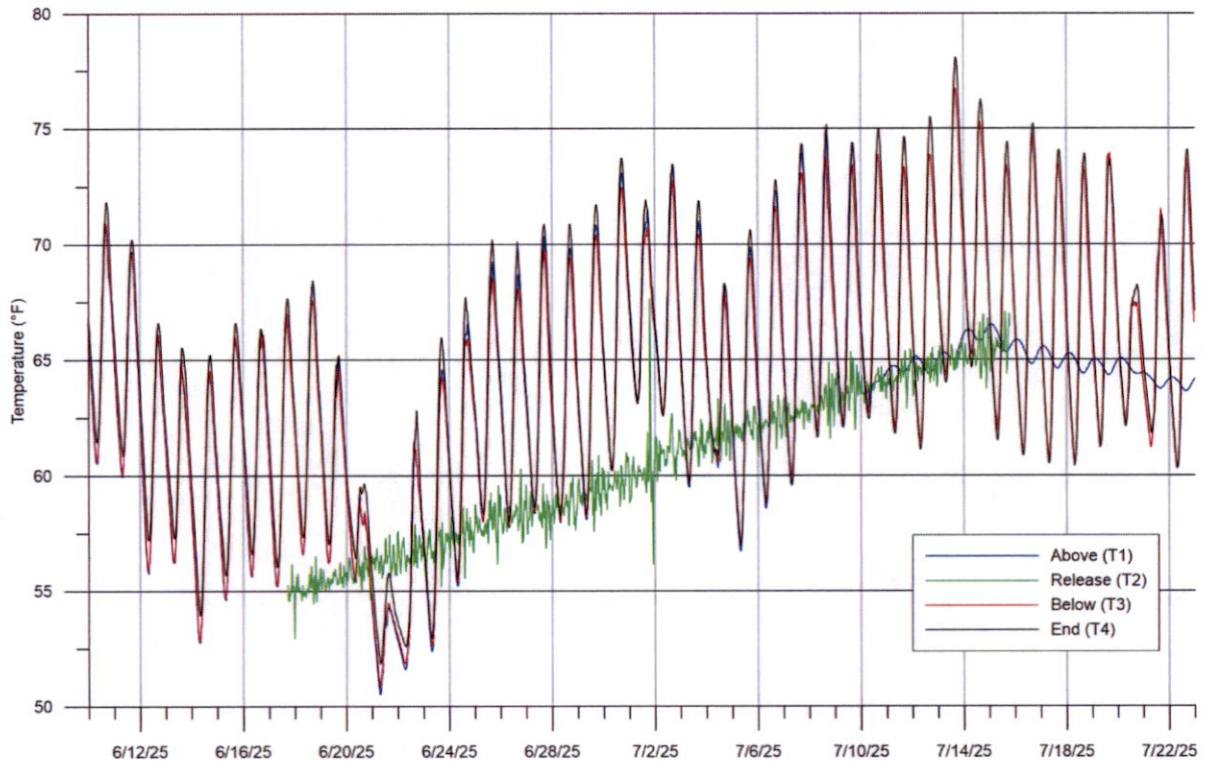


Figure 4 - Recorded temperatures in Bridge Creek and Painted Hills Reservoir release

Diel fluctuations of 5-12 °F are prominent on the Bridge Creek thermistors. The temperature of the release from the Reservoir begins at roughly 55 °F and steadily increases to approximately 65 °F at the end of the release. A cold front on 6/20 – 6/22 pushed average stream temperatures below the release temperature from the Reservoir, but other than those three days the temperature of the release from the Reservoir was significantly below the observed average temperatures in Bridge Creek.

Data from T1 ceased to demonstrate the standard diel fluctuations starting on 7/10 and exhibits a highly muted or insulated response. When the thermistor was recovered for download the sensor was buried in the stream sediment. As there were no peak flow events during this time frame the most likely culprit is that a large animal (cow, elk, etc) stepped on the sensor and embedded it in the sediment.

Prior to the start of the release the general trend was seeing consistent warming from upstream to downstream. Highest peak temperatures were observed at the lowest measured point (T4). In 2024, peak temperatures were a maximum during the release at T1, however in 2025 this did not occur and throughout the release period the highest peak temperatures were observed to be occurring at the most downstream monitoring point T4.

By computing the daily average and maximum values at each of the sensors we can get a sense of the magnitude of influence of the release.

