

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist



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

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
 For questions, please call (503) 986-0900, and ask for Transfer Section.

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Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: Certificate 94391**
 Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Evidence of Use Form not enclosed or incomplete
<input type="checkbox"/> Additional signature(s) required	<input type="checkbox"/> Part _____ is incomplete

Other/Explanation _____

Staff: _____ 503-986-0_____ Date: ____/____/____

Part 2 of 5 – Transfer Application Map

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Your transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the transfer application map you submit includes all the required items and **OWRD** matches the existing water right map. Check all boxes that apply.

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32’15.5”) or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Bailey Nurseries Inc., Jon Estes		PHONE NO. 503.868.7971	ADDITIONAL CONTACT NO. 503.457.6897 cell
ADDRESS P.O. Box 398		FAX NO.	
CITY Dayton	STATE OR	ZIP 97114	E-MAIL
<p align="center">BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</p>			

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Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME Pacific Hydro-Geology Inc./ Malia Kupillas		PHONE NO. 503-310-5553	ADDITIONAL CONTACT NO.
ADDRESS 18487 S. Valley Vista Rd.		FAX NO.	
CITY Mulino	STATE OR	ZIP 97042	E-MAIL phg@bctonline.com
<p align="center">BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</p>			

Explain in your own words what you propose to accomplish with this transfer application, and why:
 The transfer is to add an additional point of diversion. It should be noted that the water rights are to remain in the name of PCWDIC. The POD will only be used to irrigate lands authorized in this transfer application or other lands authorized with this POD.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

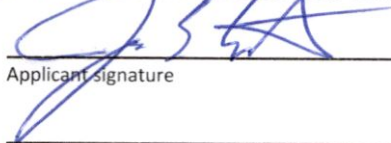
Check One Box

- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

By my signature below, I confirm that I understand:

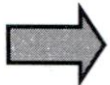
- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: News Register, McMinnville.
- Amendments to the application may only be made in response to the Department’s Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).

I (we) affirm that the information contained in this application is true and accurate.


 Applicant signature

Jon Estes - Water Resources Mgr. 7/6/2020
 Print Name (and Title if applicable) Date

 Applicant signature Print Name (and Title if applicable) Date



Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

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Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? Yes No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

Describe any special ownership circumstances here: _____

- Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME Palmer Creek Water District Improvement Compnay	ADDRESS 14395 Wallace Rd.		
CITY Dayton	STATE OR	ZIP 97114	

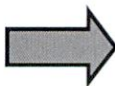
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- Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

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ENTITY NAME Bureau of Reclamation	ADDRESS 1150 N. Curtis Rd., Suite 100		
CITY Boise	STATE ID	ZIP 83706	



To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Yamhill County	ADDRESS 525 NE 4th St.		
CITY McMinnville	STATE OR	ZIP 97128	

ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	

Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 94391

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Description of Water Delivery System

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System capacity: 0.6 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Stored water from a Willamette Basin Project Reservoir is released into the Willamette River during the irrigation season to fulfill BOR contract No. 119E101760. Palmer Creek Water District Improvement Company pumps the water using one to three vertical-turbine pumps with an ODFW approved fish screen on the intake. A fish bypass device is not applicable with this configuration. The number of pumps used is based on demand. Total system capacity is 20,000 gpm. Water flows from the pumps through 1,400 feet of 36-inch steel and then 36-inch concrete pipe to an unlined canal that carries the water 3 miles to a tributary of Palmer Creek. A 75 hp pump is used to redivert the water from Palmer Creek and is piped to Alderman reservoir through a 6-inch mainline. A 40 hp pump sends water from Alderman reservoir to Unionvale reservoir through a 12-inch and 10-inch mainline or directly to the field through 12-inch, 10-inch, 8-inch and 6-inch mainlines. A 40 hp pump delivers the water from Unionvale reservoir to the place of use. Water is applied to the field using either a 150 Nelson hard hose traveler (1.0-inch nozzle) operated at 115 psi using a booster pump on the traveler or handlines at 70 psi. Irrigation method used to apply water is based on type of crop and best management practices.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
PCWDIC POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		6	S	3	W	4	NW	SW	5S 3W 5 800	4,700 ft north and 1,290 feet east from the SE corner of DLC 58
CP POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		5	S	3	W	10	NW	NW	5S 3W 9 100	608 feet north and 40 feet west from Northerly NW corner of DLC 54.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU) Supplemental Use to Primary Use (S to P)
- Character of Use (USE) Point of Appropriation/Well (POA)

- | | |
|---|---|
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water
POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed (“to” or “on” lands) section of Table 2 on the next page. Use the “CODES” listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 94391

