

SEE CC: ADDRESS INSIDE OF FILE

Application No. 55468

Name Palmer Creek Water District Improvement Co.

Permit No. 43379

By _____

Address P.O. Box 152 14395 SE Wallace

Dayton, OR 97114

Certificate No. 89032

Stream Index, Page No. 2-76B23

Date filed May 11, 1977

Priority May 11, 1977

Action suspended until SEP 27 1978

Return to applicant _____

Date of approval SEP 27 1978

CONSTRUCTION

Date for beginning SEP 27 1979

Date for completion OCT 1 1980

Extended to _____

Date for application of water OCT 1 1981

Extended to _____

PROSECUTION OF WORK

Form "A" filed _____

Form "B" filed Completed

Form "C" filed Nov. 12, 1981

FINAL PROOF

Blank mailed _____

Proof received _____

Date certificate issued MAR 07 2014

FEES PAID

Date	Amount	Receipt No.
3/11/77	\$843.60	58978
2	<91.70>	Trnf to #59791
3-26-97	\$10.00	10931
6-12-98	30.00	21904
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.
2-20-80	436.90	4080

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

Card for C OCT 23 1981

MAP IN CABINET #125

TEMP T-8729 Δ POL

TEMP T-9451 Δ POL V 58 p 13

COBU MAP # 155

T453W - Digitized

T553W - Digitized

T653W - Digitized

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

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

confirms the right to use the waters of WILLAMETTE BASIN PROJECT RESERVOIRS, CONSTRUCTED UNDER PERMITS R-1625 AND R-5363, tributaries of the WILLAMETTE RIVER, for SUPPLEMENTAL IRRIGATION of 426.4 ACRES.

This right was perfected under Permit S-43379. The date of priority is MAY 11, 1977. The use is limited to not more than 1066 ACRE FEET STORED WATER ONLY, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

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

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

A description of the place of use to which this right is appurtenant is as follows:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4 S	3 W	WM	20	SE SW		48	0.6
4 S	3 W	WM	20	SW SE		80	4.2
4 S	3 W	WM	20	SW SE		50	4.2
4 S	3 W	WM	28	SW SW		52	0.5
4 S	3 W	WM	32	NE NE		52	10.6

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4 S	3 W	WM	32	SE NE		52	10.0
4 S	3 W	WM	32	SE NE		53	12.4
4 S	3 W	WM	32	NE SE		53	14.8
4 S	3 W	WM	33	NE NW		52	0.1
4 S	3 W	WM	33	NW NW		52	25.4
4 S	3 W	WM	33	SW NW		52	12.5
4 S	3 W	WM	33	SW NW		53	16.9
4 S	3 W	WM	33	NW SW		53	20.6
5 S	3 W	WM	5	SW NW		43	30.7
5 S	3 W	WM	5	NW SW		43	32.9
5 S	3 W	WM	5	SW SW		43	2.4
5 S	3 W	WM	6	SW NE		43	5.5
5 S	3 W	WM	6	SE NE		43	36.8
5 S	3 W	WM	6	NE SE		43	38.8
5 S	3 W	WM	6	NW SE		43	7.0
5 S	3 W	WM	6	SE SE		43	0.7
5 S	3 W	WM	7	SE NE		45	0.3
5 S	3 W	WM	7	NE SE		45	0.4
5 S	3 W	WM	8	SW NW	1		0.1
5 S	3 W	WM	8	SW NW		45	24.4
5 S	3 W	WM	8	NW SW		45	4.7
5 S	3 W	WM	17	SE SW		67	8.0
5 S	3 W	WM	17	SW SE		67	3.5
5 S	3 W	WM	20	NW NE		67	9.5
5 S	3 W	WM	20	NE NW		67	36.6
5 S	3 W	WM	20	NW NW		67	1.2
5 S	3 W	WM	20	SE NW		67	17.8
5 S	3 W	WM	20	NE SW		67	10.9
5 S	3 W	WM	20	NW SE		67	9.1
5 S	3 W	WM	32	NW NE		60	2.3
5 S	3 W	WM	32	SW NE		60	9.7
5 S	3 W	WM	32	NW SE		60	0.3
Total							426.4

This certificate confirms a change in place of use approved by an order of the Water Resources Director entered March 30, 2021, and recorded at Volume 118, Pages 774-777, approving Transfer Application T-13509. In addition, this Certificate includes the portion of the originating water right Certificate 94882, NOT modified by the provisions of Transfer Application T-13509.

This certificate supersedes Certificate 94882. The issuance of this superseding certificate confirms only the status of the portion of the water right affected by the water right action in Transfer Application T-13509. The issuance of this superseding certificate does not confirm any other portion of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Signed at Salem, Oregon on MAY 11, 2026.

A handwritten signature in black ink, appearing to read "Lisa J. Jaramillo", is written over a horizontal line.

Lisa J. Jaramillo
Transfer and Conservation Section Manager, for
Ivan Gall, Director
Oregon Water Resources Department



Oregon
Kate Brown, Governor

5-554168
Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

March 30, 2021

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

REFERENCE: District Transfer T-13509

Enclosed is a copy of the final order approving your District Transfer.

The time allowed to complete the transfer is specified in the final order. You are required to submit a claim of beneficial use to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized final order whichever comes first. If necessary, you may request more time by filing for transfer extension. All extensions are subject to approval.

To file a claim please include:

1. **A CLAIM OF BENEFICIAL USE form**
2. **A CLAIM OF BENEFICIAL USE SITE REPORT**
3. **A Claim of Beneficial Use Map** (this map does not need to be prepared by a Certified Water Rights Examiner (CWRE))

All forms needed to file a claim for a district transfer are available at
<https://www.oregon.gov/OWRD/programs/WaterRights/Transfers/DistTransfer/Pages/Forms.aspx>

If you have any questions related to the approval of this transfer, you may contact your caseworker Ann Reece by telephone at (503) 986-0858 or by e-mail at Ann.L.Reece@oregon.gov.

Sincerely,

Julie C. Baustian
Water Right Services Support
Transfers and Conservation Section

cc: Gregory J. Wacker, Watermaster Dist. # 16 (via email)
Envirollogic Resources

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING
T-13509, Yamhill County	)	A DISTRICT PERMANENT TRANSFER FOR
	)	PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 540.570 to 540.580 establish the process in which a district may submit a request to transfer a water right within district boundaries. Oregon Administrative Rule (OAR) Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

Applicant

PALMER CREEK WATER DISTRICT IMPROVEMENT COMPANY
14395 SE WALLACE ROAD
DAYTON, OR 97114

Findings of Fact

1. On August 7, 2020, Palmer Creek Water District Improvement Company (PCWDIC) filed a district transfer application to permanently change the place of use under Certificate 89032. The Department assigned the application number T-13509.
2. Notice of the application for transfer was published on September 1, 2020, pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.
3. On October 12, 2020, PCWDIC submitted revised place of use tables to clarify the names of water users and to include tax lot numbers.
4. On January 6, 2021, Certificate 94882 was issued which superseded Certificate 89032. Certificate 94882 describes that portion of water right Certificate 89032, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered January 6, 2021, approving Transfer Application T-12798.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may 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.

Within 20 days after this final order is issued (i.e., mailing date), the district or any protestant may file with the commission exceptions to the final order. The commission shall issue an order granting or denying the exceptions within 30 days after receiving the exceptions. ORS 540.580(10).

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

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

Use: SUPPLEMENTAL IRRIGATION of 20.3 ACRES

Priority Date: MAY 11, 1977

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

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

Authorized Point of Diversion:

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

Authorized Place of Use:

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

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

Proposed Place of Use:

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

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

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

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

Conclusion of Law

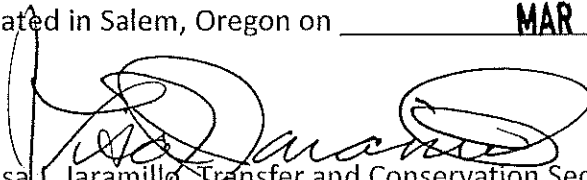
1. The proposed changes in place of use as proposed in Transfer Application T-13509 comply with and satisfy the requirements of ORS 540.580 and OAR 690-385-4500.
2. The reliability of the primary right under the authorized lands involved in the transfer is similar to the reliability of the primary rights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

Now, therefore, it is ORDERED:

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

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

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


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

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



Oregon

John A. Kitzhaber, MD, Governor

S-55468
Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

Palmer Creek Water District Improvement Co.
PO Box 152
Dayton, OR 97144

May 9, 2012

RE: Application S-70109, S-70110, S-71731, S-72555, S-72668 and S-76860

Dear Board Members:

Thank you for meeting with Mike McCord and I on April 18, 2012. Some of the statements made by your agent during our meeting did not appear to be consistent with our understanding of the water right process. After our meeting we met with Dwight French Administrator of the Water Rights Division. The purpose of that meeting was to evaluate all pending permits and applications that affect the District and to come up with some viable solutions available to the District. This letter captures what was decided upon in that meeting and provides some options for the District and the Department to resolve the outstanding issues with the above referenced applications.

The above applications have all had Final Orders with Draft Permits issued. Once a Final Order has been issued, the Department cannot legally modify it to change the acreage listed as supplemental irrigation to become primary irrigation nor can the Department change the place of use. When a Permit is issued it will reflect the Draft Permit that was sent with the Final Order. John Bartch was informed of this on May 19, 2008, when he met with Kerry Kavanagh who is the caseworker assigned to the files. During this meeting Kerry explained that a new application could be submitted to resolve discrepancies. Since all the required fees and contract have been received the Department will be issuing Permits for Application S-71731, S-72555 and S-72668 within the next few weeks.

We understand there are some lands you would like to irrigate that are not currently listed under the above mentioned water rights. There are multiple options to resolve this issue and cover land that you would like to irrigate. Please consider the below options and be aware more options exist.

- Pay outstanding fees of \$100 for Application S-70109, \$836 for Application S-70110 and \$8,922 for Application S-76860, once the fees are received the Department can then issue Permits for these applications. After Permits are issued you can determine the land you wish not to be irrigated and request it be removed/cancelled from the Permits. Once that has been done you can then apply for a new water right to use stored water and irrigate land that was found to have discrepancies such as land with no primary irrigation right.

OR

- Submit a new water right application for 12,250 acre-feet of stored water for 4,943.62 acres that is allowed under your current contract. You would also request that only upon issuance of a new water right Application S-71731, S-72668 and S-72555 be withdrawn or if Permits are issued requested the Permits be cancelled and the stored water component in Application S-70109, S-70110 and S-72668 be canceled. This would result in Application S-70109, S-70110 and

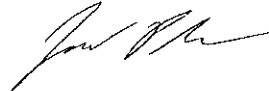
S-72668 having permits for the use of water from the Willamette River (live flow) for agricultural use and nursery use but not including any stored water.

In order for the Department to proceed outstanding fees of \$100 for Application S-70109, \$836 for Application S-70110 and \$8,922 for Application S-76860 are needed. Applications S-71731, S-7255 and S-72668 do not have any outstanding fees or additional requirements and Permits will be issued in the coming weeks.

In addition to the above identified applications, the Department is continuing to work toward the issuance of certificates for permits S-43379, S-43380, S-44954, S-47405, and S-50945. The Department is working with the Company's CWRE to resolve issues related to the mapping of the places of use. Please be aware that in the course of reviewing the file for permit S-43379, it was discovered that BOR Contract 8-07-10-W0144 had been modified, and acreages removed. The Department does not plan to include any acres in the proposed certificate that are not covered by the revised contract.

I would be more than happy to answer any questions you may have or meet with you. Please do not hesitate to contact me at 503-986-0896 if you have any questions or concerns.

Sincerely,



Joel Plahn
Assistant Watermaster; Dist. 16

cc: Application S-70109, S-70110, S-71731, S-72555, S-72668, S-76860
Application S-55468, S-57132, S-59791, S-63099, S-68709
Malia Kupillas
Carlton Nursery Co., Allen Elliot



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Mall Office Building
725 Summer St. NE, Suite A
Salem, OR 97301
Phone 503-986-0900
FAX 503-986-0904
www.wrd.state.or.us

August 16, 2013

Rockwood Water People's Utility District
Attn: Mike Rosenberger
19601 NE Halsey Street
Portland, OR 97230

City of Gresham
Attn: Brian Stahl
1333 NW Eastman Parkway
Gresham, OR 97030

Subject: Water Management and Conservation Plan

Dear Mr. Rosenberger and Mr. Stahl:

Enclosed, please find the final order approving the Rockwood Water People's Utility District (District) and the City of Gresham's (City) joint Water Management and Conservation Plan and authorizing the diversion of up to 33.5 cfs of water under Permit G-16917.

The attached final order specifies that the District and City joint plan shall remain in effect until **August 12, 2023**. Additionally, the District and the City are required to submit a progress report to the Department by **August 12, 2018**, detailing progress made toward the implementation of conservation benchmarks scheduled in the joint plan. Finally, the District and the City must submit an updated Water Management and Conservation Plan to the Department by **February 12, 2023**.

***NOTE:** The deadline established in the attached final order for submittal of an updated water management and conservation plan (consistent with OAR Chapter 690, Division 086) shall not relieve the Rockwood Water People's Utility District nor the City of Gresham from any existing or future requirement(s) for submittal of a water management and conservation plan at an earlier date as established through other final orders of the Department.*

We appreciate your cooperation in this effort. Please do not hesitate to contact me at 503-986-0880 or Lisa.J.Jaramillo@wrdd.state.or.us if you have any questions.

Sincerely,

Lisa J. Jaramillo
Water Management and Conservation Analyst
Water Right Services Division

Enclosure

cc: WMCP File
Application G-8585 (Permit G-16917)
Jon Unger, District #20 Watermaster
GSI Water Solutions, Inc. Attn: Kim Grigsby, 1600 Western Blvd., Suite 240, Corvallis, OR 97333



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

In the Matter of the Proposed Water	)	FINAL ORDER APPROVING A
Management and Conservation Plan for	)	WATER MANAGEMENT AND
Rockwood Water People's Utility District and	)	CONSERVATION PLAN
the City of Gresham, Multnomah County	)	

Authority

OAR Chapter 690, Division 086, establishes the process and criteria for approving water management and conservation plans required under the conditions of permits, permit extensions and other orders of the Department. An approved water management plan may authorize the diversion and use of water under a permit extended pursuant to OAR Chapter 690, Division 315.

Findings of Fact

1. The Rockwood Water People's Utility District (District) and the City of Gresham (City) submitted a joint Water Management and Conservation Plan (plan) to the Water Resources Department (Department) on April 30, 2013. The plan was required by a condition set forth in the final order issued on April 10, 2012, approving an extension of time for Permit G-8719, which was subsequently superseded by Permit G-16917 (*issued on July 10, 2012*) to document changes authorized under Permit Amendment T-10554.
2. The Department published notice of receipt of the plan on May 7, 2013, as required under OAR Chapter 690, Division 086. No comments were received.
3. The Department provided written comments on the plan to the District and the City on July 2, 2013. In response, the District and the City submitted the final revised plan to the Department on August 8, 2013.
4. The Department reviewed the final revised plan and finds that it contains all of the elements required under OAR 690-086-0125.
5. The District and the City anticipate a combined maximum day demand of 50.6 cfs in the year 2032, approximately. Considering their current water supplies, including contracts for water received from the Portland Water Bureau, the projections of future water needs in the plan demonstrate a need for 33.5 cfs of water available under Permit G-16917 to help meet the anticipated 20-year water demands for the District and the City. These projections are reasonable and consistent with the land use plans for the District and the City.

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

6. The District's system is fully metered and the rate structure includes a base rate and volumetric charge. The District's unaccounted-for water is estimated at 15.5 percent.
7. The final revised plan includes 5-year conservation benchmarks specific to the District for:
 - a. Implementation and/or continuation of the following actions and programs: annual water audits; metering of all new service connections; constant monitoring of the system, testing and making upgrades and repairs, as needed; meter repair or replacement as meters fail; rate structure consisting of bi-monthly water service charge based on meter size and bi-monthly consumption charge based on the quantity of water metered at service connections; leak detection surveys to identify areas with steel or cast-iron pipe and areas with common leak repairs that have not yet been addressed; repair or replacement of waterlines identified as having leaks; monitoring customer consumption records for evidence of leaks, with customer contact when records suggest the presence of a leak; expansion of the leak detection program if unaccounted for water does not decrease to 15 percent after three years based on water audit and leak detection efforts; continuation of membership in the Regional Water Providers Consortium; continuation of current public education and outreach efforts; and offering home water audits and toilet leak detection tablets.
 - b. Evaluation, development, and/or implementation of the following: analysis of potential sources of unaccounted for water and development of a plan to address those sources to decrease unaccounted for water to 15 percent or less; assessment of the District's billing software to determine if any accounting errors may be present under current practices and fix errors, as necessary; review of water service charges and consumption charges, as well as rate structure, such as conducting analysis of inclining block rates; evaluation of the feasibility of developing public education efforts oriented towards commercial and industrial customers, as well as non-profit and public customers; exploration of cost-effective ways to expand the leak detection and repair program; analysis of the feasibility of offering water audits for commercial, industrial and public water users and offering financial incentives for those water users to install water saving devices; investigation of potential program(s) to retrofit and replace inefficient fixtures used by commercial, industrial, non-profit and public customers; evaluation of the feasibility of including conservation information in billing statements more regularly; and investigation of reuse, recycling and non-potable water opportunities with large commercial and industrial customers within the service area.
8. The final revised plan identifies ground water as the source of the District's currently held water rights, and it accurately and completely describes that this ground water supply is not located within the boundaries of any designated critical ground water area or ground water limited area. The final revised plan also identifies the Columbia River as the proposed source of water in the District's pending application (S-72354) on file with the Department.
9. The District's water curtailment element included in the final revised plan satisfactorily promotes water curtailment practices and includes a list of three stages of alert with concurrent curtailment actions.