Plotting the daily average temperature allows some of the trends to be more easily visualized. The magnitude of the influence is minor, however unmistakable (Figure 5 and Figure 6). Daily average and maximum temperatures values are provided in Table 1.

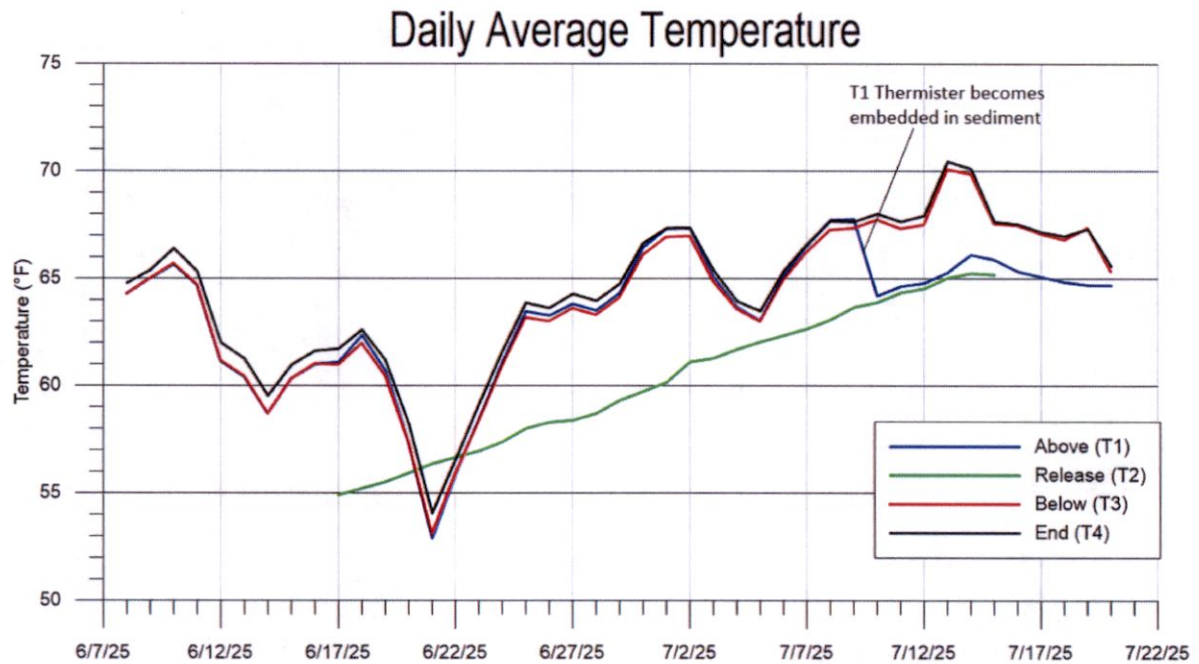


Figure 5 - Daily average temperature of Bridge Creek and release

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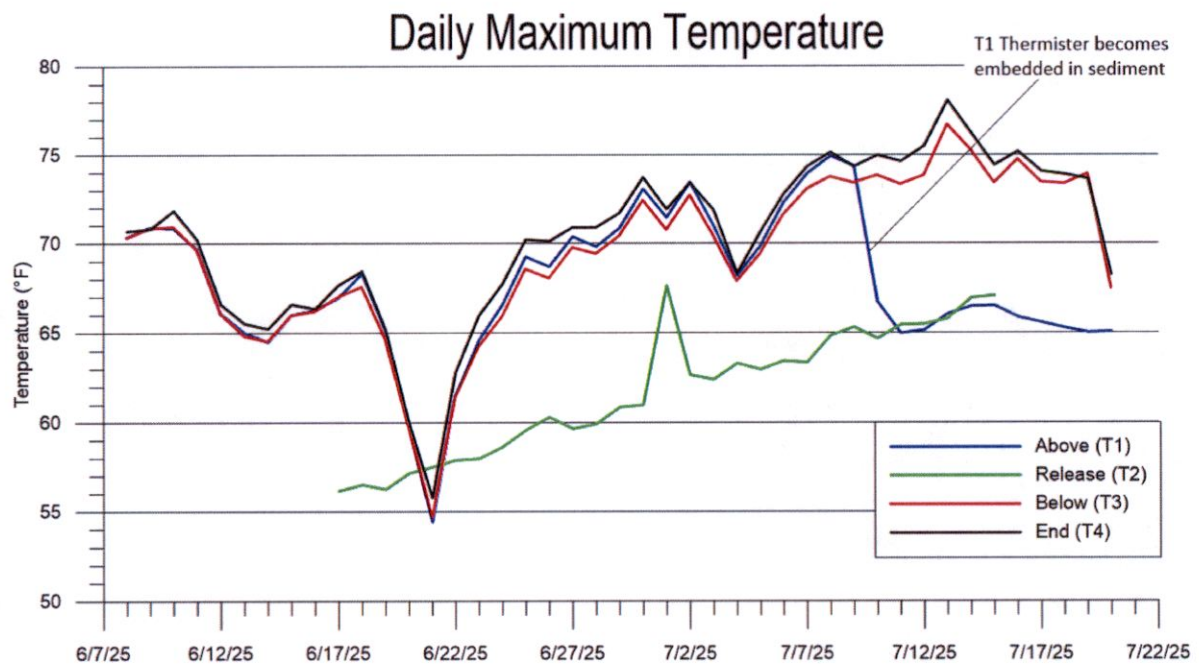


