

**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON**

In the Matter of Permit Amendment ) FINAL ORDER  
T-12335, Polk and Yamhill Counties ) APPROVING A CHANGE IN PLACE  
) OF USE

**Authority**

Oregon Revised Statute (ORS) 537.211 establishes the process in which a water right permit holder may submit a request to change the point of diversion and/or place of use authorized under an existing water right permit.

**Applicant**

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

**Findings of Fact**

1. On April 13, 2016, Palmer Creek Water District Improvement Co. filed an application for a change in place of use under Permit S-54762. The Department assigned the application number T-12335.
2. Notice of the application for the permit amendment was published in the Department’s weekly notice on April 19, 2016, pursuant to ORS 540.520(5). No comments were filed in response to the notice.
3. Permit Amendment Application T-12335 proposes to change the place of use of the permit to:

Primary Irrigation					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	3 W	WM	20	NE NE	14.7
4 S	3 W	WM	20	SE NE	11.5
4 S	3 W	WM	20	SW SW	2.5
4 S	3 W	WM	20	NE SE	4.7
4 S	3 W	WM	21	NW NW	1.2
4 S	3 W	WM	29	SE NE	1.1
4 S	3 W	WM	29	SW SW	0.1
4 S	3 W	WM	29	SW SE	0.6
4 S	3 W	WM	29	SE SE	1.1
4 S	3 W	WM	30	SW SE	4.2
4 S	3 W	WM	30	SE SE	16.7

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 and OAR 690-01-0005 you may either petition for judicial review or 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.

Primary Irrigation					
4 S	3 W	WM	31	NE NE	13.7
4 S	3 W	WM	31	NW NE	5.5
4 S	3 W	WM	32	NW NE	4.0
4 S	3 W	WM	32	NE NW	11.0
4 S	3 W	WM	32	NW NW	4.3
4 S	3 W	WM	33	NW NE	18.5
4 S	3 W	WM	33	SW NE	10.6
5 S	3 W	WM	6	SW NW	7.8
5 S	3 W	WM	6	SE NW	1.7
5 S	3 W	WM	6	NE SW	2.1
5 S	3 W	WM	6	NW SW	19.7
5 S	3 W	WM	8	SW NE	5.4
5 S	3 W	WM	8	SE NE	13.2
5 S	3 W	WM	16	NW NW	4.4
5 S	3 W	WM	16	SW NW	12.4
5 S	3 W	WM	17	NE NE	1.5
5 S	3 W	WM	17	SW SW	4.3
5 S	3 W	WM	18	SE SE	3.0
5 S	3 W	WM	19	NE NE	10.7
5 S	3 W	WM	19	SE NE	1.0
5 S	3 W	WM	19	NE SE	1.6
5 S	3 W	WM	19	NW SE	0.1
5 S	3 W	WM	20	SW NE	7.9
5 S	3 W	WM	20	SE NE	0.4
5 S	3 W	WM	20	SW NW	5.0
5 S	3 W	WM	20	SE NW	0.3
5 S	3 W	WM	29	NW SE	1.8
5 S	3 W	WM	31	SW NE	1.2
5 S	3 W	WM	31	SE NE	4.6
5 S	3 W	WM	31	NE SE	26.3
5 S	3 W	WM	31	NW SE	17.9
5 S	3 W	WM	32	SW NW	0.9
5 S	3 W	WM	32	NW SW	5.3
5 S	3 W	WM	32	SE SW	0.7
5 S	3 W	WM	32	SW SE	7.9
6 S	3 W	WM	5	NE NW	15.0
6 S	3 W	WM	5	SE NW	6.57
Total					316.67

Supplemental Irrigation					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	3 W	WM	19	SE NE	8.7
4 S	3 W	WM	19	NE SE	36.6
4 S	3 W	WM	19	NW SE	13.8
4 S	3 W	WM	19	SW SE	23.4