10. The City's system is fully metered and the rate structure includes a base rate and volumetric charge. The City's unaccounted-for water is estimated at 6.0 percent.
11. The final revised plan includes 5-year conservation benchmarks specific to the City for:
 - a. Implementation and/or continuation of the following actions and programs: annual water audits; metering of all service connections; upgrade of all customer meters with AMI technology; meter testing and maintenance according to the manufacturer's recommendations; monitoring meter readings from the AMI technology on an ongoing basis with adjustments made or faulty meters replaced, as needed; continuation of the leak detection and repair program for retail customers and the public system; survey of the entire public system for leaks using the acoustic sensing technology; continued membership in the Regional Water Providers Consortium; and survey of all City water pipes on a five-year cycle, with repair or replacement of leaking pipes.
 - b. Evaluation, development, and/or implementation of the following: Review accounting of both authorized and unauthorized non-revenue water use to develop the best estimates practicable; conduct a cost-of-service analysis and review how expenses are allocated across the customer base and consider alternative rate models; evaluation of billing customers on a monthly basis; evaluation of existing direct outreach educational methods; consideration of web-based tools to deliver useful information, such as water conservation and individual consumption history; evaluation of current printed outreach materials and opportunities to enhance customers' ability to troubleshoot water fixtures at home; review of leak detection information about fixing leaks in indoor fixtures and irrigation systems and update it as necessary; evaluation of technical assistance programs against the goals of managing summer peaking and providing services to the community; consideration of other technical assistance models for single family, multifamily, and commercial customers, as well as other customer classes; consideration of expanding outreach efforts with single-family residential conservation kits, and multifamily and commercial customer technical assistance; evaluation of the efficacy of the efficient fixtures programs; consideration of alternate ways of delivering services and devices to customers through partnerships with electrical utilities, gas utilities and others; consideration of including water conservation inserts with water bills on a more regular basis; and evaluation of non-potable water opportunities and conducting a cost/benefit analysis on feasibility of irrigating a sports complex with non-potable water from wells on City-owned property.
12. The final revised plan identifies ground water as the source of the City's water rights (potable drinking water supply). The final revised plan also accurately and completely describes that this ground water supply is not located within the boundaries of any designated critical ground water area or ground water limited area.
13. The City's water curtailment element included in the final revised plan satisfactorily promotes water curtailment practices and includes a list of four stages of alert with concurrent curtailment actions.

14. The diversion of water under Permit G-16917 will be expanded during the next 20 years and is consistent with OAR 690-086-0130(7), as follows:

- a. As evidenced by the 5-year benchmarks established by the District and the City (*as described in Findings of Fact #7 and #11 above*), the final revised plan includes a schedule for continuation, implementation and/or development of water conservation measures that would provide water at a cost that is equal to or lower than the cost of other identified sources;
- b. Considering that water savings alone from identified conservation measures cannot fully meet projected water demands for the District and the City, that neither water savings from identified conservation measures nor a potential increased supply received from the Portland Water Bureau would provide the additional supply redundancy that the District and City are seeking, and that new interconnection(s) with other neighboring water suppliers is not viable because excess water supply is not available from those water suppliers, the increased diversion of water under Permit G-16917 is the most feasible and appropriate water supply alternative available to the District and the City at this time; and
- c. Neither the District nor the City is currently required to take any mitigation actions under state or federal law.

Conclusion of Law

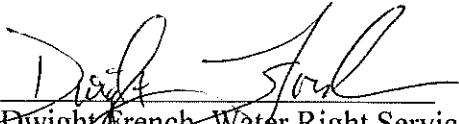
The joint Water Management and Conservation Plan submitted by Rockwood Water People's Utility District and the City of Gresham is consistent with the criteria in OAR Chapter 690, Division 086.

Now, therefore, it is ORDERED:

1. The Rockwood Water People's Utility District and the City of Gresham joint Water Management and Conservation Plan is approved and shall remain in effect until **August 12, 2023**, unless this approval is rescinded pursuant to OAR 690-086-0920.
2. The limitation of the diversion of water under Permit G-16917 (*which superseded Permit G-8719*) established by the extension of time approved on April 10, 2012, is removed and, subject to other limitations or conditions of the permit, the Rockwood People's Water Utility District and the City of Gresham are authorized to divert up to 33.5 cfs under Permit G-16917.
3. The Rockwood Water People's Utility District and the City of Gresham shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 within 10 years and no later than **February 12, 2023**.
4. The Rockwood Water People's Utility District and the City of Gresham shall submit a progress report containing the information required under OAR 690-086-0120(4) by **August 12, 2018**.

5. The deadline established herein for the submittal of an updated Water Management and Conservation Plan (consistent with OAR Chapter 690, Division 086) shall not relieve the Rockwood Water People's Utility District and/or the City of Gresham from any existing or future requirement(s) for submittal of a Water Management and Conservation Plan at an earlier date as established through other final orders of the Department.

Dated at Salem, Oregon this 12 day of August, 2013.


Dwight French, Water Right Services Administrator for
PHILLIP C. WARD, DIRECTOR

Mailing date: AUG 23 2013

Palmer Creek Water District
Improvement Company
14395 SE Wallace Rd. Dayton, OR 97114

November 13, 2013

Oregon Water Resource Dept
Water Right Service Division
725 Summer St. NE, Suite A
Salem, OR 97301-1266

RE: Address Change

Correspondence is occasionally sent to a past board member at 1070 Ferry St. Dayton, OR. Most times it goes to our PO Box 152.

We have recently moved into our new office and would like all mailings to be sent to the new address at:

Palmer Creek Water District
14395 SE Wallace Rd.
Dayton, OR 97114

The old PO Box will be closed soon. Please distribute this information to facilitate proper channeling of mail from your various departments.

Sincerely appreciated,



Allan Elliott
Treasurer, P.C.W.D

RECEIVED BY OWRD

NOV 18 2013

SALEM, OR

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PALMER CREEK WATER DISTRICT IMPROVEMENT COMPANY
14395 SE WALLACE RD
DAYTON, OREGON 97114

confirms the right to use the waters of WILLAMETTE BASIN PROJECT RESERVOIRS,
CONSTRUCTED UNDER PERMITS R-1625 AND R-5363, tributaries of the WILLAMETTE RIVER,
for SUPPLEMENTAL IRRIGATION OF 586.4 ACRES.

This right was perfected under Permit 43379. The date of priority is MAY 11, 1977. The use is limited
to not more than 1466 ACRE FEET STORED WATER ONLY, or its equivalent in case of rotation,
measured at the point of diversion from the source.

The point of diversion is located as follows:

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

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

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

A description of the place of use is as follows:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4 S	3 W	WM	28	SW SW		52	0.5
4 S	3 W	WM	32	NE NE		52	10.6
4 S	3 W	WM	32	SE NE		52	10.0
4 S	3 W	WM	32	SE NE		53	12.4
4 S	3 W	WM	32	NE SE		53	14.8
4 S	3 W	WM	33	NE NW		52	0.1
4 S	3 W	WM	33	NW NW		52	25.4
4 S	3 W	WM	33	SW NW		52	12.5
4 S	3 W	WM	33	SW NW		53	16.9
4 S	3 W	WM	33	NW SW		53	20.6
5 S	3 W	WM	4	SW NW		51	0.6
5 S	3 W	WM	4	NE SW		51	0.6
5 S	3 W	WM	4	NE SW		52	23.3
5 S	3 W	WM	4	SW SW		51	16.1
5 S	3 W	WM	4	SE SW		51	1.2
5 S	3 W	WM	4	SE SW		52	0.4
5 S	3 W	WM	4	SE SW		53	34.1
5 S	3 W	WM	4	NW SE		52	2.6
5 S	3 W	WM	4	SW SE		53	28.0
5 S	3 W	WM	5	SW NE		51	1.6
5 S	3 W	WM	5	SW NE	1		0.4
5 S	3 W	WM	5	SE NE		37	5.3
5 S	3 W	WM	5	SE NE		51	10.0
5 S	3 W	WM	5	SE NE	1		3.4
5 S	3 W	WM	5	SW NW		43	30.7
5 S	3 W	WM	5	NW SW		43	32.9
5 S	3 W	WM	5	SW SW		43	2.4
5 S	3 W	WM	6	SW NE		43	5.5
5 S	3 W	WM	6	SE NE		43	36.8
5 S	3 W	WM	6	NE SE		43	38.8
5 S	3 W	WM	6	NW SE		43	7.0
5 S	3 W	WM	6	SE SE		43	0.7
5 S	3 W	WM	7	SE NE		45	0.3
5 S	3 W	WM	7	NE SE		45	0.4
5 S	3 W	WM	8	SW NW		45	24.4
5 S	3 W	WM	8	SW NW	1		0.1
5 S	3 W	WM	8	NW SW		45	4.7
5 S	3 W	WM	9	NW NE		53	16.2
5 S	3 W	WM	9	NE NW		51	0.3
5 S	3 W	WM	9	NE NW		53	20.0
5 S	3 W	WM	9	NW NW		51	17.2
5 S	3 W	WM	17	SE SW		67	8.0
5 S	3 W	WM	17	SW SE		67	3.5
5 S	3 W	WM	20	NW NE		67	9.5
5 S	3 W	WM	20	NE NW		67	36.6
5 S	3 W	WM	20	NW NW		67	1.2
5 S	3 W	WM	20	SE NW		67	17.8
5 S	3 W	WM	20	NE SW		67	10.9
5 S	3 W	WM	20	NW SE		67	9.1
Total							586.4

The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described.

The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued MAR 07 2014



Dwight W. French
Administrator, Water Right Services, for
Phillip C. Ward, Director
Oregon Water Resources Department



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

Date Mailed: March 7, 2014

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this Department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

The certificate is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Gerry Clark at 503-986-0811.

Mailing List for Certificate

Application: S-55468

Permit: S-43379

Certificate: 89032

Permit/Certificate Holder:

PALMER CREEK WATER DISTRICT IMPROVEMENT COMPANY
14395 SE WALLACE RD ✓
DAYTON, OREGON 97114

Copies Mailed

by: Connie Vance
(STAFF)

on: MAR 07 2014
(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster # 16 ✓
2. Data Center (include copy of map) ✓
3. Water Availability ✓
4. Vault ✓
5. File ✓

Other persons to receive copies: (include map):

1. Malia Kupillas, CWRE ✓

CARLTON NURSERY CO ✓
JOHN BARTCH
PO BOX 398
DAYTON, OR 97114

Mailing List for Certificate

Application: S-55468

Permit: S-43379

Certificate: *proposed*

Permit/Certificate Holder:

PALMER CREEK WATER DISTRICT IMPROVEMENT COMPANY
P. O. BOX 152
DAYTON, OREGON 97114

Copies Mailed

by: *Sarah H.*
(STAFF)

on: *SEP 20 2013*
(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster # 16 ✓
2. ~~Data Center (include copy of map)~~
3. ~~Water Availability~~
4. ~~Vault~~
5. File ✓

Other persons to receive copies: (include map):

1. Malia Kupillas, CWRE ✓

CARLTON NURSERY CO
JOHN BARTCH
PO BOX 398
DAYTON, OR 97114



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Mall Office Building

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

DATE MAILED:

SEP 20 2013

NOTICE

Reference:

Application	S-55468	Permit	S-43379
Application	S-57132	Permit	S-43380
Application	S-63099	Permit	S-47405
Application	S-59791	Permit	S-44954
Application	S-68709	Permit	S-50945

Enclosed are proposed certificates of water rights and a map(s). The map(s) and proposed certificates represent the extent water was used within the terms of the permits based upon Claims of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous permit holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review these proposals. If you do not agree with the proposed certificates, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificates.

If you agree with the proposed certificates, no response to this notice is required. Sometime after comment period, the recorded certificates of water rights will be mailed to the permit holder of record.

If your name is not listed on the proposed certificates, and you are the current landowner, and would like to have the final certificates issued in your name, you may apply through the Department to have the permits assigned to you. If you have any questions about the assignment process, please contact Jerry Sauter at 503-986-0817.

If you have any questions please contact Gerry Clark at 503-986-0811.

Sincerely,

Dwight French
Water Right Services Administrator

Gerry Clark

From: Kelly Starnes
Sent: Tuesday, February 26, 2013 11:02 AM
To: Gerry Clark
Cc: Dwight French
Subject: Proposed certs for Palmer Creek
Attachments: 55468-draft-81976 v.2.doc; 57132-draft-81977 v.2.doc; 59791-draft-81978 v.2.doc; 63099-draft-81979 v.2.doc; 68709-draft-81980 v.2.doc

Gerry -

Here are the five proposed certs for Palmer Creek. Let me know when you mail them out, as there is an old dog transfer waiting for a certificate to be issued.

Cheers!

Kelly

Kelly Starnes, Transfer Specialist
Oregon Water Resources Department
725 Summer St NE Suite A
Salem OR 97301-1271
Telephone: 503-986-0886 Fax: 503-986-0903
E-mail: Patrick.K.STARNES@wrd.state.or.us

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

4.97

Mary Rohling

From: Mary Rohling
 Sent: Thursday, July 09, 2009 2:56 PM
 To: 'jbartch@carltonplants.com'
 Cc: Timmie Brandt
 Subject: Contact Record

**SEND ANY CORRESPONDENCE
 REGARDING THIS FILE TO:
 CARLTON NURSERY CO
 ATTN: JOHN BARTCH
 PO BOX 398, DAYTON OR 97114**

Hi Jon,

I have added your contact information to the following rights in our Wris database –

- Certificate 64748 (App 43490 Permit 32243)
- Permit 43379 (App 55468)
- Certificate 40068 (App 48355 Permit 35336)
- App 76860
- Permit 51959 (App 70736)
- App 72555
- Permit 32243 (App 43490)
- Permit 44954 (App 59791)
- App 71731
- Certificate 51496 (this certificate was not on your list but was issued off Permit 42316 App 56341 which you had listed)
- T-7297 (this transfer which is currently under review, you had listed next to Permit 42316 but it was filed on Permit 50945 App 68709, I have updated both T-7297 and Permit 50945 with your contact)
- Certificate 85579 (App 46087 Permit 34436)

An example of your contact information online -

	Contacts	Application	Permit	Certificate	Claim	Decree	T
Select	ATTENTION: CARLTON NURSERY CO. ▶ JOHN BARTCH PO BOX 398 DAYTON, OR 97114 OWNER: ▶ PALMER CREEK WATER DISTRICT IMPROVEMENT CO. PO BOX 152 DAYTON, OR 97114	S55468	S43379				

I will be working with Timmie tomorrow to update the paper files for the listed rights with your contact information.

Please let me know if you have any questions,

Mary

Mary F. Rohling
 Water Rights Technician
 Information Services Division
 Oregon Water Resources Department
 725 Summer St. NE, Suite A
 Salem, OR 97301-1271
 Ph: (503)986-0865



CARLTON PLANTS LLC

WATER RESOURCES DEPT
SALEM, OREGON

JUL 09 2009

RECEIVED

July 09, 2009

To: Oregon Water Resources Dept.

Please add us as a contact on all of these properties related to Palmer Creek Water District which we own and/or lease. We would like to be aware of all activity related to the water rights of these properties. Our contact information is:

Carlton Nursery Company
Attention: Jon Bartch
P.O. Box 398
Dayton OR 97114
Phone: 503-868-7971
Fax: 503-868-7503
E-mail: jbartch@carltonplants.com

Thank you,

A handwritten signature in black ink, appearing to read "Jon Bartch".

Jon Bartch

Malia
Kipillas 503-632-5016

Carlton Nursery Company: Owned and Rented Lands Related to Palmer Creek Water District

Note:	Tax lot	Owner	App. #	Per. #	Cert.#
Ald. 2, 5, 7, 8	5304 – 200	CNC	43490 55468	32243 43379	64748
Ald. 1, 4, 7	5309 – 100	CNC	43490 55468	32243 43379	64748
Ediger 1, 2, 3	5305 – 1300	CNC	43490 48355 76860	32243 35336	64748 40068
Gordon 3	5305 – 900	CNC	43490 76860	32243	64748
Gordon 1, 2	5305 – 702	CNC	70736 76860	51959	
Gordon 2, 4, 5	5305 – 701	CNC	70736 76860	51959	

RECEIVED
JUL 09 2009
WATER RESOURCES DEPT
SALEM, OREGON

Note:	<u>Tax lot</u>	<u>Owner</u>	<u>App. #</u>	<u>Per. #</u>	<u>Cert.#</u>
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Finnicum	5308 – 1400	CNC	72555		
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Kuhn Ron Finnicum Shelburne	5316 – 4500	CNC	76860		
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RECEIVED

JUL 09 2009
WATER RESOURCES DEPT
SALEM, OREGON

Budke	5316 – 5000	Budke Trust	76860		
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Carr North	5308 – 1000	Carr	55468 43490	43379 32243	
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Carr West	5307 – 1100	Carr	43490 76860	32243	64748
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Carr	5307 – 700	Carr	59791 71731	44954	
	(Transfer 7297)		56341 76860	42316	

Note:	<u>Tax lot</u>	<u>Owner</u>	<u>App. #</u>	<u>Per. #</u>	<u>Cert.#</u>
Carr South	5318 – 100	Carr	70736 46087 76860	51959 34436	85579
Church	5320 – 700	Church	43490 55468	32243 43379	64748
Dorsey	5305 – 1400	Dorsey	43490 76860	32243	64748

RECEIVED

JUL 09 2009

WATER RESOURCES DEPT
SALEM, OREGON

See 1987 BOR Contract
- Acres dropped by Dist.