Figure 6 - Daily maximum temperature of Bridge Creek and release

The embedment of T1 is very apparent on both the average and maximum temperature plots. There's a spike on the maximum temperature for the release on 7/1. This spike can also be seen on Figure 4. The fluctuations of temperature during this time are rapid and do little to affect the overall average of the release temperature. It is not apparent what caused this rapid fluctuation at this time.

A table showing the average and maximum temperature of all thermistors is provided below in Table 1. The temperature difference between the upstream and downstream thermistors is also provided as a metric of cooling performance.

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Table 1 - Daily average and maximum temperatures

Date	Daily Average Temperature (°F)					Daily Maximum Temperature (°F)				
	Above (T1)	Release (T2)	Below (T3)	End (T4)	Delta T3-T1	Above (T1)	Release (T2)	Below (T3)	End (T4)	Delta T3-T1
6/8/25	64.291		64.289	64.776	-0.002	70.329		70.329	70.673	0.000
6/9/25	64.999		65.008	65.382	0.009	70.887		70.846	70.803	-0.041
6/10/25	65.654		65.699	66.392	0.045	70.846		70.93	71.834	0.084
6/11/25	64.678		64.709	65.308	0.031	69.685		69.643	70.201	-0.042
6/12/25	61.128		61.169	62.002	0.040	66.087		66.087	66.6	0.000
6/13/25	60.405		60.446	61.249	0.040	65.017		64.845	65.53	-0.172
6/14/25	58.694		58.698	59.514	0.004	64.503		64.546	65.23	0.043
6/15/25	60.319		60.320	60.952	0.000	66		66	66.6	0.000
6/16/25	60.990		61.023	61.615	0.033	66.258		66.214	66.344	-0.044
6/17/25	61.097	54.910	60.963	61.709	-0.134	66.985	56.16	67.028	67.671	0.043
6/18/25	62.343	55.219	61.972	62.599	-0.370	68.313	56.512	67.586	68.443	-0.727
6/19/25	60.691	55.517	60.455	61.176	-0.236	65.102	56.251	64.632	65.188	-0.470
6/20/25	57.356	55.936	57.365	58.205	0.008	59.83	57.16	59.745	60.003	-0.085
6/21/25	52.901	56.361	53.119	54.058	0.218	54.43	57.506	54.691	55.776	0.261
6/22/25	55.851	56.663	55.902	56.539	0.051	61.506	57.893	61.419	62.791	-0.087
6/23/25	58.381	56.951	58.317	59.116	-0.065	64.589	57.979	64.247	65.959	-0.342
6/24/25	61.078	57.381	60.900	61.609	-0.179	66.558	58.626	65.916	67.714	-0.642
6/25/25	63.465	58.003	63.176	63.862	-0.289	69.256	59.572	68.571	70.201	-0.685
6/26/25	63.269	58.286	63.014	63.617	-0.254	68.698	60.303	68.056	70.115	-0.642
6/27/25	63.812	58.378	63.618	64.276	-0.194	70.372	59.659	69.771	70.887	-0.601
6/28/25	63.507	58.696	63.308	63.953	-0.199	69.814	59.916	69.427	70.887	-0.387
6/29/25	64.323	59.305	64.113	64.743	-0.211	70.846	60.861	70.416	71.704	-0.430
6/30/25	66.443	59.723	66.108	66.648	-0.335	73.083	60.991	72.437	73.731	-0.646
7/1/25	67.318	60.143	66.940	67.331	-0.378	71.447	67.627	70.759	71.92	-0.688
7/2/25	67.338	61.100	66.982	67.355	-0.356	73.472	62.661	72.739	73.429	-0.733
7/3/25	65.070	61.269	64.876	65.387	-0.194	70.974	62.406	70.416	71.877	-0.558
7/4/25	63.661	61.689	63.587	63.938	-0.074	68.185	63.304	67.885	68.313	-0.300
7/5/25	63.018	62.035	63.006	63.478	-0.013	69.858	62.962	69.427	70.63	-0.431
7/6/25	65.109	62.335	64.933	65.339	-0.176	72.307	63.433	71.62	72.783	-0.687
7/7/25	66.533	62.649	66.238	66.591	-0.295	73.947	63.347	73.083	74.338	-0.864
7/8/25	67.719	63.075	67.270	67.671	-0.449	74.943	64.845	73.774	75.16	-1.169
7/9/25	67.760	63.657	67.349	67.638	-0.410	74.381	65.316	73.429	74.338	-0.952
7/10/25	64.188	63.883	67.741	68.005	3.553	66.729	64.674	73.861	74.986	7.132
7/11/25	64.631	64.339	67.329	67.644	2.698	64.974	65.444	73.342	74.64	8.368
7/12/25	64.781	64.531	67.510	67.918	2.728	65.145	65.487	73.861	75.508	8.716
7/13/25	65.279	65.029	70.085	70.438	4.806	66.043	65.788	76.725	78.076	10.682
7/14/25	66.105	65.241	69.857	70.101	3.753	66.472	66.943	75.29	76.246	8.818
7/15/25	65.878	65.180	67.560	67.635	1.682	66.515	67.071	73.429	74.424	6.914
7/16/25	65.333		67.474	67.527	2.141	65.872		74.77	75.204	8.898
7/17/25	65.078		67.081	67.162	2.003	65.574		73.472	74.077	7.898
7/18/25	64.833		66.807	66.971	1.974	65.273		73.386	73.904	8.113
7/19/25	64.702		67.360	67.303	2.658	65.017		73.947	73.645	8.930
7/20/25	64.677		65.344	65.580	0.667	65.059		67.5	68.227	2.441

