



Oregon Water Resources Department
Stored Water Only Applications - Expedited Secondary

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Today's Date: Wednesday, June 12, 2019

Base Application Fee.		\$520.00
Acre feet of Stored Water to be diverted.	538.8	\$1,322.80
Permit Recording Fee. ***		\$520.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$2,362.80

OWRD Fee Schedule

Fee Calculator Version: B20170117



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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Palmer Creek Water District Improvement Co.

14395 SE Wallace RD. Dayton, OR 97114

Transaction Type: Surface App E-2

Fees Received: \$ ~~2362.80~~ (2362.80)

☐ Cash ☒ Check: Check No. 1259

Name(s) on Check: Palmer Creek Water Co.

Address on Check: Same as above

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,
OWRD Customer Service Staff

Submission received by: Cory Middleton
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.



June 5, 2019
10279.007

Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1271

Subject: **Surface Water Application**
Palmer Creek Water District Improvement Company
Yamhill County, Oregon

Attention: Water Rights Section

On behalf of Palmer Creek Water District Improvement Company, we have prepared the enclosed Surface Water Application. The source of water is stored water from the Bureau of Reclamation (BOR) Willamette Reservoir Projects. The BOR contract request is included in the application, when the finalized contract is issued it will be submitted to Water Resources Department (note there was an April 19, 2019, request to BOR to revise the amount of water requested to 538.8 acre feet).

If you have any questions or comments please contact us at (503) 768-5121.

Sincerely,
EnviroLogic Resources, Inc.

Nancy East-Smith, RG, CWRE
Senior Project Geologist

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Thomas J. Calabrese, RG, CWRE
Principal Hydrogeologist

Enclosure: Surface Water Application

Application for a Permit to Use
Surface Water

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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME			PHONE (HM)
PHONE (WK)	CELL		FAX
ADDRESS			
CITY	STATE	ZIP	E-MAIL *

Organization

NAME PALMER CREEK WATER DISTRICT IMPROVEMENT COMPANY		PHONE 503 868 7157	FAX
ADDRESS 14395 SE WALLACE RD			CELL
CITY DAYTON	STATE OR	ZIP 97114	E-MAIL * PCWDIC@GMAIL.COM

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

AGENT / BUSINESS NAME ENVIROLOGIC RESOURCES, INC.		PHONE 503 768 5121	FAX
ADDRESS PO Box 80762			CELL 503 799 8011
CITY PORTLAND	STATE OR	ZIP 97280	E-MAIL * TOMCALABRESE@H2OGEO.COM NANCYESMITH@H2OGEO.COM

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
 - Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.

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

Applicant Signature

Print Name and Title if applicable

Date

Applicant Signature

Print Name and Title if applicable

Date

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- ☐ YES, there are no encumbrances.
- ☐ YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- ☒ NO, I have a recorded easement or written authorization permitting access.
- ☐ NO, I do not currently have written authorization or easement permitting access.
- ☐ NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- ☐ NO, because water is to be diverted, conveyed, and/or used only on federal lands.

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Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. (*Attach additional sheets if necessary*).

See Attachment A

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

See Attachment B

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: Bureau of Reclamation, Willamette Reservoir Project	Tributary to: Willamette River
TRSQQ of POD: See Attachment C	
Source 2:	Tributary to:
TRSQQ of POD:	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

72756 and 91586 (included in Attachment C)

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

- ☐ Yes.
- ☒ No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.) **See Attachment C**

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

☐ By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

Not Applicable – Stored BOR Water is Source

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on “Submit” to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply? **Not Applicable – Stored BOR Water is Source**

☐ Yes ☐ No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the “Columbia River Basin Fish and Wildlife Program” adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by

Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.

- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply? **Not Applicable – Stored BOR Water is Source**

☐ Yes ☐ No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

☐ Yes ☐ No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply? **Not Applicable – Stored BOR Water is Source**

☐ Yes ☐ No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

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SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
BOR Stored Water	Irrigation	March 1 to Oct 31	☐ cfs ☐ gpm ☒ af 538.8
			☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 215.5 Acres Supplemental: Acres

If Supplemental Acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 538.8

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households:
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

- ☒ Pump (give horsepower and type): 2 @ 125 hp Turbine, 1 @ 300 hp Turbine (all existing)
- ☐ Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. The delivery system is already in place.

Stored water in the Willamette Basin Project Reservoirs would be released during the irrigation season under a BOR contract (BOR contract requested Oct 2018 with an April 2019 revision, see Attachment C). The PCWDIC then pumps the stored water from the Willamette River into a pipe, then a ditch, then Palmer Creek. Farmers utilize their own redirection pumps to deliver water from the ditch/creek to their fields.

PCWDIC pump station contains three vertical turbine pumps (2-125 hp, 1-300 hp) equipped with an ODFW approved fish screen. The small pumps have a capacity of 14 cfs (6,200 gpm) and the large pump 35 cfs (15,700 gpm). The lift from the Willamette River to the pump house is about 20 feet. The water then flows from the pump house through about 1,400 feet of 36-inch pipe that discharges into an open canal. The total lift from the pump intake to the discharge into the canal is about 60 feet.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
Field application is generally via handlines and sprinklers or big gun sprinklers.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

Irrigation will be done utilizing best management practices to prevent waste. Meters will be utilized to measure the amount of water used.

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SECTION 7: RESOURCE PROTECTION

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In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

- ☐ Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions: Diversion Structure already exists with approved ODFW Fish Screen
- ☐ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.
Describe planned actions and additional permits required for project implementation: None planned
- ☐ Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: Not planned
- ☐ Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: No new structures planned. Existing structure is designed to prevent erosion and run off.
- ☐ List other federal and state permits or contracts to be obtained, if a water right permit is granted. None

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: None anticipated, if needed within 3 years after the permit is issued
- b) Date construction will be completed: If needed, within 5 years after the permit is issued.
- c) Date beneficial water use will begin: Within 5 years after the permit is issued

SECTION 9: WITHIN A DISTRICT

- ☐ Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name Palmer Creek Water District Improvement Co.	Address 14395 SE Wallace Rd	
City Dayton	State OR	Zip 97114

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. (*Attach additional sheets if necessary*).

Attachment A: Affected Landowners (Tax Lot/Landowner List)

Attachment B: Legal Descriptions

Attachment C: BOR Contract Request and Certificates

Attachment D: Acre Listing

Note that the Land Use Form includes listings for both Yamhill County and Polk County, WRD will receive a Land Use Form from each county.

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APPLICATION MAPS

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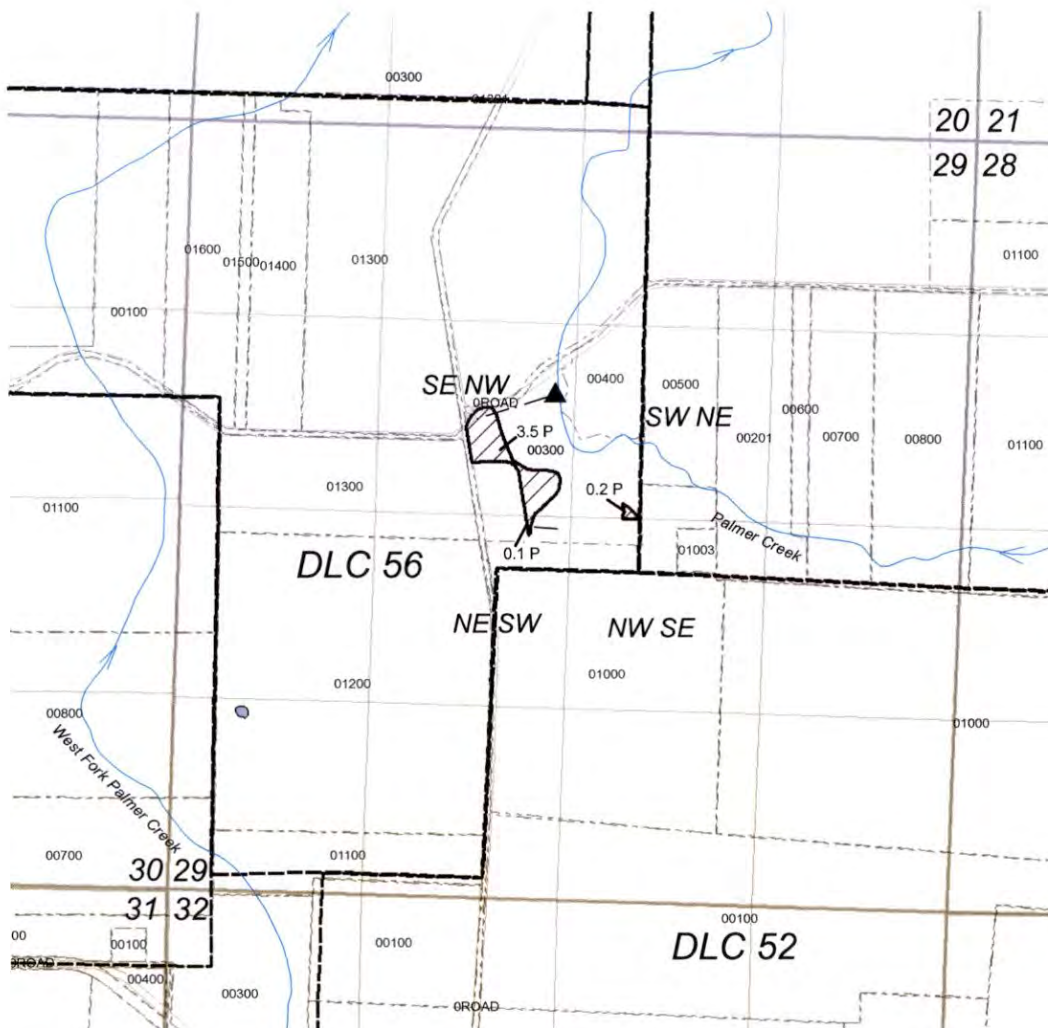
5-88705

T4S, R3W, WM, Section 29
Yamhill County, Oregon

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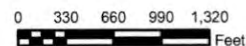
JUN 11 2019

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POD is located 4,700' N and 1,290' E from SE corner of DLC 58 (see Map 2 of 2)

1 inch = 1,320 Feet



Explanation

- ▲ Rediversion
- Rediversion Pipeline
- Water Features
- Roads
- ▨ Primary
- ▭ DLC Boundaries
- ▭ Tax Lots

NAD 1983 HARN
Datum of 1983
Prepared April 30, 2019

Sources: BLM CadNSDI PLSS
(GeoCommunicator LSIS, 2015),
Oregon Spatial Data Library water
features, county lines & tax lots, roads
(spatialdata.oregonexplorer.info),
Pacific Hydro-Geology, Inc. main
canal, point of diversion, DLC lines, et
al (shapefiles provided by)

This map was prepared for the purpose
of identifying the location of a water
right only and is not intended to provide
legal dimensions or locations of
property ownership lines.

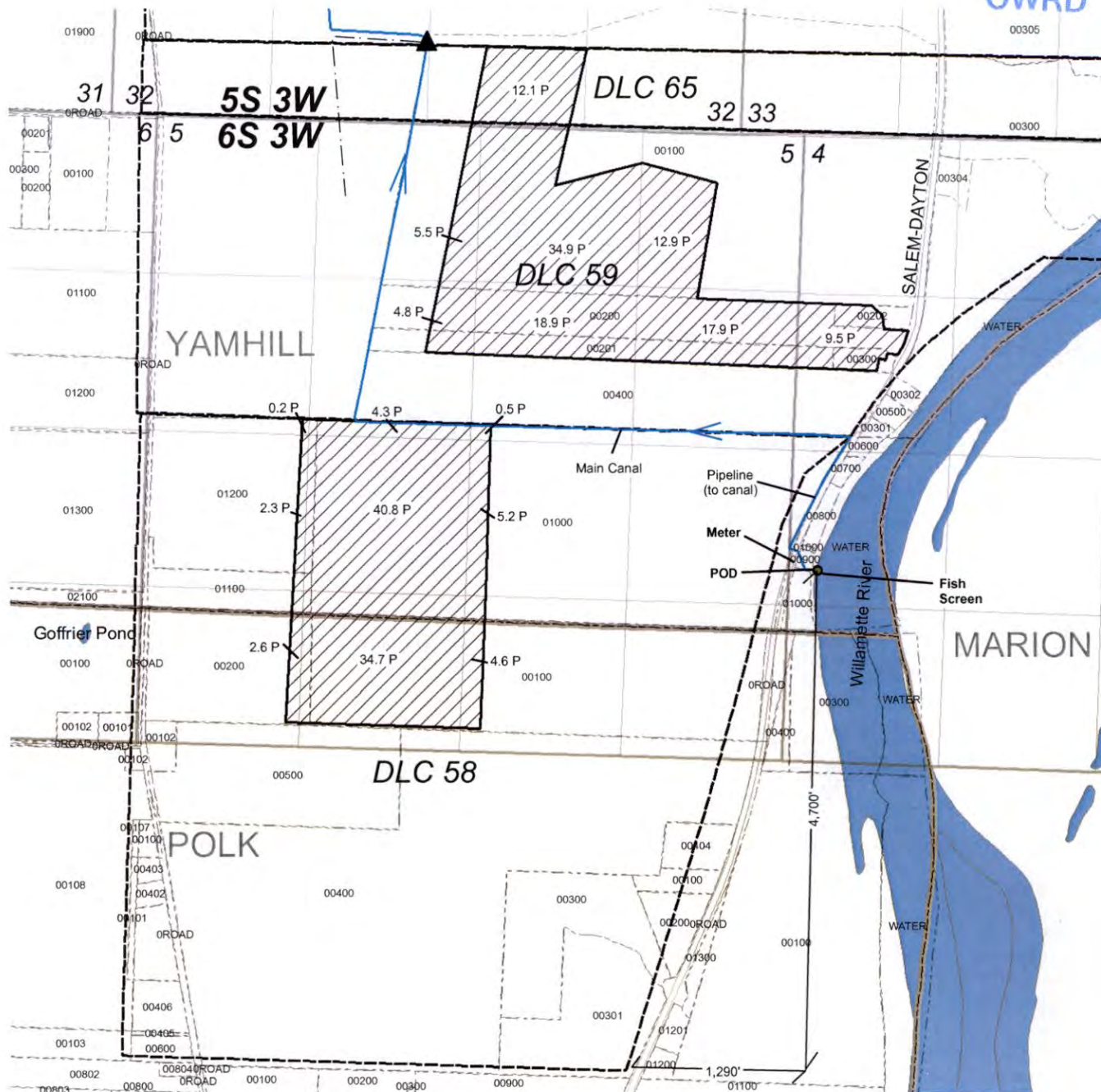
**Water Right Application
Palmer Creek Water District
Improvement Company
Map 1 of 2**

T5S, R3W, WM, Section 32
T6S, R3W, WM, Section 04 & 05
Yamhill County & Polk County, Oregon

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POD is located 4,700' N and 1,290' E from SE corner of DLC 58

1 inch = 1,320 Feet

Explanation

- ▲ Rediversion
- Point of Diversion (tax lot 800)
- Water Features
- - - Rediversion Pipeline
- Roads
- DLC Boundaries
- ▨ Primary
- Tax Lots

NAD 1983 HARN
Datum of 1983
Prepared April 30, 2019

Sources: BLM CadNSDI PLSS
(GeoCommunicator LSIS, 2015),
Oregon Spatial Data Library water
features, county lines & tax lots, roads
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0 330 660 990 1,320
Feet

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LAND USE FORMS

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Attachment 1: Checklist & Processing Information

Land Use Information Form

Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, Oregon 97301-1266

503-986-0900

www.oregon.gov/OWRD

Applicant

NAME PALMER CREEK WATER IMPROVEMENT COMPANY			PHONE (HM) 503 868 7157		
PHONE (WK) 503 868-7157, 503 956-6360		CELL		FAX	
ADDRESS 14395 SE WALLACE ROAD					
CITY DAYTON		STATE OR	ZIP 97114	E-MAIL* ERIKA.STEPPER@GMAIL.COM PCWDIC@GMAIL.COM	

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
YAMHILL COUNTY									
4S	3W	29	SWNE SENE NESW	300	EF 80	Diverted	Conveyed	Used	Farming
5S	3W	32	SESW	400	EF 80	Conveyed			Farming
			SWSE	100	EF 80	Used			
6S	3W	5	NENW NWNE NENE	100	EF 80	☐ Diverted	☐ Conveyed	☒ Used	Farming
			SENE SWNE SWNE	200, 201	EF 80	☐ Diverted	☐ Conveyed	☒ Used	Farming
6S	3W	4	SWNW	202, 300	EF 80	☐ Diverted	☐ Conveyed	☒ Used	Farming
			SENE SWNE SWNE	402	EF 80	Conveyed			Farming
			SWNE SENE NESW SESW NWSE SWSE	1000	EF 80	Conveyed Used			Farming
			SWNW SENE	1200	EF 80	Used			Farming

5-88705

Land Use Information Form

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Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, Oregon 97301-1266

503-986-0900

www.oregon.gov/OWRD

Applicant

OWRD

NAME PALMER CREEK WATER IMPROVEMENT COMPANY		PHONE (HM) 503 868-7157	
PHONE (WK) 503 868-7157, 503 956-6360	CELL	FAX	
ADDRESS 14395 SE WALLACE ROAD			
CITY DAYTON	STATE OR	ZIP 97114	E-MAIL* ERIKA.STEPPER@GMAIL.COM PCWDIC@GMAIL.COM

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
YAMHILL COUNTY									
4S	3W	29	SWNE SENE NESW	300	EF 80	Diverted	Conveyed	Used	Farming
5S	3W	32	SESW	400	EF 80	Conveyed			Farming
			SWSE	100	EF 80	Used			
6S	3W	5	NENW NWNE NENE	100	EF 80	☐ Diverted	☐ Conveyed	☒ Used	Farming
			SENE SWNE SWNE	200, 201	EF 80	☐ Diverted	☐ Conveyed	☒ Used	Farming
6S	3W	4	SWNW	202, 300	EF 80	☐ Diverted	☐ Conveyed	☒ Used	Farming
			SENE SWNE SWNE	402	EF 80	Conveyed			Farming
			SWNE SENE NESW SESW NWSE SWSE	1000	EF 80	Conveyed			Farming
			SWNW SENE	1200	EF 80	Used			Farming

			NESW NWSW				
			NESW NWSW SWSW SESW	1100	EF 80	Used	Farming
6S	3W	4	NWSE	900	EF 80	☒ Diverted ☒ Conveyed ☐ Used	Farming
POLK COUNTY							Farming
6S	3W	5	SWSE SESW	100	EFU	Used	Farming
			SWSW SESW	200	EFU	Used	Farming

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Yamhill and Polk Counties

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water
 ☐ Water Right Transfer
 ☐ Permit Amendment or Groundwater Registration Modification
☐ Limited Water Use License
 ☐ Allocation of Conserved Water
 ☐ Exchange of Water

Source of water: ☒ Reservoir/Pond ☐ Groundwater ☐ Surface Water (name) BOR Willamette Reservoirs

Estimated quantity of water needed: _____ ☐ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

Irrigation water for Palmer Creek Irrigation District members. Source of water is Bureau of Reclamation stored water in the Willamette Reservoir Project.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): PC20 136.030(A) - Farm Use
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
RECEIVED		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
JUN 11 2019		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
OWRD		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

NAME <u>Justin Peterson</u>		TITLE: <u>Associate Planner</u>	
SIGNATURE <u>Justin Peterson</u>	PHONE: <u>503-623-9237</u>	DATE: <u>6-7-19</u>	
GOVERNMENT ENTITY <u>Polk County</u>			

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

			NESW NWSW				
			NESW NWSW SWSW SESW	1100	EF 80	Used	Farming
6S	3W	4	NWSE	900	EF 80	☒ Diverted ☒ Conveyed ☐ Used	Farming
POLK COUNTY							Farming
6S	3W	5	SWSE SESW	100	EFU	Used	Farming
			SWSW SESW	200	EFU	Used	Farming

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Yamhill and Polk Counties

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B. Description of Proposed Use

OWRD

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water
 ☐ Water Right Transfer
 ☐ Permit Amendment or Groundwater Registration Modification
☐ Limited Water Use License
 ☐ Allocation of Conserved Water
 ☐ Exchange of Water

Source of water: ☒ Reservoir/Pond ☐ Groundwater ☐ Surface Water (name) BOR Willamette Reservoirs

Estimated quantity of water needed: _____ ☐ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

Irrigation water for Palmer Creek Irrigation District members. Source of water is Bureau of Reclamation stored water in the Willamette Reservoir Project.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.