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.

In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it is issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PALMER CREEK WATER DISTRICT IMPROVEMENT COMPANY
P. O. BOX 152
DAYTON, OREGON 97114

confirms the right to use the waters of WILLAMETTE BASIN PROJECT RESERVOIRS,
CONSTRUCTED UNDER PERMITS R-1625 AND R-5363, tributaries of the WILLAMETTE RIVER,
for SUPPLEMENTAL IRRIGATION OF 960.8 ACRES.

This right was perfected under Permit 43379. The date of priority is MAY 11, 1978. The use is limited to not more than 2107.0 ACRE FEET STORED WATER ONLY, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
6 S	3 W	WM	4	NW SW	58	4700 FEET NORTH AND 1290 FEET EAST FROM THE SE CORNER OF GAY DLC 58

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of not to exceed 2.5 acre-feet of stored water only for each acre irrigated during the irrigation season of each year, and is subject to the terms and contract No. 3-07-10-W0479, or a satisfactory replacement between the Bureau of Reclamation and the water right holder, a copy of which is on file in the records of the Water Resources Department.

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

A description of the place of use to which this right is appurtenant is as follows:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4 S	3 W	WM	28	SW SW		52	1.9
4 S	3 W	WM	28	SE SW		52	0.2
4 S	3 W	WM	29	NE SW		52	8.3
4 S	3 W	WM	29	SE SW		52	6.6
4 S	3 W	WM	29	NW SE		52	26.8
4 S	3 W	WM	29	SW SE		52	18.9
4 S	3 W	WM	32	NE NE		52	10.8
4 S	3 W	WM	32	SE NE		52	7.9
4 S	3 W	WM	32	SE NE		53	12.4
4 S	3 W	WM	32	NE SE		53	11.9
4 S	3 W	WM	33	NE NW		52	0.2
4 S	3 W	WM	33	NW NW		52	27.3
4 S	3 W	WM	33	SW NW		52	12.1
4 S	3 W	WM	33	SW NW		53	20.7
4 S	3 W	WM	33	NE SW		60	13.6
4 S	3 W	WM	33	NW SW		53	20.0
4 S	3 W	WM	33	SE SW		60	15.3
4 S	3 W	WM	33	NW SE		60	17.3
4 S	3 W	WM	33	SW SE		60	18.0
5 S	3 W	WM	4	SW NW		51	1.2
5 S	3 W	WM	4	NE SW		52	20.5
5 S	3 W	WM	4	SW SW		51	10.9
5 S	3 W	WM	4	SE SW		51	2.4
5 S	3 W	WM	4	SE SW		52	8.1
5 S	3 W	WM	4	SE SW		53	27.8
5 S	3 W	WM	4	NW SE		52	3.6
5 S	3 W	WM	4	SW SE		52	1.4
5 S	3 W	WM	4	SW SE		53	26.0
5 S	3 W	WM	5	SW NE		51	1.2
5 S	3 W	WM	5	SW NE	1		0.1
5 S	3 W	WM	5	SE NE		37	4.8
5 S	3 W	WM	5	SE NE		51	11.1
5 S	3 W	WM	5	SE NE	1		3.4
5 S	3 W	WM	5	SW NW		43	29.3
5 S	3 W	WM	5	NW SW		43	37.0
5 S	3 W	WM	5	SW SW		43	11.9
5 S	3 W	WM	5	SE SW		43	18.5
5 S	3 W	WM	5	SW SE		43	0.2
5 S	3 W	WM	6	SW NE		43	2.4
5 S	3 W	WM	6	SE NE		43	33.0
5 S	3 W	WM	6	NE SE		43	38.5
5 S	3 W	WM	6	NW SE		43	3.3
5 S	3 W	WM	6	SW SE		43	0.4
5 S	3 W	WM	6	SE SE		43	4.0
5 S	3 W	WM	7	NE SW		45	5.5
5 S	3 W	WM	7	SE SW		45	4.0

out
out
out

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	3 W	WM	7	NE SE		45	23.3
5 S	3 W	WM	7	NW SE		45	34.7
5 S	3 W	WM	7	SW SE		45	20.1
5 S	3 W	WM	7	SE SE		45	9.6
5 S	3 W	WM	8	NE NW		43	18.1
5 S	3 W	WM	8	SW NW		45	22.0
5 S	3 W	WM	8	SE NW		43	11.8
5 S	3 W	WM	8	NW SW		45	7.9
5 S	3 W	WM	9	NW NE		53	17.7
5 S	3 W	WM	9	NE NW		51	1.5
5 S	3 W	WM	9	NE NW		53	19.5
5 S	3 W	WM	9	NW NW		51	16.7
5 S	3 W	WM	17	NW NW		46	1.5
5 S	3 W	WM	17	SW NW		46	1.4
5 S	3 W	WM	17	SW SW		46	0.5
5 S	3 W	WM	17	SE SW		67	7.7
5 S	3 W	WM	17	SW SE		67	4.0
5 S	3 W	WM	18	NE NE		46	7.6
5 S	3 W	WM	18	SE NE		46	2.4
5 S	3 W	WM	18	NE SE		46	5.8
5 S	3 W	WM	18	NW SE		46	25.3
5 S	3 W	WM	18	SW SE		46	7.8
5 S	3 W	WM	18	SE SE		46	7.7
5 S	3 W	WM	20	NW NE		67	10.9
5 S	3 W	WM	20	NE NW		67	36.3
5 S	3 W	WM	20	NW NW		67	0.3
5 S	3 W	WM	20	SE NW		67	17.6
5 S	3 W	WM	20	NE SW		67	12.0
6 S	3 W	WM	20	NW SE		67	8.0
6 S	3 W	WM	5	NW SW		58	5.6
6 S	3 W	WM	5	SW SW		58	31.4
6 S	3 W	WM	6	NE SE		58	0.5
6 S	3 W	WM	6	SE SE		58	2.9
TOTAL							960.8

The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director,

affixed _____.

Phillip C. Ward, Director

Permit No. 43379

STATE OF OREGON WATER RESOURCES DEPARTMENT

RECEIVED

AUG 17 1978

Application for Permit to Appropriate Surface Water RESOURCES DEPT.
SALEM, OREGON

I, Palmer Creek Water District Imp. Co. (Name of Applicant)
of P.O. Box 152, Dayton (Mailing Address) (City)
State of Oregon, 97114 (Zip Code) Phone No. 864-2442 do hereby

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is Willamette Basin Project
Reservoirs, a tributary of Willamette R.

2. The point of diversion is to be located 4700 ft. N. and 1290 ft. E
(N. or S.) (E. or W.)
from the SE corner of Gay DLC #58
(Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

being within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of
Sec. 4 Tp. 6S R. 3W, W. M., in the county of Yamhill
(N. or S.) (E. or W.)

3. Location of area to be irrigated, or place of use if other than irrigation.

[illegible]

Temp F 87.29 V55 P400

4. The amount of water which the applicant intends to apply to beneficial use is 2,107
acre feet
cubic feet per second.....
(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is Supplemental
Irrig of 980 acres

6. DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

Same as permits 32243
34436

If for domestic use state number of families to be supplied

7. Construction work will begin on or before.....Complete

8. Construction work will be completed on or before.....Complete

9. The water will be completely applied to the proposed use on or before.....10/1/80

Application No.55468

43379
Permit No.

<u>Name</u>	<u>Tract No.</u>	<u>Tsp.</u>	<u>Range</u>	<u>Section</u>	<u>Description</u>	<u>Acreage</u>
Robert Perez	36	5S	3W	5	SW $\frac{1}{4}$ NE $\frac{1}{4}$	1.9
					SE $\frac{1}{4}$ NE $\frac{1}{4}$	18.8
				4	SW $\frac{1}{4}$ NW $\frac{1}{4}$	.6
					Tract total	21.3
Carlton Nursery	45	5S	3W	4	NE $\frac{1}{4}$ SW $\frac{1}{4}$	24.4
					SW $\frac{1}{4}$ SW $\frac{1}{4}$	15.2
					SE $\frac{1}{4}$ SW $\frac{1}{4}$	37.0
					NW $\frac{1}{4}$ SE $\frac{1}{4}$	3.4
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	30.8
				9	NW $\frac{1}{4}$ NE $\frac{1}{4}$	15.9
					NE $\frac{1}{4}$ NW $\frac{1}{4}$	19.1
					NW $\frac{1}{4}$ NW $\frac{1}{4}$	14.2
					Tract total	160.0
Charley Carr	16	5S	3W	8	SW $\frac{1}{4}$ NW $\frac{1}{4}$	24.4
					NW $\frac{1}{4}$ SW $\frac{1}{4}$	6.4
				7	NE $\frac{1}{4}$ SW $\frac{1}{4}$	8.0
					SE $\frac{1}{4}$ SW $\frac{1}{4}$	4.8
					NE $\frac{1}{4}$ SE $\frac{1}{4}$	21.2
					NW $\frac{1}{4}$ SE $\frac{1}{4}$	37.6
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	19.3
					SE $\frac{1}{4}$ SE $\frac{1}{4}$	7.8
					Tract total	129.5
Carl & Lores Dauenhauer	19	5S	3W	17	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1.2
					SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.4
					SW $\frac{1}{4}$ SW $\frac{1}{4}$	.3
				18	NE $\frac{1}{4}$ NE $\frac{1}{4}$	7.7
					SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.4
					NE $\frac{1}{4}$ SE $\frac{1}{4}$	5.6
					NW $\frac{1}{4}$ SE $\frac{1}{4}$	25.6
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	6.6
					SE $\frac{1}{4}$ SE $\frac{1}{4}$	8.6
					Tract total	59.4
Merle Church	10	5S	3W	17	SE $\frac{1}{4}$ SW $\frac{1}{4}$	8.8
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	4.0
				20	NW $\frac{1}{4}$ NE $\frac{1}{4}$	9.0
					NE $\frac{1}{4}$ NW $\frac{1}{4}$	36.2
					NW $\frac{1}{4}$ NW $\frac{1}{4}$	1.0
					SE $\frac{1}{4}$ NW $\frac{1}{4}$	17.6
					Tract total	76.6

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SALEM, OREGON

43379

58468

4. From page 2.

Name	Tract No.	Tsp.	Range	Section	Description	Acreage
Zane May	32	4S	3W	29	SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.1
					NE $\frac{1}{4}$ SW $\frac{1}{4}$	13.5
					SE $\frac{1}{4}$ SW $\frac{1}{4}$	6.4
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	20.0
					NW $\frac{1}{4}$ SE $\frac{1}{4}$	32.9
					Tract total	74.9
Sam Sweeney	5	4S	3W	28	SW $\frac{1}{4}$ SW $\frac{1}{4}$	.6
				33	NE $\frac{1}{4}$ NW $\frac{1}{4}$	.3
					NW $\frac{1}{4}$ NW $\frac{1}{4}$	24.0
					SW $\frac{1}{4}$ NW $\frac{1}{4}$	14.2
				32	NE $\frac{1}{4}$ NE $\frac{1}{4}$	11.2
					SE $\frac{1}{4}$ NE $\frac{1}{4}$	8.8
					Tract total	59.1
Mark Temple	12	4S	3W	32	SE $\frac{1}{4}$ NE $\frac{1}{4}$	13.2
					NE $\frac{1}{4}$ SE $\frac{1}{4}$	12.6
				33	SW $\frac{1}{4}$ NW $\frac{1}{4}$	19.2
					NW $\frac{1}{4}$ SW $\frac{1}{4}$	18.4
					Tract total	63.4
D. Milner	12	4S	3W	33	NE $\frac{1}{4}$ SW $\frac{1}{4}$	12.2
					SE $\frac{1}{4}$ SW $\frac{1}{4}$	15.3
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	17.5
					NW $\frac{1}{4}$ SE $\frac{1}{4}$	17.0
					Tract total	62.0
Carl & Lores Dauenhauer	36	5S	3W	6	SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.0
					SE $\frac{1}{4}$ NE $\frac{1}{4}$	33.6
					NE $\frac{1}{4}$ SE $\frac{1}{4}$	39.9
					NW $\frac{1}{4}$ SE $\frac{1}{4}$	4.5
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	1.2
					SE $\frac{1}{4}$ SE $\frac{1}{4}$	6.0
				5	SW $\frac{1}{4}$ NW $\frac{1}{4}$	30.4
					NW $\frac{1}{4}$ SW $\frac{1}{4}$	36.2
					SW $\frac{1}{4}$ SW $\frac{1}{4}$	10.5
					SE $\frac{1}{4}$ SW $\frac{1}{4}$	17.5
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	.1
				8	NE $\frac{1}{4}$ NW $\frac{1}{4}$	19.4
					SE $\frac{1}{4}$ NW $\frac{1}{4}$	10.4
					Tract total	212.7

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 SALEM, OREGON

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<u>Name</u>	<u>Tract No.</u>	<u>Tsp.</u>	<u>Range</u>	<u>Section</u>	<u>Description</u>	<u>Acreage</u>
Jim Shelburne	9	5S	3W	20	NE $\frac{1}{4}$ SW $\frac{1}{4}$	12.0
					NW $\frac{1}{4}$ SE $\frac{1}{4}$	8.0
					Tract total	20.0
A. Pietrok	42	6S	3W	5	NW $\frac{1}{4}$ SW $\frac{1}{4}$	5.8
					SW $\frac{1}{4}$ SW $\frac{1}{4}$	31.4
				6	NE $\frac{1}{4}$ SE $\frac{1}{4}$	.6
					SE $\frac{1}{4}$ SE $\frac{1}{4}$	3.3
					Tract total	41.1

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 SALEM, OREGON

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54468

Remarks:.....

.....
.....
.....
.....
.....
.....
.....
.....

Sam Sweeney
Signature of Applicant
Sec. & Treas.
.....

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for.....

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before, 19.....

WITNESS my hand this day of, 19.....

..... Water Resources Director

By

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 11th day of March, 1977, at 9:21 o'clock

A.M.

Application No. 55468

Permit No. 43379

70350

Application No. 55468

Permit No. 43379

Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same **SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD** and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed2.107..... ~~cubic feet per second~~ ^{af of stored water only} measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Reservoirs constructed under permits No. R-1625 and R-5363.

The use to which this water is to be applied is supplemental irrigation.

If for irrigation, this appropriation shall be limited to ~~XXXXXXXXXXXXXXXXXXXX of one cubic foot per second~~ ~~XXXXXXXXXXXXXXXXXXXX~~ a diversion of 2 1/2 acre feet of stored water only for each acre irrigated during the irrigation season of each year, and is subject to the terms and conditions of contract No. B-07-10-W0144 or a satisfactory replacement between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water Resources Department.

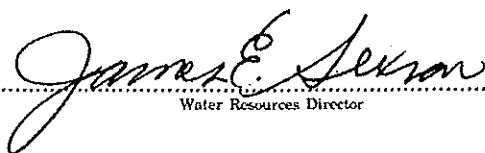
and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is May 11, 1977

Actual construction work shall begin on or before September 27, 1979 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1980.

Complete application of the water to the proposed use shall be made on or before October 1, 1981.

WITNESS my hand this 27th day of September, 1978.


Water Resources Director



United States Department of the Interior

BUREAU OF RECLAMATION
PACIFIC NORTHWEST REGION
FEDERAL BUILDING & U.S. COURTHOUSE
BOX 043 - 550 WEST FORT STREET
BOISE, IDAHO 83724

55468
RECEIVED

IN REPLY
REFER TO: PN 440

AUG 25 1987

AUG 27 1987

WATER RESOURCES DEPT.
SALEM, OREGON

Mr. Sam Sweeney, Secretary-Treasurer
Palmer Creek Water District Improvement Company
P.O. Box 152
Dayton, Oregon 97114

Dear Mr. Sweeney:

Enclosed for your records is a fully executed original of Amendment No. 2 to Contract No. 3-07-10-W0479, dated August 19, 1987, which provides you an irrigation water supply from the Willamette Basin Project.

If you have not yet contacted the Oregon State Water Resources Department to amend your Permit to Divert, we suggest you do so. We are furnishing that agency a conformed copy of the contract amendment so they will be in a position to proceed with amending the permit to divert water.

If there are any questions regarding the terms or conditions set forth in the contract, please feel free to contact this office.