Data after the embedment of T1 on 7/10 (yellow highlighted data) can be disregarded as it renders any comparison data non-useful. The impacts of note occur during the release from 6/17 to 7/9 and are exhibited by a decrease in temperature from T1 to T3. The magnitude of this difference in daily average temperature varies from an increase of 0.22 °F during the cold snap, to a temperature reduction of 0.45 °F. The difference in peak temperatures is more dramatic ranging from an increase in temperature during the cold snap of 0.26 °F, to a peak temperature reduction of 1.17 °F. Data from before the

release demonstrates nearly identical temperatures at T1 and T3, demonstrating that the observed temperature reduction can be directly attributed to the released water from Painted Hills Reservoir.

This was the third year of conducting a summer release from Painted Hills Reservoir into Bridge Creek. All three years have demonstrated a cooling effect to Bridge Creek. For the third year in a row, flows in Bridge Creek during the release period were above average. This leads to a muted thermal response from the release for two reasons; 1) temperatures in Bridge Creek are likely cooler than normal due to the higher flow rates and 2) the higher flow rates temper the thermal response due to the lower ratio of released water vs. stream discharge.

Seeing the positive thermal change (i.e. temperature reduction) during the release, even when Bridge Creek is flowing higher than normal conditions, is encouraging for the impacts that could be seen during a low water year.



Benn Eilers <benn80@gmail.com>

FW: Drought application question [SWBE-PDX.FID1176687]

Langford, Shonee D. <SLangford@schwabe.com>

Wed, May 13, 2026 at 11:46 AM

To: Mike Pati <mpati@pape.com>, Benn Eilers <benn@rsiengr.com>, John Peirano <jpeirano@pape.com>, "Gabe Williams (gabe@rsiengr.com)" <gabe@rsiengr.com>, "Howard, Elizabeth E." <EHoward@schwabe.com>

All – As noted in emails below, we appear to have a green light from OWRD to file the temporary drought transfer application. As of Monday, we also have the governor's [drought declaration](#) for Wheeler County.

Benn, I'll be in touch with you directly re the applications. We'll need to get them filed ASAP.

