

STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

PALMER CREEK WATER DISTRICT IMPROVEMENT CO.
PO BOX 152
DAYTON, OREGON 97114

(503) 864-2442

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: S-70736

SOURCE OF WATER: WILLAMETTE RIVER, A TRIBUTARY OF COLUMBIA RIVER

PURPOSE OR USE: IRRIGATION OF 190.7 ACRES AND SUPPLEMENTAL IRRIGATION OF 248.9 ACRES

RATE OF USE: 5.50 CUBIC FEET PER SECOND

PERIOD OF ALLOWED USE: IRRIGATION SEASON, MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: OCTOBER 10, 1990

POINT OF DIVERSION LOCATION: NW 1/4 SW 1/4, SECTION 4, T6S, R3W, W.M.; 4700 FEET NORTH & 1290 FEET EAST FROM SE CORNER, DLC 58

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW 1/4 NW 1/4		0.1 ACRE
SW 1/4 NW 1/4		1.7 ACRES
SECTION 28		
NE 1/4 NE 1/4		3.6 ACRES
SW 1/4 NE 1/4		5.2 ACRES
SE 1/4 NE 1/4		22.8 ACRES
SECTION 29		
SW 1/4 NE 1/4	10.0 ACRES	
SE 1/4 NW 1/4	11.0 ACRES	
NE 1/4 SW 1/4	13.2 ACRES	
NW 1/4 SE 1/4	10.0 ACRES	

SECTION 32

TOWNSHIP 4 SOUTH, RANGE 3 WEST, W.M.

NW 1/4 NE 1/4	5.1 ACRES
SW 1/4 NE 1/4 8.3 ACRES	
SW 1/4 NE 1/4	1.8 ACRES
NE 1/4 NW 1/4	15.5 ACRES
SW 1/4 NW 1/4 1.4 ACRES	
SE 1/4 NW 1/4 30.6 ACRES	4.4 ACRES
NE 1/4 SW 1/4 17.0 ACRES	
NW 1/4 SW 1/4 0.9 ACRE	
SE 1/4 SW 1/4	1.0 ACRE
NW 1/4 SE 1/4 16.7 ACRES	18.0 ACRES
SW 1/4 SE 1/4 5.8 ACRES	23.4 ACRES
SECTION 5	
SW 1/4 SW 1/4 4.9 ACRES	
SE 1/4 SW 1/4	0.1 ACRE
SW 1/4 SE 1/4	11.5 ACRES
SE 1/4 SE 1/4	3.2 ACRES
SECTION 7	
NW 1/4 NE 1/4	3.1 ACRES
NE 1/4 NW 1/4	0.2 ACRE
SECTION 8	
NW 1/4 NW 1/4	2.0 ACRES
SECTION 17	
NE 1/4 NE 1/4	12.1 ACRES
NW 1/4 NE 1/4	40.0 ACRES
SW 1/4 NE 1/4	25.2 ACRES
SE 1/4 NE 1/4	0.1 ACRE
NE 1/4 NW 1/4	10.2 ACRES
SW 1/4 NW 1/4 34.0 ACRES	4.3 ACRES
SE 1/4 NW 1/4 6.3 ACRES	33.6 ACRES
NE 1/4 SW 1/4 1.9 ACRES	0.7 ACRE
NW 1/4 SW 1/4 17.0 ACRES	

SECTION 18

TOWNSHIP 5 SOUTH, RANGE 3 WEST, W.M.

NE 1/4 SE 1/4 1.7 ACRES

SECTION 13

TOWNSHIP 5 SOUTH, RANGE 4 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

The permittee shall install, 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 proposed diversion. The required screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.

STANDARD CONDITIONS

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

This permit 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.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued February 23, 1996


for Water Resources Department
Martha O. Pagel
Director

Application S-70736 Water Resources Department
Basin 02 Volume 25 Willamette River N1/2
MGMT.CODE 3BW

PERMIT 51959
District 16