

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

LEE H. SCHURTER  
9266 KAUFMAN ROAD NE  
SILVERTON, OREGON 97381

503-362-3190

to use the waters of ONE WELL in the PUDDING RIVER BASIN for IRRIGATION OF 44.0 ACRES.

This Permit is issued approving Application G-12064. The date of priority is APRIL 6, 1990. The use is limited to not more than 0.55 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 NE 1/4, SECTION 18, T 7 S, R 1 W, W.M.; 440 FEET SOUTH AND 550 FEET WEST FROM NE CORNER, SECTION 18.

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 ONE-EIGHTIETH of one cubic foot per second per acre, 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.

Use of water under the terms of this permit has been determined to have the potential to cause substantial interference with surface water of Pudding River or its tributaries. Whenever substantial interference exists with senior surface water users, this use shall be controlled along with junior surface water users.

Use of water under this permit shall be regulated if the well displays:

- A. An average water level decline of three (3) or more feet per year for five (5) consecutive years; or,
- B. A water level decline of fifteen (15) or more feet in fewer than five (5) consecutive years; or,
- C. A water level decline of twenty-five (25) feet or more; or,
- D. An hydraulic interference decline of twenty-five (25) or more feet in any neighboring well providing water for uses exempt from permit requirements or a well covered by prior rights.

Use of water from the well, as allowed herein, shall not commence until the initial water level is determined at the well.

The Water Resources Department shall determine the initial and subsequent water levels from which the previously cited declines are referenced. As much as possible, those levels shall reflect annual high levels which are usually found in the spring of each year.

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

"CERTIFICATE NO. 76256

A description of the proposed place of use under the permit is as follows:

SE 1/4 SE 1/4 2.2 ACRES  
SECTION 7

NW 1/4 NW 1/4 5.2 ACRES  
SECTION 17

NE 1/4 NE 1/4 35.1 ACRES  
NW 1/4 NE 1/4 0.3 ACRE  
SE 1/4 NE 1/4 1.2 ACRES  
SECTION 18

TOWNSHIP 7 SOUTH, RANGE 1 WEST, W.M.

The well shall be constructed in accordance with the General Standards for 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 water level elevations in the well at all times. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work shall begin on or before OCTOBER 1, 1991, and shall be completed on or before October 1, 1992. Complete application of the water shall be made on or before October 1, 1993.

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

This permit is for 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.

Issued this date, OCTOBER 1, 1990.

7s/ WILLIAM H. YOUNG

Water Resources Department  
William H. Young  
Director