For Local Government Use Only

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Please check the appropriate box below and provide the requested information

- ☐ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____.
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
RECEIVED JUN 11 2019		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
OWRD		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

NAME		TITLE:
SIGNATURE	PHONE:	DATE:
GOVERNMENT ENTITY		

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Land Use Information Form

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Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, Oregon 97301-1266

503-986-0900

www.oregon.gov/OWRD

Applicant

NAME PALMER CREEK WATER IMPROVEMENT COMPANY		PHONE (HM) 503 868-7157	
PHONE (WK) 503 868-7157, 503 956-6360	CELL		FAX
ADDRESS 14395 SE WALLACE ROAD			
CITY DAYTON	STATE OR	ZIP 97114	E-MAIL* ERIKA.STEPPER@GMAIL.COM PCWDIC@GMAIL.COM

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
YAMHILL COUNTY									
4S	3W	29	SWNE SENE NESW	300	EF 80	Diverted	Conveyed	Used	Farming
5S	3W	32	SESW	400	EF 80		Conveyed		Farming
			SWSE	100	EF 80			Used	
6S	3W	5	NENW NWNE NENE	100	EF 80	☐ Diverted	☐ Conveyed	☒ Used	Farming
			SENE SWNE SWNE	200, 201	EF 80	☐ Diverted	☐ Conveyed	☒ Used	Farming
6S	3W	4	SWNW	202, 300	EF 80	☐ Diverted	☐ Conveyed	☒ Used	Farming
			SENE SWNE SWNE	402	EF 80		Conveyed		Farming
			SWNE SENE NESW SESW NWSE SWSE	1000	EF 80		Conveyed	Used	Farming
			SWNW SENE	1200	EF 80			Used	Farming

5-88705

			NESW NWSW				
			NESW NWSW SWSW SESW	1100	EF 80	Used	Farming
6S	3W	4	NWSE	900	EF 80	☒ Diverted ☒ Conveyed ☐ Used	Farming
POLK COUNTY							Farming
6S	3W	5	SWSE SESW	100	EFU	Used	Farming
			SWSW SESW	200	EFU	Used	Farming

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Yamhill and Polk Counties

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B. Description of Proposed Use

OWRD

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water ☐ Water Right Transfer ☐ Permit Amendment or Groundwater Registration Modification
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

Source of water: ☒ Reservoir/Pond ☐ Groundwater ☐ Surface Water (name) BOR Willamette Reservoirs

Estimated quantity of water needed: _____ ☐ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

Irrigation water for Palmer Creek Irrigation District members. Source of water is Bureau of Reclamation stored water in the Willamette Reservoir Project.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

5-88705

Land Use Information Form

RECEIVED**JUN 06 2019****YAMHILL COUNTY PLANNING****Oregon Water Resources Department**

725 Summer Street NE, Suite A

Salem, Oregon 97301-1266

503-986-0900

www.oregon.gov/OWRD

Applicant

NAME PALMER CREEK WATER IMPROVEMENT COMPANY		PHONE (HM) 503 868 7157	
PHONE (WK) 503 868-7157, 503 956-6360	CELL		FAX
ADDRESS 14395 SE WALLACE ROAD			
CITY DAYTON	STATE OR	ZIP 97114	E-MAIL* ERIKA.STEPPER@GMAIL.COM PCWDIC@GMAIL.COM

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5S	3W	32	SESW	400	EF 80		Conveyed		Farming
			SWSE	100	EF 80			Used	
6S	3W	5	NENW NWNE NENE	100	EF 80	☐ Diverted	☐ Conveyed	☒ Used	Farming
			SENE SWNE SWNE	200, 201	EF 80	☐ Diverted	☐ Conveyed	☒ Used	Farming
6S	3W	4	SWNW	202, 300	EF 80	☐ Diverted	☐ Conveyed	☒ Used	Farming
			SENE SWNE SWNE	402	EF 80		Conveyed		Farming
			SWNE SENE NESW SESW NWSE SWSE	1000	EF 80		Conveyed	Used	Farming
			SWNW SENE	1200	EF 80			Used	Farming

5-88705

			NESW NWSW				
			NESW NWSW SWSW SESW	1100	EF 80	Used	Farming
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POLK COUNTY							Farming
6S	3W	5	SWSE SESW	100	EFU	Used	Farming
			SWSW SESW	200	EFU	Used	Farming

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Yamhill and Polk Counties

B. Description of Proposed Use

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- ☒ Permit to Use or Store Water
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 ☐ Exchange of Water

Source of water: ☒ Reservoir/Pond ☐ Groundwater ☐ Surface Water (name) BOR Willamette Reservoirs

Estimated quantity of water needed: _____ ☐ cubic feet per second ☐ gallons per minute ☐ acre-feet

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☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

Irrigation water for Palmer Creek Irrigation District members. Source of water is Bureau of Reclamation stored water in the Willamette Reservoir Project.

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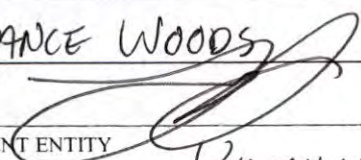
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Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): SECTION 402.02 (A) OF THE YCZO.
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RECEIVED JUN 11 2019		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
OWRD		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

NAME <u>LANCE WOODS</u>	TITLE: <u>ASSOCIATE PLANNER</u>	
SIGNATURE 	PHONE: <u>(903) 434-7516</u>	DATE: <u>6/6/2019</u>
GOVERNMENT ENTITY <u>YAMHILL COUNTY PLANNING DEPARTMENT</u>		

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Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Yamhill County
Department of Planning and Development

525 NE 4th Street, McMinnville, Oregon 97128

Phone: (503) 434-7516 • Fax: (503) 434-7544 • TTY: 800-735-2900 • Website: www.co.yamhill.or.us/plan

Date: 6-6-19

RECEIVED OF: Er, Ka J Stepper

FOR: _____

Docket #(s): _____

Permit #(s): _____

Tax Lot #(s): 4329-300

PERMITS

Building Permits
Plumbing Permits (Residential)
Plumbing Permits (Commercial)
Mechanical Permits
Manufactured Home Placement Permits
Electrical Permits
Electrical—Master Permit Program

Zoning Compliance Fee (Ag Barn)
Reinspection Fee
Inspection Fee
Demolition Permit
Building Investigation Fee
Plan Review (Building or Electrical)
Administrative Surcharge

Agency 78.00
Address
Appeal/Hearing
Comprehensive Plan Amendment (PA, PAZ)
Conditional Use (C, CTS, CTR, WRG)
Cove Orchard Sewer Hookup
Dwelling Approvals (Farm, Forest, Non-farm)
Partition/Subdivision/Adjustments
Miscellaneous Land Use Applications

LAND USE

AGCY
ADDR
APEAL
*PDCP *PDPZ
*PDCU MADJ CTS CTR *PDWR
COSSD
*PDFD *PDFT *PDNF
*PDPA *PDSU L-MAJ L-MIN
EXT *PDFP NCU NCU-R RR SIGN SU
SDR TS V M-37

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SEPTIC

Septic Permit
Pump
Site Evaluation
Plan Review (Commercial)
Authorization

Existing System Evaluation
Alternative System Evaluation
Inspections
Pump Truck Evaluation(s)

SOLID WASTE

WOW - Valley: Franchise (FRACS)
Newberg Garbage: Franchise (FRANG)
Newberg Transfer: Franchise (FRANT)

Riverbend: In County (RBIN)
Riverbend: Out of County (RBOU)
Miscellaneous (MISSW)

MISCELLANEOUS

Photo Copies, Fax, P.I. Listing
Public Works – County Maps
Telephone

COPY PILIST
*PDRD
TELBU TELME TELPR TELPC TELEM TELPL TELSW

SURVEYOR

Photo Copies (COPYS)
Surveyor Filing Fee (FIFEE)

Plat Checks (PLCHK)
Road Vacation (RDVAC)

All items are received for collection
ONLY and this receipt shall be
cancelled for nonpayment of any item

TOTAL
PAID

78.00

Cash _____
Credit Card W100
Ref# 4

Coin _____
Check# _____
Appr# 1091316

113450

By: AZ

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5-88705

For Local Government Use Only

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NAME		TITLE:
SIGNATURE	PHONE:	DATE:
GOVERNMENT ENTITY		

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Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

ATTACHMENT A

*Affected Landowners
(Tax Lot/Land Owner List)*

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5-88705

Palmer Creek Water District Improvement Company
Tax Lot Listing
Stored Water Application
June 2019

YAMHILL COUNTY

T4S R3W Sec 29

TL 00300

Wilson Farms of Dayton, Inc.
10135 SE Wallace Rd
Dayton, OR 97114

T5S R3W Sec 32

TL 00400

D&E Land Holdings LLC
7385 Howell Prairie Rd NE,
Silverton, OR 97381

T6S R3W Sec 4

TL 900

Palmer Creek Irrigation District
14395 SE Wallace Rd
Dayton, OR 97114

T6S R3W Sec 5

TL 100 and 200

Ditchen Land Company LLC
7385 Howell Prairie Rd NE,
Silverton, Or 97381

TL 201 and 300

Richard and Eileen Owen
24700 Wallace Rd NW
Salem, OR 97304

TL 202

Ditchen Land Company LLC
7385 Howell Prairie Rd NE,
Silverton, Or 97381

TL 1000

Ditchen Land Company LLC
7385 Howell Prairie Rd NE,
Silverton, Or 97381

TL 01100

Brian & Duane LLC
7385 Hopwell Prairie Rd NE
Silverton, OR 97381

TL 01200

D&E Land Holdings LLC
7385 Howell Prairie Rd NE,
Silverton, OR 97381

POLK COUNTY

T6S R3W Sec 5

TL 00100

Ditchen Land Company LLC
7385 Howell Prairie Rd NE,
Silverton, Or 97381

TL 00200

Brian & Duane LLC
7385 Howell Prairie Rd NE
Silverton, OR 97381

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ATTACHMENT B
Legal Descriptions

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OWRD

5-88705

Legal Description
Place of Use
4S 3W Sec 29

MAGNESS LAND SURVEYING

**PO BOX 1239
WILLAMINA, OREGON, 97396
PHONE: 503-843-3404
CELL: 971-237-3413
EMAIL: MAGNESS@WBCABLE.NET**

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Date: 1 APRIL 2014

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WILSON FARMS OF DAYTON, INC – Fields to be included in water district.

"Field A"

A tract of land in Section 29, Township 4 South, Range 3 West, Willamette Meridian, Yamhill County, Oregon, located within the F. HOLDRIDGE DLC NO. 56, and being a portion of Parcel 3 as described in Bargain and Sale Deed to WILSON FARMS OF DAYTON, INC, recorded in Instrument No. 2012-05171, Yamhill County Deed Records, being more particularly described as follows:

COMMENCING at the Southwest corner of said Parcel 3 as shown in CS-12965; thence North 89°46'27" East 16.82 feet to the POINT OF BEGINNING; thence North 10°54'08" West 775.67 feet; thence North 23°41'20" East 79.60 feet; thence North 49°29'08" East 94.76 feet; thence North 83°43'44" East 82.41 feet; thence South 18°59'17" East 146.14 feet; thence South 25°51'56" East 99.04 feet; thence South 23°45'21" East 112.35 feet; thence South 54°15'40" East 281.11 feet; thence North 70°53'31" East 98.96 feet; thence South 19°46'35" East 71.93 feet; thence South 47°51'38" West 194.30 feet; thence South 21°44'46" West 225.03 feet; thence South 48°29'32" West 54.20 feet; thence South 89°57'04" West 253.23 feet to the POINT OF BEGINNING, having an area of 7.12 Acres

"Field B"

A tract of land in Section 29, Township 4 South, Range 3 West, Willamette Meridian, Yamhill County, Oregon, located within the F. HOLDRIDGE DLC NO. 56, and being a portion of Parcel 3 as described in Bargain and Sale Deed to WILSON FARMS OF

DAYTON, recorded in Instrument No. 2012-05171, Yamhill County Deed Records, being more particularly described as follows:

BEGINNING at the Southeast corner of said Parcel 3 as shown in CS-12965; thence North 89°38'34" West 537.55 feet; thence South 71°19'00" West 11.35 feet; thence South 89°58'13" West 47.61 feet; thence North 30°58'28" East 44.61 feet; thence North 47°12'54" East 257.02 feet; thence North 55°14'11" East 145.61 feet; thence North 86°50'15" East 114.23 feet; thence South 51°56'56" East 132.87 feet; thence South 29°17'52" East 94.00 feet; thence South 137.98 feet to the POINT OF BEGINNING, having an area of 2.82 Acres

"Field C"

A tract of land in Section 29, Township 4 South, Range 3 West, Willamette Meridian, Yamhill County, Oregon, located within the F. HOLDRIDGE DLC NO. 56, and being a portion of Parcel 2 as described in Bargain and Sale Deed to WILSON FARMS OF DAYTON, recorded in Instrument No. 2012-05171, Yamhill County Deed Records, being more particularly described as follows:

BEGINNING at a point on the east line of said F. Holdridge D.L.C. No. 56 and the east line of said Parcel 2 at a point that is North 934.41 feet of the Southeast corner of said Parcel 3 as shown in CS-12965; thence North 600.27 feet; thence North 56°42'35" West 66.38 feet; thence North 85°18'40" West 56.89 feet; thence South 38°03'16" West 310.98 feet; thence South 24°29'44" West 127.44 feet; thence South 00°06'10" East 134.81 feet; thence South 05°06'58" West 132.37 feet; thence South 26°17'11" East 102.30 feet; thence North 80°03'38" East 137.87 feet; thence North 62°56'55" East 65.23 feet; thence North 75°55'45" East 77.21 feet; thence North 84°03'45" East 54.47 feet to the POINT OF BEGINNING. Having an area of 4.65 Acres

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OWRD

Legal Description
Place of Use
5S 3W Sec 32,
6S 3W Sec 4 and 5

BO: 200 PAGE 797

Exhibit A

Approximately 461.05 acres situated in Polk and Yamhill Counties, Oregon, and more particularly described as follows:

TRACT I:

Beginning at the intersection of the North line of the George K. Gay Donation Land Claim in Township 6 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, with the East line of the Salem-Dayton Highway; thence West along the North line of said Claim to a point which is 20.96 chains East from the Northwest corner thereof; thence Southerly along the East line of an 80 acre tract conveyed by deed recorded in Volume G, page 240, of Yamhill County Deed Records, a distance of 38.12 chains to a stone on the line dividing said Claim into North and South halves; thence East along said dividing line 3887 feet to a stone at the Southeast corner of the North half of said Claim; thence North 12° East along the East line of said Claim to the Southeast corner of that tract conveyed to Palmer Creek Water District Improvement Company by deed recorded in Film Volume 63, page 31, Deed and Mortgage Records; thence North 73°20'48" West 156 feet, more or less, to an iron pipe set on the East line of the Salem-Dayton Highway; thence Northerly along the East line of said Highway 154 feet to an iron pipe; thence South 71° East 130 feet, more or less, to the East line of said Gay Claim; thence North 12° East along the Eastline of said Claim to the Southeast corner of that tract conveyed to Roy C. Gifford, et ux, by deed recorded in Film Volume 46, page 784, Deed and Mortgage Records, said point being Northeasterly along the Easterly line of said Highway 32 feet and South 71° East from the Northwest corner of said Palmer Creek tract; thence North 71° West to the Easterly line of said Highway; thence Northeasterly along the East line of said Highway to the place of beginning.

TRACT II:

PARCEL 1: Being a part of the Adam Matheny Donation Land Claim, Notification No. 1633, Claim No. 60 and a part of the William Miller Donation Land Claim, Notification No. 280, Claim No. 65 in Sections 32 and 33, in Township 5 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, and beginning at an iron pipe set in the center of the County Road at a point South 5°09' East 6.312 chains from an iron pipe at the Southwest corner of the Daniel Matheny Donation Land Claim; thence North 88°26' West along the center of ditch, 1.020 chains to angle in ditch; thence North 66°27' West along the center of ditch, 5.140 chains to angle in ditch; thence North 88°19' West along the center of ditch, 19.030 chains to angle in ditch; thence North 84°26' West along the center of ditch, 9.934 chains to angle in ditch; thence South 71°32' West along the center of ditch, 14.385 chains to stake at bend in ditch and end of line fence; thence South 88°21' West along line fence, 17.020 chains to anchor post at the Northwest corner; thence South 9°00' West along fence 23.543 chains to stake set for the Southwest corner of Lot 3 and the Northwest corner of Lot 4; thence East on line between Lots 3 and 4 of County Survey No. 2815, 67.992 chains to a point in the center of the County Road; thence North 4°14' East along the center of County Road, 15.336 chains to angle in road; thence North 1°03' East along the center of road, 4.772 chains to angle in road; thence North 3°33' West along the center of road, 4.621 chains to the place of beginning and being designated as Lots 1, 2 and 3 of County Survey No. 2815 of Yamhill County, Oregon.

PARCEL 2: Being a part of the William Miller Donation Land Claim, Notification No. 280, Claim No. 59 in Sections 4 and 5, Township

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1987 JAN -9 PM 3:39

F210P0462

6 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, and beginning at a stake set North 89°25' East 25.780 chains and North 9°00' East 17.467 chains from stone at the Southwest corner of said Claim; thence East on line between Lots 4 and 5 of County Survey No. 2815, 68.704 chains to a point in the center of the County Road; thence North 4°41' East along the center of road, 8.458 chains to the Northeast corner of Lot 4 and the Southeast corner of Lot 3; thence West on line between Lots 3 and 4, 67.992 chains to stake; thence South 9°00' West 8.540 chains to the place of beginning, and being designated as Lot 4 of County Survey No. 2815, County Surveys of Yamhill County, Oregon.

1987 JAN -9 PM 3:39

F210 P 463

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JUN 11 2019

OWRD

CRAIG, BRAND, LAKE & HART
ATTORNEYS AT LAW

K. D. BRAND
BRENT C. LAKE
JERRY B. HART

330 NORTH EVANS STREET
McMINNVILLE, OREGON 97126
(503) 472-5156
FAX: (503) 434-6597

October 26, 1999

JAMES E. CRAIG
Retired 1994

Legal Descriptions for Palmer Creek Delivery System

Attn: Sam Sweeney
Palmer Creek Water District
P.O. Box 152
Dayton, OR 97114

RECEIVED

JUN 11 2019

OWRD

RE: *Easements*

Dear Sam:

Cindy of our office was able to obtain what we believe are all of the easements which were granted at the time of the formation of Palmer Creek Water District Improvement Company. She was able to find eight documents altogether. I have labeled them E-1 through E-8. They are as follows:

- ✓ E-1 Easement from Robert M. and Thelma Caldwell recorded at Vol 61, Pg. 840 & 841; ✓
- ✓ E-2 Easement from Thurlowe F. and Joyce E. Gingrich recorded at Vol 61, Pg. 847 & 848; *Dehon*
- ✓ E-3 Easement from John F. Geisler recorded at Vol 61, Pg 845 & 846; -
- ✓ E-4 Easement from Clements and Ana May Schrock recorded at Vol 61, Pg 843 & 844;
- ✓ E-5 Easement from Lloyd L. and Mary Lind recorded at Vol 61, Pg. 849; - *EUGENE*
- ✓ E-6 Easement from Eugene E. and Lenna J. Wilson recorded at Vol 61, Pg. 842; - *OWEN*
- ✓ E-7 Easement from E. J. and Janice M. Gingrich recorded at Vol 61, Pg 852; *WOOD - EUGENE*
- ✓ E-8 Easement from Lloyd L. and Mary Lind recorded at Vol 61, Page 850 & 851. - *OWEN*

These easements are in order where they go generally north to south and then make a turn to the east to meet up with the Willamette River. The easements apparently terminate at a 0.5 acre parcel owned by Palmer Creek along the Willamette River. That property was conveyed to Palmer Creek by Mr. and Mrs. Torbet and Mr. and Mrs. Lind in a deed which was recorded at the same time as the easements and then re-recorded a few months later to correct the description of the 0.5 acres. Copies of the original deed and correction deed are also included.

I have also included a photocopy of maps provided to us by title companies. They were useful in helping locate the easements.

I have also included copies of various deeds. All of the easements make reference to deeds. The descriptions of the easements are based upon the descriptions contained in these deeds. Therefore it is often necessary to refer to the deeds in order to understand the easements.

5-88705

I recall that you initially had a question as to the width of the easement. When you read through them you will note that beginning on the north the easements from Caldwell (E-1) and Geisler (E-3) are 50 feet in width. These two easements contain the language that they are, "A parcel of land 50 feet in width for temporary construction easement purposes, . . ." These are the only two easements which contain that quoted language. It appears that the easement for the canal is typically 35 feet wide with it going up to 50 feet in places. As an example, the easement E-2 from Thurlowe and Joyce Gingrich creates easements on three separate parcels. They are labeled A, B, and C. Easement E-2B. is 35 feet in width and runs 1,800 feet. The easement created under E-2C, makes reference to a 32.5 foot strip of land, however, that runs parallel with the easement given by the Schrocks, E-4, which creates a 17.5 foot strip which combined with the 32.5 feet creates a total of a 50 feet wide easement. The best I can determine the easement widths are as follows:

E-1 is 50 feet wide;

E-2A is 12.5 but when combined with easement E-5 given by Mr. and Mrs. Lind which is 22.5 feet creates a 35 feet wide easement;

Easement E-2B is 35 feet wide;

Easement E-2C is 32.5 feet wide but when combined with the Schrock easement, E-4, which is 17.5 feet wide creates a 50 feet wide easement;

E-3 from Geisler is 50 feet wide;

E-5 given by Lloyd and Mary Lind is 22.5 feet wide and that easement joins with the 12.5 foot Gingrich easement, E-2A, to create a 35 feet wide easement;

Easement E-6 from Wilson is 22.5 feet. It combines with E-7 from E.J. and Janice Gingrich to create an easement which is 5 feet wide;

The second portion of the E.J. and Janice Gingrich easement, E-7, is 17.5 feet wide and combines with E-8 from Mr. and Mrs. Lind to create a 35 feet wide easement 4,150 feet long to Palmer Creek's 0.5 acre parcel.