Sincerely yours,

ROBERT A. BARBO

Regional Supervisor of
Water, Power and Lands

Enclosure

cc: Director, Oregon State Water Resources Department
3850 Portland Rd., NE.
Salem, Oregon 97310
(with copy of enclosure)

U.S. Army Corps of Engineers
Attention: NPPEN-HH-R
P.O. Box 2946
Portland, Oregon 97208
(with copy of enclosure)

Amendment No. 2 to
Contract No. 3-07-10-W0479

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Willamette Basin Project, Oregon

AMENDATORY CONTRACT FOR WATER SERVICE

THIS AMENDATORY CONTRACT, made this 19th day of August, 1987, by and between the UNITED STATES OF AMERICA, hereinafter referred to as the United States, represented by the Contracting Officer executing this contract, and the Palmer Creek Water District Improvement Company, P.O. Box 152, Dayton, Oregon 97114, hereinafter referred to as the Contractor;

WITNESSETH, THAT:

Explanatory Recitals

2. WHEREAS, the parties hereto have entered into a Water Service Contract on May 17, 1983, identified as Contract No. 3-07-10-W0479, providing for the Contractor to receive an irrigation water supply from reservoirs in the Willamette Basin, Oregon, hereinafter referred to as the Water Service Contract. Amendment No. 1 to the Water Service Contract was executed on July 19, 1984, to reflect a change in the amount of acres served and the amount of acre-feet available annually; and

Recital 2

3. WHEREAS, the Contractor has requested that the Water Service Contract be further amended to reflect an exclusion of 215.2 acres which will no longer receive an irrigation water supply;

NOW, THEREFORE, in consideration of the mutual and dependent stipulations herein contained, it is mutually agreed by the parties hereto as follows:

4. Article 6 of the Water Service Contract is hereby amended to read as follows:

"Lands for Which Water is Furnished: Limitations on Deliveries

"6. The United States shall make available each year to the Contractor during the irrigation season from April 1 to September 30, inclusive, water from the Willamette Basin Project for the irrigation of land owned by or served by the Contractor as described in Exhibit A which is attached to and hereby made a part of this contract. Of the land described in Exhibit A, not more than 591.2 acres are to be irrigated. The amount of water to be made available hereunder shall be that quantity which may be applied beneficially in accordance with good usage in the irrigation of the land described in Exhibit A, but in no event shall it exceed a total diversion of 1,478 acre-feet annually, measured at the point of delivery of said water."

5. Article 7 of the Water Service Contract is hereby amended to read as follows:

"Payments for Water

"7. (a) An annual payment of \$886.80 for the first irrigation season shall be made to the United States at the time of executing this

contract, and subsequent annual payments of \$886.80 will be due on or before April 1 of each succeeding irrigation season in advance of water use. This payment will entitle the Contractor to receive 591.2 acre-feet of stored water, hereinafter referred to as the base entitlement, for irrigation of the lands described above. Up to an additional 886.80 acre-feet may be purchased if available. For each additional acre-foot required, \$1.50 must be deposited with the Contracting Officer by April 1 of the year its use is anticipated. Payments for the base entitlement or additional water are nonrefundable regardless of the amount of water actually used.

"(b) The annual charge set forth in (a) above is based on an initial rate of \$1.50 per acre-foot of water: Provided, That such annual charge shall not be less than \$50. From time to time, but not less often than once every 5 years, the rate per acre-foot and the minimum charge shall be reviewed by the Contracting Officer and revised, if necessary, to cover costs to the United States for the irrigation water marketing program of the Willamette Basin Project. Any revision by the Contracting Officer will apply only to future charges and shall be announced by written notice to the Contractor at least 3 months prior to the beginning of the irrigation season to which the new rate would be applicable.

"(c) All payments from the Contractor to the United States under this contract shall be made by the medium requested by the United States. The required medium of payment may include checks, wire transfers, or other types of payment specified by the United States. Except when otherwise specified by the United States, all payments shall be made by check.

Article 5 (Continued)

"(d) Payments required hereunder shall be made to the Bureau of Reclamation at the location described in Article 15 of this contract."

6. Article 8 of the Water Service Contract is amended to read as follows:

"Charges For Delinquent Payments

"8. (a) The Contractor shall be subject to interest, administrative and penalty charges on delinquent installments or payments, pursuant to section 11 of the Debt Collection Act of 1982 (Public Law 97-365). When a payment is not received within 30 days of the due date, the Contractor shall pay an interest charge for each day the payment is delinquent beyond the due date. When a payment becomes 60 days delinquent, the Contractor shall pay an administrative charge to cover additional costs of billing and processing the delinquent payment. When a payment is delinquent 90 days or more, the Contractor shall pay an additional penalty charge of 6 percent per year for each day the payment is delinquent beyond the due date. Further, the Contractor shall pay any fees incurred for debt collection services associated with a delinquent payment.

"(b) The interest charge rate shall be the greater of the rate prescribed quarterly in the Federal Register by the Department of the Treasury for application to overdue payments, or the interest rate of 0.5 percent per month prescribed by section 6 of the Reclamation Project Act of 1939 (Public Law 76-260). The interest charge rate shall be determined as of the due date and remain fixed for the duration of the delinquent period.

"(c) When a partial payment on a delinquent account is received, the amount received shall be applied first to the penalty and administrative charges, second, to the accrued interest, and third to the overdue payment."

7. Article 9(a) of the Water Service Contract is amended to read as follows:

"Furnishing of Water

"9. (a) Upon payment of the water service charge(s) specified in subarticle 7(a) above, the United States will furnish up to 591.2 acre-feet of water to the Contractor for the Willamette Basin Project. The initial quantity or base entitlement shall be 591.2 acre-feet. An

Articles 6, 7

additional quantity of up to 886.80 acre-feet may be requested by the Contractor and shall be furnished on an if-and-when-available basis. No water shall be furnished if the Contractor is delinquent in payment of the required water service charge(s).

8. Article 16 of the Water Service Contract is amended to read as follows:

"General Provisions

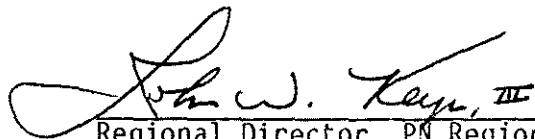
"16. The general provisions applicable to this contract are listed below. The full text of these general provisions is attached as Exhibit B and is hereby made a part of this contract.

- a. CONTINGENT ON APPROPRIATION OR ALLOTMENT OF FUNDS
- b. WATER AND AIR POLLUTION CONTROL
- c. QUALITY OF WATER
- d. EQUAL OPPORTUNITY
- e. COMPLIANCE WITH RECLAMATION LAWS
- f. ASSIGNMENT LIMITED--SUCCESSORS AND ASSIGNS OBLIGATED
- g. OFFICIALS NOT TO BENEFIT
- h. WATER CONSERVATION"

9. Except as herein amended, all provisions of the Water Service Contract shall remain in full force and effect.

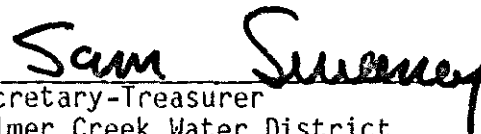
IN WITNESS WHEREOF, the parties hereto have signed their names
the day and year first above written.

UNITED STATES OF AMERICA

A handwritten signature in cursive script, reading "John W. Keys, III", written over a horizontal line.

Regional Director, PN Region
Bureau of Reclamation
Box 043, 550 West Fort Street
Boise, Idaho 83724

CONTRACTOR

A handwritten signature in cursive script, reading "Sam Sumner", written over a horizontal line.

Secretary-Treasurer
Palmer Creek Water District
Improvement Co.

STATE OF IDAHO)
 : ss
County of Ada)

On this 19th day of August, 1987, personally
appeared before me John W. Keys, III, to me known to be
the official of the United States of America that executed the within and
foregoing instrument and acknowledged said instrument to be the free and
voluntary act and deed of said United States, for the uses and purposes
therein mentioned, and on oath stated that he was authorized to execute
said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal as of the day and year first above written.

(SEAL)

Diana L. Jacobs
Notary Public in and for the
State of Idaho
Residing at Boise

My commission expires: 5-23-88

* * * * *

STATE OF OREGON)
 : ss
County of Washill)

On this 30 day of July, 1987, before me,
Jerry R. Hart, a Notary Public, personally appeared
Sam Sweeney, known to me to be the person
whose name is subscribed to the within instrument and acknowledged to me
that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal as of the day and year first above written.

(SEAL)

Jerry R. Hart
Notary Public in and for the
State of Oregon
Residing at McMinnville Oregon

My commission expires: 11/24/88



Palmer Creek Water District Improvement Company

P.O. Box 152

Dayton, Oregon 97114

April 14, 1987

Bureau of Reclamation
Box 043-550 West Fort St.
Boise, Idaho 83724

Dear Sir:

Enclosed is payment for the 1987 season. We have three members who have decided to drop their rights to the stored Bureau water program. In addition one of the above members, sold part of his property with the new owner desiring to keep the rights. The owners wishing to drop their rights are below.

Name	Tract no.	Tsp.	Range	Section	Description	acres
Delbert Milner	12	4S	3W	33	NE $\frac{1}{4}$ SW $\frac{1}{4}$	12.2
					SE $\frac{1}{4}$ SW $\frac{1}{4}$	15.3
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	17.5
					NW $\frac{1}{4}$ SE $\frac{1}{4}$	17.0
					Tract total	62.0
Anton Peitrok	42	6S	3W	5	NW $\frac{1}{4}$ SW $\frac{1}{4}$	5.8
					SW $\frac{1}{4}$ SW $\frac{1}{4}$	31.4
				6	NE $\frac{1}{4}$ SE $\frac{1}{4}$	.6
					SE $\frac{1}{4}$ SE $\frac{1}{4}$	3.3
					Tract total	41.1
Carl & Lores Dauenhauer	19	5S	3W	17	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1.2
					SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.4
					SW $\frac{1}{4}$ SW $\frac{1}{4}$	.3
	18				NE $\frac{1}{4}$ NE $\frac{1}{4}$	7.7
					SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.4
					NE $\frac{1}{4}$ SE $\frac{1}{4}$	5.6

page two

Name	Tract no.	Tsp.	Range	Section	Description	acres
	19	5S	3W	18	NW $\frac{1}{4}$ SE $\frac{1}{4}$	25.6
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	6.6
					SE $\frac{1}{4}$ SE $\frac{1}{4}$	8.6
				Tract total		59.4
Carl & Lores	36	5S	3W	5	SW $\frac{1}{4}$ SW $\frac{1}{4}$	6.0 5.3 S.B.S.
Dauenhauer					SE $\frac{1}{4}$ SW $\frac{1}{4}$	17.5
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	.1
				8	NE $\frac{1}{4}$ NW $\frac{1}{4}$	19.4
					SE $\frac{1}{4}$ NW $\frac{1}{4}$	10.4
				Tract total		53.4 52.7 S.B.S.

The following acreage, tract no. 36, formerly owned by Carl & Lores Dauenhauer, has a new owner, Monrovia Nursery Oregon. They wish to retain the Bureau rights.

36	5S	3W	6	SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.0
				SE $\frac{1}{4}$ NE $\frac{1}{4}$	33.6
				NE $\frac{1}{4}$ SE $\frac{1}{4}$	39.9
				NW $\frac{1}{4}$ SE $\frac{1}{4}$	4.5
				SW $\frac{1}{4}$ SE $\frac{1}{4}$	1.2
				SE $\frac{1}{4}$ SE $\frac{1}{4}$	6.0
			5	SW $\frac{1}{4}$ NW $\frac{1}{4}$	30.4
				NW $\frac{1}{4}$ SW $\frac{1}{4}$	36.2
				SW $\frac{1}{4}$ SW $\frac{1}{4}$	5.2
			Tract total		160.0

This leaves a net total of 591.2 acres.

Enclosed is a check for the remaining acreage @ \$1.50 \$886.80

Sincerely,

Sam Sweeney

Sam Sweeney

Secretary & Treasurer

EXHIBIT A

Name	Tract No.	Tsp.	Range	Section	Description	Acreage
Sam Sweeney	5	4S	3W	28	SW1/4SW1/4	.6
					NE1/4NW1/4	.3
				32	NW1/4NW1/4	24.0
					SW1/4NW1/4	14.2
					NE1/4NE1/4	11.2
					SE1/4NE1/4	8.8
					Tract Total	59.1
Mark Temple	12	4S	3W	32	SE1/4NE1/4	13.2
					NE1/4SE1/4	12.6
				33	SW1/4NW1/4	19.2
					NW1/4SW1/4	18.4
					Tract Total	63.4
D. Milner	12	4S	3W	33	NE1/4SW1/4	12.2
					SE1/4SW1/4	15.3
					SW1/4SE1/4	17.5
					NW1/4SE1/4	17.0
					Tract Total	62.0
Carl and Lores Dauenhauer	36	5S	3W	6	SW1/4NE1/4	3.0
					SE1/4NE1/4	33.6
					NE1/4SE1/4	39.9
					NW1/4SE1/4	4.5
					SW1/4SE1/4	1.2
					SE1/4SE1/4	6.0
				5	SW1/4NW1/4	30.4
					NW1/4SW1/4	36.2
					SW1/4SW1/4	10.5
					SE1/4SW1/4	17.5
				8	SW1/4SE1/4	.1
					NE1/4NW1/4	19.4
					SE1/4NW1/4	10.4
					Tract Total	212.7 159.3 (160)
					Robert Perez	36
SE1/4NE1/4	18.8					
4	SW1/4NW1/4	.6				
Tract Total	21.3					

* The TOTAL acreage was off by .7 ac. It looks like the error is in the SW1/4 SW1/4 of Sec 5, T 5S, R 3W with

EXHIBIT A

<u>Name</u>	<u>Tract No.</u>	<u>Tsp.</u>	<u>Range</u>	<u>Section</u>	<u>Description</u>	<u>Acreage</u>
Carlton Nursery	45	5S	3W	4	NE1/4SW1/4	24.4
					SW1/4SW1/4	15.2
					SE1/4SW1/4	37.0
					NW1/4SE1/4	3.4
					SW1/4SE1/4	30.8
				9	NW1/4NE1/4	15.9
					NE1/4NW1/4	19.1
					NW1/4NW1/4	14.2
Tract total						160.0
Charley Carr	16	5S	3W	8	SW1/4NW1/4	24.4
					NW1/4SW1/4	6.4
Tract total						30.8
Carl and Lores Dauenhauser	19	5S	3W	17	NW1/4NW1/4	1.2
					SW1/4NW1/4	1.4
					SW1/4SW1/4	.3
				18	NE1/4NE1/4	7.7
					SE1/4NE1/4	2.4
					NE1/4SE1/4	5.6
					NW1/4SE1/4	25.6
					SW1/4SE1/4	6.6
					SE1/4SE1/4	8.6
Tract total						59.4
Merle Church	10	5S	3W	17	SE1/4SW1/4	8.8
					SW1/4SE1/4	4.0
				20	NW1/4NE1/4	9.0
					NE1/4NW1/4	36.2
					NW1/4NW1/4	1.0
					SE1/4NW1/4	17.6
Tract total						76.6

Excluded
per 4-14-87 letter

EXHIBIT A

<u>Name</u>	<u>Tract No.</u>	<u>Tsp.</u>	<u>Range</u>	<u>Section</u>	<u>Description</u>	<u>Acreage</u>
Jim Shelburne	9	5S	3W	20	NE1/4SW1/4	12.0
					NW1/4SE1/4	<u>8.0</u>

Tract total 20.0 ✓

A. Pettrick	42	6S	3W	5	NW1/4SW1/4	5.8
Excluded					SW1/4SW1/4	31.4
per 4-14-87 letter				6	NE1/4SE1/4	.6
					SE1/4SE1/4	<u>3.3</u>

Tract total 41.1

GENERAL PROVISIONS--WILLAMETTE BASIN PROJECT, OREGON

CONTINGENT ON APPROPRIATION OR ALLOTMENT OF FUNDS

a. The expenditure or advance of any money or the performance of any obligation of the United States under this contract shall be contingent upon appropriation or allotment of funds. Absence of appropriation or allotment of funds shall not relieve the Contractor from any obligations under this contract. No liability shall accrue to the United States in case such funds are not appropriated or allotted.

WATER AND AIR POLLUTION CONTROL

b. The Contractor, in carrying out this contract, shall comply with all applicable water and air pollution laws and regulations of the United States and the State of Oregon, and shall obtain all required permits or licenses from the appropriate Federal, State, or local authorities.

QUALITY OF WATER

c. The operation and maintenance of project facilities shall be performed in such manner as is practicable to maintain the quality of raw water made available through such facilities at the highest level reasonably attainable, as determined by the Contracting Officer. The United States does not warrant the quality of water and is under no obligation to construct or furnish water treatment facilities to maintain or better the quality of water.

EQUAL OPPORTUNITY

d. During the performance of this contract, the Contractor agrees as follows:

(1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Contracting Officer setting forth the provisions of this nondiscrimination clause.

(2) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without discrimination because of race, color, religion, sex, or national origin.

(3) The Contractor will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Contracting Officer, advising the said labor union or workers' representative of the Contractor's commitments under Section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The Contractor will furnish all information and reports required by said amended Executive Order and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to its books, records, and accounts by the Contracting Officer and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the such rules, regulations, or orders, this contract may be canceled, terminated, or suspended, in whole or in part, and the Contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in said amended Executive Order, and such other sanctions may be imposed and remedies invoked as provided in said Executive Order, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The Contractor will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by the rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of said amended Executive Order, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, That in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

COMPLIANCE WITH RECLAMATION LAWS

e. The parties agree that the delivery of irrigation water or the use of Federal facilities pursuant to this contract is subject to Reclamation law, as amended and supplemented, including, but not limited to, the Reclamation Reform Act of 1982 (Public Law 97-293).

ASSIGNMENT LIMITED--SUCCESSORS AND ASSIGNS OBLIGATED

f. The provisions of this contract shall apply to and bind the successors and assigns of the parties hereto, but no assignment or transfer of this contract or any right or interest therein shall be valid until approved in writing by the Contracting Officer.

OFFICIALS NOT TO BENEFIT

g. No Member of or Delegate to Congress, Resident Commissioner or official of the Contractor shall benefit from this contract other than as a water user or landowner in the same manner as other water users or landowners.

WATER CONSERVATION

h. Prior to the delivery of water provided from or conveyed through federally constructed or federally financed facilities pursuant to this contract, the Contractor shall develop an effective water conservation program acceptable to the Contracting Officer. The water conservation program shall contain definite water conservation objectives, appropriate economically feasible water conservation measures, and time schedules for meeting those objectives. At subsequent 5-year intervals, the Contractor shall submit a report on the results of the program to the Contracting Officer for review. Based on the conclusions of the review, the Contracting Officer and the Contractor shall consult and agree to continue or to revise the existing water conservation program.