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands)										PROPOSED (the "to" or "on" lands)												
The listing that appears on the certificate BEFORE PROPOSED CHANGES										The listing as it would appear AFTER PROPOSED CHANGES												
List only that part or portion of the water right that will be changed.										are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
										5	S	3	W	8	SW	NE	1800	51	9.8	IR	PCWDIC POD and CP POD	7/13/1992
										5	S	3	W	8	SE	NW	1800	51	0.2	IR	PCWDIC POD and CP POD	7/13/1992
										5	S	3	W	8	NE	SW	1800	51	1.0	IR	PCWDIC POD and CP POD	7/13/1992
										5	S	3	W	8	SE	SW	1800	51	0.9	IR	PCWDIC POD and CP POD	7/13/1992
										5	S	3	W	8	NW	SE	1800	51	26.9	IR	PCWDIC POD and CP POD	7/13/1992
										5	S	3	W	8	SW	SE	1800	51	9.2	IR	PCWDIC POD and CP POD	7/13/1992
TOTAL ACRES:										TOTAL ACRES:												
										48.0												

Additional remarks: None.

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: _____.



Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department’s web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right



Oregon

John A. Kitzhaber, MD, Governor

Department of Fish and Wildlife

The Dalles Screen Shop

3561 Klindt Drive

The Dalles OR 97058

(541) 296-8026

(541) 296-7889

dfw.state.or.us

May 6th, 2014

Allen Elliot, c/o Carlton Plants
14301 SE Wallace Rd.
Dayton OR 97114

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RE: Alderman Pump #1 - Carlton pump site @ slough

To Whom It May Concern:

On November 16th, 2009 Oregon Dept of Fish & Wildlife completed an inspection for Carlton Plants of the fish screen and the point of diversion located on Lambert Slough, referred to as "Alderman" pump #1. This self-cleaning fish screen meets current criteria for anadromous salmonid species. Given that this is an end of pipe fish screen, a by-pass pipe is not required. If you have any questions please feel free to contact ODFW.

Sincerely,


Martin Olson
Fish Screens Field Coordinator
The Dalles Screens Shop

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Oregon

Theodore R. Kulongoski, Governor

Department of Fish and Wildlife
Fish Division
3406 Cherry Avenue NE
Salem, OR 97303
(503) 947-6200
Fax (503) 947-6202/6203
www.dfw.state.or.us

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July 17, 2008

Palmer Creek Water District Improvement Company
Jon Bartch
14301 Wallace Road
Dayton, OR 97114

Dear Mr. Bartch:

Thank you for participating in the State of Oregon's fish screening program. Your involvement in these cost-sharing and tax credit incentives helps protect fish by installing screening diversions (S-02-0032) on Oregon's rivers and streams.

According to our records, the screen passed final inspection on May 29, 2008 at the Willamette River pump station. Therefore, ODFW is releasing the final 10% reimbursement limited to **\$15,000.00**.

This reimbursement will be mailed to you and you should receive this check in 3 to 4 weeks.

Sincerely,

Ray Hartlerode
Program Manager
Fish Screening & Passage Program

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Application for Water Right Transfer

Evidence of Use Affidavit



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
) ss
 County of YAMHILL)

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I, JON ESTES, in my capacity as WATER RESOURCES MANAGER,
 mailing address P.O. BOX 398, DAYTON, OR 97114
 telephone number (503)457.6897, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation Professional expertise

2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # 94391; **OR**

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

- Confirming Certificate # 94391 has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

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3. The water right was used for: (e.g., crops, pasture, etc.): NURSERY AND COVER CROPS

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.


 Signature of Affiant

6/3/2020 **RECEIVED**
 Date **JUL 23 2020**

Signed and sworn to (or affirmed) before me this 3 day of June, 2020. **OWRD**




 Notary Public for Oregon

My Commission Expires: 12-2-2022

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

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

confirms the right to the use of water perfected under the terms of Permit S-54756. 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-72555

SOURCE OF WATER: WILLAMETTE RIVER BASIN PROJECT RESERVOIR, CONSTRUCTED UNDER PERMIT R-1625, A TRIBUTARY OF WILLAMETTE RIVER

PURPOSE OR USE: IRRIGATION OF 48.0 ACRES

VOLUME OF USE: 48.0 ACRE-FEET STORED WATER ONLY

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 OR AS MAY BE FURTHER LIMITED BY THE BUREAU OF RECLAMATION WATER SUPPLY CONTRACT

DATE OF PRIORITY: JULY 13, 1992

The point of diversion location:

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 place of use is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	3 W	WM	8	SW NE	51	9.8
5 S	3 W	WM	8	SE NW	51	0.2
5 S	3 W	WM	8	NE SW	51	1.0
5 S	3 W	WM	8	SE SW	51	0.9
5 S	3 W	WM	8	NW SE	51	26.9
5 S	3 W	WM	8	SW SE	51	9.2

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.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device 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 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 water user to report general water use information, including the place and nature of use of water under the right.
- B. The water user 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.