I am the first to admit that I may have made some omissions and mistakes in the above analysis. If nothing else these are documents which Palmer Creek should have in its records. To get a true picture of the easements you will need to enlist the aide of a surveyor who could prepare a good map of these easements and if warranted, compare the descriptions to how the canal system actually aligns with the descriptions.

Please let me know if you have any questions.

Yours truly,


Jerry B. Hart

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JUN 11 2019

OWRD

JBH:cjr

Enclosures

N:\OFFICE\Jerry\Palmer Creek\Sam 1026.wpd

5-88705

WITNESSETH, that for and in consideration of the sum of One Dollar
(\$1.00), and other valuable consideration to us paid the receipt of which is
hereby acknowledged, we Robert M. and Thelma Caldwell

hereafter called Grantors,

do hereby bargain, sell, convey, transfer, and deliver unto Palmer Creek Water District Improvement Company, a permanent easement and right-of-way, including the perpetual right to enter upon the real estate hereinafter described, at any time, that it may see fit, to construct, maintain, or repair an irrigation system and appurtenances including, but not limited to, ditches and pipelines, and for doing anything necessary, useful, or convenient for the enjoyment of the easement hereby granted, and for the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of said irrigation system.

The Grantor reserves the right to use the area not occupied by the irrigation ditches subject to the right of the Grantee to enter upon said strip of land for the purpose of maintaining, repairing, and operating said ditch. Should the need develop, Grantee agrees to install fence lines adjacent to the irrigation canal as directed by the Grantor.

The Grantor does hereby covenant to and with the Grantee, its successors and assigns, that he is lawfully seized and possessed of said premises and that he has a good and lawful right to convey it or any part thereof, that it is free from all liens and encumbrances except encumbrances held by mortgagees, if any, or contract vendors, if any, who give their consent to this easement, and that he will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

The land affected by the grant of this easement and right-of-way is located in the County of Yamhill, State of Oregon, and is more particularly described as follows:

RECEIVED

JUN 11 2019

See attached sheet.

OWRD

To have and to hold said easement and right-of-way unto Palmer Creek Water District Improvement Company, and unto its successors and assigns forever.

Grantors also grant a temporary working easement and convey to Palmer Creek Water District Improvement Company feet on the side of the permanent easement for the construction of facilities previously described as being permitted along this easement. The temporary working easement shall be effective only during the time of initial construction.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 19th
day of June, 1967.

Robert M. Caldwell (SEAL)

Thelma M. Caldwell (SEAL)

Subscribed, and sworn to before me this 19 day of June, 1967.

Holland T. Cushing
Notary Public for Oregon

My Commission Expires May 25, 1968

Robert M. and Thelma Caldwell

A parcel of land 50 feet in width for temporary construction easement purposes, being a portion of that tract of land conveyed to Robert M. and Thelma Caldwell by deed recorded in Film Volume 19, Page 748, Yamhill County Record of Deeds, Southwest Quarter of Section 29, Township 5 South, Range 3 West of the Willamette Meridian, 37 feet left and 13 feet right of the following described line:

Beginning at a point on the easterly boundary line of said Caldwell tract 280 feet northerly from the most northerly Southwest Corner of that tract of land conveyed to C. K. Geisler, c/o John F. Geisler by deed recorded in Volume 111, Page 482, and Volume 128, Page 244, Yamhill County Record of Deeds and running thence northerly along the centerline of the proposed irrigation canal, said canal follows the thread of the East Branch of Palmer Creek, more or less, to a point 150 feet more or less westerly and 50 feet more or less southerly from the Northeast Corner of said Caldwell tract.

STATE OF OREGON,

89205

County of Yamhill,

I, JACK BEELER, County Clerk for said County and State, do hereby certify that the within Instrument of Writing was received and has been by me this 1st day of August, 1915, recorded on Page 840 of Volume 19 of the Records of Deeds for said County, on this 1st day of August, 1915 at 9:15 o'clock, A.M.

In testimony whereof, I have hereto subscribed my name and affixed my Official Seal.

JACK BEELER, County Clerk

By Diana Hill Deputy

RECEIVED

JUN 11 2019

OWRD

Doc #5

WITNESSETH
EASEMENT

(E2)

WITNESSETH, that for and in consideration of the sum of One Dollar
(\$1.00), and other valuable consideration to us paid the receipt of which is
hereby acknowledged, we Thurlows F. and Joyce E. Gingerich

hereafter called Grantors,

do hereby bargain, sell, convey, transfer, and deliver unto Palmer Creek Water District Improvement Company, a permanent easement and right-of-way, including the perpetual right to enter upon the real estate hereinafter described, at any time, that it may see fit, to construct, maintain, or repair an irrigation system and appurtenances including, but not limited to, ditches and pipelines, and for doing anything necessary, useful, or convenient for the enjoyment of the easement hereby granted, and for the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of said irrigation system.

The Grantor reserves the right to use the area not occupied by the irrigation ditches subject to the right of the Grantee to enter upon said strip of land for the purpose of maintaining, repairing, and operating said ditch. Should the need develop, Palmer Creek Water District Improvement Company agrees to install fence lines adjacent to the irrigation canal as directed by the Grantor.

The Grantor does hereby covenant to and with the Grantee, its successors and assigns, that he is lawfully, seized and possessed of said premises and that he has a good and lawful right to convey it or any part thereof, that it is free from all liens and encumbrances except encumbrances held by mortgagees, if any, or contract vendors, if any, who give their consent to this easement, and that he will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

The land affected by the grant of this easement and right-of-way is located in the County of Yamhill, State of Oregon, and is more particularly described as follows:

See attached sheet

RECEIVED

JUN 11 2019

OWRD

To have and to hold said easement and right-of-way unto Palmer Creek Water District Improvement Company, and unto its successors and assigns forever.

Grantors also grant a temporary working easement and convey to Palmer Creek Water District Improvement Company 25 feet on the right side of the permanent easement for the construction of facilities previously described as being permitted along this easement. The temporary working easement shall be effective only during the time of initial construction.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 31st
day of July, 1967.

Thurlows F. Gingerich (SEAL)

Joyce E. Gingerich (SEAL)

Subscribed and sworn to before me this 31st day of July, 1967.

William L. Lushington
Notary Public for Oregon

My Commission Expires: May 25, 1968

5-88705

Thurlowe F. and Joyce E. Gingerich

(1) A. That parcel of land 12.5 feet in width in the Northwest Quarter of Section 5, Township 6 South, Range 3 West and the West One-Quarter of Section 32, Township 5 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, being a portion of those properties conveyed to Thurlowe F. and Joyce E. Gingerich by deeds recorded in Film Volume 53, Pages 864 and 865, and Film Volume 43, Page 605, Yamhill County Record of Deeds, the easterly boundary line of said 12.5 foot strip being described as follows:

33-50° Beginning at an angle point in the easterly boundary line of said Gingerich tract described in Film Volume 58, Pages 864 and 865, said angle point being the Southwest Corner of that tract of land conveyed to E. J. and J. M. Gingerich by deed recorded in Film Volume 36, Page 259, Yamhill County Record of Deeds, and running thence North 10° 30' East 3234.7 feet along said easterly boundary line to a point South 10° 30' West 12.5 feet from the northwesterly corner of that tract of land conveyed to L. L. and M. Lind by deed recorded in Volume 179, Page 596, Yamhill County Record of Deeds.

(2) B. And Also, a 55 foot strip of land in said Gingerich tract described in Film Volume 58, Pages 864 and 865, lying 12.5 feet left and 22.5 feet right of the following described line:

53-325° Beginning at a point on the easterly boundary line of said Gingerich tract described in Film Volume 58, Pages 864 and 865, Yamhill County Record of Deeds, said point being said northwesterly corner of said Lind tract and running thence North 86° 33' 32" West 830.40 feet and North 6° 49' 38" West 1800 feet, more or less, to a point on the southerly boundary line of said Gingerich tract described in Film Volume 43, Page 605, Yamhill County Record of Deeds;

thence easterly along said southerly boundary line to the Southeast Corner of said Gingerich tract described in Film Volume 43, Page 605.

(3) C. And Also, a 32.5 foot strip of land in said Gingerich tract described in Film Volume 43, Page 605, the easterly boundary line of said 32.5 foot strip being described as follows:

53-4850° Beginning at a point on the easterly boundary line of said Gingerich tract described in Film Volume 43, Page 605, 12.5 feet northerly from the southeasterly corner of said tract and running thence northerly along said easterly boundary 595 feet, thence continuing along said easterly boundary with a strip of land 8 feet in width 310 feet to a point 250 southerly, more or less, from the southerly boundary line of that tract of land conveyed to N. O. and V. L. Pearse by deed recorded in Volume 166, Page 406, Yamhill County Record of Deeds.

RECEIVED

JUN 11 2019

OWRD

STATE OF OREGON.

89209

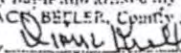
County of Yamhill.

I, JACOB BEFLER, County Clerk in and for said County and State, do hereby certify that the within Instrument of Writing was received and has been by me duly recorded on Page 847 of Volume 61 of the Record of Deeds for said County, on this 1st day of August, A. D. 1967 at 9:23 o'clock, A.M.

In testimony whereof, I have hereto subscribed my name and affixed my Official Seal.

JACOB BEFLER, County Clerk

By



Deputy

EASEMENT

(E-3)

WITNESSETH, that for and in consideration of the sum of One Dollar
 (\$ 1.00), and other valuable consideration to us paid the receipt of which is
 hereby acknowledged, ed 1 John F. Geisler

hereafter called Grantors,

do hereby bargain, sell, convey, transfer, and deliver unto Palmer Creek Water District Improvement Company, a permanent easement and right-of-way, including the perpetual right to enter upon the real estate hereinafter described, at any time, that it may see fit, to construct, maintain, or repair an irrigation system and appurtenances including, but not limited to, ditches and pipelines, and for doing anything necessary, useful, or convenient for the enjoyment of the easement hereby granted, and for the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of said irrigation system.

The Grantor reserves the right to use the area not occupied by the irrigation ditches subject to the right of the Grantee to enter upon said strip of land for the purpose of maintaining, repairing, and operating said ditch. Should the need develop, Grantee agrees to install fence lines adjacent to the irrigation canal as directed by the Grantor.

The Grantor does hereby covenant to and with the Grantee, its successors and assigns, that he is lawfully, seized and possessed of said premises and that he has a good and lawful right to convey it or any part thereof, that it is free from all liens and encumbrances except encumbrances held by mortgagees, if any, or contract vendors, if any, who give their consent to this easement, and that he will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

The land affected by the grant of this easement and right-of-way is located in the County of Yamhill, State of Oregon, and is more particularly described as follows:

RECEIVED

JUN 11 2019

OWRD

See attached sheet.

To have and to hold said easement and right-of-way unto Palmer Creek Water District Improvement Company, and unto its successors and assigns forever.

Grantors also grant a temporary working easement and convey to Palmer Creek Water District Improvement Company _____ feet on the _____ side of the permanent easement for the construction of facilities previously described as being permitted along this easement. The temporary working easement shall be effective only during the time of initial construction.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 19
 day of June, 1967.

John F. Geisler (SEAL)
Edith L. Geisler (SEAL)

Subscribed and sworn to before me this 19 day of June, 1967.

Halland L. Crumley
 Notary Public for Oregon

My Commission Expires: 5-25-68

53,700 - 100

VOL 61 PAGE 846

John F. Geisler

A parcel of land 50 feet in width for temporary construction easement purposes, being a portion of that tract of land conveyed to C. K. Geisler c/o John F. Geisler by deed recorded in Volume 111, Page 482, and Volume 128, Page 244, Yamhill County Record of Deeds, Northwest Quarter of Section 32 and Southwest Quarter of Section 29, Township 5 South, Range 3 West of the Willamette Meridian, 37 feet left and 13 feet right, more or less, of the following described line:

Beginning at a point on the most northerly-southerly boundary line of said Geisler tract 50 feet, more or less, westerly from the Northeast Corner of that tract of land conveyed to James W. Coffey by deed recorded in Film Volume 49, Page 745, and running thence northwesterly along the centerline of the proposed irrigation canal, said canal follows the thread of the East Branch of Palmer Creek, more or less, to a point on the westerly boundary line of said Geisler tract 280 feet, more or less, northerly from the most northerly Southwest Corner of said Geisler tract.

STATE OF OREGON.

89208

County of Yamhill.

I, JACK BEELER, County Clerk in and for said County and State, do hereby certify that the within Instrument of Writing was received and has been by me recorded on Page 846 of Volume 61 of the Records of Deeds for said County, on this 1st day of August, A. D. 1917 at 12:11 o'clock, P. M.

In testimony whereof, I have hereto subscribed my name and affixed my Official Seal.

JACK BEELER, County Clerk

By Samuel Field

Deputy

RECEIVED

JUN 11 2019

OWRD

WITNESSETH, that for and in consideration of the sum of One Dollar
 (\$ 1.00), and other valuable consideration to us paid the receipt of which is
 hereby acknowledged, we Clements and Anna May Schrock

hereafter called Grantors,

do hereby bargain, sell, convey, transfer, and deliver unto Palmer Creek Water District Improvement Company, a permanent easement and right-of-way, including the perpetual right to enter upon the real estate hereinafter described, at any time, that it may see fit, to construct, maintain, or repair an irrigation system and appurtenances including, but not limited to, ditches and pipelines, and for doing anything necessary, useful, or convenient for the enjoyment of the easement hereby granted, and for the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of said irrigation system.

The Grantor reserves the right to use the area not occupied by the irrigation ditches subject to the right of the Grantee to enter upon said strip of land for the purpose of maintaining, repairing, and operating said ditch. Should the need develop, Grantee agrees to install fence lines adjacent to the irrigation canal as directed by the Grantor.

The Grantor does hereby covenant to and with the Grantee, its successors and assigns, that he is lawfully, seized and possessed of said premises and that he has a good and lawful right to convey it or any part thereof, that it is free from all liens and encumbrances except encumbrances held by mortgagees, if any, or contract vendors, if any, who give their consent to this easement, and that he will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

The land affected by the grant of this easement and right-of-way is located in the County of Yamhill, State of Oregon, and is more particularly described as follows:

RECEIVED

JUN 11 2019

See attached sheet.

OWRP

To have and to hold said easement and right-of-way unto Palmer Creek Water District Improvement Company, and unto its successors and assigns forever.

Grantors also grant a temporary working easement and convey to Palmer Creek Water District Improvement Company 25 feet on the easterly side of the permanent easement for the construction of facilities previously described as being permitted along this easement. The temporary working easement shall be effective only during the time of initial construction.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 19th
 day of June, 1967.

Clements Schrock (SEAL)

Anna May Schrock (SEAL)

Subscribed and sworn to before me this 19 day of June, 1967.

William L. Carls
 Notary Public for Oregon

My Comm...on Expires: 5-25-68

That parcel of land 17.5 feet in width in the Northwest Quarter of Section 32, Township 5 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon being a portion of that property conveyed to Clements and Anna May Schrock by deed recorded in Volume 187, Page 668, Yamhill County Record of Deeds the westerly boundary line of said 17.5 foot strip being described as follows:

Beginning at a point on the southerly boundary line of said Schrock tract said point being 17.5 feet Easterly from the southwesterly corner of said tract and running thence North 0° 38' 48" West 480 feet along said westerly boundary line, thence continuing, with a strip of land 42 feet in width, North 0° 38' 48" West 425 feet, thence continuing with the easement 35 feet in width North 0° 38' 48" East 460 feet; thence following the centerline of the proposed irrigation canal, the easement being 12.5' left and 22.5' right of said center line, said centerline also following the thread of the East Branch of Palmer Creek more or less to a point on the northerly boundary line of said Schrock tract, said point bears North 89° East 145.96 feet from a three-quarter inch iron pipe marking the northwesterly corner of said Schrock tract.

STATE OF OREGON.

89207

County of Yamhill.

I, JACK BEELER, County Clerk in and for said County and State, do hereby certify that the within Instrument of Writing was received and has been by me duly recorded on Page 844 of Volume 61 of the Records of Deeds for said County, on this 10 day of August, A. D. 1917 at 9:14 o'clock A. M.

In testimony whereof, I have hereto subscribed

my name and affixed my Official Seal.

JACK BEELER, County Clerk

By James R. Reed Deputy

RECEIVED

JUN 11 2019

OWRD

WITNESSETH, that for and in consideration of the sum of

(\$ _____), and other valuable consideration to us paid the receipt of which is

hereby acknowledged, we Lloyd L. and Mary Lind

hereafter called Grantors,

do hereby bargain, sell, convey, transfer, and deliver unto Palmer Creek Water District Improvement Company, a permanent easement and right-of-way, including the perpetual right to enter upon the real estate hereinafter described, at any time, that it may see fit, to construct, maintain, or repair an irrigation system and appurtenances including, but not limited to, ditches and pipelines, and for doing anything necessary, useful, or convenient for the enjoyment of the easement hereby granted, and for the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of said irrigation system.

The Grantor reserves the right to use the area not occupied by the irrigation ditches subject to the right of the Grantee to enter upon said strip of land for the purpose of maintaining, repairing, and operating said ditch.

The Grantor does hereby covenant to and with the Grantee, its successors and assigns, that he is lawfully, seized and possessed of said premises and that he has a good and lawful right to convey it or any part thereof, that it is free from all liens and encumbrances except encumbrances held by mortgagees, if any, or contract vendors, if any, who give their consent to this easement, and that he will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

The land affected by the grant of this easement and right-of-way is located in the County of Yamhill, State of Oregon, and is more particularly described as follows:

That parcel of land 22.5 feet in width in the Northwest Quarter of Section 5, Township 6 South, Range 3 West and Southwest Quarter of Section 32, Township 5 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, being a portion of those properties conveyed to Lloyd L. and Mary Lind by deeds recorded in Volume 134, Page 708, and Volume 179, Page 596, Yamhill County Record of Deeds, the westerly boundary line of said 22.5 foot strip being described as the westerly boundary lines of said Lind tracts, said westerly boundary line being 2117.48 feet in length, from the northerly boundary line of that tract of land conveyed to E. E. and L. J. Wilson, by deed* To have and to hold said easement and right-of-way unto Palmer Creek Water District Improvement Company, and unto its successors and assigns forever.

Grantors also grant a temporary working easement and convey to Palmer Creek Water District Improvement Company 25 feet on the easterly side of the permanent easement for the construction of facilities previously described as being permitted along this easement. The temporary working easement shall be effective only during the time of initial construction.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 28thday of July, 1967.

RECEIVED

JUN 11 2019

OWRD

Subscribed and sworn to before me this 28th day of July, 1967.Lloyd L. Lind (SEAL)Mary Lind (SEAL)Ruby L. Bigman
Notary Public for OregonMy Commission Expires: 2-22-70

* recorded in Volume 111, Page 32. to the northerly boundary line of said Lind tract described in Volume 179, Page 596.

WITNESSETH, that for and in consideration of the sum of

One Dollar(\$ 1.00), and other valuable consideration to us paid the receipt of which ishereby acknowledged, we Eugene E. and Lenna J. Wilson

hereafter called Grantors,

do hereby bargain, sell, convey, transfer, and deliver unto Palmer Creek Water District Improvement Company, a permanent easement and right-of-way, including the perpetual right to enter upon the real estate hereinafter described, at any time, that it may see fit, to construct, maintain, or repair an irrigation system and appurtenances including, but not limited to, ditches and pipelines, and for doing anything necessary, useful, or convenient for the enjoyment of the easement hereby granted, and for the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of said irrigation system.

The Grantor reserves the right to use the area not occupied by the irrigation ditches subject to the right of the Grantee to enter upon said strip of land for the purpose of maintaining, repairing, and operating said ditch. *Grantee agrees to construct a fence along said ditch when requested to do so by grantors.*

The Grantor does hereby covenant to and with the Grantee, its successors and assigns, that he is lawfully, seized and possessed of said premises and that he has a good and lawful right to convey it or any part thereof, that it is free from all liens and encumbrances except encumbrances held by mortgagees, if any, or contract vendors, if any, who give their consent to this easement, and that he will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

The land affected by the grant of this easement and right-of-way is located in the County of Yamhill, State of Oregon, and is more particularly described as follows: That parcel of land 22.5 feet in width in the Northwest Quarter of Section 5, Township 6 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, being a portion of that property conveyed to Eugene E. and Lenna J. Wilson by deed recorded in Volume 111, Page 32, Yamhill County Record of Deeds, the westerly boundary line of said 22.5 foot strip being described as the westerly boundary line of said Wilson tract, said boundary line being 559.94 feet, in length, from the northerly boundary line of that of land conveyed to G. J. and J. M. Gingerich by deed recorded in Film Volume 36, page 259, to the southerly boundary line of that tract of land conveyed to L. L. and M. Lind by deed recorded in Volume 134, Page 708.

To have and to hold said easement and right-of-way unto Palmer Creek Water District Improvement Company, and unto its successors and assigns forever.

Grantors also grant a temporary working easement and convey to Palmer Creek Water District Improvement Company 25 feet on the easterly side of the permanent easement for the construction of facilities previously described as being permitted along this easement. The temporary working easement shall be effective only during the time of initial construction. *This temporary easement is subject to the rights of Grantor's tenant.*

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 5th

day of July, 1967.

