

5. The portion of the right to be transferred is as follows:

Certificate: 94882 in the name of PALMER CREEK WATER DISTRICT IMPROVEMENT COMPANY (perfected under Permit S-43379)

Use: SUPPLEMENTAL IRRIGATION of 20.3 ACRES

Priority Date: MAY 11, 1977

Limit/Duty: For irrigation, a diversion of 2.5 acre-feet of stored water only for each acre irrigated during the irrigation season of each year, and is subject to the terms and conditions of contract No. 3-07-10-W0479, or a satisfactory replacement between the Bureau of Reclamation and the water right holder, a copy of which is on file in the records of the Water Resources Department.

Sources: WILLAMETTE BASIN PROJECT RESERVOIRS (Permits R-1625 and R-5363), tributaries of the WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q - Q	Measured Distance
6 S	3 W	WM	4	NW SW	690 FEET SOUTH AND 110 FEET WEST FROM THE NE CORNER OF DLC 58

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres	Taxlot	Water User
5 S	3 W	WM	4	SWNW		51	0.60	1501	PEREZ
5 S	3 W	WM	5	SW NE	1		0.40	1501	PEREZ
5 S	3 W	WM	5	SW NE		51	1.60	1501	PEREZ
5 S	3 W	WM	5	SE NE	1		3.40	1501	PEREZ
5 S	3 W	WM	5	SE NE		51	10.00	1501	PEREZ
5 S	3 W	WM	5	SE NE		37	5.30	1501	PEREZ
Total							21.3		

6. Application T-13509 proposes to change the place of use for the above described water right to:

Proposed Place of Use:

SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Taxlot	Water User	
4 S	3 W	WM	20	SE SW	48	0.60	1300	WEIL FARMS LLC	
4 S	3 W	WM	20	SW SE	80	4.20	1300	WEIL FARMS LLC	
4 S	3 W	WM	20	SW SE	50	4.20	1300	WEIL FARMS LLC	
5 S	3 W	WM	32	NW NE	60	2.30	200	MIERSMA DAIRY	
5 S	3 W	WM	32	SW NE	60	9.70	200	MIERSMA DAIRY	
5 S	3 W	WM	32	NW SE	60	0.30	200	MIERSMA DAIRY	
Total						21.3			

7. The authorized place of use involved in this transfer is layered with primary irrigation under Certificate 39698, and supplemental irrigation under Certificate 81603. In Township 4 South, Range 3 West, Section 20, 9.0 acres of the proposed place of use will become layered with primary irrigation under Certificate 17085, and supplemental irrigation under Certificate 93366. In Township 5 South, Range 3 West, Section 32, 12.3 acres of the

layered with primary irrigation under Certificate 17085, and supplemental irrigation under Certificate 93366. In Township 5 South, Range 3 West, Section 32, 12.3 acres of the proposed place of use will become layered with primary irrigation under Certificate 33310, and supplemental irrigation under Certificate 64670.

8. A supplemental irrigation water right may be moved separately from the associated primary irrigation water right if another primary irrigation water right with similar reliability is appurtenant to the lands to which the supplemental right is to be moved. The Department has determined that Certificates 39698 and 17085, and Certificates 39698 and 33310 are of similar reliability.
9. The Department finds that the district permanent transfer application was submitted according to ORS 540.580 and OAR 690-385-4000, contains the information required under OARs 690-385-4200 and OAR 690-385-2000, and includes maps meeting the requirements of OARs 690-385-4300 and 690-385-2200.
10. The Department finds that the proposed district permanent transfer meets all the criteria set forth in ORS 540.580 and OAR 690-385-4000.
11. The water right is subject to transfer as defined in OAR 690-385-0100(17).
12. The proposed change in places of use will not result in enlargement of the right as defined in OAR 690-385-0100(4).
13. The proposed change in place of use will not result in injury to other water rights as defined in OAR 690-385-0100(6).
14. Any other applicable requirements for district permanent water right transfers are met as required in OAR 690-385-4500.

Conclusion of Law

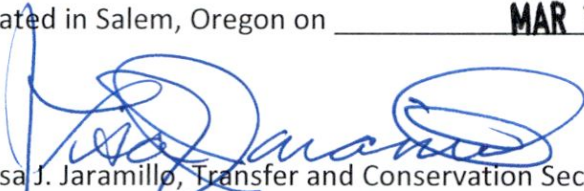
1. The proposed changes in place of use as proposed in Transfer Application T-13509 comply with and satisfy the requirements of ORS 540.580 and OAR 690-385-4500.
2. The reliability of the primary right under the authorized lands involved in the transfer is similar to the reliability of the primary rights existing on the proposed lands.

Now, therefore, it is ORDERED:

1. The proposed change in place of use to the water right evidenced by Certificate 94882 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use not modified by this order and is subject to all other conditions and limitations contained in Certificate 94882.
3. The place of use from which the water right is removed by T-13509 shall no longer be irrigated under the transferred right.

4. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
5. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. A Claim of Beneficial Use shall be submitted by PCWDIC to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
6. Water right Certificate 94882 is modified. After satisfactory proof of completion has been determined by the Department, a superseding confirming-remaining water right certificate will be issued when the Department determines it is necessary for record keeping.

Dated in Salem, Oregon on **MAR 30 2021**



Lisa J. Jaramillo, Transfer and Conservation Section Manager for
THOMAS M. BYLER, DIRECTOR
Oregon Water Resources Department

Issuance/Mailing Date: **MAR 31 2021**