Supplemental Irrigation					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	3 W	WM	19	SE SE	34.5
4 S	3 W	WM	20	NE NE	14.7
4 S	3 W	WM	20	NW NE	9.0
4 S	3 W	WM	20	SW NE	25.1
4 S	3 W	WM	20	SE NE	17.0
4 S	3 W	WM	20	NE NW	0.7
4 S	3 W	WM	20	NW NW	3.8
4 S	3 W	WM	20	SW NW	35.1
4 S	3 W	WM	20	SE NW	9.1
4 S	3 W	WM	20	NE SW	12.2
4 S	3 W	WM	20	NW SW	33.9
4 S	3 W	WM	20	SW SW	21.4
4 S	3 W	WM	20	SE SW	23.5
4 S	3 W	WM	20	NE SE	0.8
4 S	3 W	WM	20	NW SE	14.0
4 S	3 W	WM	20	SW SE	8.7
4 S	3 W	WM	20	SE SE	1.0
4 S	3 W	WM	21	NW NW	16.8
4 S	3 W	WM	21	SW NW	28.4
4 S	3 W	WM	21	SE NW	0.7
4 S	3 W	WM	28	NE NW	3.5
4 S	3 W	WM	28	NW NW	6.0
4 S	3 W	WM	28	SW NW	31.8
4 S	3 W	WM	28	SE NW	19.0
4 S	3 W	WM	28	NE SW	13.2
4 S	3 W	WM	28	NW SW	24.7
4 S	3 W	WM	28	SW SW	39.1
4 S	3 W	WM	28	SE SW	7.0
4 S	3 W	WM	28	NW SE	15.3
4 S	3 W	WM	28	SW SE	1.3
4 S	3 W	WM	29	NE NE	27.8
4 S	3 W	WM	29	NW NE	21.0
4 S	3 W	WM	29	SW NE	17.4
4 S	3 W	WM	29	SE NE	34.8
4 S	3 W	WM	29	NE NW	34.1
4 S	3 W	WM	29	NW NW	25.2
4 S	3 W	WM	29	SW NW	28.7
4 S	3 W	WM	29	SE NW	28.6
4 S	3 W	WM	29	NE SW	15.5
4 S	3 W	WM	29	NW SW	4.5
4 S	3 W	WM	29	SE SW	13.9
4 S	3 W	WM	29	NE SE	18.2
4 S	3 W	WM	29	NW SE	34.8
4 S	3 W	WM	29	SW SE	39.4

Supplemental Irrigation					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	3 W	WM	29	SE SE	38.9
4 S	3 W	WM	30	SW NE	20.3
4 S	3 W	WM	30	SE NE	14.3
4 S	3 W	WM	30	NE SE	20.1
4 S	3 W	WM	30	NW SE	24.5
4 S	3 W	WM	31	SE SW	0.3
4 S	3 W	WM	31	NW SE	1.2
4 S	3 W	WM	31	SW SE	6.7
4 S	3 W	WM	32	NE NE	29.6
4 S	3 W	WM	32	NW NE	40.7
4 S	3 W	WM	32	SW NE	39.4
4 S	3 W	WM	32	SE NE	16.7
4 S	3 W	WM	32	NE NW	22.6
4 S	3 W	WM	32	NW NW	4.0
4 S	3 W	WM	32	SW NW	3.2
4 S	3 W	WM	32	SE NW	28.7
4 S	3 W	WM	32	NE SW	31.3
4 S	3 W	WM	32	NW SW	0.2
4 S	3 W	WM	32	SW SW	11.4
4 S	3 W	WM	32	SE SW	40.0
4 S	3 W	WM	32	NE SE	26.0
4 S	3 W	WM	32	NW SE	40.5
4 S	3 W	WM	32	SW SE	40.0
4 S	3 W	WM	32	SE SE	40.0
4 S	3 W	WM	33	NW NE	5.2
4 S	3 W	WM	33	SW NE	2.9
4 S	3 W	WM	33	NE NW	24.5
4 S	3 W	WM	33	NW NW	4.0
4 S	3 W	WM	33	SE NW	14.9
4 S	3 W	WM	33	NE SW	23.5
4 S	3 W	WM	33	NW SW	12.2
4 S	3 W	WM	33	SW SW	19.2
4 S	3 W	WM	33	SE SW	16.1
4 S	3 W	WM	33	NW SE	20.9
4 S	3 W	WM	33	SW SE	16.4
5 S	3 W	WM	4	NW NW	1.0
5 S	3 W	WM	4	SW NW	1.2
5 S	3 W	WM	4	NW SW	17.1
5 S	3 W	WM	4	SW SW	6.4
5 S	3 W	WM	5	NE NE	11.3
5 S	3 W	WM	5	NW NE	27.1
5 S	3 W	WM	5	SW NE	14.4
5 S	3 W	WM	5	SE NE	11.8
5 S	3 W	WM	5	NE NW	34.2