RECEIVED

JUN 11 2019

Subscribed and sworn to before me this

5th

day of

July

, 1967.

OWRD

69206

No.

Filed

August 11967

My Commission Expires:

5-25-68

JACK BEETLER, COUNTY CLERK

By

Doris Hall

Deputy

9:17 AM

Eugene Wilson

(SEAL)

Lenna J. Wilson

(SEAL)

Notary Public for Oregon

6305-400

VOL 61 PAGE 352
EASEMENT

No. 89212 100 9:24 AM
Filed August 1 1967
JACK BRIDGER, COUNTY CLERK
D. W. K. Deputy

WITNESSETH, that for and in consideration of the sum of (\$ _____), and other valuable consideration to us paid the receipt of which is hereby acknowledged, we E. J. and Janice M. Gingerich

hereafter called Grantors, do hereby bargain, sell, convey, transfer, and deliver unto Palmer Creek Water District Improvement Company, a permanent easement and right-of-way, including the perpetual right to enter upon the real estate hereinafter described, at any time, that it may see fit, to construct, maintain, or repair an irrigation system and appurtenances including, but not limited to, ditches and pipelines, and for doing anything necessary, useful, or convenient for the enjoyment of the easement hereby granted, and for the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of said irrigation system.

The Grantor reserves the right to use the area not occupied by the irrigation ditches subject to the right of the Grantee to enter upon said strip of land for the purpose of maintaining, repairing, and operating said ditch.

The Grantor does hereby covenant to and with the Grantee, its successors and assigns, that he is lawfully, seized and possessed of said premises and that he has a good and lawful right to convey it or any part thereof, that it is free from all liens and encumbrances except encumbrances held by mortgagees, if any, or contract vendors, if any, who give their consent to this easement, and that he will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

The land affected by the grant of this easement and right-of-way is located in the County of Yamhill, State of Oregon, and is more particularly described as follows: That parcel of land 17.5 feet in width in Sections 4 and 5, Township 6 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, being a portion of that property conveyed to E. J. and Janice M. Gingerich by deed recorded in Film Volume 36, Page 259, Yamhill County Record of Deeds, the southerly boundary line of said 17.5 foot strip being described as the southerly boundary line of said Gingerich tract, 4150 feet, more or less, from the southwesterly corner of said tract to the westerly right of way line of the Salem-Dayton Highway. And Also, a 22.5 foot strip of land the westerly boundary line being described as the westerly boundary line of said Gingerich tract, 575 feet, more or less, from the northerly boundary of the aforementioned 17.5 foot strip of land to the southerly boundary line of that tract of land conveyed to E. E. & L. J. Wilson by deed recorded in Volume 111, Page 32. To have and to hold said easement and right-of-way unto Palmer Creek Water District Improvement Company, and unto its successors and assigns forever.

Grantors also grant a temporary working easement and convey to Palmer Creek Water District Improvement Company _____ feet on the _____ side of the permanent easement for the construction of facilities previously described as being permitted along this easement. The temporary working easement shall be effective only during the time of initial construction.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 31st day of July, 1967.

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E. J. Gingerich (SEAL)
Janice M. Gingerich (SEAL)
Subscribed and sworn to before me this 31st day of July, 1967.
David P. Williams
Notary Public for Oregon

My Commission Expires: 10-28-68

5-88705

E-8

WITNESSETH, that for and in consideration of the sum of _____
 (\$ _____), and other valuable consideration to us paid the receipt of which is
 hereby acknowledged, we Lloyd L. and Mary Lind

hereafter called Grantors,

do hereby bargain, sell, convey, transfer, and deliver unto Palmer Creek Water District Improvement Company, a permanent easement and right-of-way, including the perpetual right to enter upon the real estate hereinafter described, at any time, that it may see fit, to construct, maintain, or repair an irrigation system and appurtenances including, but not limited to, ditches and pipelines, and for doing anything necessary, useful, or convenient for the enjoyment of the easement hereby granted, and for the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of said irrigation system.

The Grantor reserves the right to use the area not occupied by the irrigation ditches subject to the right of the Grantee to enter upon said strip of land for the purpose of maintaining, repairing, and operating said ditch.

The Grantor does hereby covenant to and with the Grantee, its successors and assigns, that he is lawfully, seized and possessed of said premises and that he has a good and lawful right to convey it or any part thereof, that it is free from all liens and encumbrances except encumbrances held by mortgagees, if any, or contract vendors, if any, who give their consent to this easement, and that he will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

The land affected by the grant of this easement and right-of-way is located in the County of Yamhill, State of Oregon, and is more particularly described as follows:

(See Attached Sheet)

To have and to hold said easement and right-of-way unto Palmer Creek Water District Improvement Company, and unto its successors and assigns forever.

Grantors also grant a temporary working easement and convey to Palmer Creek Water District Improvement Company 25 feet on the westerly side of the permanent easement* for the construction of facilities previously described as being permitted along this easement. The temporary working easement shall be effective only during the time of initial construction.

* lying along the Salem-Dayton Highway only.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 28th

day of July, 1967.

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JUN 11 2019

Lloyd L. Lind (SEAL)

Mary Lind (SEAL)

Subscribed and sworn to before me this 28th day of July, 1967.

Dwight L. Hignam
 Notary Public for Oregon

My Commission Expires: 2-22-70

VOL 61 PAGE 881

Lloyd L. and Mary Lind

That parcel of land 17.5 feet in width in Sections 4 and 5, Township 6 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, being a portion of that property conveyed to Lloyd L. and Mary Lind by deed recorded in Film Volume 40, Page 835, and Page 841, Yamhill County Record of Deeds. The northerly boundary line of said 17.5 foot strip being described as follows:

Beginning at a point on the northerly boundary line of said Lind tract which bears westerly along said northerly boundary line 12.5 feet from the Southwest Corner of that tract of land conveyed to E. J. and Janice M. Gingerich by deed recorded in Film Volume 36, Page 259, Yamhill County Record of Deeds and running thence easterly along said northerly boundary line 4150 feet, more or less, to a point 12 feet westerly of the westerly right-of-way line of the Salem-Dayton Highway;

And Also, a parcel of land 12 feet in width in said Lind tract, the easterly boundary line being described as follows:

Beginning at a point on the westerly right-of-way of the Salem-Dayton Highway at a point 12.5 feet southerly from the northerly boundary line of said Lind tract and running thence southerly 1100 feet along said westerly right-of-way line.

STATE OF OREGON,

89211

County of Yamhill.

I, JACK BUELER, County Clerk in and for said County and State, do hereby certify that the within Instrument of Writing was received and has been by me duly recorded on Page 881 of Volume 61 of the Records of Deeds for said County, on this 1st day of August, A. D. 1967, at 9:27 o'clock, P.M.

In testimony whereof, I have hereto subscribed my name and affixed the Official Seal.

JACK BUELER, County Clerk

By Dennis R. Bell Deputy

310

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KNOW ALL MEN BY THESE PRESENTS, That H. W. TORBET and GLADYS N. TORBET, husband and wife, and LLOYD L. LIND and MARY LIND, husband and wife,

in consideration of Ten and No/100 ----- Dollars,

to them paid by PALMER CREEK WATER DISTRICT IMPROVEMENT COMPANY, an Oregon corporation

do hereby grant, bargain, sell and convey unto said Palmer Creek Water District Improvement Company, an Oregon corporation,

its successors ~~and~~ and assigns, all the following real property, with the tene-
ments, hereditaments and appurtenances, situated in the
County of Yamhill and State of Oregon, bounded and described as follows, to-wit:

That parcel of land situate in the George K. Gay Donation Land Claim No. 58, Township 6 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, which is more particularly described as follows:

Beginning at a point on the easterly right of way line of the Salem-Dayton Highway, said point being southerly 32 feet, along said right of way line, from the Southwest corner of that tract of land conveyed to Roy C. and Charlotte A. Gifford on July 20, 1965, and recorded in Film Volume 46, Page 784, Yamhill County Record of Deeds and running thence from the true point of beginning;

Southerly along said easterly right of way line 154 feet, said easterly right of way line being the arc of a 3779.72 foot radius curve to the left;

thence South $73^{\circ} 20' 48''$ East 156 feet, more or less along the radius of said curve left to the easterly boundary line of the George K. Gay Donation Land Claim No. 58, Township 6 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon;

thence Northerly along said easterly donation land claim boundary line to a point on a line parallel to the southerly boundary line of said Gifford tract, said point bears South 71° East from the point of beginning;

thence North 71° West 130 feet, more or less, along said line to the point of beginning and containing 0.5 acres of land, more or less.

This is a correction deed executed for the purpose of correcting the description contained in that certain deed dated June 20, 1967 from the above named grantors to the above named grantee and recorded on June 29, 1967 in Film Volume 61, Page 146, Deed Records, Yamhill County, Oregon.

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TO HAVE AND TO HOLD, the above described and granted premises unto the said Palmer Creek

5-88705

ATTACHMENT C
BOR Contract Request
and BOR Storage Certificates

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5-88705



Palmer Creek
WATER DISTRICT

April 18, 2019
10279.007

Bureau of Reclamation
Attention PN-6324
1150 N. Curtis Road
Boise, Idaho 83706-1234

Via First Class Mail

**Subject: Request for Contract Application Revision
Stored Water Contract Application
Palmer Creek Water District Improvement Company
Yamhill & Polk County, Oregon**

Palmer Creek Water District Improvement Company (PCWDIC) submitted an application Contract Data Sheet to request a contract for stored water in November 2018. The application requested a contract for 529.3 acre-feet. PCWDIC would like to revise the application to be for a total of 538.8 acre-feet; an additional 9.5 acre-feet (a total of 215.5 acres at 2.5 acre feet per acre). All the stored water would be used for primary irrigation. All of the lands are located within the PCWDIC service area. Attached are an updated acre listing and revised maps. EnviroLogic Resources, Inc., compiled the water rights information and developed the application map.

It is our understanding this revision requires a fee of \$100 which is also attached. Thank you for your patience. If you have any questions or comments please contact PCWDIC at 503 868-7157.

Sincerely,

Robert May,
Board President
Palmer Creek Water District Improvement Company

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14395 SE Wallace Rd.
Dayton, OR 97114

5-88705

			Revised April 9, 2019		
			Place of Use		
Farmer	Twp	Rng	Sec	¼ ¼	Primary
Wilson					
	4S	3W	29	SWNE	0.2
	4S	3W	29	SENE	3.5
	4S	3W	29	NESW	0.1
Ditchen					
NorthField	5S	3W	32	SWSE	12.1
	6S	3W	4	SWNW	9.5
	6S	3W	5	NENE	12.9
	6S	3W	5	NWNE	34.9
	6S	3W	5	SWNE	18.9
	6S	3W	5	SESE	17.9
	6S	3W	5	NENW	5.5
	6S	3W	5	NWNW	4.8

South Field	6S	3W	5	SWNE	0.5
	6S	3W	5	SWNW	0.2
	6S	3W	5	SENE	4.3
	6S	3W	5	NESW	40.8
	6S	3W	5	NWSW	2.3
	6S	3W	5	SWSW	2.6
	6S	3W	5	SESW	34.7
	6S	3W	5	NWSE	5.2
	6S	3W	5	SWSE	4.6

Total Primary Acres 215.5

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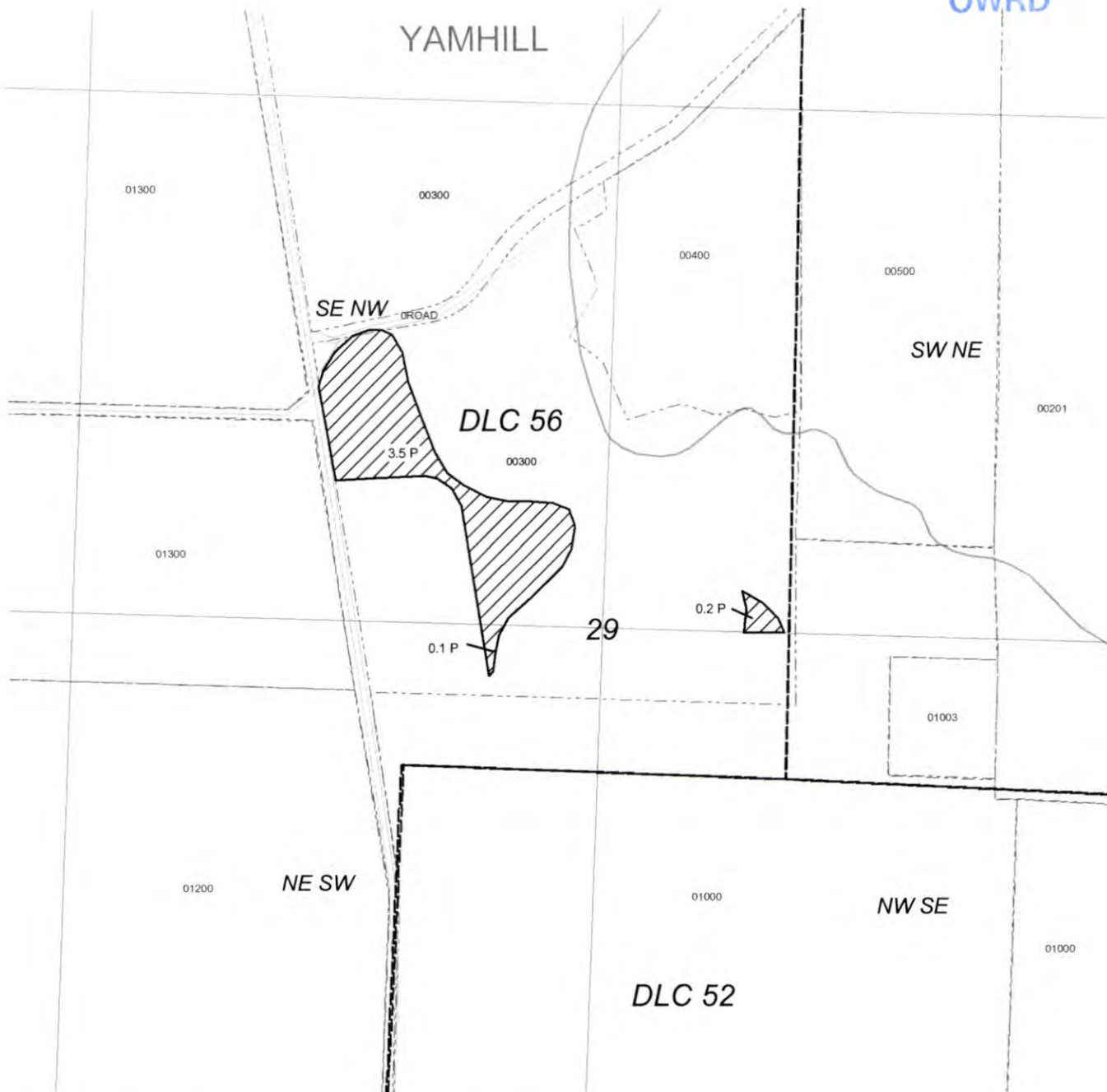
OWRD

T4S, R3W, WM, Section 29
Yamhill County, Oregon

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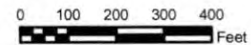
JUN 11 2019

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POD is located 4,700' N and 1,290' E from SE corner of DLC 58 (see Map 2 of 2)

1 inch = 400 Feet



Explanation

- Palmer_Creek
- Roads
- Primary
- DLC Boundaries
- Tax Lots

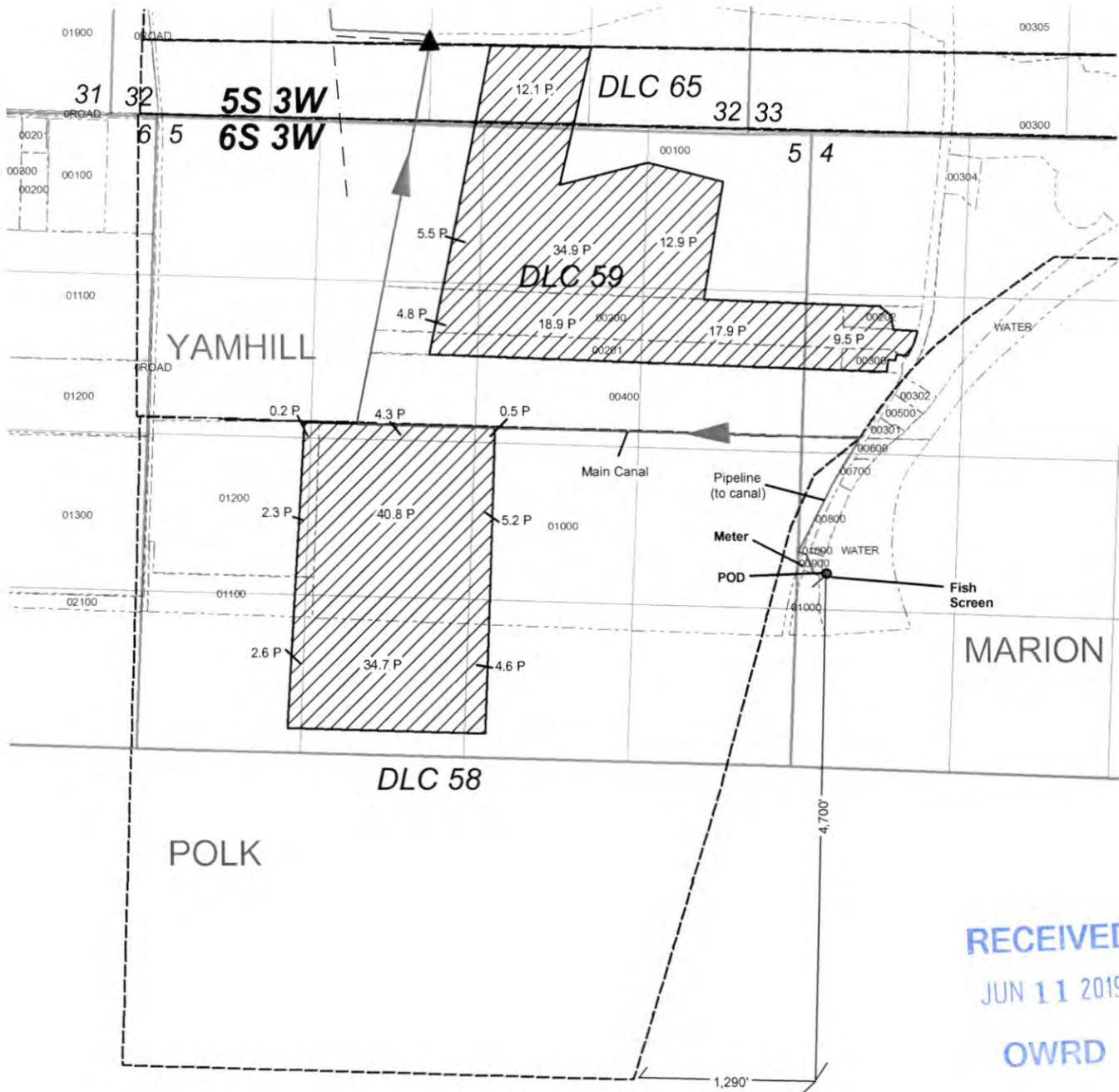
NAD 1983 HARN
Datum of 1983
Prepared April 7, 2019

Sources: BLM CadNSDI PLSS
(GeoCommunicator LSIS, 2015),
Oregon Spatial Data Library water
features, county lines & tax lots, roads
(spatialdata.oregonexplorer.info),
Pacific Hydro-Geology, Inc. main
canal, point of diversion, DLC lines, et
al (shapefiles provided by)

This map was prepared for the purpose
of identifying the location of a water
right only and is not intended to provide
legal dimensions or locations of
property ownership lines.

**Bureau of Reclamation Application
Palmer Creek Water District
Improvement Company
Map 1 of 2**

T5S, R3W, WM, Section 32
T6S, R3W, WM, Section 04 & 05
Yamhill County & Polk County, Oregon



POD is located 4,700' N and 1,290' E from SE corner of DLC 58

1 inch = 1/4 mile

0 330 660 990 1,320
Feet

Explanation

- Point of Diversion (tax lot 600)
- ▲ Rediversion
- Rediversion Pipeline
- Water Features
- Roads
- DLC Boundaries
- ▨ Primary
- Tax Lots

NAD 1983 HARN
Datum of 1983
Prepared April 7, 2019

Sources: BLM CadNSDI PLSS (GeoCommunicator LSIS, 2015), Oregon Spatial Data Library water features, county lines & tax lots, roads (spatialdata.oregonexplorer.info), Pacific Hydro-Geology, Inc. main canal, point of diversion, DLC lines, et al (shapefiles provided by)

This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or locations of property ownership lines.