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 water user, a copy of which is on file in the records of the Water Resources Department.

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

This 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 JUN 14 2019



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

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Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301
 (503) 986-0900
 www.wrd.state.or.us

Ownership Update For Certificated Rights Only

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NO FEES ARE REQUIRED TO SUBMIT THIS FORM

NOTICE: A certificate of water right typically stays with the land. In order to track water right ownership, the Department requests that this form be submitted to the Department. **To update multiple rights, a separate form is required for each right.**

If you have any questions about this form, please contact your local watermaster, or call the Water Resources Department at (503) 986-0900.

This form is not for Applications, Permits, Transfers, Groundwater Registrations, or Limited Licenses. To notify the Department of changes in ownership to these types of authorizations, an Assignment is required.

Current Landowner Information

Name: Bailey Nurseries Inc. in the name of Palmer Creek Water District Improvement Co. _____

Mailing Address: P.O. Box 398 _____

City: Dayton _____ State: OR _____ Zip: 97114

Phone (Home): _____ Work: 503.457.6897 _____ Other: _____

Property Description

County: Yamhill _____ Township: 6S _____ Range: 3W _____ Section: 8 _____

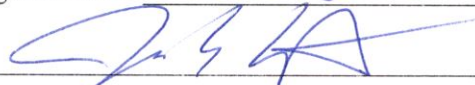
Taxlot Number(s):
 1800 _____

Street Address of water right property: No street address _____

Water Right Information: Application: S - 7255 _____ Permit: 54756 _____ Certificate #: 94391 _____

Are all the lands associated with this water right owned by the requester? Yes No _____ If No, include a map showing the portion of the right involved.

Name of individual completing this form: Jon Estes _____ Phone: 503-457-6897

Signature of requestor:  _____ Date: 6/7/2020

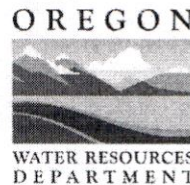
The Department does not change names on certificates. This form will be placed in the file for future reference only. The Department does not provide acknowledgement that this form has been received.
Last updated: June 21, 2017 Request for Ownership Update for Certificated Rights Only WR

13497

Supplemental Form D

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 503-986-0900
 www.oregon.gov/OWRD

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

1. APPLICANT INFORMATION

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APPLICANT/BUSINESS NAME Bailey Nurseries Inc., Jon Estes			PHONE (HM)
PHONE (WK) 503.868.7971	CELL 503.457.6897	FAX	
ADDRESS P.O. Box 398			
CITY DAYTON	STATE OR	ZIP 97114	E-MAIL**

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME PALMER CREEK WATER DISTRICT IMPROVEMENT COMPANY			PHONE (HM)
PHONE (WK) 503.868.7157	CELL	FAX	
ADDRESS 14395 SE WALLACE RD.			
CITY DAYTON	STATE OR	ZIP 97114	E-MAIL**

** By providing an e-mail address, the applicant and/or the district/water supplier consents to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.	S-72555	-S-54756	94391	YES <input checked="" type="checkbox"/>
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

CURRENT ASSOCIATIONS Please answer the following "yes" or "no" questions:

- YES NO One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.
- YES NO All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

PROPOSED ASSOCIATIONS Please answer the following "yes" or "no" questions:

- YES NO One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.
- YES NO All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

COMMENTS OR ADDITIONAL INFORMATION ATTACHED IS A LETTER FROM PALMER CREEK WATER DISTRICT IMPROVEMENT COMPANY DATED JUNE, 2009 APPROVING THIS ADDITIONAL DIVERSION POINT.

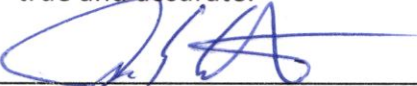
4. APPLICANT'S SIGNATURE

(1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:
 email, phone, postal mail, in person, or other (please specify) _____

(2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.

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Applicant Signature

Jon Estes

Name (print)

7/6/2020

Date

5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

The district/water supplier certifies the following:

- (1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and
- (2) The district/water supplier consents to the proposed water right transfer application.

13497

YES NO After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES NO The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).



Signature of District Manager /Water Supplier

Darin Cox President

Name (print), Title

7/7/2020

Date

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