55464

AMSDT 2-Contract
EXHIBIT A

Name	Tract No.	Tsp.	Range	Section	Description	Acreage		
Sam Sweeney	5	4S	3W	28	SE SW		0.2	
					SW1/4SW1/4	.6	1.9	
				33	NE1/4NW1/4	.3	.2	
					NW1/4NW1/4	24.0	27.3	
				32	SW1/4NW1/4	14.2	12.1	
					NE1/4NE1/4	11.2	10.8	
					SE1/4NE1/4	8.8	7.9	
					Tract Total			
Mark Temple	12	4S	3W	32	SE1/4NE1/4	13.2	12.4	
					NE1/4SE1/4	12.6	11.9	
				33	SW1/4NW1/4	19.2	20.7	
					NW1/4SW1/4	18.4	20.0	
					Tract Total			
D. Milner Excluded per 4-14-87 Letter	12	4S	3W	33	NE1/4SW1/4	12.2	out	
					SE1/4SW1/4	15.3		
					SW1/4SE1/4	17.5		
					NW1/4SE1/4	17.0		
					Tract Total			
Carl and Lores Dauenhauer	36	5S	3W	6	SW1/4NE1/4	3.0	2.4	
					SE1/4NE1/4	33.6	33.0	
					NE1/4SE1/4	39.9	38.5	
					NW1/4SE1/4	4.5	3.3	
				5	SW1/4SE1/4	1.2	4.0	
					SE1/4SE1/4	6.0	4.0	
					SW1/4NW1/4	30.4	27.3	
					NW1/4SW1/4	36.2	37.2	
				8	SW1/4SW1/4	10.5	4.5	5.2
					SE1/4SW1/4	17.5		
					SW1/4SE1/4	.1		
					NE1/4NW1/4	19.4		
					SE1/4NW1/4	10.4		
Tract Total						212.7	159.3	
Robert Perez	36	5S	3W	5	SW1/4NE1/4	1.9	1.3	
					SE1/4NE1/4	18.8	19.3	
				4	SW1/4NW1/4	.6	1.2	
Tract Total						21.3	21.8	

* The TOTAL acreage was off by .7 ac. It looks like the error is in the SW1/4 SW1/4 of Sec 5, T 35, R 3 W W.M.

EXHIBIT A

<u>Name</u>	<u>Tract No.</u>	<u>Tsp.</u>	<u>Range</u>	<u>Section</u>	<u>Description</u>	<u>Acreage</u>
Jim Shelburne	9	5S	3W	20	NE1/4SW1/4	12.0
					NW1/4SE1/4	8.0
					Tract total	20.0
A. Peitrok Excluded per 4-14-87 letter	42	6S	3W	5	NW1/4SW1/4	5.8
					SW1/4SW1/4	31.4
				6	NE1/4SE1/4	.6
					SE1/4SE1/4	3.3
					Tract total	

578.4

EXHIBIT A

<u>Name</u>	<u>Tract No.</u>	<u>Tsp.</u>	<u>Range</u>	<u>Section</u>	<u>Description</u>	<u>Acreage</u>				
Carlton Nursery	45	5S	3W	4	NE1/4SW1/4	24.4 <u>20.5</u>				
					SW1/4SW1/4	15.2 <u>10.9</u>				
					SE1/4SW1/4	37.0 <u>38.3</u>				
					NW1/4SE1/4	3.4 <u>8.6</u>				
				9	SW1/4SE1/4	30.8 <u>27.4</u>				
					NW1/4NE1/4	15.9 <u>17.7</u>				
					NE1/4NW1/4	19.1 <u>21.0</u>				
					NW1/4NW1/4	14.2 <u>16.7</u>				
					Tract total					160.0 <u>156.4</u>
					Charley Carr	16	5S	3W	8	SW1/4NW1/4
NW1/4SW1/4	6.4 <u>7.9</u>									
Tract total									30.8 <u>29.9</u>	
Carl and Lores Dauenhauser included 4-14-87 letter	19	5S	3W	17	NW1/4NW1/4	1.2				
					SW1/4NW1/4	1.4				
					SW1/4SW1/4	.3				
				18	NE1/4NE1/4	7.7				
					SE1/4NE1/4	2.4				
					NE1/4SE1/4	5.6				
					NW1/4SE1/4	25.6				
					SW1/4SE1/4	6.6				
					SE1/4SE1/4	8.6				
					Tract total					59.4 <u>0.5</u>
Merle Church	10	5S	3W	17	SE1/4SW1/4	8.8 <u>7.7</u>				
					SW1/4SE1/4	4.0 <u>4.0</u>				
				20	NW1/4NE1/4	9.0 <u>10.9</u>				
					NE1/4NW1/4	36.2 <u>36.3</u>				
					NW1/4NW1/4	1.0 <u>.3</u>				
					SE1/4NW1/4	17.6 <u>17.6</u>				
					Tract total					76.6 <u>77.3</u>

Excluded
per 4-14-87 letter

OUT

A description of the place of use to which this right is appurtenant is as follows:

AMENDMENT 2
BDR Contract
ACRES (EX A)

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4 S	3 W	WM	28	SW SW		52	1.9
4 S	3 W	WM	28	SE SW		52	0.2
4 S	3 W	WM	29	NE SW	OUT	52	8.3
4 S	3 W	WM	29	SE SW	OUT	52	6.6
4 S	3 W	WM	29	NW SE	OUT	52	26.8
4 S	3 W	WM	29	SW SE	OUT	52	18.9
4 S	3 W	WM	32	NE NE		52	10.8
4 S	3 W	WM	32	SE NE		52	7.9
4 S	3 W	WM	32	SE NE		53	12.4
4 S	3 W	WM	32	NE SE		53	11.9
4 S	3 W	WM	33	NE NW		52	0.2
4 S	3 W	WM	33	NW NW		52	27.3
4 S	3 W	WM	33	SW NW		52	12.1
4 S	3 W	WM	33	SW NW		53	20.7
4 S	3 W	WM	33	NE SW	OUT	60	13.6
4 S	3 W	WM	33	NW SW		53	20.0
4 S	3 W	WM	33	SE SW	OUT	60	15.3
4 S	3 W	WM	33	NW SE	OUT	60	17.3
4 S	3 W	WM	33	SW SE	OUT	60	18.0
5 S	3 W	WM	4	SW NW		51	1.2
5 S	3 W	WM	4	NE SW		52	20.5
5 S	3 W	WM	4	SW SW		51	10.9
5 S	3 W	WM	4	SE SW		51	2.4
5 S	3 W	WM	4	SE SW		52	8.1
5 S	3 W	WM	4	SE SW		53	27.8
5 S	3 W	WM	4	NW SE		52	3.6
5 S	3 W	WM	4	SW SE		52	1.4
5 S	3 W	WM	4	SW SE		53	26.0
5 S	3 W	WM	5	SW NE		51	1.2
5 S	3 W	WM	5	SW NE	1		0.1
5 S	3 W	WM	5	SE NE		37	4.8
5 S	3 W	WM	5	SE NE		51	11.1
5 S	3 W	WM	5	SE NE	1		3.4
5 S	3 W	WM	5	SW NW		43	29.3
5 S	3 W	WM	5	NW SW		43	37.0
5 S	3 W	WM	5	SW SW	OUT	43	11.9
5 S	3 W	WM	5	SE SW	OUT	43	18.5
5 S	3 W	WM	5	SW SE	OUT	43	0.2
5 S	3 W	WM	6	SW NE		43	2.4
5 S	3 W	WM	6	SE NE		43	33.0
5 S	3 W	WM	6	NE SE		43	38.5
5 S	3 W	WM	6	NW SE		43	3.3
5 S	3 W	WM	6	SW SE		43	0.4
5 S	3 W	WM	6	SE SE		43	4.0
5 S	3 W	WM	7	NE SW		45	5.5
5 S	3 W	WM	7	SE SW		45	4.0

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SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	3 W	WM	7	NE SE		45	23.3
5 S	3 W	WM	7	NW SE		45	34.7
5 S	3 W	WM	7	SW SE		45	20.1
5 S	3 W	WM	7	SE SE		45	9.6
5 S	3 W	WM	8	NE NW	out	43	18.1
5 S	3 W	WM	8	SW NW		45	22.0
5 S	3 W	WM	8	SE NW	out	43	11.8
5 S	3 W	WM	8	NW SW		45	7.9
5 S	3 W	WM	9	NW NE		53	17.7
5 S	3 W	WM	9	NE NW		51	1.5
5 S	3 W	WM	9	NE NW		53	19.5
5 S	3 W	WM	9	NW NW		51	16.7
5 S	3 W	WM	17	NW NW	out	46	1.5
5 S	3 W	WM	17	SW NW	out	46	1.4
5 S	3 W	WM	17	SW SW	out	46	0.5
5 S	3 W	WM	17	SE SW		67	7.7
5 S	3 W	WM	17	SW SE		67	4.0
5 S	3 W	WM	18	NE NE	out	46	7.6
5 S	3 W	WM	18	SE NE	out	46	2.4
5 S	3 W	WM	18	NE SE	out	46	5.8
5 S	3 W	WM	18	NW SE	out	46	25.3
5 S	3 W	WM	18	SW SE	out	46	7.8
5 S	3 W	WM	18	SE SE	out	46	7.7
5 S	3 W	WM	20	NW NE		67	10.9
5 S	3 W	WM	20	NE NW		67	36.3
5 S	3 W	WM	20	NW NW		67	0.3
5 S	3 W	WM	20	SE NW		67	17.6
5 S	3 W	WM	20	NE SW		67	12.0
6 S	3 W	WM	20	NW SE		67	8.0
6 S	3 W	WM	5	NW SW	out	58	5.6
6 S	3 W	WM	5	SW SW	out	58	31.4
6 S	3 W	WM	6	NE SE	out	58	0.5
6 S	3 W	WM	6	SE SE	out	58	2.9
TOTAL							960.8

Kelly Starnes

From: Gerry Clark
Sent: Thursday, February 16, 2012 3:06 PM
To: Kelly Starnes
Subject: FW: Certificates map and Permit 43379
Attachments: Palmer Creek Permit 43379 contract.pdf

For some reason this message bounced the first time I included you.

Gerry

From: Gerry Clark [<mailto:gerald.e.clark@state.or.us>]
Sent: Thursday, February 16, 2012 2:52 PM
To: 'Gerry Clark'; Kelly Starnes; Malia Kupillas
Cc: Allan Elliott; 'Arie Sledgers'; Jeff A Dauenhauer; Ken Clow; 'Rick Wells'; 'Rob May'
Subject: RE: Certificates map and Permit 43379

Malia,

Since those acres were removed from the contract, we will not be including them on the certificate. The map should not identify those acres.

I have attached a copy of the contract for your reference. Please note the letter from the District dated April 14, 1987, included within the Bureau contract materials, which requests the Bureau to diminish the contract.

Let me know if you have any additional questions.

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811
Fax: 503-986-0901

WRD Home Page: www.wrd.state.or.us

From: Malia Kupillas [<mailto:phg@bctonline.com>]
Sent: Thursday, February 16, 2012 2:19 PM
To: Kelly Starnes; 'Gerry Clark'
Cc: Allan Elliott; 'Arie Sledgers'; Jeff A Dauenhauer; Ken Clow; 'Rick Wells'; 'Rob May'
Subject: Certificates map and Permit 43379

Hi Kelly:

It has come to my attention that there are cancellation notices sitting in the file for some acreage mapped under Permit 43379, which explains why those same areas re-appeared on S-72689. Is OWRD planning on issuing the certificate on 43779 and then cancelling those areas, or do you want us to amend the map again and not prove up on those acres?



United States Department of the Interior

BUREAU OF RECLAMATION
PACIFIC NORTHWEST REGION
FEDERAL BUILDING & U.S. COURTHOUSE
BOX 043 - 550 WEST FORT STREET
BOISE, IDAHO 83724

RECEIVED

IN REPLY
REFER TO: PN 440

AUG 25 1987

AUG 27 1987

**WATER RESOURCES DEPT.
SALEM, OREGON**

Mr. Sam Sweeney, Secretary-Treasurer
Palmer Creek Water District Improvement Company
P.O. Box 152
Dayton, Oregon 97114

Dear Mr. Sweeney:

Enclosed for your records is a fully executed original of Amendment No. 2 to Contract No. 3-07-10-W0479, dated August 19, 1987, which provides you an irrigation water supply from the Willamette Basin Project.

If you have not yet contacted the Oregon State Water Resources Department to amend your Permit to Divert, we suggest you do so. We are furnishing that agency a conformed copy of the contract amendment so they will be in a position to proceed with amending the permit to divert water.

If there are any questions regarding the terms or conditions set forth in the contract, please feel free to contact this office.

Sincerely yours,

ROBERT A. BARBO

Regional Supervisor of
Water, Power and Lands

Enclosure

cc: Director, Oregon State Water Resources Department
3850 Portland Rd., NE.
Salem, Oregon 97310
(with copy of enclosure)

U.S. Army Corps of Engineers
Attention: NPPEN-HH-R
P.O. Box 2946
Portland, Oregon 97208
(with copy of enclosure)

Amendment No. 2 to
Contract No. 3-07-10-W0479

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Willamette Basin Project, Oregon

AMENDATORY CONTRACT FOR WATER SERVICE

THIS AMENDATORY CONTRACT, made this 19th day of August, 1987, by and between the UNITED STATES OF AMERICA, hereinafter referred to as the United States, represented by the Contracting Officer executing this contract, and the Palmer Creek Water District Improvement Company, P.O. Box 152, Dayton, Oregon 97114, hereinafter referred to as the Contractor;

WITNESSETH, THAT:

Explanatory Recitals

2. WHEREAS, the parties hereto have entered into a Water Service Contract on May 17, 1983, identified as Contract No. 3-07-10-W0479, providing for the Contractor to receive an irrigation water supply from reservoirs in the Willamette Basin, Oregon, hereinafter referred to as the Water Service Contract. Amendment No. 1 to the Water Service Contract was executed on July 19, 1984, to reflect a change in the amount of acres served and the amount of acre-feet available annually; and

3. WHEREAS, the Contractor has requested that the Water Service Contract be further amended to reflect an exclusion of 215.2 acres which will no longer receive an irrigation water supply;

NOW, THEREFORE, in consideration of the mutual and dependent stipulations herein contained, it is mutually agreed by the parties hereto as follows:

4. Article 6 of the Water Service Contract is hereby amended to read as follows:

"Lands for Which Water is Furnished: Limitations on Deliveries

"6. The United States shall make available each year to the Contractor during the irrigation season from April 1 to September 30, inclusive, water from the Willamette Basin Project for the irrigation of land owned by or served by the Contractor as described in Exhibit A which is attached to and hereby made a part of this contract. Of the land described in Exhibit A, not more than 591.2 acres are to be irrigated. The amount of water to be made available hereunder shall be that quantity which may be applied beneficially in accordance with good usage in the irrigation of the land described in Exhibit A, but in no event shall it exceed a total diversion of 1,478 acre-feet annually, measured at the point of delivery of said water."

5. Article 7 of the Water Service Contract is hereby amended to read as follows:

"Payments for Water

"7. (a) An annual payment of \$886.80 for the first irrigation season shall be made to the United States at the time of executing this

contract, and subsequent annual payments of \$886.80 will be due on or before April 1 of each succeeding irrigation season in advance of water use. This payment will entitle the Contractor to receive 591.2 acre-feet of stored water, hereinafter referred to as the base entitlement, for irrigation of the lands described above. Up to an additional 886.80 acre-feet may be purchased if available. For each additional acre-foot required, \$1.50 must be deposited with the Contracting Officer by April 1 of the year its use is anticipated. Payments for the base entitlement or additional water are nonrefundable regardless of the amount of water actually used.

"(b) The annual charge set forth in (a) above is based on an initial rate of \$1.50 per acre-foot of water: Provided, That such annual charge shall not be less than \$50. From time to time, but not less often than once every 5 years, the rate per acre-foot and the minimum charge shall be reviewed by the Contracting Officer and revised, if necessary, to cover costs to the United States for the irrigation water marketing program of the Willamette Basin Project. Any revision by the Contracting Officer will apply only to future charges and shall be announced by written notice to the Contractor at least 3 months prior to the beginning of the irrigation season to which the new rate would be applicable.

"(c) All payments from the Contractor to the United States under this contract shall be made by the medium requested by the United States. The required medium of payment may include checks, wire transfers, or other types of payment specified by the United States. Except when otherwise specified by the United States, all payments shall be made by check.

Article 5 (Continued)

"(d) Payments required hereunder shall be made to the Bureau of Reclamation at the location described in Article 15 of this contract."

6. Article 8 of the Water Service Contract is amended to read as follows:

"Charges For Delinquent Payments

"8. (a) The Contractor shall be subject to interest, administrative and penalty charges on delinquent installments or payments, pursuant to section 11 of the Debt Collection Act of 1982 (Public Law 97-365). When a payment is not received within 30 days of the due date, the Contractor shall pay an interest charge for each day the payment is delinquent beyond the due date. When a payment becomes 60 days delinquent, the Contractor shall pay an administrative charge to cover additional costs of billing and processing the delinquent payment. When a payment is delinquent 90 days or more, the Contractor shall pay an additional penalty charge of 6 percent per year for each day the payment is delinquent beyond the due date. Further, the Contractor shall pay any fees incurred for debt collection services associated with a delinquent payment.