Bureau of Reclamation Application
Palmer Creek Water District
Improvement Company
Map 2 of 2

CONTRACT DATA SHEET



Bureau of Reclamation
Attn: PN-6324
1150 N. Curtis Road
Boise, ID 83706-1234
208-378-5344

RECLAMATION *Managing Water in the West*

1. Applicant Information:

A. Landowners

- 1) Name of Landowner(s): _____
- 2) Address: _____
- 3) Mailing Address (if different): _____
- 4) Taxpayer Identification Number(s): _____
(Social Security Number or Employer Identification Number¹)
- 5) Do you own all of the land where you propose to divert and make use of water? _____

B. Water User Organizations (e.g., Irrigation Districts, Ditch/Canal Companies, Water Control Districts, Water User Associations & Cooperatives, Irrigation Improvement Districts, and similar entities organized according to State Law)

- 1) Name of Organization: Palmer Creek Water District Improvement Company
- 2) Name & Title of Applicant: Palmer Creek Water District Improvement Company (Robert May, Board President)
- 3) Mailing Address of Organization: 14395 SE Wallace Rd, Dayton, OR, 97114
- 4) Taxpayer Identification Number: 93-0572742
(Social Security Number or Employer Identification Number)
- 5) Please provide the following information:
 - (a) A description of the area served by the organization (location, total acreage, number of water users, prominent crops, etc.)
 - (b) Copy of organization by-laws, articles of incorporation (if applicable), board resolution authorizing the applicant to represent and bind the organization under contract with the United States.

2. Source of water (name of stream, river): Willamette River Basin Project Stored Water
3. Proposed point of diversion: 4700 feet N and 1290 feet E of SE corner of Section DLC 58, Township 6 S, Range 3W, Willamette Meridian.
4. A water right permit to divert storage water is required. Application or file number with Oregon Water Resources Department (OWRD) if you have applied for a permit to divert storage water: To be submitted.
5. Include a map of lands and diversion points. (Same as required by OWRD for application of surface/ground water permit).

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6. Do you currently hold a right to natural flows for irrigating the property described herein? No
If yes, what is/are the priority date(s)? _____
7. Total quantity of water from storage requested: 529.3 acre-feet.
8. Location of land to be irrigated in each 40-acre tract:

TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP
See Attached					

9. What is the present use of the land identified above? (farming; idle [fallow cultivated land]; native [appears never to have been tilled]; planted pasture or other [please specify]).
dry land farming, fallow, and pasture
10. Is the land identified above currently being irrigated? No, but was If yes, what is the source? (natural flows, wells, etc.) These lands were irrigated under Permit S-54762. In a 2016 Permit amendment these lands lost their primary water right that now needs to be replaced.
11. Diversion must be screened to prevent uptake of fish and other aquatic life. Describe plan(s) to comply with State/Federal fish screen standards: Fish Screen approval letter attached
12. Telephone number where you can be reached during the day: 503 868-7157 (PCWDIC Office), 503 956-6360 (Erika Stepper, Administrator)

Before returning the completed Contract Data Sheet to the address provided on page 1, please ensure you have:

- ANSWERED ALL QUESTIONS COMPLETELY
- ATTACHED AND IDENTIFIED ADDITIONAL SHEET(S) AS NECESSARY
- ATTACHED THE REQUIRED MAP
- SUBMIT PAYMENT FOR THE APPROPRIATE CONTRACT ADMINISTRATION FEE². MAKE CHECK PAYABLE TO THE U.S. BUREAU OF RECLAMATION

¹. Section 31001.(i) of the Debt Collection Improvement Act of 1996 (Chapter 10 of Pub. L. 104-134) requires each contractor with an agency of the United States to furnish their taxpayer identifying number (social security number or employer identification number) and each agency to disclose to that contractor its intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such contractor's relationship with the Government.

². The minimum contract administration fee for most applications is \$100. However, from time to time this fee may be revised to cover the costs of the United States. We recommend you contact this office to verify the current minimum contract administration fee. If the costs to the United States of evaluating the application are in excess of the minimum contract administration fee, an estimate of the reimbursable costs for which advance payment is required will be provided to the applicant.

ATTACHMENT A
PCWDIC Service Area Description

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Contract Data Sheet

Water User Organization-Palmer Creek Water Improvement District Company

Additional Information – Item 1 B (5) (a)

September 15, 2018

The area served by Palmer Creek Water Improvement District Company (PCWDIC) includes lands in:

Township 4 S, Range 3 W, Sections 19, 20, 21, 28, 27, 29, 30, 31, 32, 33

Township 5 S, Range 3 W, Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33

Township 5 S, Range 4 W, Section 13

Township 6 S, Range 3W, Section 4, 5, 6

The total acreage served is: 6411

The total number of water users is: 64

The prominent crop type includes: Berries, filberts, nursery stock, grasses,

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ATTACHMENT B
PCWDIC By Laws
PCWDIC Board Resolution

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Bylaws of:

Palmer Creek Water District Improvement Company
(As of July 2001)

Article I

General Purposes

The purposes for which this association is formed and the powers which it may exercise are set forth in the Articles of Incorporation of the corporation.

Article II

Name and Location

Section 1. The name of this corporation is Palmer Creek Water District Improvement Company, a corporation.

Section 2. The principle office of this corporation shall be located at Dayton, County of Yamhill, state of Oregon, but the corporation may maintain offices and places of business at such other places as the board of directors may determine.

Article III

Corporate Seal

Section 1. The seal of the corporation shall be an impression stamp, of which the following is a facsimile: "**PALMER CREEK WATER DISTRICT IMPROVEMENT COMPANY**"

Section 2. The secretary of the association shall have custody of the seal.

Article IV

Fiscal Year

Section 1. The fiscal year of the corporation shall begin the first day of January of each year.

Article V

Membership

Section 1. The holders of membership certificates of this corporation are those members being the owners of land described in the Articles of Incorporation and its amendments. A membership is lost or gained through a sale or purchase of any said land, as the case may be, by which the legal title is transferred.

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Section 2. The corporation may amend its Articles of Incorporation to include or exclude land and thereby include or exclude the owners thereof as members in accordance with the provisions of ORS 554.510 to 554.600 and by not other means. The obligations which the members have assumed by execution of the Articles of Incorporation and the Landowners Notice shall constitute covenants running with the described land and every part thereof.

Article VI

Membership Certificates

- Section 1.** This corporation shall not have capital stock, but its capital shall be represented by membership certificates.
- Section 2.** The membership certificates shall be issued to each member and shall be numbered consecutively in accordance with the order of issue.
- Section 3.** All transfers of membership certificates shall be made upon the books of the corporation upon the surrender of the certificates covering the same by the holders thereof or by their legal representatives but only with the approval of the board of directors and only the persons eligible to become members.
- Section 4.** Each member agrees to abide by such water use regulations as the corporation shall from time to time provide.
- Section 5.** Membership in this corporation depends upon the ownership of real premises described in the articles of Incorporation or any amendments thereto. Whenever any member of the corporation transfers his or her interest in such, or such transfer is made through legal proceedings or by operation of law, such transfer, if the whole property is included therein, shall constitute an assignment of the membership of such member, and his or her vendee, assignee, transferee, heir, devisee, or successor in interest, as the case may be, shall thereby become bound by the Articles of Incorporation, Bylaws and Landowners Notice, and shall become a member of the corporation with all the rights and liabilities of such member and entitled to transfer of such membership on the books of the corporation. If only a part of the land served by the corporation is transferred, as aforesaid, the transferee shall succeed to such of the member's rights as are proportionate to the portion of the premises so transferred, or as may be specified in the agreement of transfer, and such transferee shall become a member of the corporation with all the rights and liabilities of such membership upon payment of the membership fee.
- Section 6.** All transfers of membership shall be made by transfer of membership certificates on the books of the corporation.
- Section 7.** In case of sale or purchase under contract without transfer of legal title, the parties may agree with respect to the voting of such land as provided herein, and unless so agreed and determined pursuant thereto the holder of the legal title shall be entitled to vote.

Article VII

Meetings of Members

- Section 1.** The annual meeting of the members of this corporation shall be held at the City of Dayton, County of Yamhill, State of Oregon, or such other place as the

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directors shall designate, during the last two weeks of February or the first two weeks of March of each year. (Amended February 15, 1990)

- Section 2.** Special meetings of the members of the association may be called at any time by the secretary upon request of the board of directors, the president, or upon the filing of a petition with the secretary, which is signed by at least ten percent of the members of the corporation. The purpose of every special meeting shall be stated in the notice thereof, and no business shall be transacted thereat except such as is specified in the notice.
- Section 3.** Notice of meetings of members of the association may be given by a notice mailed to each member of record, directed to the address shown upon the books of the corporation, at least ten days prior to the meeting. Such a notice shall state the nature, time, place and purpose of the meeting, but no failure of irregularity of notice of an annual meeting, regularly held, shall affect any proceedings taken thereat.
- Section 4.** A majority of the members present at any meeting of the members shall constitute a quorum at any meeting of the association for the transaction of business. Each member f attends in person, or by proxy appointed in writing, shall be entitled to vote the amount of acreage of the land owned by him on the basis of one vote for each acre of land.
- Section 5.** Directors of this corporation shall be elected at the annual meeting of the members.
- Section 6.** The order of business the regular meetings (annual meeting) and so far as possible at the other meetings shall be:
- Calling to order and proof of quorum
 - Proof of notice of meeting
 - Reading and action on any unapproved minutes
 - Reports of officers and committees
 - Election of directors
 - Unfinished business
 - New business
 - Adjournment

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Article VIII

Directors and Officers

- Section 1.** The board of directors of this corporation shall consist of five members, all of who shall either be members of the Water District or who will be owners, officers, or agents of entities which are members of the Water District. (Amended March 8, 2001). At the first annual meeting of the members of the corporation after the adoption of the Articles of Incorporation, two directors shall be elected to hold office for a term of three years therefrom; at the second annual meeting two directors shall be elected to hold office for a term of three years thereafter, and at the third annual meeting one director shall be elected to hold office for a term of three years thereafter. Thereafter each director shall be elected to hold office for a term of three years. Each director shall hold office until his successor has been elected and qualified.
- Section 2.** The board of directors shall meet within ten days after the annual election of directors and shall elect by ballot a president and vice president from among themselves and a secretary and treasurer, each of whom shall hold office until the next annual meeting and until the election and qualification of his

successor unless sooner removed by death, resignation or for cause.
(Amended March 8, 2001)

Section 3. If the office of any director becomes vacant by reason of death, resignation, retirement, disqualification or otherwise, except by removal from office, a majority of the remaining directors, though less than a quorum, shall by majority vote, choose a successor who shall hold office for the unexpired term of the director whose place he or she fills. The disqualification of a director as a member of the corporation shall operate to disqualify him or her as a director and create a vacancy in the office of the director.

Section 4. A majority of the board of directors shall constitute a quorum of any meeting of the board.

Section 5. Compensation of officers may be fixed at any regular or special meeting of the members of the association. Directors shall receive no compensation for their services as such.

Section 6. The board of directors shall have full power and authority to:

- a) Build, construct and complete any works and improvements needed to carry out the plan of improvement of the lands described in the articles of Incorporation.
- b) In the name of the corporation, make all necessary water filings and appropriations of water for every purpose of the Articles of Incorporation.
- c) Operate and maintain such works as are necessary, convenient or beneficial for said purposes.
- d) Hire men and teams and purchase machinery, equipment and supplies.
- e) Generally contract with reference to any to said matters as the board may determine for the purposes and with the scope of the powers granted in ORS 554.010 to 554.340 for improving the land.
- f) Refuse the delivery of water to members who have unpaid assessments for prior years or file an action at law to recover the same or foreclose the company's lien as provided in Chapter 554 ORS.
- g) Limit the amount of water distributable to land included in the water district after January 15, 1980, if the pumping station and/or canal cannot supply sufficient water to satisfy the requirements of all of the land in the district. The land included in the water district as of January 25, 1980, shall have secondary rights, if the above conditions exist and the priorities of such land shall be determined by the year in which it is included in the district (Adopted January 15, 1980).

Section 7. The board of directors agree that the lands in the corporation shall be limited for construction assessments by the Palmer Creek Water District Improvement Company to annual assessments necessary for debt retirement of the present indebtedness owing to the United States of America on an installment basis under the contract dated September 28, 1967, and additional amounts necessary for repayment of future construction costs, which additional annual assessments shall not exceed 20% of such additional construction amounts plus interest in any one year (Adopted January 20, 1970).

Section 8. In order to encourage individuals to act as directors and officers of the district, and to protect such individuals from liability as a result of their good faith actions as directors and officers, it is the policy of the district to indemnify directors and officers from liabilities and from the costs of defending themselves to the extent allowed by Oregon Law, including ORS 65.387 through ORS 65.414 as in existence in 2001 and thereafter amended and replaced. The indemnification shall apply to any proceedings (as defined in ORS 65.387) against directors and officers because of such directors or officers' actions taken as a director or officer of the district where the director

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or officer was acting in good faith or reasonably believed that the directors or officers' conduct was in the best interest of the district, or at least not opposed to the district's best interest (Adopted March 8, 2001).

Article IX

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Duties of Officers

- Section 1.** Duties of the president. The president shall preside over all meetings of the corporation and the board of directors, call special meetings of the board of directors, perform all acts and duties usually performed by an executive and presiding officer, and sign all membership certificates and such other papers of the corporation as he or she may be authorized or directed to sign by the board of directors, provided the board of directors may authorize any person to sign any or all checks, contracts and other instruments in writing on behalf of the corporation. The president shall perform such other duties as may be prescribed by the board of directors.
- Section 2.** Duties of the vice president. In the absence or disability of the president, the vice president shall perform the duties of the president, provided, however, that in case of death, resignation or disability of the president, the board of directors may declare the office vacant and elect his or her successor.
- Section 3.** Duties of the secretary. The secretary shall keep a complete record of all meetings of the corporation and of the board of directors and shall have general charge and supervision of the books and records of the corporation. The secretary shall sign all membership certificates with the president and such other papers pertaining to the corporation as he or she may be authorized or directed to do by the board of directors. The secretary shall serve all notices required by law and by these bylaws and shall make a full report of all matters and business pertaining to his office to the members at the annual meeting. The secretary shall keep the corporate seal and membership certificate records of the corporation, complete and counter sign all certificates issued, and affix said corporate seal to all papers requiring seal. The secretary shall keep a proper membership certificate record, showing the name of each member of the association, and date of issuance, surrender, cancellation or forfeiture. The secretary shall make all reports required by law and shall perform such other duties as may be required by him or her or the corporation or the board of directors. Upon the election of a successor, the secretary shall turn over to him or her all books and other property belonging to the association that he or she may have in his or her possession.
- Section 4.** Duties of the treasurer. It shall be the duty of the treasurer to receive all moneys and funds of the corporation and to deposit the same in the bank or banks designated by the board of directors of the corporation. The treasurer shall keep full and accurate books of account and shall make such reports of his official transactions and of the finances of the company as may from time to time be required by the board of directors. The treasurer shall give bond in such amount as shall from time to time be fixed by the board of directors.

Section 5. Duties of the assistant secretary. In the absence of the secretary or his inability to act, the assistant secretary shall possess all of the powers and perform all on the duties of the secretary.

Article X

Benefits and Duties of Members

Section 1. The corporation will construct, acquire, own, maintain and operate an irrigation system, including the acquiring of water rights from the State of Oregon, for the transportation of water from the Willamette River to Palmer Creek to provide irrigation water for the benefit of its members and from any other source or sources of water available to such system. Each member shall be entitled to use the amount of water allocated by the corporation, provided the allocation per acre shall be .0125 cubic feet per second per acre with the total amount of water not to exceed 2 ½ acre-feet for each acre irrigated during the irrigation season, April 1st to September 30th of each year. A member requesting additional water shall submit such request in writing to the Board of Directors who may in its discretion, grant such a request. All allocations are subject to Article VIII, Section 6(g) and to the availability of water. The diversion of such water shall be under the supervision of the corporation and the cost of operation of same shall be assessed to each member according to Articles of Incorporation and Landowners Notice. (Amended February 16, 1989).

Article XI

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Amendments to Bylaws

Section 1. These bylaws may be repealed or amended by vote of a majority of the members present at any regular meeting of the corporation, or at any special meeting of the corporation called for that purpose, except that the members shall not have the power to change the purposes of the corporation so as to decrease the rights and powers under the laws of the state, or to waive any requirement or bond or other provision for the safety and security of the property and funds of the corporation or its members, or to deprive any member of rights and privileges then existing. Notice of any amendment to be made at a special meeting of the members must be given at least ten days before such meeting and must set forth the amendments to be considered.



2/15/18

Where as Palmer Creek Water District interfaces and will have agreements and contracts with
Bureau of Reclamation:

Resolved, that Palmer Creek Water District :

- 1) Will enter into and sign agreements and contracts for water rights with Bureau of Reclamation.

over- Allan Elliott Treasurer 503-868-7972
Seconders- Robert May President 503-209-5896
Arie Slegers Board member 503-550-0992

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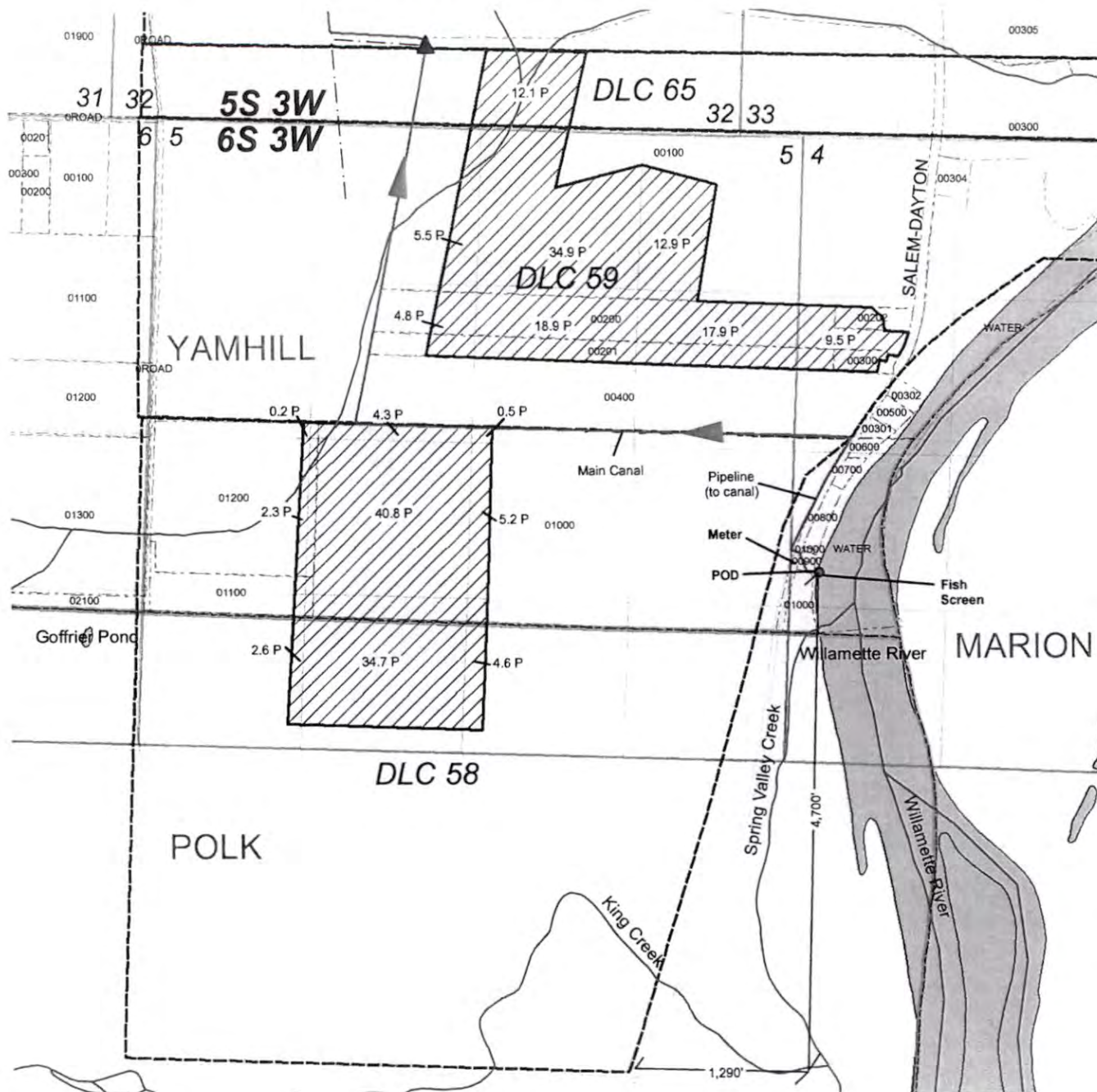
ATTACHMENT C
Application Map

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5-8875

T5S, R3W, WM, Section 32
T6S, R3W, WM, Section 05
Yamhill County & Polk County, Oregon



POD is located 4,700' N and 1,290' E from SE corner of DLC 58

Explanation

- Point of Diversion (tax lot 600)
- ▲ Rediversion
- Rediversion Pipeline
- Water Features
- Roads
- DLC Boundaries
- ▨ Primary
- Tax Lots

NAD 1983 HARN
Datum of 1983
Prepared October 22, 2018

Sources: BLM CadNSDI PLSS (GeoCommunicator LSIS, 2015), Oregon Spatial Data Library water features, county lines & tax lots, roads (spatialdata.oregonexplorer.info), Pacific Hydro-Geology, Inc. main canal, point of diversion, DLC lines, et al (shapefiles provided by)

This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or locations of property ownership lines.