Shonee Langford

Of Counsel

D: (503) 540-4261

C: (503) 807-2082

slangford@schwabe.com

Schwabe

From: Langford, Shonee D.

Sent: Wednesday, May 13, 2026 11:42 AM

To: DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>; ANDREWS Ryan M * WRD <Ryan.M.ANDREWS@water.oregon.gov>

Cc: MATHER Amanda L * WRD <Amanda.L.Mather@water.oregon.gov>; JARAMILLO Lisa J * WRD <Lisa.J.JARAMILLO@water.oregon.gov>; EASTMAN Jeana M * WRD <Jeana.M.EASTMAN@water.oregon.gov>

Subject: RE: Drought application question [SWBE-PDX.FID1176687]

Hi Arla,

The answer to your question is no. The permit completion date is October 1, 2026. We will go ahead and file the temporary drought transfer application and include a copy of your email below. Thanks for the quick response/clarification.

Shonee

Shonee Langford

Of Counsel

D: (503) 540-4261

C: (503) 807-2082

slangford@schwabe.com

Schwabe

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From: DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>

Sent: Monday, May 11, 2026 10:07 AM

To: ANDREWS Ryan M * WRD <Ryan.M.ANDREWS@water.oregon.gov>; Langford, Shonee D. <SLangford@SCHWABE.com>

Cc: MATHER Amanda L * WRD <Amanda.L.Mather@water.oregon.gov>; JARAMILLO Lisa J * WRD <Lisa.J.JARAMILLO@water.oregon.gov>; EASTMAN Jeana M * WRD <Jeana.M.EASTMAN@water.oregon.gov>

Subject: RE: Drought application question [SWBE-PDX.FID1176687]

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Hello all,

The first thing I would ask ...

Is the permit expired? (past its completion date) ... if the answer is yes, then the water right is not subject to transfer at this time. You are correct ORS 536.570 does not have the requirement "water use subject to transfer" outlined in the statute, however the Administrative Rule OAR 690-019-0055(1) does have the requirement as it relates to using water under another "water use subject to transfer". I have included the OAR below for your reference. I have also included Jeana Eastman and Lisa Jaramillo on this correspondence as they may have more information related to this question.

690-019-0055 - Temporary Drought Transfers

(1) After the Governor declares that a severe, continuing drought exists, any person holding a water right permit, certificate, decree or claim to a right under ORS Chapter 539 who because of the effects of the drought is unable to use water, may apply to the Director for a temporary change in use, place of use, or point of diversion of water from another water use subject to transfer, or a claim to a right under ORS Chapter 539, without complying with the notice and waiting requirements of ORS 540.520. The Director shall approve such temporary drought transfer, with any appropriate conditions, including water use conservation, measurement and water curtailment measures, if:

(a) The temporary drought transfer will not result in injury to an existing right; and

(b) Total water use at the receiving location does not exceed the maximum rate and duty for the receiving location.

Arla L. Davis

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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Work Schedule: Mon-Th – 6:00 a.m. to 4:30 p.m. **NOTE:** The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8:00 a.m. – 5:00 p.m. every day. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

IMPORTANT UPDATE: Changes on April 1, 2026 – Request Revised Forms / Default to Electronic Notifications

- The Department has been revising our transfer application forms to be consistent with Oregon Administrative Rules with an effective date of April 1, 2026. Unfortunately, the forms are not yet available on our website. **Please contact Dave.JONES@water.oregon.gov for current forms** for permanent and temporary transfers, drought transfers, instream transfers, permit amendments, groundwater registration modifications, historic POD changes, exchanges, allocation of conserved water, evidence of use, consent by deeded landowner, voluntary cancellation or abandonment, and any supplemental forms related to transfers.
- The Department will accept applications on a prior version of the application form; however, this may cause a delay in processing as staff identify and request any additional information required by the April 1, 2026, rules.
- Beginning April 1, 2026, the Department **will send documents and notifications** associated with the processing of an application **in electronic form** (i.e., by email) unless requested otherwise by the applicant. These emails may come from an automated system (wrdr_automated_email@water.oregon.gov). Please consider adding this email address to your safe sender list. The Department will continue to send the Proposed Final Order by certified mail and any certificate by standard mail.