"(b) The interest charge rate shall be the greater of the rate prescribed quarterly in the Federal Register by the Department of the Treasury for application to overdue payments, or the interest rate of 0.5 percent per month prescribed by section 6 of the Reclamation Project Act of 1939 (Public Law 76-260). The interest charge rate shall be determined as of the due date and remain fixed for the duration of the delinquent period.

"(c) When a partial payment on a delinquent account is received, the amount received shall be applied first to the penalty and administrative charges, second, to the accrued interest, and third to the overdue payment."

7. Article 9(a) of the Water Service Contract is amended to read as follows:

"Furnishing of Water

"9. (a) Upon payment of the water service charge(s) specified in subarticle 7(a) above, the United States will furnish up to 591.2 acre-feet of water to the Contractor for the Willamette Basin Project. The initial quantity or base entitlement shall be 591.2 acre-feet. An

Articles 6, 7

additional quantity of up to 886.80 acre-feet may be requested by the Contractor and shall be furnished on an if-and-when-available basis. No water shall be furnished if the Contractor is delinquent in payment of the required water service charge(s).

8. Article 16 of the Water Service Contract is amended to read as follows:

"General Provisions

"16. The general provisions applicable to this contract are listed below. The full text of these general provisions is attached as Exhibit B and is hereby made a part of this contract.

- a. CONTINGENT ON APPROPRIATION OR ALLOTMENT OF FUNDS
- b. WATER AND AIR POLLUTION CONTROL
- c. QUALITY OF WATER
- d. EQUAL OPPORTUNITY
- e. COMPLIANCE WITH RECLAMATION LAWS
- f. ASSIGNMENT LIMITED--SUCCESSORS AND ASSIGNS OBLIGATED
- g. OFFICIALS NOT TO BENEFIT
- h. WATER CONSERVATION"

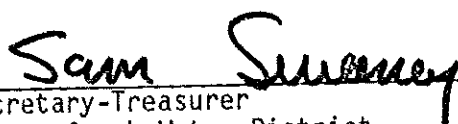
9. Except as herein amended, all provisions of the Water Service Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have signed their names
the day and year first above written.

UNITED STATES OF AMERICA


Regional Director, PN Region
Bureau of Reclamation
Box 043, 550 West Fort Street
Boise, Idaho 83724

CONTRACTOR


Secretary-Treasurer
Palmer Creek Water District
Improvement Co.

STATE OF IDAHO)
 : ss
County of Ada)

On this 19th day of August, 1987, personally
appeared before me John W. Keys, III, to me known to be
the official of the United States of America that executed the within and
foregoing instrument and acknowledged said instrument to be the free and
voluntary act and deed of said United States, for the uses and purposes
therein mentioned, and on oath stated that he was authorized to execute
said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal as of the day and year first above written.

(SEAL)

Diana L. Jacobs

Notary Public in and for the
State of Idaho
Residing at Boise

My commission expires: 5-23-88

* * * * *

STATE OF OREGON)
 : ss
County of Washill)

On this 30 day of July, 1987, before me,
Jerry B. Hart, a Notary Public, personally appeared
Sam Succorey, known to me to be the person
whose name is subscribed to the within instrument and acknowledged to me
that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal as of the day and year first above written.

(SEAL)

Jerry B. Hart

Notary Public in and for the
State of Oregon
Residing at McMinnville Oregon

My commission expires: 11/24/88



Palmer Creek Water District Improvement Company

P.O. Box 152

Dayton, Oregon 97114

April 14, 1987

Bureau of Reclamation
Box 043-550 West Fort St.
Boise, Idaho 83724

Dear Sir:

Enclosed is payment for the 1987 season. We have three members who have decided to drop their rights to the stored Bureau water program. In addition one of the above members, sold part of his property with the new owner desiring to keep the rights. The owners wishing to drop their rights are below.

Name	Tract no.	Tsp.	Range	Section	Description	acres
Delbert Milner	12	4S	3W	33	NE $\frac{1}{4}$ SW $\frac{1}{4}$	12.2
					SE $\frac{1}{4}$ SW $\frac{1}{4}$	15.3
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	17.5
					NW $\frac{1}{4}$ SE $\frac{1}{4}$	<u>17.0</u>
					Tract total	62.0
Anton Peitrok	42	6S	3W	5	NW $\frac{1}{4}$ SW $\frac{1}{4}$	5.8
					SW $\frac{1}{4}$ SW $\frac{1}{4}$	31.4
				6	NE $\frac{1}{4}$ SE $\frac{1}{4}$	.6
					SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>3.3</u>
					Tract total	41.1
Carl & Lores Dauenhauer	19	5S	3W	17	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1.2
					SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.4
					SW $\frac{1}{4}$ SW $\frac{1}{4}$	.3
	18				NE $\frac{1}{4}$ NE $\frac{1}{4}$	7.7
					SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.4
					NE $\frac{1}{4}$ SE $\frac{1}{4}$	5.6

page two

Name	Tract no.	Tsp.	Range	Section	Description	acres
	19	5S	3W	18	NW $\frac{1}{4}$ SE $\frac{1}{4}$	25.6
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	6.6
					SE $\frac{1}{4}$ SE $\frac{1}{4}$	8.6
				Tract total		59.4
Carl & Lores	36	5S	3W	5	SW $\frac{1}{4}$ SW $\frac{1}{4}$	6.0 5.3 S.B.S.
Dauenhauer					SE $\frac{1}{4}$ SW $\frac{1}{4}$	17.5
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	.1
				8	NE $\frac{1}{4}$ NW $\frac{1}{4}$	19.4
					SE $\frac{1}{4}$ NW $\frac{1}{4}$	10.4
				Tract total		53.4 52.7 S.B.S.

The following acreage, tract no. 36, formerly owned by Carl & Lores Dauenhauer, has a new owner, Monrovia Nursery Oregon. They wish to retain the Bureau rights.

36	5S	3W	6	SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.0
				SE $\frac{1}{4}$ NE $\frac{1}{4}$	33.6
				NE $\frac{1}{4}$ SE $\frac{1}{4}$	39.9
				NW $\frac{1}{4}$ SE $\frac{1}{4}$	4.5
				SW $\frac{1}{4}$ SE $\frac{1}{4}$	1.2
				SE $\frac{1}{4}$ SE $\frac{1}{4}$	6.0
			5	SW $\frac{1}{4}$ NW $\frac{1}{4}$	30.4
				NW $\frac{1}{4}$ SW $\frac{1}{4}$	36.2
				SW $\frac{1}{4}$ SW $\frac{1}{4}$	5.2
			Tract total		160.0

This leaves a net total of 591.2 acres.

Enclosed is a check for the remaining acreage @ \$1.50 \$886.80

Sincerely,

Sam Sweeney

Sam Sweeney

Secretary & Treasurer

EXHIBIT A

Name	Tract No.	Tsp.	Range	Section	Description	Acreage
Sam Sweeney	5	4S	3W	28	SW1/4SW1/4	.6
				33	NE1/4NW1/4	.3
					NW1/4NW1/4	24.0
					SW1/4NW1/4	14.2
				32	NE1/4NE1/4	11.2
					SE1/4NE1/4	8.8

Tract Total 59.1 ✓

Mark Temple	12	4S	3W	32	SE1/4NE1/4	13.2
					NE1/4SE1/4	12.6
				33	SW1/4NW1/4	19.2
					NW1/4SW1/4	18.4

Tract Total 63.4 ✓

D. Milner Excluded per 4-14-87 LETTER	12	4S	3W	33	NE1/4SW1/4	12.2
					SE1/4SW1/4	15.3
					SW1/4SE1/4	17.5
					NW1/4SE1/4	17.0

Tract Total 62.0

Carl and Lores Dauenhauer	36	5S	3W	6	SW1/4NE1/4	3.0
					SE1/4NE1/4	33.6
					NE1/4SE1/4	39.9
					NW1/4SE1/4	4.5
					SW1/4SE1/4	1.2
					SE1/4SE1/4	6.0
				5	SW1/4NW1/4	30.4
					NW1/4SW1/4	36.2
					SW1/4SW1/4	10.5
					SE1/4SW1/4	17.5
					SW1/4SE1/4	.1
				8	NE1/4NW1/4	19.4
					SE1/4NW1/4	10.4

Tract Total 212.7 159.3 (160) *

Robert Perez	36	5S	3W	5	SW1/4NE1/4	1.9
					SE1/4NE1/4	18.8
				4	SW1/4NW1/4	.6

Tract Total 21.3 ✓

* The TOTAL acreage was off by .7 ac. It looks like the error is in the SW1/4 SW1/4 of Sec 5, T 5S, R 3W W1/4.

EXHIBIT A

<u>Name</u>	<u>Tract No.</u>	<u>Tsp.</u>	<u>Range</u>	<u>Section</u>	<u>Description</u>	<u>Acreage</u>				
Carlton Nursery	45	5S	3W	4	NE1/4SW1/4	24.4				
					SW1/4SW1/4	15.2				
					SE1/4SW1/4	37.0				
					NW1/4SE1/4	3.4				
					SW1/4SE1/4	30.8				
				9	NW1/4NE1/4	15.9				
					NE1/4NW1/4	19.1				
					NW1/4NW1/4	14.2				
					Tract total					160.0 ✓
					Charley Carr	16	5S	3W	8	SW1/4NW1/4
NW1/4SW1/4	6.4									
Tract total										30.8 ✓
Carl and Lores Dauenhauser Excluded 4-14-87 letter	19	5S	3W	17	NW1/4NW1/4	1.2				
					SW1/4NW1/4	1.4				
					SW1/4SW1/4	.3				
				18	NE1/4NE1/4	7.7				
					SE1/4NE1/4	2.4				
					NE1/4SE1/4	5.6				
					NW1/4SE1/4	25.6				
					SW1/4SE1/4	6.6				
					SE1/4SE1/4	8.6				
				Tract total					59.4	
				Merle Church	10	5S	3W	17	SE1/4SW1/4	8.8
									SW1/4SE1/4	4.0
20	NW1/4NE1/4	9.0								
	NE1/4NW1/4	36.2								
	NW1/4NW1/4	1.0								
	SE1/4NW1/4	17.6								
	Tract total							76.6 ✓		

EXHIBIT A

<u>Name</u>	<u>Tract No.</u>	<u>Tsd.</u>	<u>Range</u>	<u>Section</u>	<u>Description</u>	<u>Acreage</u>
Jim Shelburne	9	5S	3W	20	NE1/4SW1/4	12.0
					NW1/4SE1/4	8.0
					Tract total	20.0
A. Pettrick	42	6S	3W	5	NW1/4SW1/4	5.8
Excluded					SW1/4SW1/4	31.4
per 4-14-87 letter				6	NE1/4SE1/4	.6
					SE1/4SE1/4	3.3
					Tract total	41.1

GENERAL PROVISIONS--WILLAMETTE BASIN PROJECT, OREGON

CONTINGENT ON APPROPRIATION OR ALLOTMENT OF FUNDS

a. The expenditure or advance of any money or the performance of any obligation of the United States under this contract shall be contingent upon appropriation or allotment of funds. Absence of appropriation or allotment of funds shall not relieve the Contractor from any obligations under this contract. No liability shall accrue to the United States in case such funds are not appropriated or allotted.

WATER AND AIR POLLUTION CONTROL

b. The Contractor, in carrying out this contract, shall comply with all applicable water and air pollution laws and regulations of the United States and the State of Oregon, and shall obtain all required permits or licenses from the appropriate Federal, State, or local authorities.

QUALITY OF WATER

c. The operation and maintenance of project facilities shall be performed in such manner as is practicable to maintain the quality of raw water made available through such facilities at the highest level reasonably attainable, as determined by the Contracting Officer. The United States does not warrant the quality of water and is under no obligation to construct or furnish water treatment facilities to maintain or better the quality of water.

EQUAL OPPORTUNITY

d. During the performance of this contract, the Contractor agrees as follows:

(1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Contracting Officer setting forth the provisions of this nondiscrimination clause.

(2) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without discrimination because of race, color, religion, sex, or national origin.

(3) The Contractor will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Contracting Officer, advising the said labor union or workers' representative of the Contractor's commitments under Section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The Contractor will furnish all information and reports required by said amended Executive Order and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to its books, records, and accounts by the Contracting Officer and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the such rules, regulations, or orders, this contract may be canceled, terminated, or suspended, in whole or in part, and the Contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in said amended Executive Order, and such other sanctions may be imposed and remedies invoked as provided in said Executive Order, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The Contractor will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by the rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of said amended Executive Order, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, That in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

COMPLIANCE WITH RECLAMATION LAWS

e. The parties agree that the delivery of irrigation water or the use of Federal facilities pursuant to this contract is subject to Reclamation law, as amended and supplemented, including, but not limited to, the Reclamation Reform Act of 1982 (Public Law 97-293).

ASSIGNMENT LIMITED--SUCCESSORS AND ASSIGNS OBLIGATED

f. The provisions of this contract shall apply to and bind the successors and assigns of the parties hereto, but no assignment or transfer of this contract or any right or interest therein shall be valid until approved in writing by the Contracting Officer.

OFFICIALS NOT TO BENEFIT

g. No Member of or Delegate to Congress, Resident Commissioner or official of the Contractor shall benefit from this contract other than as a water user or landowner in the same manner as other water users or landowners.

WATER CONSERVATION

h. Prior to the delivery of water provided from or conveyed through federally constructed or federally financed facilities pursuant to this contract, the Contractor shall develop an effective water conservation program acceptable to the Contracting Officer. The water conservation program shall contain definite water conservation objectives, appropriate economically feasible water conservation measures, and time schedules for meeting those objectives. At subsequent 5-year intervals, the Contractor shall submit a report on the results of the program to the Contracting Officer for review. Based on the conclusions of the review, the Contracting Officer and the Contractor shall consult and agree to continue or to revise the existing water conservation program.

Gerry Clark

From: Kelly Starnes <patrick.k.starnes@state.or.us>
Sent: Thursday, February 09, 2012 1:14 PM
To: Malia Kupillas
Cc: Ken Clow; Allan Elliott; 'Arie Sledgers'; 'Gerry Clark'; Jeff A Dauenhauer; Jon Bartch; nrorick@yahoo.com; 'Rob May'; 'Rick Wells'
Subject: RE: Palmer Creek

Hi Malia -

The Department's response to your answers is in red. The final proof map for Cert 64748 is very clear as to the location of the right.

Kelly

From: Malia Kupillas [mailto:phg@bctonline.com]
Sent: Wednesday, February 08, 2012 2:30 PM
To: 'Gerry Clark'
Cc: 'Kelly Starnes'; nrorick@yahoo.com; Allan Elliott; 'Arie Sledgers'; Jeff A Dauenhauer; Ken Clow; 'Rick Wells'; 'Rob May'; Jon Bartch
Subject: RE: Palmer Creek

Hi Gerry and Kelly:

Nancy has finished making the revisions to the map you requested, and we have both evaluated two of your questions noted below:

T 4 S 3 W

Section 19 – Missing acres for Permit 50945 (priority 5/8/1987) in the SW¼ SE¼. (Sweeney) *We have tried to map this acreage every way possible, and our only conclusion is that there is only 49.7 acres. Thus, the primary, which was issued for 56.7 acres, was issued for more acres than are really there.* OK. We will have 22.4 acres for Sweeney in the SWSE.

T 5 S 3 W

Sections 17 and 20 – A portion of Permit S-43379 for supplemental irrigation shown in the S½ SW¼, Sec. 17 and N½ NW¼, Sec. 20, has no primary right. (Church) *According to our calculation's from certificate 64748, there is 76.6 acres of irrigated land. We have mapped 76.6 acres, which covers some land not shown on the map. It is our understanding that the certificated acres and not the COBU map takes priority. Thus, it seems there is a map error on the COBU map that was not reflected in the acreage issued for the certificate.* Certificate 64748 has 76.6 acres of primary irrigation which matches the number of acres on the final proof map for Certificate 64748. The Department's view is that the authorized place of use for Cert 64748 is what is shown on the final proof map for Cert 64748.

I will hopefully submit a revised map this Friday if you agree with my responses above.

Malia R. Kupillas, R.G., C.W.R.E.
Pacific Hydro-Geology Inc.
503.632.5016 ext. 11

From: Gerry Clark [<mailto:gerald.e.clark@state.or.us>]
Sent: Tuesday, January 10, 2012 8:48 AM
To: Malia Kupillas (phg@bctonline.com)
Cc: Kelly Starnes
Subject: FW: Palmer Creek

Malia,

The Department has completed the review of the latest map that you prepared for the Palmer Creek project. Kelly's message below describes the areas where we believe some addition work or clarification is necessary.

If you have specific questions about the comments, please feel free to contact Kelly.

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811
Fax: 503-986-0901

WRD Home Page: www.wrd.state.or.us

From: Kelly Starnes
Sent: Monday, January 09, 2012 3:21 PM
To: Gerry Clark
Subject: Palmer Creek

Hi Gerry -

Here's a list of the items I found on the latest COBU map for those Palmer Creek permits. Do you want to forward this to Malia or should I?

T 4 S 3 W

Section 19 – Missing acres for Permit 50945 (priority 5/8/1987) in the SW¼ SE¼.

Section 20 – Missing acres for Permit 43380 in the NE¼ SE¼, as projected within DLC 49.

Section 32 – Missing acres for Permit 43380 in the SW¼ SE¼, as projected within DLC 57.

Section 33 – What do the 0.9 and 1.2 numbers represent on Tax Lot 00801? Located on the north Q Q lines of the SE¼ SW¼ and SW¼ SE¼.