1 inch = 1/4 mile

0 350 700 1,050 1,400 Feet

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ATTACHMENT D
Acre Listing by 1/4 1/4

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			2018 BOR ACRES		
			Place of Use		
Farmer	Twp	Rng	Sec	¼ ¼	Primary
Ditchen	5S	3W	32	SWSE	12.1
North Field	6S	3W	4	SWNW	9.5
	6S	3W	5	NENE	12.9
	6S	3W	5	NWNE	34.9
	6S	3W	5	SWNE	18.9
	6S	3W	5	SESNE	17.9
	6S	3W	5	NENW	5.5
	6S	3W	5	NWNW	4.8

South Field	6S	3W	5	SWNE	0.5
	6S	3W	5	SWNW	0.2
	6S	3W	5	SENE	4.3
	6S	3W	5	NESW	40.8
	6S	3W	5	NWSW	2.3
	6S	3W	5	SWSW	2.6
	6S	3W	5	SESW	34.7
	6S	3W	5	NWSE	5.2
	6S	3W	5	SWSE	4.6

Total Primary Acres

211.7

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ATTACHMENT E
Fish Screen Approval Letter

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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



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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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1201 NE Lloyd Boulevard, Suite 1100
PORTLAND, OREGON 97232-1274
August 31, 2011

William Parks
U.S. Bureau of Reclamation
1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

SEP 02 2011

Re: Palmer Creek Water District fish screen velocity testing.

Dear Mr. Parks:

On May 6, 2011, National Marine Fisheries Service (NMFS) was given the opportunity to observe velocity testing of the fish screen currently in service for the Palmer Creek Water District diversion on the Willamette River at about river mile 140, right bank. This testing was required by NMFS as a condition of the initial engineering approval of the screen due to the screen being installed in a fashion that fails to meet NMFS fish screening and passage criteria. The velocity testing was conducted by representatives of the screen manufacturer, Intake Screens, Inc. with the assistance of personnel from Oregon Department of Fish and Wildlife (ODFW). The testing protocol was developed by ODFW with the assistance and concurrence of NMFS engineering staff.

Velocity measurements, as processed by ODFW, are attached at the end of this letter, but the key conclusion of the testing is that the screen meets approach velocity criteria as defined in NMFS Anadromous Salmonid Passage Facility Design, 2008. This testing satisfies the requirement for velocity testing as described in a letter dated Dec. 2, 2005 from Keith Kirkendall of NMFS to Mr. Richard Craven of Craven Consulting Group in Tigard, Oregon.

NMFS appreciates the cooperation and support of Palmer Water District, as well as Intake Screens, Inc. and ODFW in the accomplishment of this testing. If you have any questions or concerns, please contact Jeff Brown at (503)230-5437 or Jeffrey.Brown@noaa.gov.

Sincerely,

Keith Kirkendall, Chief
FERC and Water Diversions Branch
Hydropower Division

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STATE OF OREGON
COUNTIES OF LANE, LINN, AND MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BUREAU OF RECLAMATION, U.S.A.
PACIFIC NORTHWEST REGION
1150 NORTH CURTIS ROAD
BOISE ID 83706-1234

confirms the right to store the waters of COAST FORK WILLAMETTE RIVER, in COTTAGE GROVE RESERVOIR; ROW RIVER in DORENA RESERVOIR; LONG TOM RIVER in FERN RIDGE RESERVOIR; MIDDLE FORK WILLAMETTE RIVER in LOOKOUT POINT RESERVOIR; NORTH SANTIAM RIVER in DETROIT RESERVOIR; tributaries to the WILLAMETTE RIVER appropriated for IRRIGATION.

This right was perfected under Permit R-1625. The date of priority is AUGUST 16, 1954. The amount of water entitled to be stored each year under this right is NOT MORE THAN 834,563 ACRE-FEET (AF); BEING 99,563 AF (IN ANY COMBINATION, UP TO 29,781.5 AF from COAST FORK WILLAMETTE RIVER IN COTTAGE GROVE RESERVOIR AND UP TO 69,781.5 AF from ROW RIVER in DORENA RESERVOIR); 95,000 AF from LONG TOM RIVER in FERN RIDGE RESERVOIR; 340,000 AF from MIDDLE FORK WILLAMETTE RIVER in LOOKOUT POINT RESERVOIR; 300,000 AF from NORTH SANTIAM RIVER in DETROIT RESERVOIR TO BE APPROPRIATED UNDER SECONDARY APPLICATIONS HEREINAFTER TO BE FILED FOR IRRIGATION, PROVIDED THAT ALL SECONDARY APPLICATIONS SHALL BE ACCOMPANIED BY A COPY OF THE CONTRACT BETWEEN THE APPLICANT AND THE BUREAU OF RECLAMATION FOR THE PURCHASE OF THE STORED WATERS.

The reservoirs are located as follows:

COTTAGE GROVE RESERVOIR WITHIN PORTIONS OF THE FOLLOWING:			
Twp	Rng	Mer	Sec
21 S	3 W	WM	27
21 S	3 W	WM	28
21 S	3 W	WM	29
21 S	3 W	WM	32
21 S	3 W	WM	33
22 S	3 W	WM	4
22 S	3 W	WM	5
22 S	3 W	WM	8

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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 137-004-080 and OAR 690-01-005 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.

DORENA RESERVOIR			
WITHIN PORTIONS OF THE FOLLOWING:			
Twp	Rng	Mer	Sec
20 S	2 W	WM	32
20 S	2 W	WM	33
20 S	2 W	WM	34
21 S	2 W	WM	2
21 S	2 W	WM	3
21 S	2 W	WM	4
21 S	2 W	WM	5
21 S	2 W	WM	10
21 S	2 W	WM	11
21 S	2 W	WM	13
21 S	2 W	WM	14

FERN RIDGE RESERVOIR			
WITHIN PORTIONS OF THE FOLLOWING:			
Twp	Rng	Mer	Sec
17 S	5 W	WM	3
17 S	5 W	WM	4
17 S	5 W	WM	5
17 S	5 W	WM	8
17 S	5 W	WM	9
17 S	5 W	WM	10
17 S	5 W	WM	11
17 S	5 W	WM	14
17 S	5 W	WM	15
17 S	5 W	WM	16
17 S	5 W	WM	17
17 S	5 W	WM	18
17 S	5 W	WM	19
17 S	5 W	WM	20
17 S	5 W	WM	21
17 S	5 W	WM	22
17 S	5 W	WM	23
17 S	5 W	WM	26
17 S	5 W	WM	27
17 S	5 W	WM	28
17 S	5 W	WM	29
17 S	5 W	WM	30
17 S	5 W	WM	32
17 S	5 W	WM	33
17 S	5 W	WM	34

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LOOKOUT POINT RESERVOIR WITHIN PORTIONS OF THE FOLLOWING:			
Twtp	Rng	Mer	Sec
19 S	1 W	WM	13
19 S	1 W	WM	24
19 S	1 E	WM	18
19 S	1 E	WM	19
19 S	1 E	WM	20
19 S	1 E	WM	21
19 S	1 E	WM	27
19 S	1 E	WM	28
19 S	1 E	WM	29
19 S	1 E	WM	30
19 S	1 E	WM	33
19 S	1 E	WM	34
19 S	1 E	WM	35
20 S	1 E	WM	1
20 S	1 E	WM	2
20 S	1 E	WM	3
20 S	1 E	WM	4
20 S	1 E	WM	10
20 S	1 E	WM	11
20 S	1 E	WM	12
20 S	2 E	WM	7
20 S	2 E	WM	17
20 S	2 E	WM	18
20 S	2 E	WM	19
20 S	2 E	WM	20
20 S	2 E	WM	21
20 S	2 E	WM	27
20 S	2 E	WM	28

DETROIT RESERVOIR WITHIN PORTIONS OF THE FOLLOWING:			
Twtp	Rng	Mer	Sec
9 S	5 E	WM	35
9 S	5 E	WM	36
10 S	4 E	WM	24
10 S	5 E	WM	1
10 S	5 E	WM	2
10 S	5 E	WM	3
10 S	5 E	WM	7
10 S	5 E	WM	10
10 S	5 E	WM	11
10 S	5 E	WM	12
10 S	5 E	WM	14
10 S	5 E	WM	15
10 S	5 E	WM	16
10 S	5 E	WM	17
10 S	5 E	WM	18
10 S	5 E	WM	19
10 S	5 E	WM	20

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DETROIT RESERVOIR WITHIN PORTIONS OF THE FOLLOWING:			
Twp	Rng	Mer	Sec
10 S	5 E	WM	21
10 S	5 E	WM	22
10 S	5 E	WM	27
10 S	5 E	WM	28
10 S	6 E	WM	7
10 S	6 E	WM	17
10 S	6 E	WM	18

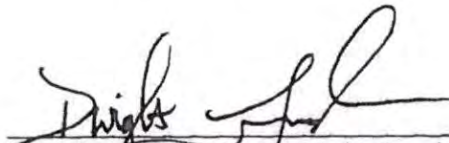
THIS CERTIFICATE IS ISSUED SUBJECT TO THE TERMS AND CONDITIONS AS SET OUT IN "EXHIBIT B" OF THE APPLICATION.

This certificate is issued to correct a scrivener's error in the description of the place of use of Dorena Reservoir in the certificate recorded at page 91538, State Record of Water Right Certificates, which described that portion of the water right previously confirmed by Certificate 72755 NOT modified by the provisions of an order of the Water Resources Director entered June 10, 2016, approving Transfer Application T-12120. This certificate supersedes Certificate 91538.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

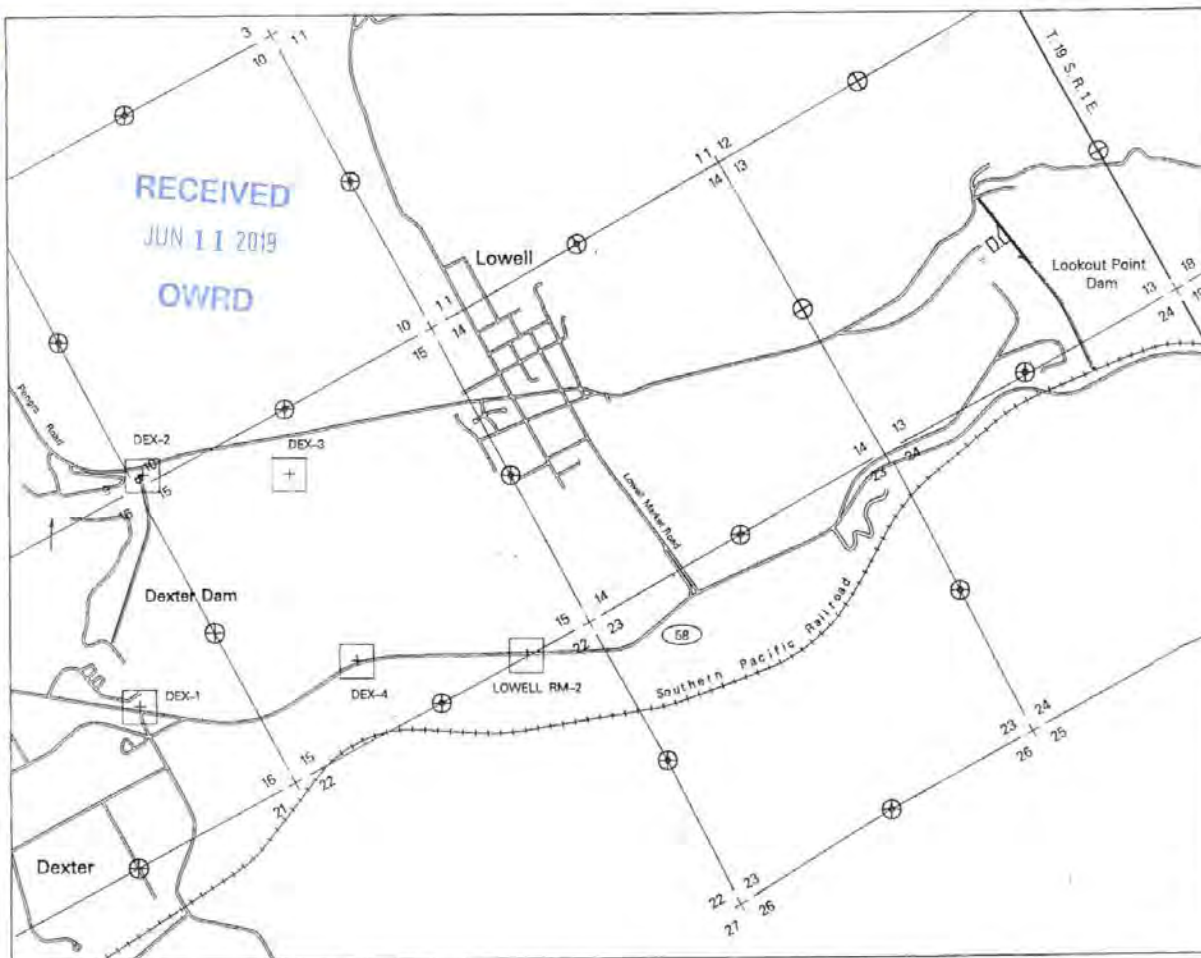
The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.

WITNESS the signature of the Water Resources Director, affixed JUN 27 2016.


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

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Dexter Lake

LANE COUNTY, OREGON

U.S. Army Engineer District
Corps of Engineers Portland, Oregon

SIGNIFICANT PROJECT FEATURES

- Dexter Dam
- Maximum Conservation Pool
(Elev. 693.4 ft.)
15 June 1998 (883.66 Surface Acres)
- ⊕ USCE Control
- ⊕ Found 1/4 Corner
- ⊕ Not found 1/4 Corner
- 58 State Route



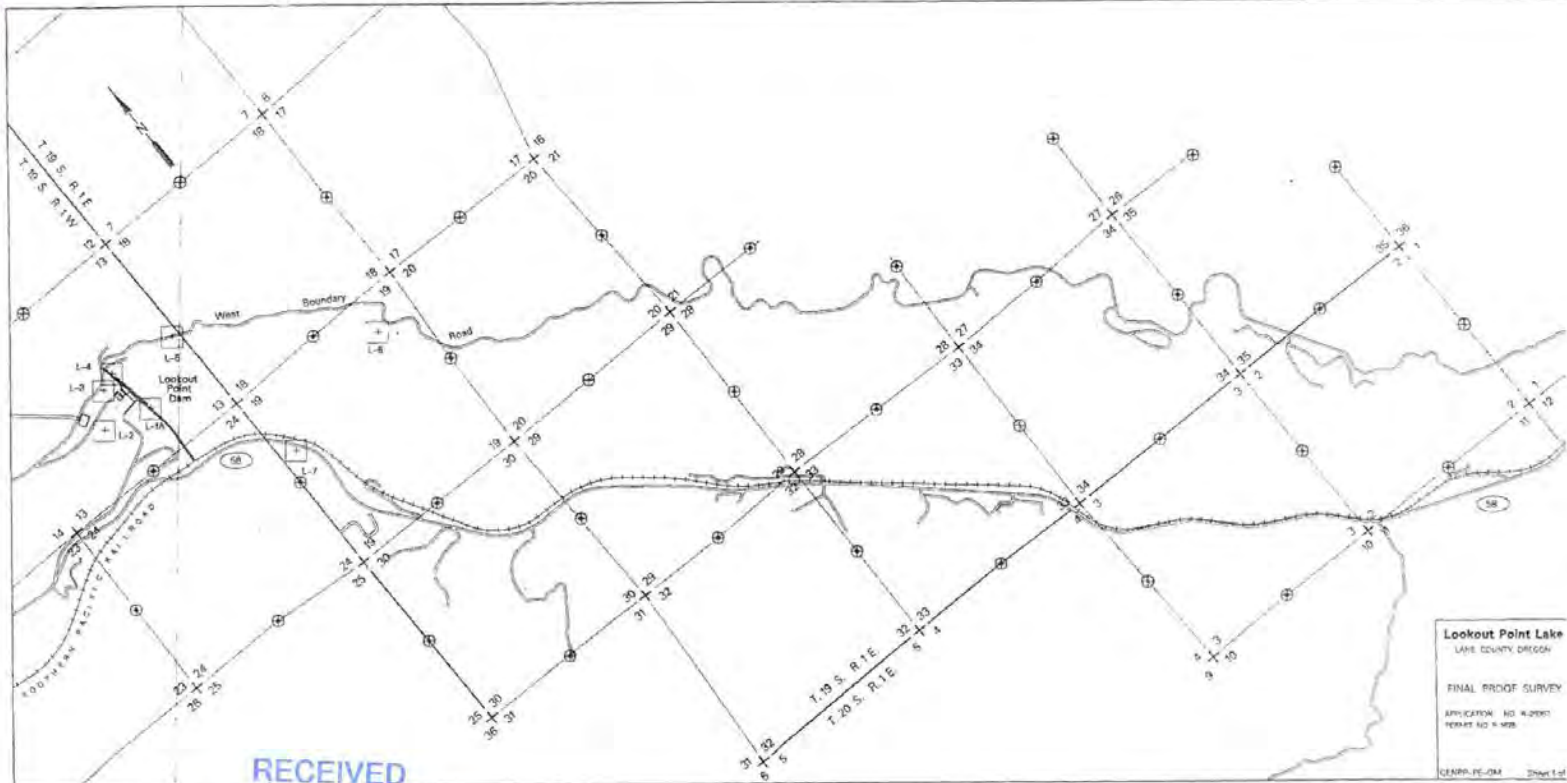
FINAL PROOF SURVEY

APPLICATION NO. R-29397
PERMIT NO. R-1625

INSPECTED 19.....

