

Application for a Permit to Use

Surface Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME Palmer Creek Water District Imp	PHONE (HM)			
PHONE (WK)	CELL			FAX
ADDRESS 14395 SE Wallace Rd				
CITY Dayton	STATE OR	ZIP 97114	E-MAIL * palmercreek	@frontier.com

Organization Information

NAME		·	PHONE	FAX
ADDRESS				CELL
СІТҮ	STATE	ZIP	E-MAIL *	

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

AGENT / B	USINESS NAME Timothy C. Kreder			PHONE	FAX
ADDRESS	11700 SE Amity-Dayton Hwy				CELL 503-559-8077
CITY	Dayton	STATE OR	ZIP 97114	E-MAIL * hajji@onlinema	ic.com

Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

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

I (we) affirm that the information contained in this application is true and accurate. I (we) affirm that the information contained in this application is true and accurate. I (we) affirm that the information contained in this application is true and accurate. I (we) affirm that the information contained in this application is true and accurate. I (we) affirm that the information contained in this application is true and accurate. I (we) affirm that the information contained in this application is true and accurate. I (we) affirm that the information contained in this application is true and accurate. I (we) affirm that the information contained in this application is true and accurate. I (we) affirm that the information contained in this application is true and accurate. I (we) affirm that the information contained in this application is true and accurate. Apply and Signature Print Name and title if applicable Date Date

<u>р</u> Г	200-0-0	For Department Use	
Revise	App. No. C-98/87	Permit No.	Date



SECTION 2: PROPERTY OWNERSHIP

FEB 2 9 2015

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

Yes

- There are no encumbrances.
- This land is encumbered by easements, rights of way, roads or other encumbrances.

X No

- X I have a recorded easement or written authorization permitting access.
- I do not currently have written authorization or easement permitting access.
- Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (attach additional sheets if necessary).

Tim and Susie Kreder 11700 SE Amity-Dayton Hwy, Dayton OR 97114

MBS Properties LLC c/o Mary Albright 11100 SE Lafayette Hwy, Dayton OR 97114

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

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Willamette River Basin Project- Source 1: Bureau of Reclamation water contract	Tributary to:	Columbia
permit R-1625 and R-5363 Source 2.	Tributary to:	
Source 3:	Tributary to:	
Source 4:	Tributary to:	

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

B. Applications to Use Stored Water

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

Yes.

No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.) Addendum attached-- Bureau of Reclamation water contract data sheet

Revised 2/1/2012

Surface Water/4



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

- By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:
 - A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
 - A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: WATER USE

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

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

SOURCE	USE	PERIOD OF USE	AMOUNT
Willamette River Basin Project	agricultural irrigation	March-October 31	197.5 🗌 cfs 🗌 gpm 🗙 af
			🗌 cfs 🗌 gpm 🗌 af
			🗌 cfs 🗌 gpm 🗌 af
			🗌 cfs 🗌 gpm 🗌 af

Primary: 79 Acres Supplemental: Acres List the Permit or Certificate number of the underlying primary water right(s): Acres Acres	For irrigation use only: Please indicate the number of primary and supplemental acres to be irrigated.							
List the Permit or Certificate number of the underlying primary water right(s):	Primary: 79 Acres	Supplemental:	_Acres					
	List the Permit or Certificate number of the underlying primary water right(s):							
Indicate the maximum total number of acre-feet you expect to use in an irrigation season:197.5 af								

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

SALEM. OREGON

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

X Pump (give horsepower and type): 300 HP and two 130 HP

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WATER RESOURCES DEPT SALEM, OREGON

Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

Palmer Creek Water District delivery infrastructure from Willamette River POD using Palmer Creek, 75 hp 4YB pump, buried PVC mainline pipe, portable aluminum will deliver water to place of use

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) drip, sprinkler

C. Conservation

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

waters. Available water will be used for agricultural irrigation to increase crop yield. Meter on pump from Palmer Creek will measure usage. Regular monitoring will prevent waste by over-application.