T 5 S 3 W

Sections 4 and 5. The east-west trending Q Q lines need to be re-adjusted to the north from the SE Corner of each section. The Q Q lines must be 1320 feet apart with any excess or shortage of acres to be made up in the most northerly Q Q's.

Sections 6 and 7. Both the east-west and north-south Q Q lines need to be re-adjusted to measure 1320 feet from the SE Corner of each section. The Q Q lines must be 1320 feet apart with any excess or shortage of acres to be made up in the most northerly and westerly Q Q's.

Sections 18, 19, 30, and 31. The north-south trending Q Q lines need to be re-adjusted to the west from the SE Corner of each section. The north-south Q Q lines must be 1320 feet apart with any excess or shortage of acres to be made up in the most westerly Q Q's.

Sections 4, 5, 6, 7, 18, 19, 30, and 31. All the irrigated acres shown on the map will have to be re-calculated for each Q Q.

Section 7 – According to the tax lot map, the west boundary lines of Tax Lots 1000 and 1100 are located on the west boundary line of DLC 45.

Sections 7 and 8 – Alderman Road lies on the south and southerly boundary lines of DLC 43 and 44 and the north boundary of DLC 45 until the southerly bend of Alderman just east of the intersection with Webfoot Road.

Sections 17 and 20 – A portion of Permit S-43379 for supplemental irrigation shown in the S½ SW¼, Sec. 17 and N½ NW¼, Sec. 20, has no primary right.

Section 20 – The 16.5 acres of Permit S-43379 in the SE¼ NW¼ is labeled twice.

Kelly

Kelly Starnes, Transfer Specialist
Oregon Water Resources Department
725 Summer St NE Suite A
Salem OR 97301-1271
Telephone: 503-986-0886 Fax: 503-986-0903
E-mail: Patrick.K.STARNES@wrd.state.or.us

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

Gerry Clark

From: Malia Kupillas <phg@bctonline.com>
Sent: Tuesday, January 10, 2012 1:24 PM
To: Nancy Rorick
Cc: gerald.e.clark@state.or.us
Subject: FW: Palmer Creek

Hi:

OWRD has some more issues with the certificates map. We should probably go through these using Skype and fix what needs fixing and prepare a response where we cannot fix.

Malia R. Kupillas, R.G., C.W.R.E.
Pacific Hydro-Geology Inc.
503.632.5016 ext. 11

From: Gerry Clark [<mailto:gerald.e.clark@state.or.us>]
Sent: Tuesday, January 10, 2012 8:48 AM
To: Malia Kupillas (phg@bctonline.com)
Cc: Kelly Starnes
Subject: FW: Palmer Creek

Malia,

The Department has completed the review of the latest map that you prepared for the Palmer Creek project. Kelly's message below describes the areas where we believe some addition work or clarification is necessary.

If you have specific questions about the comments, please feel free to contact Kelly.

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811
Fax: 503-986-0901

WRD Home Page: www.wrd.state.or.us

From: Kelly Starnes
Sent: Monday, January 09, 2012 3:21 PM
To: Gerry Clark
Subject: Palmer Creek

Hi Gerry -

Here's a list of the items I found on the latest COBU map for those Palmer Creek permits. Do you want to forward this to Malia or should I?

T 4 S 3 W

Section 19 – Missing acres for Permit 50945 (priority 5/8/1987) in the SW¼ SE¼.

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T 5 S 3 W

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Sections 7 and 8 – Alderman Road lies on the south and southerly boundary lines of DLC 43 and 44 and the north boundary of DLC 45 until the southerly bend of Alderman just east of the intersection with Webfoot Road.

Sections 17 and 20 – A portion of Permit S-43379 for supplemental irrigation shown in the S½ SW¼, Sec. 17 and N½ NW¼, Sec. 20, has no primary right.

Section 20 – The 16.5 acres of Permit S-43379 in the SE¼ NW¼ is labeled twice.

Kelly

Kelly Starnes, Transfer Specialist
Oregon Water Resources Department
725 Summer St NE Suite A

Gerry Clark

From: Gerry Clark
Sent: Monday, February 08, 2010 11:38 AM
To: 'Malia Kupillas'
Cc: Cortney Duke; Jon Bartch; 'Arie Sledgers'; 'Darren Shelburne'; 'Jeff Dauenhauer'; Ken Clow; 'Rick Wells'; 'Rob May'
Subject: RE: Request for a variance regarding some mapping requirements for the Certificate map

Malia,

As we discussed on Friday, rather than provide a variance at this time, I would like to work with the map first.

It may be that the map will work; however, I would like the opportunity to put the revised proposed certificates together to see if any issues arise.

In addition, you indicated that you had prepared a spread sheet that identifies all the primary rights and other notes that you used in the preparation of the map. If that spread sheet is available, I would be interested in obtaining a copy of it.

I have a few projects that I need to finish and then I will begin the review of the Palmer Creek files.

Thanks for your help.

Gerry

Gerry Clark
Water Rights and Adjudications Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301
Phone: 503-986-0811
Fax: 503-986-0901

WRD Home Page: www.wrd.state.or.us

From: Malia Kupillas [mailto:phg@bctonline.com]
Sent: Monday, February 01, 2010 10:36 AM
To: Gerry Clark
Cc: Cortney Duke; Jon Bartch; 'Arie Sledgers'; 'Darren Shelburne'; 'Jeff Dauenhauer'; Ken Clow; 'Rick Wells'; 'Rob May'
Subject: Request for a variance regarding some mapping requirements for the Certificate map

Hi Gerry:

On Friday, January 29th, Greg submitted the new map for Palmer Creek Water District Improvement Company's proposed certificates. You need to know that the section and quarter-quarters have been modified from the original map to fit the best available data. Therefore, they do not match the original final proof map.

We also need a variance to not break acreage out by DLC and Government lot. We noticed that the original permits did not break the acreage by DLC and Government lot. We also discovered that older rights associated with the supplemental rights were very hard to split out when the acreages were further divided by DLC and

2/8/2010

Government lot. Therefore, we request a variance to not break out the acreages by DLC and Government lot.

We can provide you with an electronic (.pdf) version of the map for the Departments files.

Malia R. Kupillas, R.G., C.W.R.E.
Pacific Hydro-Geology Inc.
503.632.5016 ext. 11

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

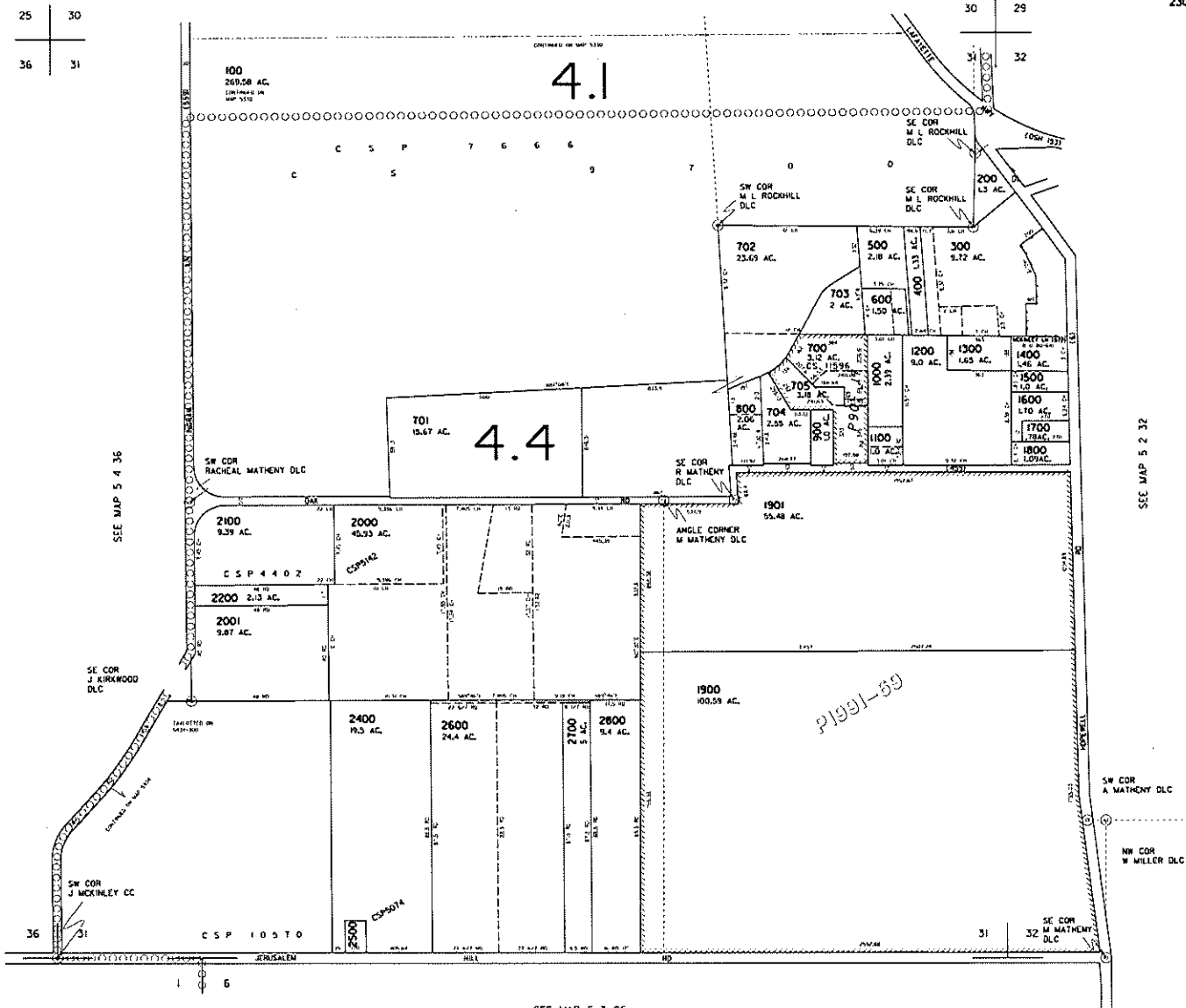
SECTION 31 T5S R3W W.M.
YAMHILL COUNTY

1" = 400'

5 3 31

CANCELLED
301
2300 IN

SEE MAP 5 3 30



REVISED 4-25-03 BY

5 3 31

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 32 T5S R3W W.M.
YAMHILL COUNTY
1" = 400'

5 3 32

CANCELLED

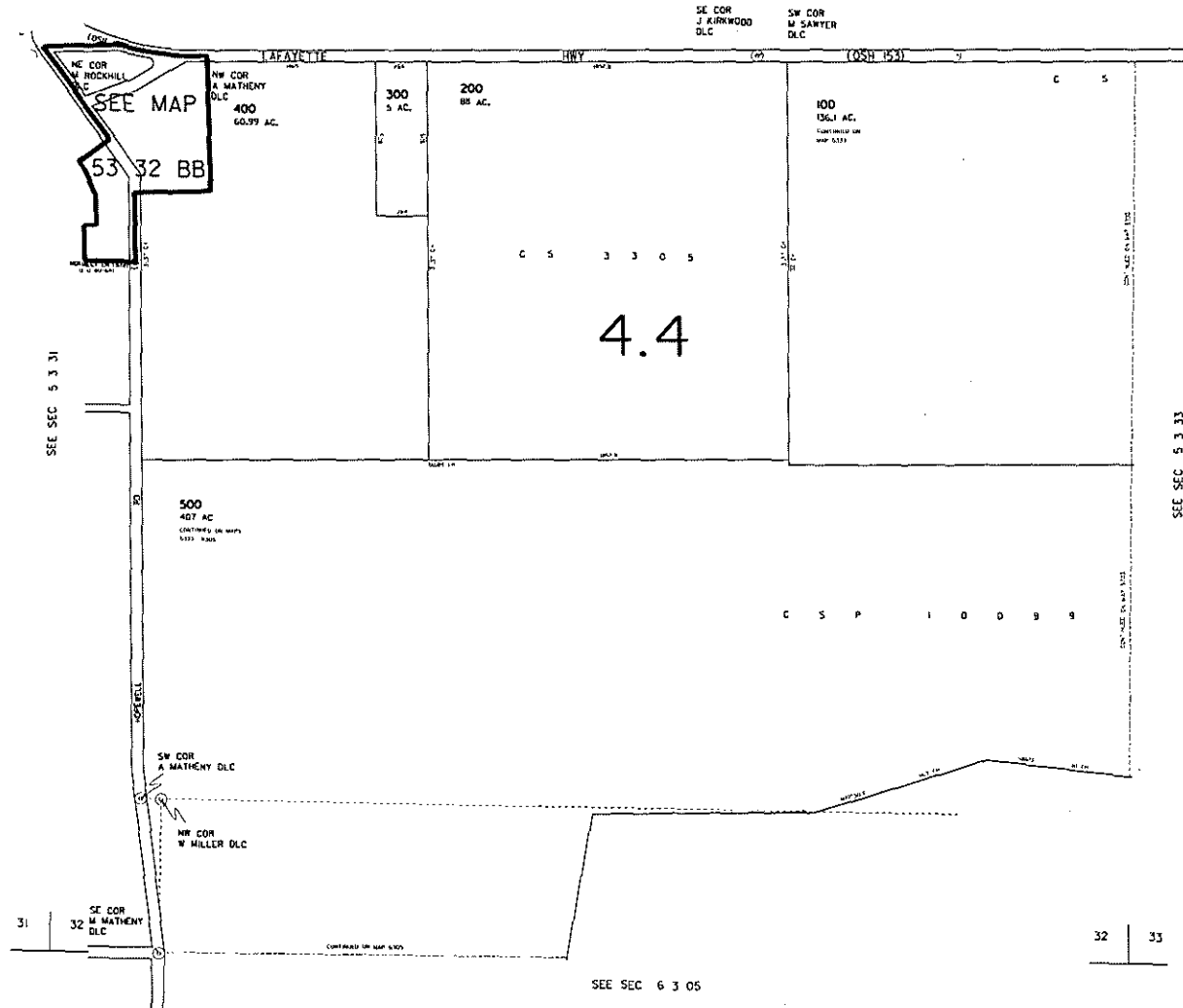
30 | 29

31 | 32

29 | 28

32 | 33

SEE SEC 5 3 29



REVISED 7-15-97 CS

5 3 32

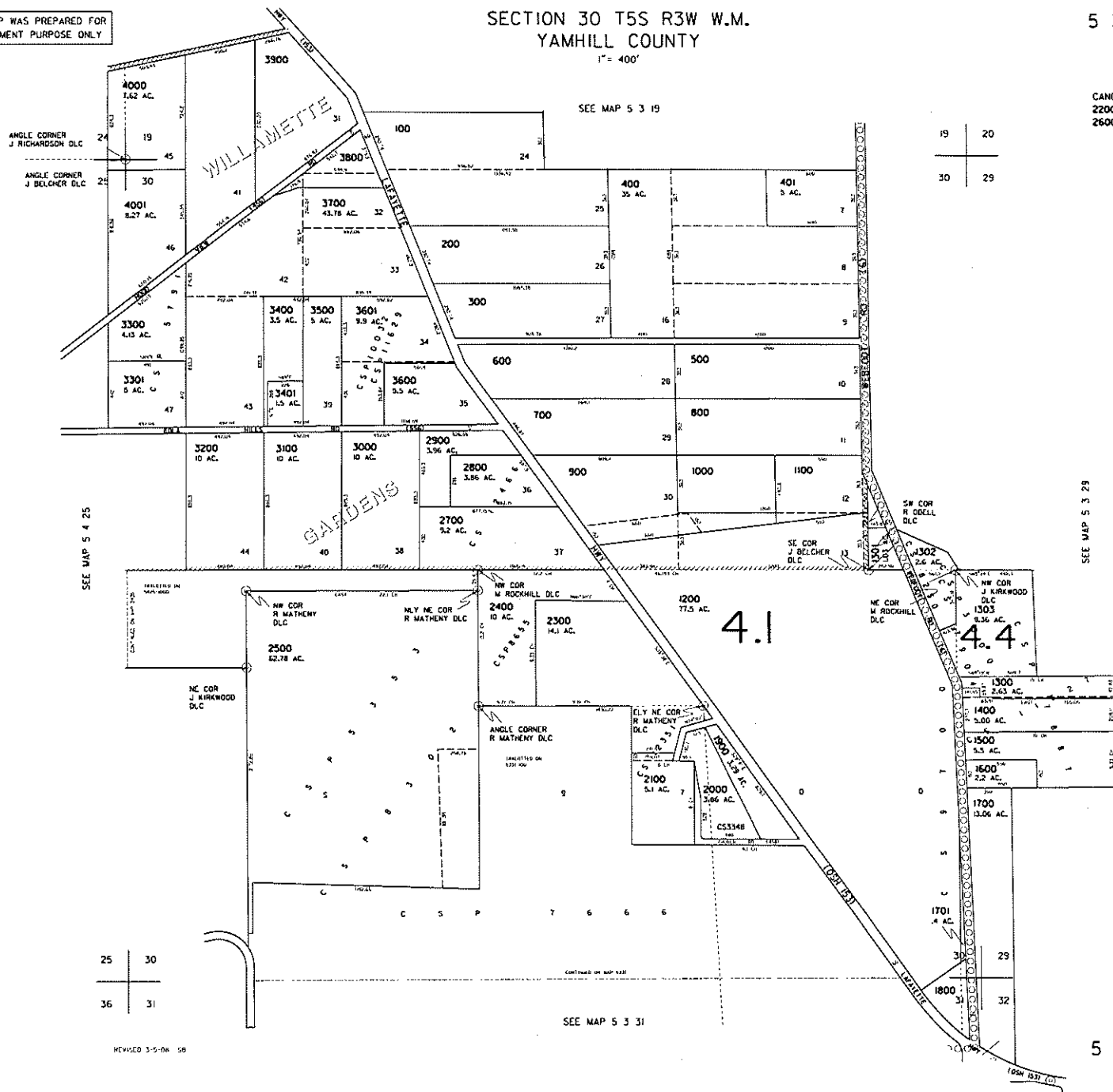
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 30 T5S R3W W.M.
YAMHILL COUNTY

1" = 400'

5 3 30

CANCELLED
2200
2600



Gerry Clark

From: Malia Kupillas <phg@bctonline.com>
Sent: Tuesday, January 10, 2012 1:24 PM
To: Nancy Rorick
Cc: gerald.e.clark@state.or.us
Subject: FW: Palmer Creek

Hi:

OWRD has some more issues with the certificates map. We should probably go through these using Skype and fix what needs fixing and prepare a response where we cannot fix.