BY

5-888-705

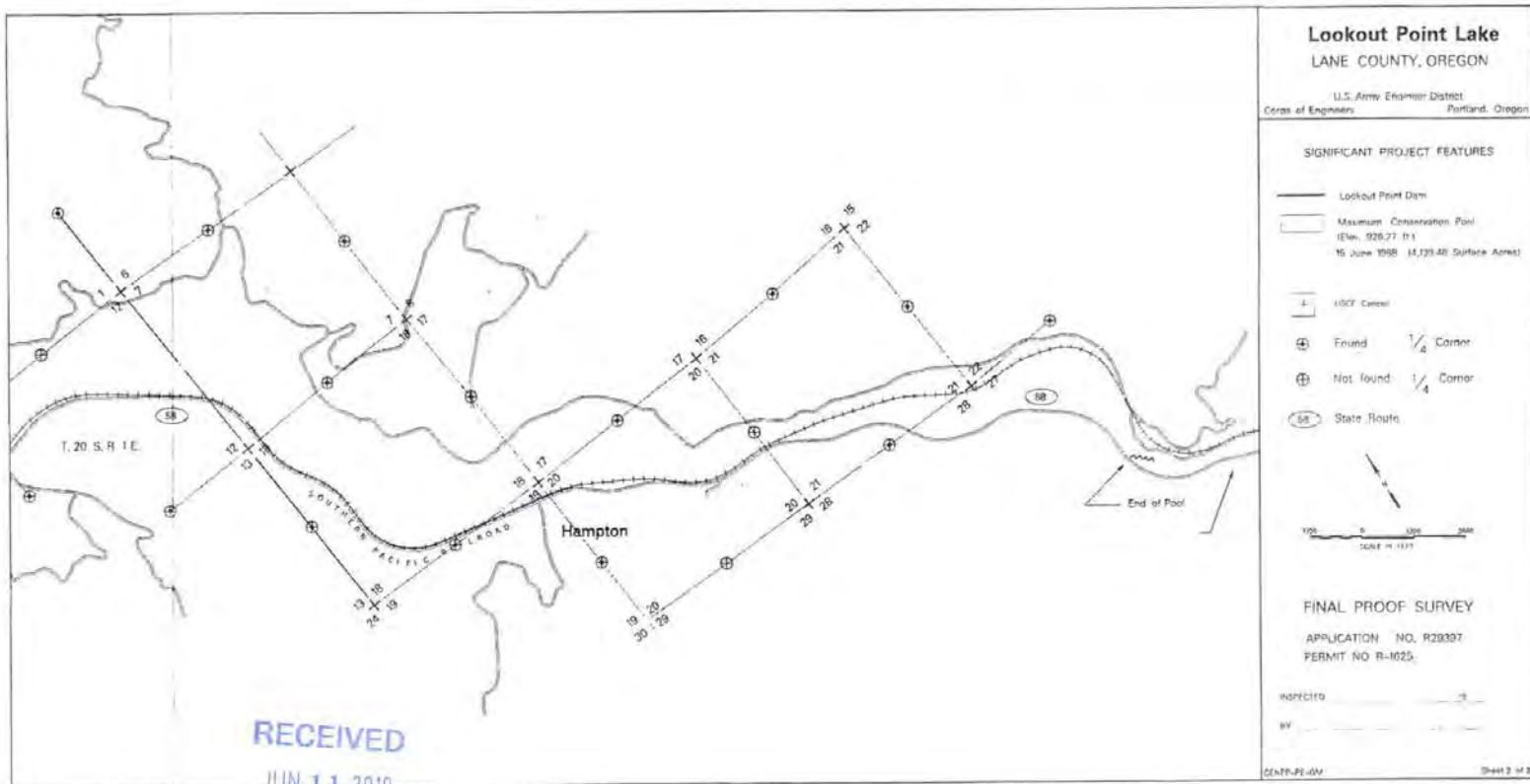


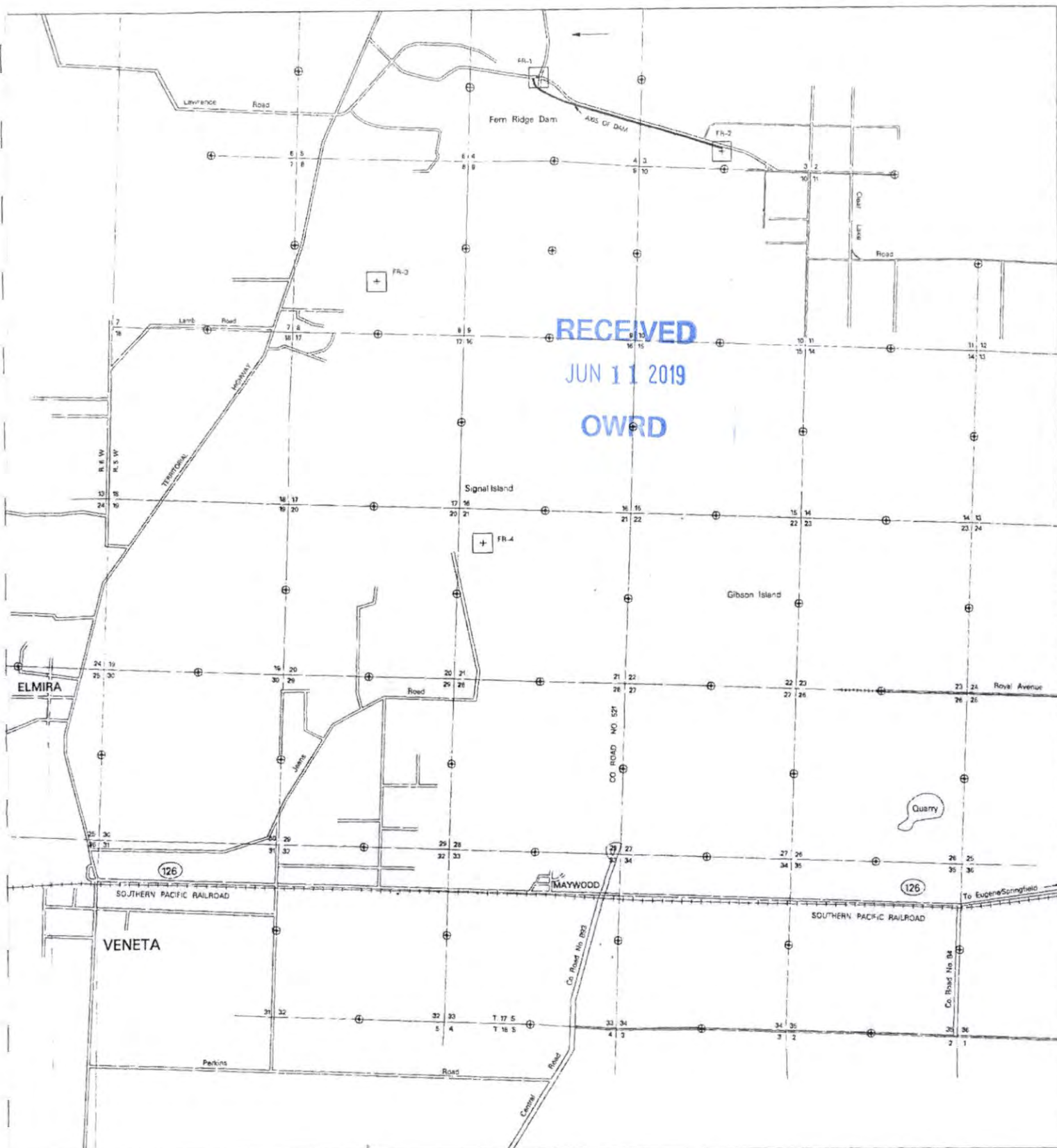
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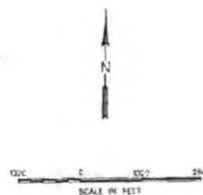




SIGNIFICANT PROJECT FEATURES

- Fern Ridge Dam
- Maximum Conservation Pool
(Elev 373.51 ft.)
31 May 1991 (7,752.53 Surface Acres)
- USCE Centre

- Found 1/4 Corner
- Not found 1/4 Corner
- State Route



Fern Ridge Lake

LANE COUNTY, OREGON

U. S. Army Engineer District
Corps of Engineers Portland, Oregon

FINAL PROOF SURVEY

APPLICATION NO R-28397
PERMIT NO R-1626

INSPECTED _____ 19____

BY _____

CENPP-JE-GM

Sheet 1 of 1

5-88705

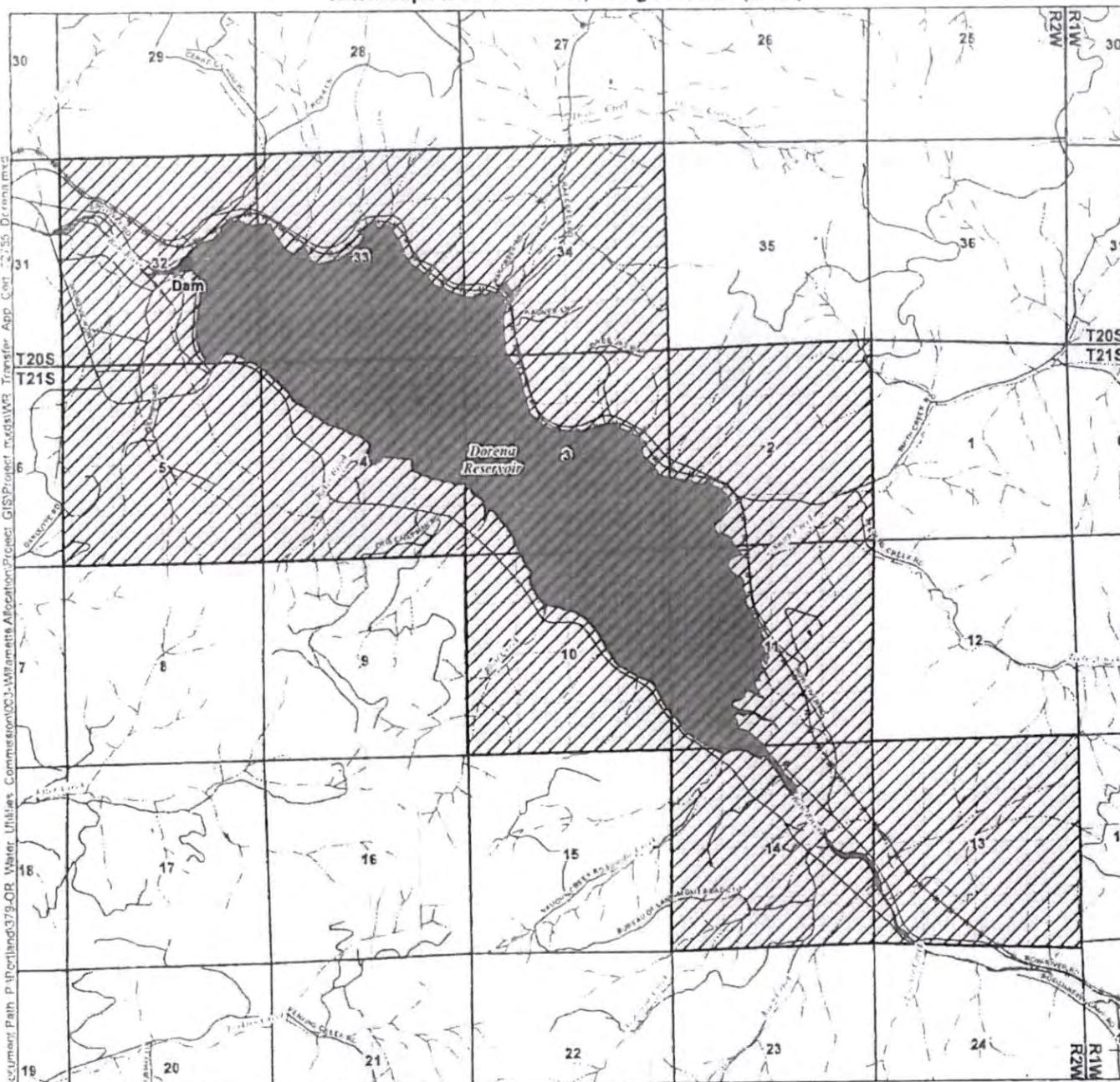
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Application for a Water Right Transfer Proposed Change in Character of Use

Certificate 72755 (Dorena Reservoir)
Willamette Valley Project
Townships 20 & 21 South, Range 2 West (W.M.)



LEGEND

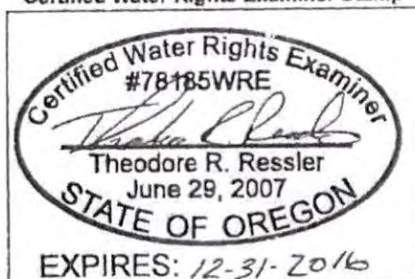
- Place of Use (POU)
Where Character of Use to be Changed
- Location of Dam
- Roads
- Railroads
- Watercourses
- Waterbodies

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JUL 31 2015

SALEM, OR

Certified Water Rights Examiner Stamp



Disclaimer
This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines

Map Notes

Date: May 27, 2015
Data Sources: OWRD, OGIC, US BLM, USGS, ESRI
Prepared By: GSI Water Solutions, Inc.



0 2,000 4,000
1 inch = 4,000 feet



T 12120

5-88705

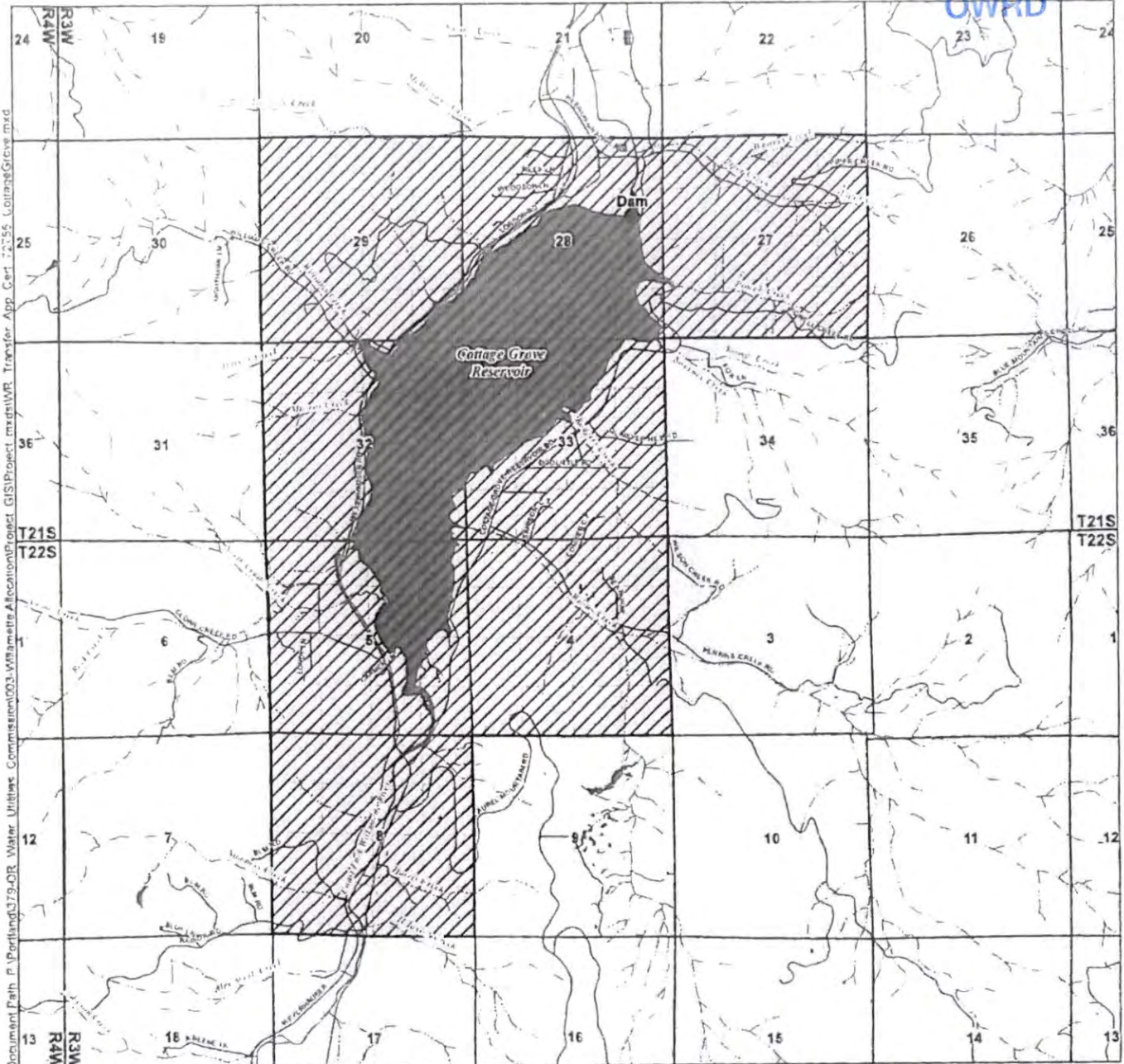
Application for a Water Right Transfer Proposed Change in Character of Use

Certificate 72755 (Cottage Grove Reservoir)
Willamette Valley Project
Townships 21 & 22 South, Range 3 West (W.M.)

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LEGEND

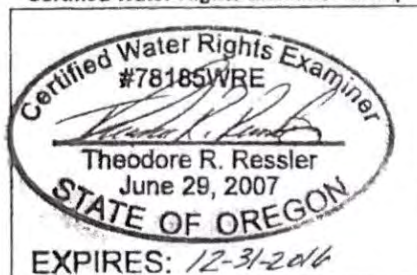
- Place of Use (POU) Where Character of Use to be Changed
- Location of Dam
- Roads
- Watercourses
- Waterbodies

RECEIVED BY OWRD

JUL 31 2015

SALEM, OR

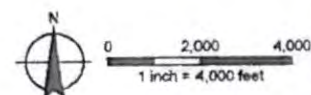
Certified Water Rights Examiner Stamp



Disclaimer
This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

Map Notes

Date: May 27, 2015
Data Sources: OWRD, OGIC, US BLM, USGS, ESRI
Prepared By: GSI Water Solutions, Inc.



5-88705

T 12120

STATE OF OREGON
COUNTIES OF LANE AND LINN
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BUREAU OF RECLAMATION, U.S.A.
PACIFIC NORTHWEST REGION
1150 NORTH CURTIS ROAD
BOISE, IDAHO 83706-1234

confirms the right to store the waters of MIDDLE FORK WILLAMETTE RIVER in HILLS CREEK RESERVOIR, SOUTH FORK MCKENZIE RIVER in COUGAR RESERVOIR, BLUE RIVER in BLUE RIVER RESERVOIR, FALL CREEK in FALL CREEK RESERVOIR, SOUTH SANTIAM RIVER in FOSTER RESERVOIR, MIDDLE SANTIAM RIVER in GREEN PETER RESERVOIR, tributaries of WILLAMETTE RIVER, appropriated for IRRIGATION AND SUPPLEMENTAL IRRIGATION.

The right to store these waters was perfected under Reservoir Permit R-5363. The date of priority is SEPTEMBER 16, 1968. The amount of water entitled to be stored each year under this right is NOT MORE THAN 805,100 ACRE-FEET, BEING 194,600 AF FROM MIDDLE FORK WILLAMETTE RIVER in HILLS CREEK RESERVOIR; 144,000 AF FROM SOUTH FORK MCKENZIE RIVER in COUGAR RESERVOIR; 79,000 AF FROM BLUE RIVER in BLUE RIVER RESERVOIR; 107,500 AF FROM FALL CREEK in FALL CREEK RESERVOIR; 30,000 AF FROM SOUTH SANTIAM RIVER in FOSTER RESERVOIR; AND 250,000 AF FROM MIDDLE SANTIAM RIVER in GREEN PETER RESERVOIR TO BE APPROPRIATED UNDER SECONDARY APPLICATIONS HEREINAFTER TO BE FILED FOR IRRIGATION AND SUPPLEMENTAL IRRIGATION, PROVIDED THAT ALL SECONDARY APPLICATIONS SHALL BE ACCOMPANIED BY A COPY OF THE CONTRACT BETWEEN THE APPLICANT AND THE BUREAU OF RECLAMATION FOR THE PURCHASE OF THE STORED WATERS.

The reservoir is located as follows:

HILLS CREEK RESERVOIR

WITHIN PORTIONS OF THE FOLLOWING:

SECTIONS 34, 35, AND 36
TOWNSHIP 21 SOUTH, RANGE 3 EAST, W.M.

SECTION 31
TOWNSHIP 21 SOUTH, RANGE 4 EAST, W.M.

SECTIONS 2, 3, 4, 10, 11, 14, 15, 16, 21, 22, 23, 26, 27, 33, AND 34
TOWNSHIP 22 SOUTH, RANGE 3 EAST, W.M.

SECTION 6
TOWNSHIP 22 SOUTH, RANGE 4 EAST, W.M.

SECTIONS 3 AND 4
TOWNSHIP 23 SOUTH, RANGE 3 EAST, W.M.

SEE NEXT PAGE

R-45396.GJT

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COUGAR RESERVOIR

WITHIN PORTIONS OF THE FOLLOWING:

SECTIONS 31 AND 32
TOWNSHIP 16 SOUTH, RANGE 5 EAST, W.M.

SECTIONS 4, 5, 6, 7, 8, 17, 20, 28, 29, AND 33
TOWNSHIP 17 SOUTH, RANGE 5 EAST, W.M.

BLUE RIVER RESERVOIR

WITHIN PORTIONS OF THE FOLLOWING:

SECTIONS 9, 10, 11, 12, 13, 14, 15, 16, AND 22
TOWNSHIP 16 SOUTH, RANGE 4 EAST, W.M.

SECTIONS 6 AND 7
TOWNSHIP 16 SOUTH, RANGE 5 EAST, W.M.

FALL CREEK RESERVOIR

WITHIN PORTIONS OF THE FOLLOWING:

SECTION 36
TOWNSHIP 18 SOUTH, RANGE 1 WEST, W.M.

SECTION 1
TOWNSHIP 19 SOUTH, RANGE 1 WEST, W.M.

SECTIONS 26, 27, 31, 32, 33, AND 34
TOWNSHIP 18 SOUTH, RANGE 1 EAST, W.M.

SECTIONS 4, 5, 6, 7, 8, 9, AND 16
TOWNSHIP 19 SOUTH, RANGE 1 EAST, W.M.

FOSTER RESERVOIR

WITHIN PORTIONS OF THE FOLLOWING:

SECTIONS 22, 23, 24, 25, 26, AND 27
TOWNSHIP 13 SOUTH, RANGE 1 EAST, W.M.

SECTIONS 16, 17, 19, 20, 28, 29, 30, 32, AND 33
TOWNSHIP 13 SOUTH, RANGE 2 EAST, W.M.

SEE NEXT PAGE

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GREEN PETER RESERVOIR

WITHIN PORTIONS OF THE FOLLOWING:

SECTIONS 24, 25, 26, 35, AND 36
TOWNSHIP 12 SOUTH, RANGE 2 EAST, W.M.

SECTIONS 9, 10, 16, 17, 20, 21, 24, 25, 26, 27, 28, 29, 30, 31, 32,
33, 34, AND 35
TOWNSHIP 12 SOUTH, RANGE 3 EAST, W.M.

SECTIONS 1, 2, 10, 11, AND 12
TOWNSHIP 13 SOUTH, RANGE 2 EAST, W.M.

SECTIONS 3, 4, 5, AND 6
TOWNSHIP 13 SOUTH, RANGE 3 EAST, W.M.

SECTION 19
TOWNSHIP 12 SOUTH, RANGE 4 EAST, W.M.

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

WITNESS the signature of the Water Resources Director, affixed AUGUST 28, 1996.