From: ANDREWS Ryan M * WRD <Ryan.M.ANDREWS@water.oregon.gov>

Sent: Monday, May 11, 2026 7:27 AM

To: Langford, Shonee D. <SLangford@SCHWABE.com>

Cc: DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>; MATHER Amanda L * WRD <Amanda.L.MATHER@water.oregon.gov>

Subject: Re: Drought application question [SWBE-PDX.FID1176687]

Good morning, Shonee,

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I'm connecting you with Arla who can hopefully better answer your question. Have a great day!

Ryan

From: Langford, Shonee D. <SLangford@SCHWABE.com>
Sent: Thursday, May 7, 2026 5:49 PM
To: ANDREWS Ryan M * WRD <Ryan.M.Andrews@water.oregon.gov>
Subject: Drought application question [SWBE-PDX.FID1176687]

You don't often get email from slangford@schwabe.com. [Learn why this is important](#)

Hi Ryan,

I represent a client who is considering filing a drought transfer application. The right that needs to be changed is a permit for which a claim of beneficial use has been filed. OWRD has not issued a certificate yet.

Question: Would OWRD accept a drought transfer application to change the character of use of a permit for which a COBU has been filed?

ORS 536.750 does not appear to require that the right involved in a temporary drought transfer be a "water use subject to transfer," as would be the case for a regular transfer under ORS 540.

Thanks,

Shonee Langford

Of Counsel

D: (503) 540-4261

C: (503) 807-2082

slangford@schwabe.com

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Business Entity Data

05-15-2026

11:29

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
564914-92	DLLC	ACT	OREGON	12-10-2008	12-10-2026	
Entity Name	BRIDGE CREEK RANCH LLC					
Foreign Name						

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Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS		
Addr 1	37882 BURNT RANCH RD			
Addr 2				
CSZ	MITCHELL	OR	97750	Country UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	11-10-2020	Resign Date	
Name	SETH	SMYTHE				
Addr 1	355 GOODPASTURE ISLAND ROAD					
Addr 2						
CSZ	EUGENE	OR	97401	Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS		
Addr 1	355 GOODPASTURE ISLAND ROAD			
Addr 2				
CSZ	EUGENE	OR	97401	Country UNITED STATES OF AMERICA

Type	MEM	MEMBER		Resign Date	
Of Record	031582-84	PAPE' PROPERTIES, INC.			
Addr 1	PO BOX 407				
Addr 2					
CSZ	EUGENE	OR	97440	Country	UNITED STATES OF AMERICA

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Business Entity Name	Name Type	Name Status	Start Date	End Date
BRIDGE CREEK RANCH LLC	EN	CUR	12-10-2008	

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Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	11-20-2025		FI		
	AMENDED ANNUAL REPORT	11-04-2024		FI		
	AMENDED ANNUAL REPORT	11-07-2023		FI		
	AMENDED ANNUAL REPORT	11-21-2022		FI		
	AMENDED ANNUAL REPORT	11-01-2021		FI		
	AMENDED ANNUAL REPORT	11-10-2020		FI	Agent	
	AMENDED ANNUAL REPORT	11-13-2019		FI		
	AMENDED ANNUAL REPORT	11-20-2018		FI		
	AMENDED ANNUAL REPORT	11-20-2017		FI		
	AMENDED ANNUAL REPORT	10-30-2016		FI	Agent	
	AMENDED ANNUAL REPORT	12-01-2015		FI	Agent	
	AMENDED ANNUAL REPORT	11-03-2014		FI		
	AMENDED ANNUAL REPORT	11-26-2013		FI	Agent	
	AMENDED ANNUAL REPORT	11-13-2012		FI		
	AMENDED ANNUAL REPORT	11-03-2011		FI		
	ANNUAL REPORT PAYMENT	11-04-2010	11-03-2010	SYS		
	AMENDED ANNUAL REPORT	11-16-2009		FI		
	CHANGE OF REGISTERED AGENT/ADDRESS	10-26-2009		FI		
	ARCHIVE IMAGE	12-10-2008		SYS		
	ARTICLES OF ORGANIZATION	12-10-2008		FI	Agent	

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QWRD

Business Name Search

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Business Entity Data

05-15-2026

11:32

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
031582-84	DBC	ACT	OREGON	05-01-1986	05-01-2027	
Entity Name	PAPE' PROPERTIES, INC.					
Foreign Name						

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Associated Names

OWRD

Type	PPB	PRINCIPAL PLACE OF BUSINESS				OWRD	
Addr 1	355 GOODPASTURE ISLAND RD STE 300						
Addr 2							
CSZ	EUGENE	OR	97401		Country	UNITED STATES OF AMERICA	

