

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



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

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**A fee of \$345 must accompany this form for permits  
with priority dates of July 9, 1987, or later.**

Enter the date the priority date of the permit:

October, 21, 2022

**A separate form shall be completed for each permit.**

*In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.*

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

Go to "Resources for Water Right Examiners (CWRE)" Page

<https://www.oregon.gov/OWRD/programs/WaterRights/COBU/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-986-0900.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see

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

**SECTION 1**

**GENERAL INFORMATION**

**1. File Information:**

APPLICATION # <b>S-89288</b>	PERMIT # <b>S-55426</b>	PERMIT AMENDMENT # <b>T-</b>
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**2. Property Owner (current owner information):**

APPLICANT/BUSINESS NAME <b>Bell "A" Land and Cattle Co.</b>		PHONE NO. <b>541-419-2622</b> <b>Tucker Boone</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>PO Box 97</b>			
CITY <b>La Pine</b>	STATE <b>OR</b>	ZIP <b>97739</b>	E-MAIL <b>bellacattle@gmail.com</b>

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

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

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

ADDITIONAL PERMIT HOLDER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

**4. Date of Site Inspection:**

<b>9/24/2025</b>
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**5. Person(s) interviewed and description of their association with the project:**

NAME	DATE	ASSOCIATION WITH THE PROJECT
<b>Tucker Boone</b>	<b>9/24/2025</b>	<b>Manager</b>

**6. County:**

<b>Lake</b>
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**7. If any property described in the place of use of the permit final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):**

OWNER OF RECORD <b>n/a</b>		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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**SECTION 2  
SIGNATURES**

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.

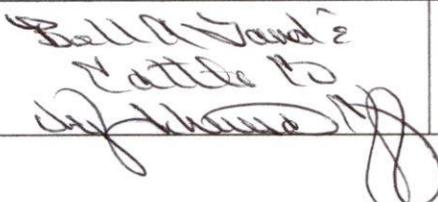


CWRE NAME <b>Bryce Michael Withers</b>		PHONE NO. <b>541-389-2837</b>	ADDITIONAL CONTACT NO. <b>541-408-1400</b>
ADDRESS <b>PO Box 1830</b>			
CITY <b>Bend</b>	STATE <b>OR</b>	ZIP <b>97709</b>	E-MAIL <b>brycewrs@gmail.com</b>

Permit Holder(s) of Record Signature or Acknowledgement

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

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	<b>Theresa Cliff</b>	<b>President, Bell "A" Land and Cattle Co.</b>	

**SECTION 3  
CLAIM DESCRIPTION**

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

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

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

POD NAME OR NUMBER	SOURCE	TRIBUTARY
POD	Unnamed Reservoir, Constructed Under Permit R-13665	Bridge Creek

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

POD NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
POD	IR/IS	Pasture	Apr 1 – Sept 30	8.98 AF
<b>Total Quantity of Water Used</b>				<b>8.98 AF</b>

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

<p><b>Stored Water is released from the Reservoir at the POD and flows through a ditch and weir for flood irrigation. The reservoir staff gauge is installed at the SW Corner of the Reservoir.</b></p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).**

**5. Variations:**

Was the use developed differently from what was authorized by the permit, or permit amendment final order? If yes, describe below.

YES NO

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

--

**6. Claim Summary:**

POD NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POD	N/A	N/A	8.98 AF	IR & IS	7.9 IR / 27.0 IS	7.9 IR / 27.0 IS

**SECTION 4  
SYSTEM DESCRIPTION**

Are there multiple PODs? YES NO

If "YES" you will need to copy and complete a separate Section 4 for each POD.

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

POD

**A. Place of Use**

**1. Is the right for municipal use?** YES NO

*If "YES" the table below may be deleted.*

TWP	RNG	MER	SEC	QQ	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
28S	13E	W.M.	35	NESW			IS		8.4
28S	13E	W.M.	35	SWSW			IS		8.3
28S	13E	W.M.	35	SESW			IS		5.4
29S	13E	W.M.	2	NWNW	GL 3		IR/IS	0.8	0.9
29S	13E	W.M.	3	NENE	GL 1		IR/IS	4.7	4.0
29S	13E	W.M.	3	NWNE	GL 2		IR	2.4	
<b>Total Acres Irrigated</b>								<b>7.9</b>	<b>27.0</b>

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

**B. Diversion and Delivery System Information**

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion to the place of use.

**1. Is a pump used?** YES NO

*If "NO" items 2 through item 6 may be deleted.*

**7. Is the distribution system piped?** YES NO

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

**C. Storage**

**1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)?** YES NO

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

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**D. Gravity Flow Pipe**

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

YES NO

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

**E. Gravity Flow Canal or Ditch**

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

YES NO

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

2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)
Stoney Bed, Weeds on Bank	6'	4'	3'	0.03	42'	5243'	0.008	85.3 CFS

3. Provide calculations:

See attached OWRD Ditch Capacity Calculations.

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

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)
n/a			

Attach measurement notes.

**F. Additional notes or comments related to the system:**

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## SECTION 5 CONDITIONS

All conditions contained in the permit, permit amendment, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

### 1. Time Limits:

Permits and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or permit extension of time:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	4/14/2023		
BEGIN CONSTRUCTION (A)	4/14/2028	Prior to Permit Issuance	System in place prior to permit issuance
COMPLETE CONSTRUCTION (B)	n/a		
COMPLETE APPLICATION OF WATER (C)	4/14/2028	September 2025	Complete application of water to beneficial use and permit conditions met

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

### 2. Is there an extension final order(s)?

YES NO

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

### 3. Measurement Conditions:

a. Does the permit, permit amendment, or any extension final order require the installation of a meter or approved measuring device? YES NO

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

**Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion.**

b. Has a meter been installed?