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|S| Steven P. Applegate

Martha O. Page1

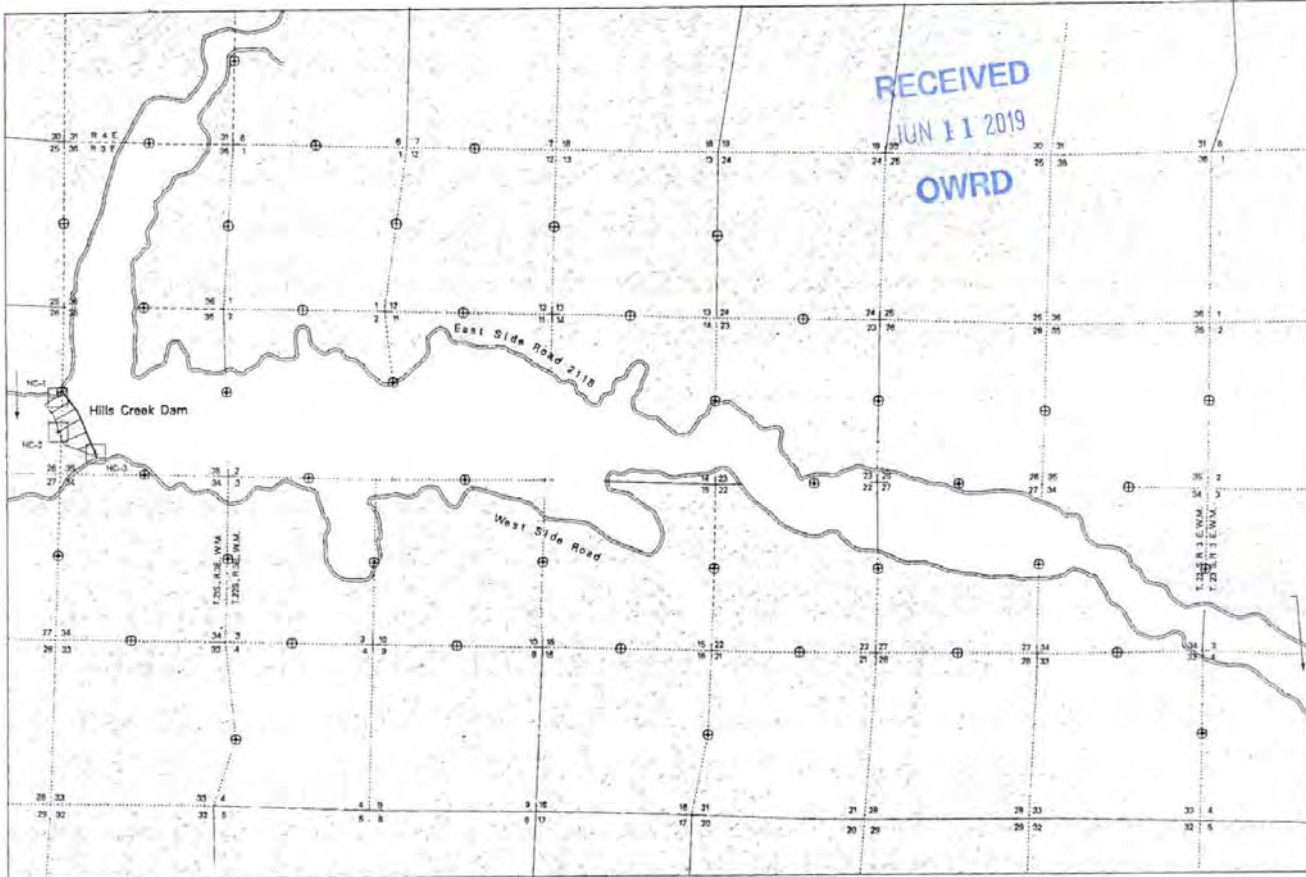
Recorded in State Record of Water Right Certificates numbered 72756.

R-45396.GJT

5-88705

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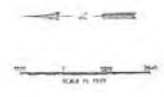


Hills Creek Lake
LANE COUNTY, OREGON

U.S. Army Engineer District
Corps of Engineers Portland, Oregon

SIGNIFICANT PROJECT FEATURES

- Hills Creek Dam
- Maximum Conservation Pool
(Elev. 1541.8 ft)
25 Jun 1981 (2,707.5 Surface Acres)
- 1/4 Corner
- Found 1/4 Corner
- Not found 1/4 Corner



FINAL PROOF SURVEY

APPLICATION NO. R-45296
PERMIT NO. R-5280

INSPECTED BY: _____
DATE: _____

U.S. Army Engineer District
Corps of Engineers Portland, Oregon

— Fall Creek Dam
 □ Maximum Conservation Pool
 (Elev. 800.10 ft.)
 15 June 1988 (1,741.2 Surface Acres)

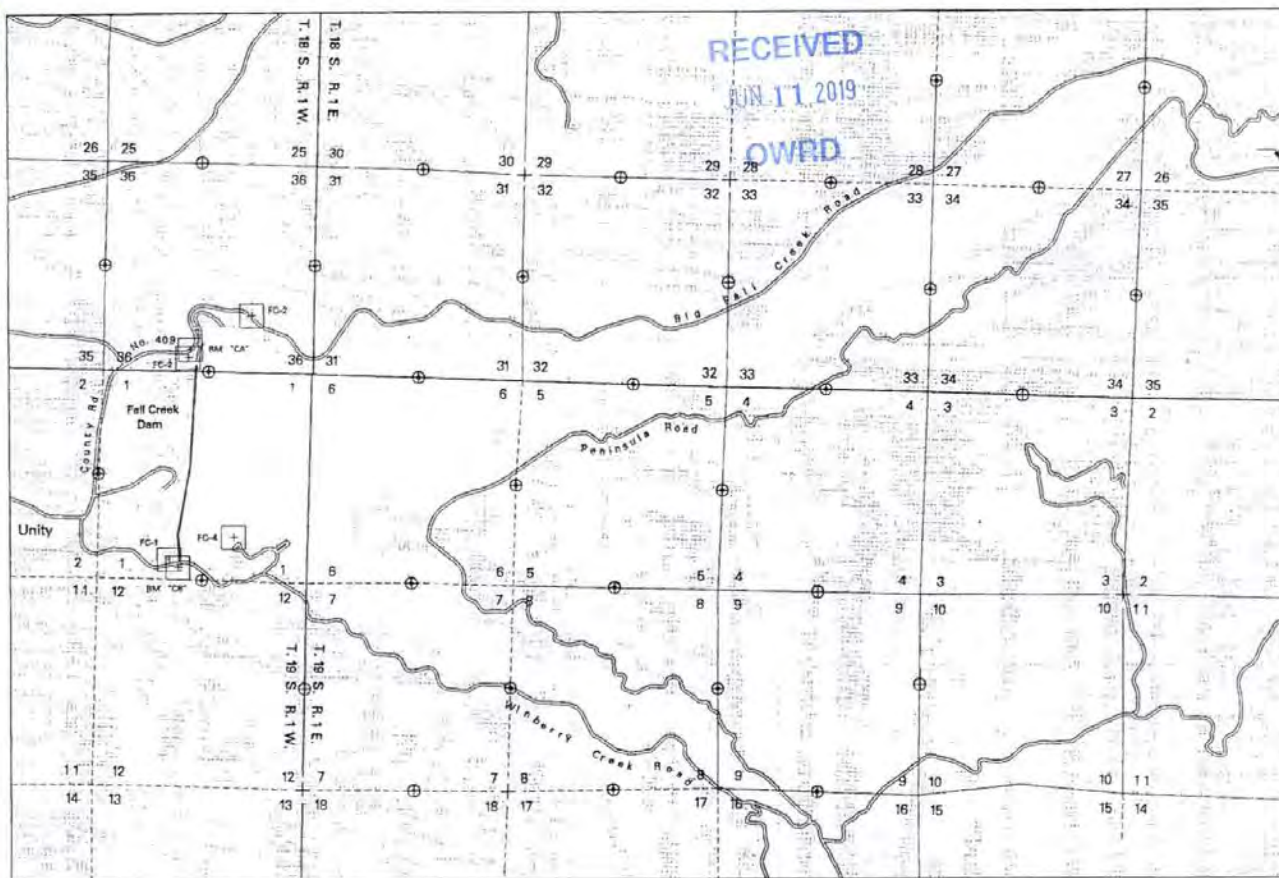
⊕ Found $\frac{1}{4}$ Corner

⊕ Not found 1/4 Corner



APPLICATION NO. R-45396
PERMIT NO. R-5353

INSPECTED 13
BY 8
CENPA-PE-GM



Blue River Lake LANE COUNTY, OREGON

U.S. Army Engineer District
Corps of Engineers Portland, Oregon

SIGNIFICANT PROJECT FEATURES

- Blue River and Saddle Dams
- Maximum Conservation Pool
(Elev. 1250.09 ft.)
25 Jun 1981 (858.8 Surface Acres)
- USCE Control
- Found 1/4 Corner
- Not found 1/4 Corner
- U.S. Route



FINAL PROOF SURVEY

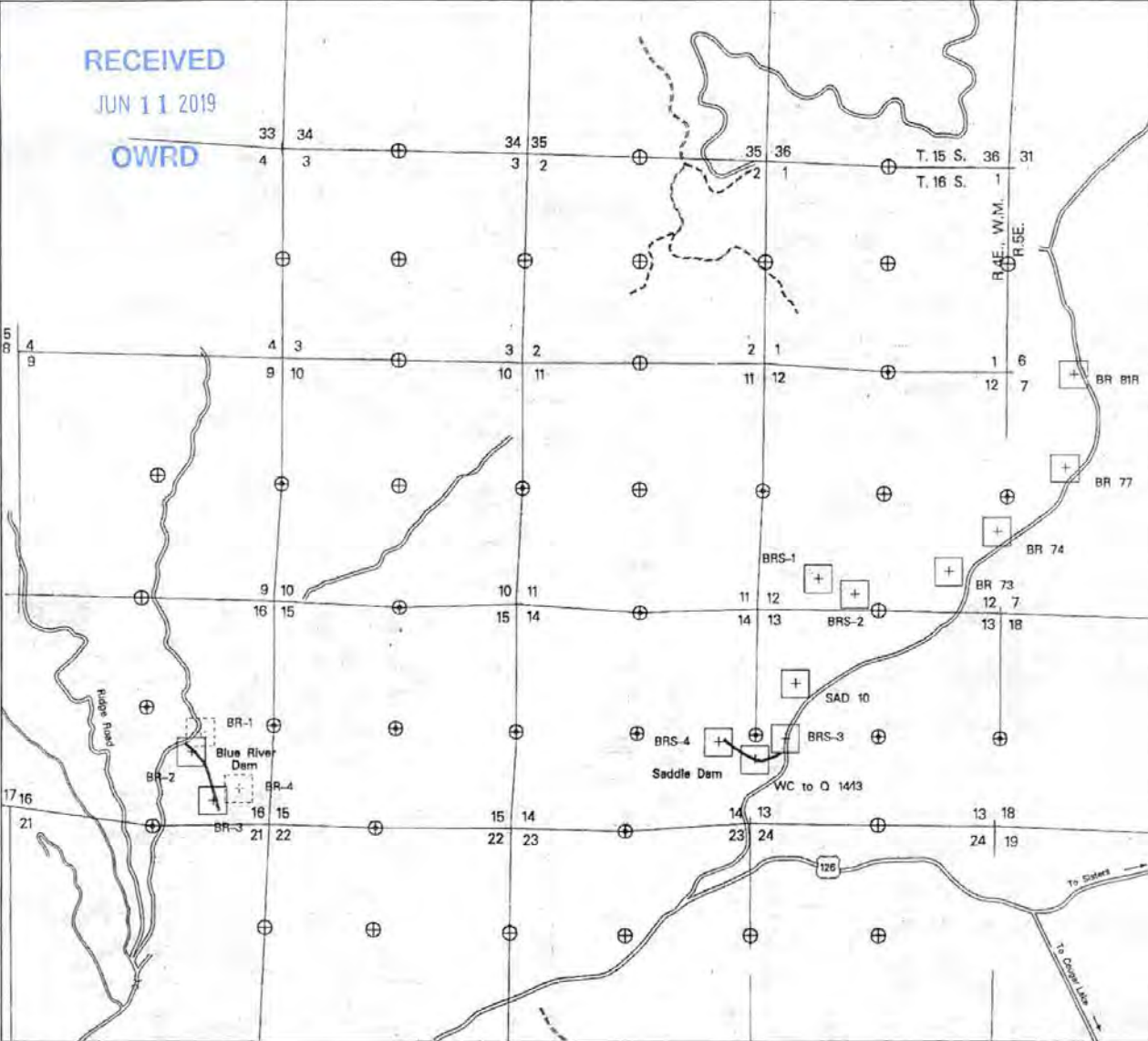
APPLICATION NO. R-45396
PERMIT NO. R-5363

INSPECTED _____ 18 _____

BY _____

CENPP-PE-GM Sheet 1 of 1

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U.S. Army Engineer District
Corps of Engineers Portland, Oregon

 Cougar Dam
 Medium Conservation Pool
 (Flow 1,000 cfs ft.)
 26 June 1981 (1,000 R Surface Acres)

	USCE Control	
	Found	$\frac{1}{4}$ Corner
	Not found	$\frac{1}{4}$ Corner

APPLICATION NO. R-45396
PERMIT NO. R-5363

INSPECTED _____ 19____

BY _____

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Page 1 of 1

LINN COUNTY, OREGON

SIGNIFICANT PROJECT FEATURES

+ USCE Control

⊕ Not found $\frac{1}{4}$ Corner

 U.S. Route

100 0 100 200
SCALE IN FEET

FINAL PROOF SURVEY

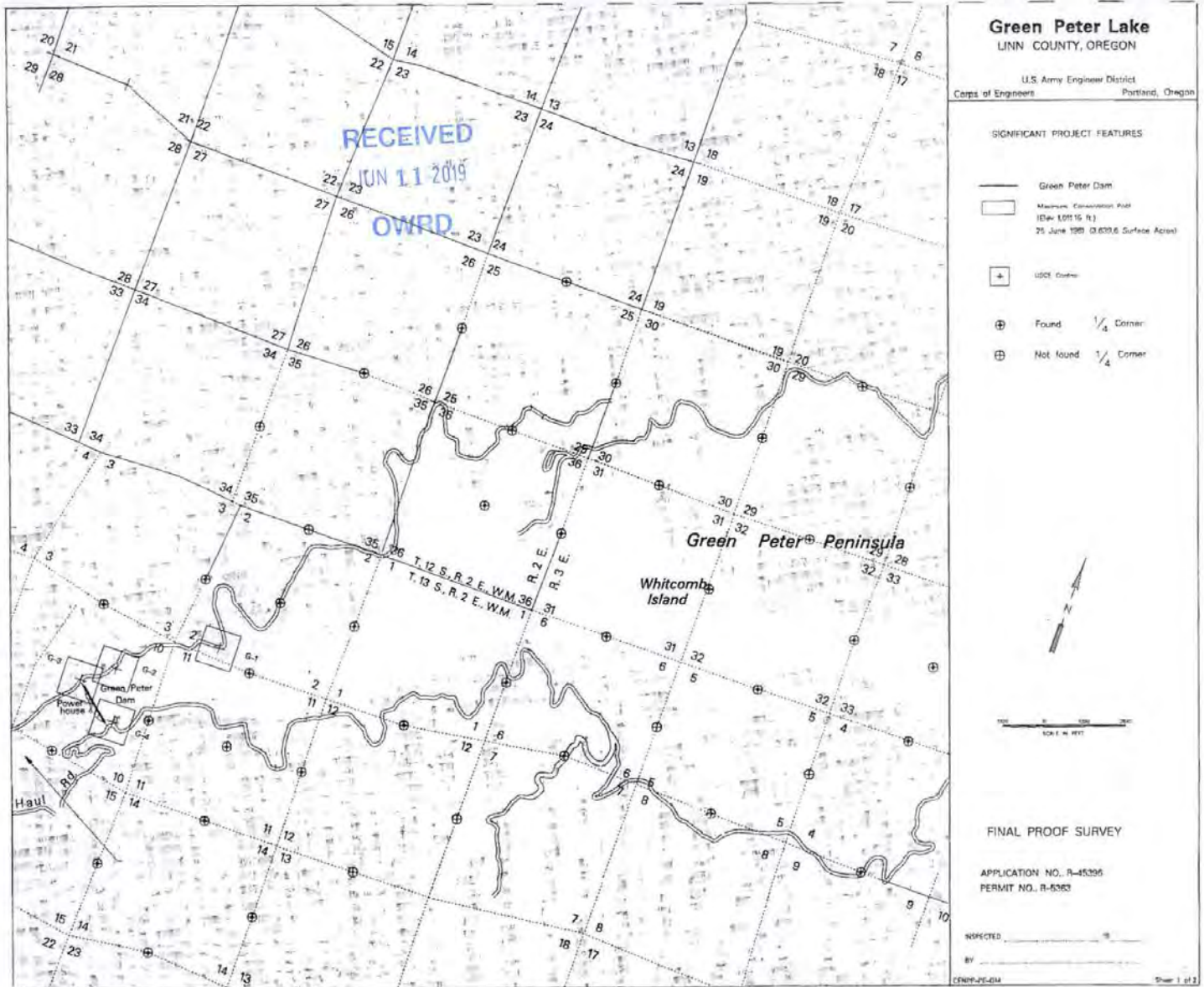
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PERMIT NO. R-5383

INSPECTED _____ 19____

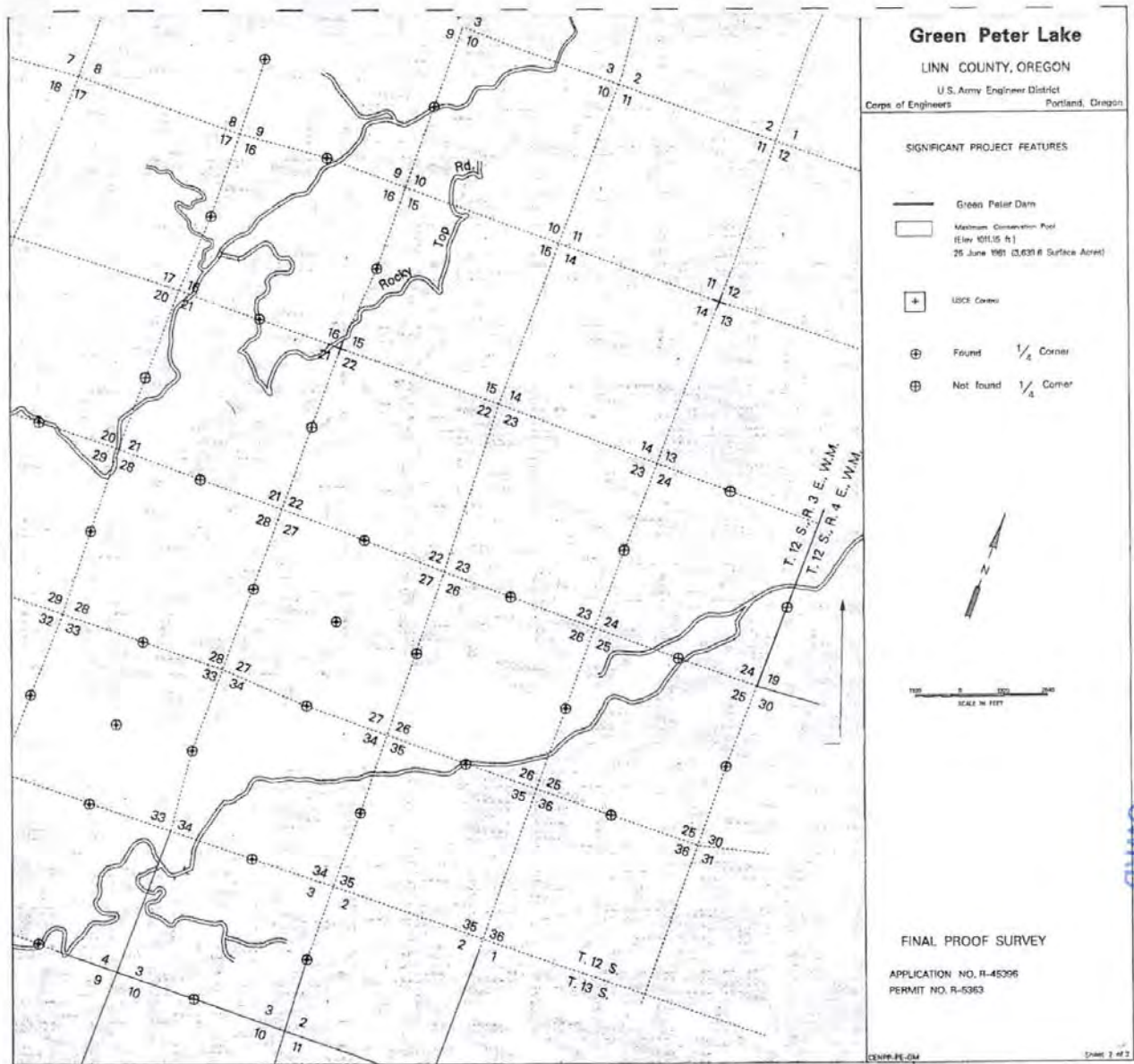
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CENT-PE-DM Sheet 1 of 1

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5-88705



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ATTACHMENT D

Acre Listing

S-88705

			Place of Use			
Farmer	Twp	Rng	Sec	¼ ¼	Gvt Lot or DLC	Primary
Wilson						
	4S	3W	29	SWNE	56	0.2
	4S	3W	29	SENE	56	3.5
	4S	3W	29	NESW	56	0.1
Ditchen						
NorthField	5S	3W	32	SWSE	65	12.1
	6S	3W	4	SWNW	59	9.5
	6S	3W	5	NENE	59	12.9
	6S	3W	5	NWNE	59	34.9
	6S	3W	5	SWNE	59	18.9
	6S	3W	5	SESE	59	17.9
	6S	3W	5	NENW	59	5.5
	6S	3W	5	NWNW	59	4.8
South Field	6S	3W	5	SWNE	58	0.5
	6S	3W	5	SWNW	58	0.2
	6S	3W	5	SENE	58	4.3
	6S	3W	5	NESW	58	40.8
	6S	3W	5	NWSW	58	2.3
	6S	3W	5	SWSW	58	2.6
	6S	3W	5	SESW	58	34.7
	6S	3W	5	NWSE	58	5.2
	6S	3W	5	SWSE	58	4.6

Total Primary Acres

215.5

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