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT			Start Date	04-23-2019	Resign Date	
Name	SETH		SMYTHE					
Addr 1	355 GOODPASTURE ISLAND RD							
Addr 2								
CSZ	EUGENE	OR	97401		Country	UNITED STATES OF AMERICA		

Type	MAL	MAILING ADDRESS					
Addr 1	355 GOODPASTURE ISLAND RD						
Addr 2							
CSZ	EUGENE	OR	97401		Country	UNITED STATES OF AMERICA	

Type	PRE	PRESIDENT				Resign Date	
Name	MICHAEL		PATI				
Addr 1	PO BOX 407						
Addr 2							
CSZ	EUGENE	OR	97440		Country	UNITED STATES OF AMERICA	

Type	SEC	SECRETARY				Resign Date	
Name	SETH	L	SMYTHE				
Addr 1	PO BOX 407						
Addr 2							

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CSZ	EUGENE	OR	97440		Country	UNITED STATES OF AMERICA
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Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
PAPE' PROPERTIES, INC.	EN	CUR	05-01-1986	

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Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	03-16-2026		FI		
	AMENDED ANNUAL REPORT	03-20-2025		FI		
	AMENDED ANNUAL REPORT	04-03-2024		FI		
	AMENDED ANNUAL REPORT	03-23-2023		FI		
	AMENDED ANNUAL REPORT	03-18-2022		FI		
	AMENDED ANNUAL REPORT	04-05-2021		FI		
	AMENDED ANNUAL REPORT	04-16-2020		FI		
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	04-23-2019		FI	Agent	
	AMENDED ANNUAL REPORT	04-01-2019		FI	Agent	
	AMENDED ANNUAL REPORT	04-23-2018		FI		
	AMENDED ANNUAL REPORT	04-05-2017		FI	Agent	
	AMENDED ANNUAL REPORT	03-17-2016		FI		
	AMENDED ANNUAL REPORT	03-26-2015		FI		
	AMENDED ANNUAL REPORT	03-19-2014		FI		
	AMENDED ANNUAL REPORT	03-21-2013		FI		
	AMENDED ANNUAL REPORT	03-19-2012		FI		
	AMENDED ANNUAL REPORT	03-16-2011		FI		
	ANNUAL REPORT PAYMENT	04-01-2010	03-31-2010	SYS		

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	ANNUAL REPORT PAYMENT	04-03-2009	04-02- 2009	SYS		
	ANNUAL REPORT PAYMENT	03-28-2008		SYS		
	ANNUAL REPORT	04-04-2007		FI		
	ANNUAL REPORT	04-28-2006		FI		
	ANNUAL REPORT	04-08-2005		FI		
	CHANGE OF REGISTERED AGENT/ADDRESS	07-07-2004		FI	Agent	
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	03-26-2004		FI		
	ANNUAL REPORT PAYMENT	03-23-2004		SYS		
	ANNUAL REPORT PAYMENT	03-25-2003		SYS		
	ANNUAL REPORT PAYMENT	04-09-2002		SYS		
	ANNUAL REPORT PAYMENT	04-24-2001		SYS		
	CHANGED RENEWAL	04-04-2000		FI		
	STRAIGHT RENEWAL	04-03-2000		FI		
	CHANGED RENEWAL	04-13-1999		FI		
	STRAIGHT RENEWAL	03-24-1999		FI		
	STRAIGHT RENEWAL	03-27-1998		FI		
	CHANGED RENEWAL	03-27-1998		FI		
	AMENDED RENEWAL	04-07-1997		FI		
	STRAIGHT RENEWAL	04-08-1996		FI		
	CHANGED RENEWAL	04-08-1996		FI		
	STRAIGHT RENEWAL	05-05-1995		FI		
	AMENDED RENEWAL	06-24-1994		FI		
	AMENDED RENEWAL	05-20-1993		FI		
	STRAIGHT RENEWAL	04-20-1992		FI		
	STRAIGHT RENEWAL	03-21-1991		FI		
	ARCHIVE IMAGE	09-06-1990		SYS		
	NB AMENDMENT	09-06-1990		FI		
	STRAIGHT RENEWAL	03-20-1990		FI		
	AMENDED RENEWAL	03-24-1989		FI		
	AMENDED RENEWAL	04-01-1988		FI		
	AMENDED RENEWAL	03-27-1987		FI		
	NEW FILING	05-01-1986		FI		

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