SECTION 6: RESOURCE PROTECTION

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

X Diversion will be screened to prevent uptake of fish and other aquatic life.

Describe planned actions: Fish screen installed in September 2007 at Willamette POD meets current NOAA Fisheries screening criteria and pump at Palmer Creek is screened.

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions: NA

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe: NA

Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe: Irrigation will be monitored to prevent run-off from over-application

Revised 2/1/2012

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SECTION 7: PROJECT SCHEDULE

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Date construction will begin:	within 5 years of permit issuance	A DARGE CARD STORE IS NO RECEARD LINE		
Date construction will begin.	······································	FFB 2 9 20 13		
Date construction will be completed	within 5 years of permit issuance			
Date beneficial water use will begin	² within 5 years of permit issuance	WATER RESOURCES DEPT SALEM, OREGON		

SECTION 8: WITHIN A DISTRICT

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

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

SECTION 9: REMARKS

Use this space to clarify any information you have provided in the application.



Addendum --SECTION 2: PROPERTY OWNERSHIP

Description

1. The property from which the water is to be diverted—

received

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The diversion point from the Willamette River for PCWD is inT6S, R3W, Section 4 NWSW, located 4700 feet North and 1290 feet East from the SE corner of the Gay DKC 58.

- 2. Property crossed by proposed mainline pipes
- Tax lot R4330 01100

A part of the Sections 29 and 30, Township 4 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, described as follows:

Beginning at the intersection of the center line of the County Road and the North line of the Thomas L. Turner Donation Land Claim #55, said point being South 89° West 359.5 feet from the Northeast corner of said Claim thence South 89° West along the North line of said Claim 1806.18 feet to the intersection of the North line of said Claim and the centerline of State Highway #154; thence South 4°30' East along the center line of said Highway, 1692.90 feet to the North line of that certain tract of land conveyed by Olive M. Macy to Edmund Oden Morgareidge et ux. by deed recorded December 15, 1945 in Book 132, Page 132, Deed Records; thence North 89° East along the North line of said Claim 1432.12 feet to the center line of said Claim; thence North along the East line of said Claim 1432.12 feet to the center line of county road; thence Northwesterly along the centerline of said County Road, 459 feet to the place of beginning.

3. Property on which the water is to be used as depicted on the map

A 79 acre portion of Yamhill County Tax Lots R4330-00800 and R4330-00700 and R4331-00200 which are described as follows:

Parcel 1--A 22.39 acre portion and a 10.73 acre portion and a 0.6 acre portion of 102.1 acre Yamhill County Tax Lot R4330-00800, which are the tillable non-wooded portions on the East half of the tax lot that is described as being part of the Donation Land Claim of Thomas L. Turner and wife, Notification No. 1028, Claim No. 55 in Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, State of Oregon, which is bounded and described as follows, to wit:

Beginning at a point on the East line of said Turner Claim that is North 17.25 chains from the Southeast corner of said Claim; thence running South 89° 00' West 60.09 chains; thence running North 17.25 chains; thence running North 89° 00' East 60.09 chains to the East line of said Claim; thence running South along the East line of said Claim 17.25 chains, more or less, to the point of beginning.

Parcel 2--A 26.1 acre portion of 62.5 acre Yamhill County Tax Lot R4330-00700, which is the tillable non-wooded portion on the East half of the tax lot that is described as being part of the Thomas L. Turner

Donation Land Claim, Notification No. 1028, Claim No. 55 in Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, State of Oregon, said part being more particularly described as follows;

Beginning at an iron pipe on the East line of said Turner Claim that is north $00^{\circ} 49'$ West a distance of 6.844 chains from the Southeast corner thereof; thence South 89° 56' West 60.50 chains to an iron pipe; thence North parallel with the East line of said Donation Land Claim 10.244 chains to a stone 6 x 8 x 10 inches; thence North 89° 47' East 60.49 chains to an iron pipe on the East line of the aforesaid Claim; thence South along said East line 7.78 chains to the Southwest corner of the Francis Holdredge Donation Land Claim No. 56; thence South $00^{\circ} 49'$ East continuing along the East line of said Turner Claim a distance of 9.47 chains more or less to the point of beginning.

