

STATE OF OREGON  
COUNTY OF BENTON  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARION L. THEURER  
MELISSA A. THEURER  
645 HERITAGE HILLS DR  
PHILOMATH OR 97370

confirms the right to use the waters of MARYS RIVER, tributary to WILLAMETTE RIVER for IRRIGATION of 0.7 ACRE.

This right was perfected under Permit 43042. The date of priority is MARCH 31, 1978. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.01 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
12 S	6 W	WM	2	NE NW	49	70 FEET NORTH AND 55 FEET WEST FROM SW CORNER, KENNEDY DLC 77

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. 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 is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
12 S	6 W	WM	2	NE NW	49	0.7

The quantity of water diverted at the point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
11 S	6 W	WM	35	SE SW	49	250 FEET NORTH AND 150 FEET WEST FROM SW CORNER, KENNEDY DLC 77

The water user shall operate and maintain the fish screen at the point of diversion consistent with Oregon Department of Fish and Wildlife's (ODFW) operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that Oregon Water Resources Department (OWRD) regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

**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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, 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.

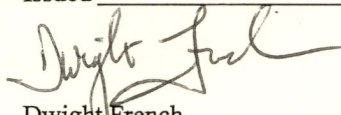
When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the department prior to beginning construction and shall be installed under the general supervision of the Department.

Water shall be acquired from the same surface sources as the original point of diversion.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered June 22, 2015, at Special Order Volume 96, Page 344, approving Transfer Application 11947, and together with Certificate 90465, supercedes Certificate 88790, State record of Water Right Certificates.

Issued SEP 24 2021



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