

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PALMER CREEK WATER DISTRICT IMPROVEMENT CO.  
14395 SE WALLACE RD  
DAYTON OR 97114

confirms the right to the use of water perfected under the terms of Permit S-54757. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-72668

SOURCE OF WATER: WILLAMETTE BASIN RESERVOIRS, TRIBUTARIES OF WILLAMETTE RIVER, AND THE WILLAMETTE RIVER, TRIBUTARY TO COLUMBIA RIVER

PURPOSE or USE: NURSERY OPERATIONS AND SUPPLEMENTAL IRRIGATIONS ON 83.3 ACRES

VOLUME OF USE: 205.0 ACRE-FEET STORED WATER ONLY FOR IRRIGATION AND 2.36 CUBIC FEET PER SECOND FROM LIVE FLOW FOR NURSERY OPERATIONS

PERIOD OF USE: FOR NURSERY OPERATIONS, YEAR ROUND; FOR IRRIGATION, MARCH 1 THROUGH OCTOBER 31 OR AS MAY BE FURTHER LIMITED BY THE BUREAU OF RECLAMATION WATER SUPPLY CONTRACT

DATE OF PRIORITY: SEPTEMBER 10, 1992

The point of diversion is located as follows:

| Twp | Rng | Mer | Sec | Q-Q   | Measured Distances  |
|-----|-----|-----|-----|-------|---|
| 6 S | 3 W | WM  | 4   | NW SW | 4700 FEET NORTH AND 1290 FEET EAST FROM SE CORNER, DLC 58 |

The amount of water used FOR NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0-acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at any time of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.



A description of the place of use is as follows:

| NURSERY OPERATIONS |     |     |     |       |     |
|--------------------|-----|-----|-----|-------|-----|
| 45Twp              | Rng | Mer | Sec | Q-Q   | DLC |
| 5 S                | 3 W | WM  | 7   | SW NE | 45  |
| 5 S                | 3 W | WM  | 7   | SW NW | 44  |
| 5 S                | 3 W | WM  | 7   | SE NW | 44  |
| 5 S                | 3 W | WM  | 7   | SE NW | 45  |
| 5 S                | 3 W | WM  | 7   | NE SW | 44  |
| 5 S                | 3 W | WM  | 7   | NW SW | 44  |
| 5 S                | 3 W | WM  | 7   | SE SW | 44  |
| 5 S                | 3 W | WM  | 7   | SE SW | 45  |
| 5 S                | 3 W | WM  | 7   | SW NE | 45  |
| 5 S                | 3 W | WM  | 7   | SW SE | 45  |
| 5 S                | 3 W | WM  | 7   | NW SE | 45  |

| SUPPLEMENTAL IRRIGATION |     |     |     |       |     |       |
|-------------------------|-----|-----|-----|-------|-----|-------|
| 45Twp                   | Rng | Mer | Sec | Q-Q   | DLC | Acres |
| 5 S                     | 3 W | WM  | 7   | SW NE | 45  | 25.1  |
| 5 S                     | 3 W | WM  | 7   | SW NW | 44  | 4.9   |
| 5 S                     | 3 W | WM  | 7   | SE NW | 44  | 18.5  |
| 5 S                     | 3 W | WM  | 7   | SE NW | 45  | 8.5   |
| 5 S                     | 3 W | WM  | 7   | NE SW | 44  | 9.9   |
| 5 S                     | 3 W | WM  | 7   | NW SW | 44  | 7.2   |
| 5 S                     | 3 W | WM  | 7   | SW SW | 44  | 1.5   |
| 5 S                     | 3 W | WM  | 7   | SE SW | 44  | 6.4   |
| 5 S                     | 3 W | WM  | 7   | NW SE | 45  | 1.3   |

Measurement, recording and reporting conditions:

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

The use of water under this right is subject to the terms and conditions of contract No. 119E101760 or a satisfactory replacement between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water Resources Department.

The water user shall maintain and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

The right is limited to any deficiency in the available supply of any prior right existing for the same land.

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

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

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

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

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued SEP 26 2025.



Katherine Ratcliffe  
Water Right Services Division Administrator, for  
Ivan Gall, Director  
Oregon Water Resources Department