Parcel 3—A 19.13 acre portion Yamhill County Tax Lot R4331-00200, which is the tillable non-wooded portion of the East half of the following described tract of land:

Beginning at the Southeast corner of the Donation Land Claim of Thomas I. Turner and wife, Notification No. 1028, Claim No. 55 in Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon; thence South 89°56' West 60.60 chains to a stone about one cubic foot in size on the South line of said Donation Land Claim; thence North parallel with the East line of said Donation Land Claim 6.844 chains to an iron pipe; thence North 89° 56' East 60.50 chains to an iron pipe on the East line of said Donation Land claim; thence South 00° 49' 00'' along the East line of said Donation Land Claim 6.844 chain, more or less, to the place of beginning EXCEPTING therefrom the following: Beginning at a point on the South line of the aforesaid Turner Donation Land Claim (in the center of the County Market Road No. 33) that is South 89° 56' West along said South line a distance of 453.0 feet from the Southeast corner of said Claim; thence South 00° 49' East 250.0 feet to an iron pipe; thence South 89° 56' West 237.8 feet to an iron pipe; thence South 00° 49' East 250.0 feet to a point on the South line of said Turner Claim and the center of the County Road; thence North 89° 56' East 237.8 feet to the point of beginning. ALSO EXCEPTING therefrom all that portion of the above described property conveyed to Yamhill County, a political subdivision of the State of Oregon, by deed recorded February 21, 1979 in Film Volume 137, Page 836, Deed and Mortgage Records of Yamhill County, Oregon.

CONTRACT DATA SHEET



RECEMED

FEB 2 9 2016

WATER RESOURCES DEPT SALEM. OREGON U.S. Bureau of Reclamation Attn: PN-3324 1150 North Curtis Road Boise, ID 83706-1234 208-378-5344



- 1. Applicant Information:
 - A. Landowners
 - 1) Name of landowner(s): MBS Properties LLC c/o Mary Albright
 - 2) Address: 11100 SE Lafayette Hwy, Dayton OR 97114
 - 3) Mailing Address (if different): c/o Tim Kreder 11700 SE Amity-Dayton Hwy, Dayton OR 97114
 - 4) Taxpayer Identification Number(s): <u>541-68-2318</u> (Social Security Number or Employer Identification Number)^{1.}
 - 5) Do you own all of the land where you propose to divert and make use of water?

B. <u>Water User Organizations</u> (Such as Irrigation Districts, Ditch/Canal Companies, Water Control Districts, Water User Associations & Cooperatives, Irrigation Improvement Districts, and similar entities organized according to State Law)

- 1) Name of Organization: <u>Palmer Creek Water District Improvement Company</u>
- 2) Name & Title of Applicant: <u>Timothy C. Kreder, member</u>
- 3) Mailing Address of Organization: 14395 SE Wallace Rd, Dayton OR 97114
- 4) Taxpayer Identification Number: PCWDIC FEIN: 93-0572742 (Social Security Number or Employer Identification Number)
- 5) Please provide the following information:
 - (a) A description of the area served by the organization (location, total acreage, # of water users, prominent crops, etc.)
 - (b) Copy of organization by-laws, articles of incorporation (if applicable), board resolution authorizing the applicant to represent and bind the organization under contract with the United States.
- 2. Source of Water (name of stream, river): Willamette River

3.	Ргоро	osed point	of diversion:	4700 Feet No. 1290 Feet East	th fee	from SE corner of DLC 58	_ and	NWSW Section 4	feet
	of	SW	_ corner of Se	ction	4	_ , Township <u>68</u>	5	, Range	3W,

Willamette Meridian.

