

STATE OF OREGON  
 COUNTY OF MARION  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KYLE SCHURTER  
 323 HOWELL PRAIRIE RD. NE  
 SALEM, OR 97317

confirms the right to the use of water perfected under the terms of Permit G-13306. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of appropriation from the source. The specific limits and conditions of the use are listed below.

SOURCE: A WELL IN PUDDING RIVER BASIN

USE: IRRIGATION OF 23.0 ACRES

RATE: 0.288 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

PRIORITY DATE: JANUARY 23, 1997

The point of appropriation is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
7 S	2 W	WM	25	SW NW	65	WELL # 1 - 50 FEET NORTH AND 100 FEET WEST FROM EASTERLY INTERIOR CORNER, DLC 65

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) and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
7 S	2 W	WM	25	SW NW	65	1.8
7 S	2 W	WM	25	NW SW	65	7.7
7 S	2 W	WM	26	SE NE	65	2.7
7 S	2 W	WM	26	NE SE	65	10.8

**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.

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

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
7 S	2 W	WM	25	SW NW	65	400 FEET NORTH AND 1740 FEET WEST FROM C1/4 CORNER, SECTION 25

Measurement, recording, and reporting conditions:

- A. The water user shall maintain the totalizing flow meter, or, other suitable measuring device as approved by the Director, in good working order, at each new point of appropriation. The water user shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of water under the right.
- B. The water user shall allow the Watermaster access to the meter or measuring device; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, the use of water from the well shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interference.

- (1) Use of water from the well, as allowed herein, shall be controlled, or shut off if the well display:
  - a) An average water level decline of three or more feet per year for five consecutive years; or
  - b) A total water level decline of fifteen or more feet; or
  - c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The water user shall maintain a meter or other measuring device suitable to the Director in good working order and shall submit an annual report of water to the Department by December 1 of each year.
- (3) The water user shall be responsible for complying with each of the following requirements for measuring water levels in the well
  - a) A water level measurement shall be made each year during the period March 1 through March 31
  - b) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologist, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the water user.
  - c) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.

- d) The water user shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3)

The wells shall be maintained in accordance with the General Standards of the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

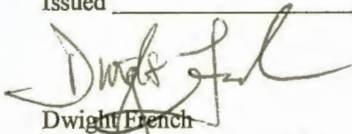
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

This certificate is issued to confirm a change in POINT OF APPROPRIATION approved by an order of the Water Resources Director entered April 12, 2017, at Special Order Volume 104, Page 464, approving Transfer Application T-12314, supersedes Certificate 90956, State record of Water Right Certificates.

**APR 28 2023**

Issued \_\_\_\_\_



Dwight French  
Water Right Services Division Administrator, for  
Douglas E. Woodcock, Acting Director  
Oregon Water Resources Department