Malia R. Kupillas, R.G., C.W.R.E.
Pacific Hydro-Geology Inc.
503.632.5016 ext. 11

From: Gerry Clark [<mailto:gerald.e.clark@state.or.us>]
Sent: Tuesday, January 10, 2012 8:48 AM
To: Malia Kupillas (phg@bctonline.com)
Cc: Kelly Starnes
Subject: FW: Palmer Creek

Malia,

The Department has completed the review of the latest map that you prepared for the Palmer Creek project. Kelly's message below describes the areas where we believe some addition work or clarification is necessary.

If you have specific questions about the comments, please feel free to contact Kelly.

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811
Fax: 503-986-0901

WRD Home Page: www.wrd.state.or.us

From: Kelly Starnes
Sent: Monday, January 09, 2012 3:21 PM
To: Gerry Clark
Subject: Palmer Creek

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Kelly

Kelly Starnes, Transfer Specialist
Oregon Water Resources Department
725 Summer St NE Suite A

Application No. 55468

Permit No. 43379

STATE OF OREGON WATER RESOURCES DEPARTMENT

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AUG 17 1978

Application for Permit to Appropriate Surface Water RESOURCES DEPT.
SALEM, OREGONI, Palmer Creek Water District Imp. Co.
(Name of Applicant)of P. O. Box 152, Dayton
(Mailing Address) (City)State of Oregon, 97119 Phone No. 864-2442
(Zip Code)

do hereby make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is Willamette Basin Project
Reservoirs, a tributary of Willamette R.2. The point of diversion is to be located 4700 ft. N. and 1290 ft. E.
(N. or S.) (E. or W.)
from the SE corner of Gay DLC #58
(Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

being within the NW 1/4 of the SW 1/4 of
Sec. 4 Tp. 6S R. 3W, W. M., in the county of Yamhill
(N. or S.) (E. or W.)

3. Location of area to be irrigated, or place of use if other than irrigation.

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated
See attached sheets				980
SS	3W	47011-172-118R 45 SW 29 1800 6" m 900 4"	SHADE 4 CYL 210 3" x 4" (PULLEY 4") 6 FT LIFT 7 GPM ROBERT MA 864-2127 864 2300	NCR RWK 10/13/93
		SAVASH 100N COLUMBIA RINGS ETC		
		NELSON 150 1" 85/85		

34 SPRINK PER LINE 3 LINES MAX

75 out of plan lot

DNR

Application No. 55468

Permit No. 43379

Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 2.107 af of stored water only ~~XXXXXX XXXXXX XXXXXX~~ measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Reservoirs constructed under permits No. R-1625 and R-5363.

The use to which this water is to be applied is supplemental irrigation.

If for irrigation, this appropriation shall be limited to ~~XXXXXXXXXXXXXXXXXXXX of one cubic foot per second~~ ~~XXXXXXXXXXXXXXXXXXXX~~ a diversion of 2 1/2 acre feet of stored water only for each acre irrigated during the irrigation season of each year, and is subject to the terms and conditions of contract No. 8-07-10-W0144 or a satisfactory replacement between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water Resources Department.

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is May 11, 1977

Actual construction work shall begin on or before September 27, 1979 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1980.

Complete application of the water to the proposed use shall be made on or before October 1, 1981.

WITNESS my hand this 27th day of September, 1978

James E. Serson
Water Resources Director

<u>Name</u>	<u>Tract No.</u>	<u>Tsp.</u>	<u>Range</u>	<u>Section</u>	<u>Description</u>	<u>Acreage</u>
Robert Perez	36	5S	3W	5	SW $\frac{1}{4}$ NE $\frac{1}{4}$	1.9
					SE $\frac{1}{4}$ NE $\frac{1}{4}$	18.8
				4	SW $\frac{1}{4}$ NW $\frac{1}{4}$	.6
					Tract total	21.3
Carlton Nursery	45	5S	3W	4	NE $\frac{1}{4}$ SW $\frac{1}{4}$	24.4
					SW $\frac{1}{4}$ SW $\frac{1}{4}$	15.2
					SE $\frac{1}{4}$ SW $\frac{1}{4}$	37.0
					NW $\frac{1}{4}$ SE $\frac{1}{4}$	3.4
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	30.8
				9	NW $\frac{1}{4}$ NE $\frac{1}{4}$	15.9
					NE $\frac{1}{4}$ NW $\frac{1}{4}$	19.1
					NW $\frac{1}{4}$ NW $\frac{1}{4}$	14.2
					Tract total	160.0
Charley Carr	16	5S	3W	8	SW $\frac{1}{4}$ NW $\frac{1}{4}$	24.4
					NW $\frac{1}{4}$ SW $\frac{1}{4}$	6.4
				7	NE $\frac{1}{4}$ SW $\frac{1}{4}$	8.0
					SE $\frac{1}{4}$ SW $\frac{1}{4}$	4.8
					NE $\frac{1}{4}$ SE $\frac{1}{4}$	21.2
					NW $\frac{1}{4}$ SE $\frac{1}{4}$	37.6
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	19.3
					SE $\frac{1}{4}$ SE $\frac{1}{4}$	7.8
					Tract total	129.5
Carl & Lores Dauenhauer	19	5S	3W	17	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1.2
					SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.4
					SW $\frac{1}{4}$ SW $\frac{1}{4}$	.3
				18	NE $\frac{1}{4}$ NE $\frac{1}{4}$	7.7
					SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.4
					NE $\frac{1}{4}$ SE $\frac{1}{4}$	5.6
					NW $\frac{1}{4}$ SE $\frac{1}{4}$	25.6
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	6.6
					SE $\frac{1}{4}$ SE $\frac{1}{4}$	8.6
					Tract total	59.4
Merle Church	10	5S	3W	17	SE $\frac{1}{4}$ SW $\frac{1}{4}$	8.8
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	4.0
				20	NW $\frac{1}{4}$ NE $\frac{1}{4}$	9.0
					NE $\frac{1}{4}$ NW $\frac{1}{4}$	36.2
					NW $\frac{1}{4}$ NW $\frac{1}{4}$	1.0
					SE $\frac{1}{4}$ NW $\frac{1}{4}$	17.6
					Tract total	76.6

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AUG 17 1978

WATER RESOURCES DEPT.
SALEM, OREGON

43379
55468
4006R

4. From page 2.

Name	Tract No.	Tsp.	Range	Section	Description	Acreage
Zane May	32	4S	3W	29	SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.1
					NE $\frac{1}{4}$ SW $\frac{1}{4}$	13.5
					SE $\frac{1}{4}$ SW $\frac{1}{4}$	6.4
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	20.0
					NW $\frac{1}{4}$ SE $\frac{1}{4}$	32.9
					Tract total	74.9
Sam Sweeney	5	4S	3W	28	SW $\frac{1}{4}$ SW $\frac{1}{4}$	.6
				33	NE $\frac{1}{4}$ NW $\frac{1}{4}$	.3
					NW $\frac{1}{4}$ NW $\frac{1}{4}$	24.0
					SW $\frac{1}{4}$ NW $\frac{1}{4}$	14.2
				32	NE $\frac{1}{4}$ NE $\frac{1}{4}$	11.2
					SE $\frac{1}{4}$ NE $\frac{1}{4}$	8.8
					Tract total	59.1
Mark Temple	12	4S	3W	32	SE $\frac{1}{4}$ NE $\frac{1}{4}$	13.2
					NE $\frac{1}{4}$ SE $\frac{1}{4}$	12.6
				33	SW $\frac{1}{4}$ NW $\frac{1}{4}$	19.2
					NW $\frac{1}{4}$ SW $\frac{1}{4}$	18.4
					Tract total	63.4
D. Milner	12	4S	3W	33	NE $\frac{1}{4}$ SW $\frac{1}{4}$	12.2
					SE $\frac{1}{4}$ SW $\frac{1}{4}$	15.3
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	17.5
					NW $\frac{1}{4}$ SE $\frac{1}{4}$	17.0
					Tract total	62.0
Carl & Lores Dauenhauer	36	5S	3W	6	SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.0
					SE $\frac{1}{4}$ NE $\frac{1}{4}$	33.6
					NE $\frac{1}{4}$ SE $\frac{1}{4}$	39.9
					NW $\frac{1}{4}$ SE $\frac{1}{4}$	4.5
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	1.2
					SE $\frac{1}{4}$ SE $\frac{1}{4}$	6.0
				5	SW $\frac{1}{4}$ NW $\frac{1}{4}$	30.4
					NW $\frac{1}{4}$ SW $\frac{1}{4}$	36.2
					SW $\frac{1}{4}$ SW $\frac{1}{4}$	10.5
					SE $\frac{1}{4}$ SW $\frac{1}{4}$	17.5
					SW $\frac{1}{4}$ SE $\frac{1}{4}$	.1
				8	NE $\frac{1}{4}$ NW $\frac{1}{4}$	19.4
					SE $\frac{1}{4}$ NW $\frac{1}{4}$	10.4
					Tract total	212.7

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WATER RESOURCES DEPT.
SALEM, OREGON

43379

55468

<u>Name</u>	<u>Tract No.</u>	<u>Tsp.</u>	<u>Range</u>	<u>Section</u>	<u>Description</u>	<u>Acreage</u>
Jim Shelburne	9	5S	3W	20	NE $\frac{1}{4}$ SW $\frac{1}{4}$	12.0
					NW $\frac{1}{4}$ SE $\frac{1}{4}$	8.0
					Tract total	20.0
A. Pietrok	42	6S	3W	5	NW $\frac{1}{4}$ SW $\frac{1}{4}$	5.8
					SW $\frac{1}{4}$ SW $\frac{1}{4}$	31.4
				6	NE $\frac{1}{4}$ SE $\frac{1}{4}$	.6
					SE $\frac{1}{4}$ SE $\frac{1}{4}$	3.3
					Tract total	41.1

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 WATER RESOURCES DEPT.
 SALEM, OREGON

43379
 55468
 58219

55468

43379

#1 ROBERT MAY 864-2127, 864-2300

SOURCE: PALMER CRK

DIV PT: SUCTION IN STREAM

MOTOR: GE 50 HP 3550

PUMP: CORNELL 6x5 DDC

PIPE: 1800' 6" MN

900' 4" MN

4080' 3" LAT

BOOSTER { JOHN DEERE 4CYL PTO
5" x 4" PULLEY 18" x 4"

ALUM 1000 4" FLEXIBLE HOSE ON REEL

HEADS: 120 7 GPM

102 OR GUN MAX

NELSON 150 1" @ 85 lbs

USE: IRRIGATION OR VARIOUS ROW CROPS

LIFT: ±5 SUCTION

+55 TO BOOSTER

+ - 5 FT DISCHARGE

TIE: 41071 178 118R

#2 SAM SWEENEY 864-2442

SOURCE: PALMER CRK

DIV PT: SUCTION IN STREAM

MOTOR: (2) GE 50 HP

PUMP: (2) BERKELEY - 4" x 3", 5" x 4"

PIPE: 10560 FT 6" MN

6000 FT 4" LAT

HEADS: 150 3/4 75 MAX

USE: BRAMS & OTHER ROW CROPS

LIFT: 5 FT SUCTION ± 50 FT DISCHARGE

TIE: 41071 178 118R

#3 MARK TEMPLE - OWNER ROBERT MAY - FARMER 864-2127

SOURCE: PALMER CREEK

DIV PT: SUCTION IN STREAM

MOTOR: GE 60 HP

PUMP: BERKELEY 6x4

PIPE: 10560 6" MN

4200 4" LAT

HEADS: 105 7 GPM MAX

USE: CORN, BEANS, ETC

LIFT: 5 FT SUCTION

55 FT DISCHARGE

TIE: 41071 178 118R

#4 DELBERT MILNAR 868 7628

SOURCE: PALMER CREEK

DIV PT: SUCTION IN STREAM

MOTOR: CENTURY 40 HP

PUMP: BERKELEY 5x4

PIPE: 5280 FT 6" MAIN

4000 FT 4" LAT

HEADS: RB 30' 3/16 99 MAX PER MR MILNAR

USE: GRASS, HAY, PASTURE

LIFT: 5 FT SUCTION

60 FT DISCHARGE

TIE: 41071 178 118R

#5 MONROVIA NURSERY GARY OR MONTY 868-7941

SOURCE: PALMER CRK

DIV PT: PALMER CRK → RES

MOTOR: 50 HP 30 HP

PUMP: 3x4 2½ x 3

PIPE: BURIED 8" → RES SOLID SET THROUGHOUT ALL EXCEPT NE ¼
OR LESS OF LAND, WHICH HAS BEEN FARMED w/ HAND LINE

HEADS: SOLID SET 1000 GPM MAX

USE: CAN YARD & ROW CROPS

LIFT: +5 FT SUCTION

+25 FT DISCHARGE

TIE: DFG 2LL 10

#6 RIDGET PEEZ FARMED BY MYRON NICHOLS 868-7302

SOURCE: PALMER CRK

DIV PT: PALMER CRK DIRECT

MOTOR: 40 HP MARATHON

PUMP: CORNELL 3x2½

PIPE: 2400 FT 6" MAIN 950 4" FLEXIBLE HOSE

HEADS: (2) NELSON BIG GUNS 1.0"

USE: CORN, BEANS

LIFT: +5 SUCTION

+40 DISCHARGE

TIE: 41671 178 118R

7 CARLTON PLANTS 868-7971

SOURCE: PALMER CRK

DIV PT: SMALL RES IN STREAM CHANNEL → SUCTION

MOTOR: 75 HP CENTURY

PUMP: 5X4 JACUZZI

PIPE: WAY MORE THAN SUFFICIENT $\begin{matrix} \text{PVC} \\ \downarrow \\ 8" \end{matrix} \begin{matrix} \text{ALUM} \\ \downarrow \\ 4" \end{matrix} \rightarrow 3" \text{ HAND LINE } 16300 \text{ FT}$

HEADS: RD 30 = 5/32" 9/64 1900 GPM

USE: IN GROUND

LIFT: 50 FT

TIE: 41071 178 118R

8 CARL DAWNMAVER 868 7359

SOURCE: PALMER CRK

DIV PT: PUMP → PNL BEHIND 5 FT FLASHBOARD

MOTOR: 40 HP 50 HP 25 HP

PUMP: 4X3 4X3 3X2 1/2

PIPE: 12000 FT 6" MN

8000 FT 5" MN

18000 FT 3" LAT

HEADS: 450 3/16

USE: VARIOUS

LIFT: + 5 SUCTION

+ 10 → + 30

TIE: 41071 178 118R

#9 NATHAN FEASZL 868 7828

SOURCE: PALMER CRK

DIV PT: PUMP → POOL BEHIND 5 FT FLASHYARD

MOTOR: 15 HP

PUMP: BERKELEY 3x 2 1/2"

PIPE: 2800 FT 4" MN

1400 FT 3" LAT

HEADS: NELSON 100 .7 & .8

35 3/16

USE: YOUNG ORCHARD

LIFT: + 5 FT SUCTION

+ 40 FT LIFT

TIE: 41071 178 118R

#10 MICHAEL CARR

SOURCE: PALMER CRK

DIV PT: PALMER CRK DIRECT

MOTOR: 50 HP GE

PUMP: 3x 2 1/2 CORNELL

PIPE: 3500 FT 6" MN BURIED

4000 FT 6" MN

12000 FT 3" LATS

HEADS: 3/16 60 MAX

(2) NELSON 100 .9

USE: ORCHARD & ROW CROPS

LIFT: + 5 FT SUCTION

+ 30 FT LIFT

TIE: 41071-178-119L

#11 CARL DAUNHAUER

SOURCE: PALMER CREEK

DIV PT: N - FLASH BOARD DAM S - PALMER CREEK DIRECT

MOTOR: 40 HP 50 HP 25 HP

PUMP: 4x3 4x3 3x2 1/2

PIPE: 12000 FT 6" MN

8000 FT 5" MN

18000 FT 3" LAT

HEADS: 450 3/16 (2) Nelson Big Guns @ 225 GPM

(N) Fields 200 GPM
S 900 GPM
W 450 GPM

USE: PASTURE, GRAPES, ROW CROPS

LIFT: + 5 SUCTION

+ 20 → 30

TIE: 41071 178 119L

#12 MERLE CHURCH FARMER BY CARLTON PLANTS

SOURCE: PALMER CREEK

DIV PT: PALMER CREEK DIRECT

MOTOR: UNICLOSED 75 HP

PUMP: JACUZZI 5x4

PIPE: 6" BURIED 3 OR 4" LATS 5700 FT

HEADS: RB 30s 7/64 & 5/32 900 GPM

USE: IN GROUND & ROW CROPS

LIFT: + 5 FT SUCTION

+ 5 → + 25 DISCHARGE

TIE: 41071 178 120L