YES NO

#### c. Meter Information

POD NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Ditch Weir					Prior to Permit Issuance
Reservoir Staff Gauge					Prior to Permit Issuance

**4. Recording and reporting conditions:**

a. Is the water user required to report the water use to the Department? YES NO

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

**5. Fish Screening:**

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? YES NO

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

**Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.**

b. Has the fish screening been installed? YES NO

c. When was the fish screening installed?

DATE	BY WHOM
Sept. 2025	Owner

**Reminder: If the permit was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.**

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d. If the diversion **involves a pump** *and* the **total** diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs) and the permit was issued prior to February 1, 2011:

- Has the self-certification form previously been submitted to the Department? **NA** **YES** **NO**

If not, go to <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx> complete and attach a copy of the 'ODFW Small Pump Screen Self Certification' form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

**Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.**

e. If the diversion does **not involve a pump** *or* the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? **NA** **YES** **NO**

If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

**Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.**

**6. By-pass Devices:**

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? **YES** **NO**

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

**7. Other conditions required by some permits, permit amendment final orders, or extension final orders:**

- a. Was the water user required to restore the riparian area if it was disturbed? **YES** **NO**
- b. Was a fishway required? **YES** **NO**
- c. Was submittal of a water management and conservation plan required? **YES** **NO**
- d. Other conditions? **YES** **NO**

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s) in the box below. If the condition required the approval of a plan, submit documentation that the plan was approved.

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**SECTION 6  
ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
CBU Map	Claim of Beneficial Use Map
ODFW Letter	OWRD Fish Screen/By-pass Approval Letter
Ditch Calcs	OWRD Ditch Capacity Calculations

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## SECTION 7

### CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

On-site direct measurement and ESRI Imagery.

#### Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

**(Reminder: Incomplete maps and/or claims may be returned.)**

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Quarter-Quarters illustrated and named (NE NE, NW NE, etc.)
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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# Oregon

Tina Kotek, Governor

Department of Fish and Wildlife

Fish Division

4034 Fairview Industrial Drive SE

Salem, OR 97302

(503) 947-6201

FAX (503) 947-6202

[www.dfw.state.or.us/](http://www.dfw.state.or.us/)

December 16, 2025

Bell "A" Land and Cattle  
P.O. Box 43  
Silver Lake, OR 97638



**RE: ODFW Certification of Fish Screens and Passage Conditions for OWRD Permits S-55426 and R-13665 on Bridge Creek, a tributary to Silver Creek in Lake County.**

To whom it may concern,

The Oregon Department of Fish and Wildlife (ODFW) is submitting this letter regarding the fish screening and fish passage conditions associated with Oregon Water Resources Department (OWRD) permits S-55426 and R-13665.

**Permit R-13665** authorizes the storage of 8.98 acre-feet of water from Bridge Creek and requires the water user to install, maintain, and operate fish screening and fish passage devices consistent with current ODFW standards.

ODFW reviewed designs and issued an initial screen certification on March 17, 2025. The screen was installed in September 2025. The new screen structure is a 6'10" x 2'6" screen with 3/32" punch plate stainless steel screen material with a passive cleaning system. Installation was documented through photographs and a site visit on December 9, 2025. The screen was installed as designed and meets ODFW fish screening criteria to a diversion rate up to 3 CFS.

In 2023, ODFW identified two locations on Bridge Creek requiring fish passage improvements to meet permit conditions. Engineered designs were reviewed, and Fish Passage Approval PA-13-0067 was issued on March 19, 2025. The fish passage projects were completed in fall 2025. Post-construction documentation included photographs and a site inspection on December 9, 2025. Fish passage is now provided at the two locations via an engineered riffle (43.08997, -121.16051) and a reconstructed stream channel (43.091075, -121.159512). Both sites were constructed as approved and are providing fish passage as required.

**Permit S-55426** authorizes the diversion of 8.98 acre-feet of water from the reservoir permitted under permit R-13665. It also requires fish screening and fish passage devices consistent with current ODFW standards. It allows the water user to submit evidence in writing that ODFW has determined screens and/or passage devices are not necessary. Because fish passage is provided around the reservoir and fish are prevented from entering the reservoir by the inlet screen, no additional fish screening and passage devices are required for S-55426.

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**Conclusion:** ODFW has determined that the water user is in compliance with all fish screening and passage conditions contained in permits S-55426 and R-13665.

Thank you,

A handwritten signature in black ink that reads "Katherine Nordholm". The signature is written in a cursive style with a large initial 'K'.

Katherine Nordholm  
Fish Screens and Passage Coordinator  
Oregon Department of Fish and Wildlife

CC: Justin Miles, ODFW Assistant District Fish Biologist

CC: Ben Ramirez, ODFW District Fish Biologist

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<b>Ditch Capacity Calculator</b>		BELL "A" L&C CO.	
using Manning's Formula			
<b>Data Entry (fill in underlined blanks)</b>			
Top Width =	6	feet	
Bottom Width =	4	feet	
Depth =	3	feet	
Fall =	42	feet	per 5243 feet of distance
Grade =	0.008010680	, or	0.8%
n Factor =	0.03		
<b>Results calculated</b>			
Area of cross-section =	15	square feet	
Wetted Perimeter =	10.32455	feet	
Hydraulic Radius =	1.452847		
Velocity =	5.687	feet per second	
<b>Calculated Ditch Capacity =</b>	<b>85.3</b>	<b>cubic feet per second</b>	

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