Supplemental Irrigation					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	3 W	WM	5	NW NW	8.3
5 S	3 W	WM	5	SW NW	4.5
5 S	3 W	WM	5	SE NW	39.2
5 S	3 W	WM	5	NE SW	39.8
5 S	3 W	WM	5	NW SW	4.9
5 S	3 W	WM	5	SW SW	24.0
5 S	3 W	WM	5	SE SW	21.7
5 S	3 W	WM	5	NE SE	40.0
5 S	3 W	WM	5	NW SE	38.4
5 S	3 W	WM	5	SW SE	33.9
5 S	3 W	WM	5	SE SE	19.0
5 S	3 W	WM	6	NE SE	0.1
5 S	3 W	WM	6	NW SE	0.3
5 S	3 W	WM	6	SW SE	12.5
5 S	3 W	WM	6	SE SE	39.3
5 S	3 W	WM	7	NE NE	39.3
5 S	3 W	WM	7	NW NE	13.9
5 S	3 W	WM	7	SW NE	10.7
5 S	3 W	WM	7	SE NE	36.6
5 S	3 W	WM	7	NE SW	13.7
5 S	3 W	WM	7	SW SW	34.3
5 S	3 W	WM	7	SE SW	16.5
5 S	3 W	WM	7	NE SE	28.2
5 S	3 W	WM	7	NW SE	37.7
5 S	3 W	WM	7	SW SE	30.4
5 S	3 W	WM	7	SE SE	30.3
5 S	3 W	WM	8	NE NE	24.2
5 S	3 W	WM	8	NW NE	5.2
5 S	3 W	WM	8	SW NE	0.5
5 S	3 W	WM	8	SE NE	1.3
5 S	3 W	WM	8	NE NW	0.2
5 S	3 W	WM	8	NW NW	10.2
5 S	3 W	WM	8	SW NW	1.1
5 S	3 W	WM	8	NW SW	2.0
5 S	3 W	WM	8	SW SW	7.6
5 S	3 W	WM	8	SE SW	29.3
5 S	3 W	WM	8	SW SE	5.6
5 S	3 W	WM	9	NW NW	0.1
5 S	3 W	WM	9	SW NW	10.8
5 S	3 W	WM	9	NW SW	16.2
5 S	3 W	WM	16	NW NW	9.4
5 S	3 W	WM	16	SW NW	2.9
5 S	3 W	WM	17	NE NE	34.6
5 S	3 W	WM	17	NW NE	35.7

Supplemental Irrigation					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	3 W	WM	17	SW NE	24.4
5 S	3 W	WM	17	SE NE	17.8
5 S	3 W	WM	17	NE NW	39.0
5 S	3 W	WM	17	NW NW	17.4
5 S	3 W	WM	17	SW NW	24.3
5 S	3 W	WM	17	SE NW	34.2
5 S	3 W	WM	17	NE SW	30.7
5 S	3 W	WM	17	NW SW	11.3
5 S	3 W	WM	17	SW SW	7.4
5 S	3 W	WM	17	SE SW	9.2
5 S	3 W	WM	17	NW SE	13.2
5 S	3 W	WM	17	SW SE	3.6
5 S	3 W	WM	18	NE NE	13.5
5 S	3 W	WM	18	NW NE	36.8
5 S	3 W	WM	18	SW NE	23.1
5 S	3 W	WM	18	SE NE	20.3
5 S	3 W	WM	18	NE NW	23.2
5 S	3 W	WM	18	NW NW	23.6
5 S	3 W	WM	18	SW NW	46.2
5 S	3 W	WM	18	SE NW	38.8
5 S	3 W	WM	18	NE SW	2.3
5 S	3 W	WM	18	NWSW	16.7
5 S	3 W	WM	18	NE SE	36.3
5 S	3 W	WM	18	NW SE	27.9
5 S	3 W	WM	18	SW SE	10.4
5 S	3 W	WM	18	SE SE	15.8
5 S	3 W	WM	19	NE NE	9.8
5 S	3 W	WM	19	NW NE	36.9
5 S	3 W	WM	19	SW NE	28.4
5 S	3 W	WM	19	SE NE	27.5
5 S	3 W	WM	19	NW SE	0.2
5 S	3 W	WM	20	SW NE	18.7
5 S	3 W	WM	20	SE NE	1.8
5 S	3 W	WM	20	NE NW	0.1
5 S	3 W	WM	20	NW NW	28.5
5 S	3 W	WM	20	SW NW	9.2
5 S	3 W	WM	20	SE SW	3.9
5 S	3 W	WM	20	NE SE	28.0
5 S	3 W	WM	20	NW SE	25.5
5 S	3 W	WM	20	SW SE	35.6
5 S	3 W	WM	21	NW SW	3.0
5 S	3 W	WM	29	NW NE	23.6
5 S	3 W	WM	29	SW NE	4.5
5 S	3 W	WM	29	SE NE	0.2