- 4. A water right permit to divert storage water is required. Application or file number with OWRD if you have applied for a permit to divert storage water: ______.
- 5. Include a map of lands and diversion points. [Same as required by Oregon Water Resources Department (OWRD) for application for surface/ground water permit].

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- 7. Total quantity of water from storage requested: _______ acre-feet.
- 8. Location of land to be irrigated in each 40-acre tract:

TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP
4S	3W	30	NWSE NESE SWSE SESE	27.94	field or row crops
4S	3W	30	SWSE SESE	23.08	field or row crops
4S	3W	29	NWSW SWSW	5.78	field or row crops
4S	3W	31	NENE NWNE	19.4	field or row crops
4S	3W	32	NWNW	2.75	field or row crops
				total 79 acres	

- What is the present use of the land identified above? [farming; idle (fallow cultivated land); native (appears never to have been tilled); planted pasture or other (please specify)].
 farming
 <p
- 10. Is the land identified above currently being irrigated? _____ If yes, what is the source? (*natural flows, wells, etc.*) _____
- 11. Diversion must be screened to prevent uptake of fish and other aquatic life. Describe plan(s) to comply with State/Federal fish screen standards: ______fish screen installed in September 2007 meets current NOAA Fisheries screening criteria

12. Telephone number where you can be reached during the day: ______ Tim Kreder 503-559-8077___

Before returning the completed Contract Data Sheet to the address provided on page 1, please check that you have done the following:

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

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

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

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Land Use Information Form



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

FEB 2 9 2016

NOTE TO APPLICANTS

WATER RESOURCES DEPT

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; OR
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and <u>all</u> of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; <u>and</u>
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain landuse information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.





Mailing Address: 14395 SE Wallace Rd

Dayton City



Daytime Phone: _Tim Kreder 503-559-8077

A. Land and Location

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

Township	Range	Section	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:
4S	3W	30	SENW NESW	4330 1100	EF-80	Diverted	Conveyed	Used Used	
4S	3W	29,30,31,32		4330 0800, 07	00, 0200 EF-80	Diverted	Conveyed	🔀 Used	
6S	3W	4	NWSW			Diverted	Conveyed	Used	
						Diverted	Conveyed	Used Used	

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

Yamhill County

B. Description of Proposed Use

Type of application to l	oe filed with the V	Water Resources Depa	rtment:	
Permit to Use or Store	Water 🗌 Wat	er Right Transfer	Permit Amendr	nent or Ground Water Registration Modification
Limited Water Use Lie	cense 🗌 Allo	ocation of Conserved Wa	ter 🔲 Exchange of W	ater
Source of water:	servoir/Pond	Ground Water	Surface Water (name	e) <u>Willamette River Basin Proje</u> ct
Estimated quantity of w	vater needed:	197.5	Cubic feet per secor	nd 🔲 gallons per minute 🕅 acre-feet
Intended use of water:	Irrigation	Commercial	Industrial Instream	Domestic for household(s)
Briefly describe:				
Bureau of Reclama for agricultural crop		2	ek Water District via Pal	mer Creek,
				2

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



See bottom of Page 3. \rightarrow Surface Water/9



For Local Government Use Only

FEB 2 9 2016

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

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 402.52 7220.
- □ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary landuse approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land-Use Approval Needed (c.g., plan amendments, rczones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		Obtained Denied	 Being Pursued Not Being Pursued
		Denied	 Being Pursued Not Being Pursued
		Obtained Denied	 Being Pursued Not Being Pursued
		Obtained Denied	Being Pursued Not Being Pursued
		Denied	 Being Pursued Not Being Pursued

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

Name: Stedro	nie amstr	Title:	Associate	Planner	
Signature:	_ 2_			34.75/ Date: 2/26/1	6
Government Entity:	Yanihill	Count	/		

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

	Receipt for Request for Land Use Info	rmation
Applicant name:	Palmer Creek Water District Improvement Company c/o Tim Kreder	
City or County:	Staff contac	ct:
Signature:	Phone:	Date:
Revised 2/1/2012	Surface Water/10	WR
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