Supplemental Irrigation					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	3 W	WM	29	NE NW	11.5
5 S	3 W	WM	29	NW NW	12.7
5 S	3 W	WM	29	SW NW	33.9
5 S	3 W	WM	29	SE NW	9.0
5 S	3 W	WM	29	NE SW	17.2
5 S	3 W	WM	29	NW SW	25.5
5 S	3 W	WM	29	SW SW	30.3
5 S	3 W	WM	29	SE SW	31.2
5 S	3 W	WM	29	NE SE	14.5
5 S	3 W	WM	29	NW SE	27.0
5 S	3 W	WM	29	SW SE	34.2
5 S	3 W	WM	29	SE SE	9.4
5 S	3 W	WM	30	NE NE	0.4
5 S	3 W	WM	30	SE NE	2.4
5 S	3 W	WM	32	NW NE	10.2
5 S	3 W	WM	32	NE NW	8.8
5 S	3 W	WM	32	NW NW	26.4
5 S	3 W	WM	32	SW NW	31.7
5 S	3 W	WM	32	SE NW	11.5
5 S	3 W	WM	32	NE SW	32.0
5 S	3 W	WM	32	NW SW	12.1
5 S	3 W	WM	32	SE SW	10.6
5 S	3 W	WM	32	NE SE	38.6
5 S	3 W	WM	32	NW SE	38.5
5 S	3 W	WM	32	SW SE	11.5
5 S	3 W	WM	32	SE SE	36.1
5 S	3 W	WM	33	NE SW	8.1
5 S	3 W	WM	33	NW SW	38.9
5 S	3 W	WM	33	SW SW	10.9
5 S	3 W	WM	33	SE SW	1.2
5 S	4 W	WM	13	NE SE	1.0
6 S	3 W	WM	4	SW NW	6.1
6 S	3 W	WM	5	NE NE	5.4
6 S	3 W	WM	5	NW NE	5.9
6 S	3 W	WM	5	SW NE	20.6
6 S	3 W	WM	5	SE NE	17.1
6 S	3 W	WM	5	SE NW	12.4
6 S	3 W	WM	5	NE SE	2.9
6 S	3 W	WM	5	NW SE	31.0
6 S	3 W	WM	6	SW NE	7.7
6 S	3 W	WM	6	SE NE	16.8
6 S	3 W	WM	6	NE SE	0.7
6 S	3 W	WM	6	SW SE	0.3
Total					4104.0

**Permit Amendment Review Criteria**

4. The change would not result in injury to other water rights.
5. The proposed place of use is owned and/or controlled by the permit holder.
6. The change does not enlarge the permit.
7. The change does not alter any other terms of the permit.
8. The proposed place of use is contiguous to the authorized place of use.

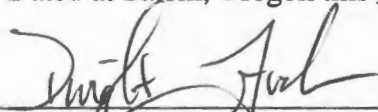
**Conclusions of Law**

The change in place of use proposed by Permit Amendment Application T-12335 is consistent with the requirements of ORS 537.211.

**Now, therefore, it is ORDERED:**

1. The change in place of use proposed by Permit Amendment Application T-12335 is approved.
2. Permit S-55010, in the name of Palmer Creek Water District Improvement Co., is issued to replace Permit S-54762, and incorporates the amendments approved by this order. Permit S-54762, in the name of Palmer Creek Water District Improvement Co., is no longer of any force or effect.
3. The former place of use shall no longer be irrigated as part of this permit.
4. All other terms and conditions of Permit S-54762 remain the same.

Dated at Salem, Oregon this 21 day of Sept, 2016.

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

**OCT 06 2016**

Mailing Date: \_\_\_\_\_