T-14059

Regular

RA

T-14059

Name Craig and Juanita Schurter

Address 6540 Torvend Rd NE
Silverton, OR 97381
craigschurter@gmail.com

Change in POA
Date Filed 8-1-2022
Initial notice date 8-9-2022
DPD issued date
PD issued date 7/12/2024
PD notice date 7/16/2024
Date of FO 9/6/2024 Vol 133 Page 29-34

C-Date
COBU due date
COBU Received date
Certificate issued

DESCRIPTION OF WATER RIGHT(s)

Name of Stream A Well

Trib. of Abiqua Creek Basin; Willamette River Basin

Use Irrigation County Marion
Quantity of water (CFS) No. of Acres
Name of ditch

App# G-12434	Per # G-11434	Cert # 88739	PR Date 3/4/1991	
App# G-14426	Per # G-17076	Cert # 93894	PR Date 12/20/1996	
App#	Per #	Cert #	PR Date	
App#	Per #	Cert #	PR Date	
App#	Per #	Cert #	PR Date	

FEES PAID

Date	Amount	Receipt #
08/01/22	$5,660.00	138805
8-1-2022	$125.00	138797
8-15-2022	$2,167.55	138928

FEES REFUNDED

Date	Amount	Receipt #

Assignments:

Irrigation District

Agent Doann Hamilton - phgdmh@gmail.com

CWRE
CC's list Marion County

☐ - Oversized map – Location

ER

Oregon

Water Resources Department
Transfer and Conservation Section (TACS)
725 Summer St NE Ste A
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED

CERTIFIED MAIL®

7022 3330 0000 2912 2776

US POSTAGE PITNEY BOWES
97301 7W
$ 009.92⁰
0008029483 JUL 15 2024

7/17

Received
AUG 22 2024
OWRD

Craig and Juanita Scurter
6540 Torvend Rd. NE
Silverton, OR 97381

8-2

8-12

T-14059

NIXIE 971 DE 1 0008/21/24
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
BC: 97301126673 *1579-03650-21-21

UNC
97301>1266

Oregon
Tina Kotek, 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

September 6, 2024

Craig & Juanita Schurter
6541 Torvend Rd NE
Silverton, OR 97381

REFERENCE: Transfer Application T-14059

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Dante Luongo by telephone at (971) 304-5006 or by e-mail at Dante.j.luongo@water.oregon.gov.

Sincerely,

Elyse Richman

Elyse D. Richman
Water Rights Services Support
Transfers and Conservation Section

cc: Gregory J. Wacker, Watermaster Dist. # 16 (via email)
Doann Hamilton, Agent
Marion County Planning Department, Local Government
Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-14059, Marion County	)))	FINAL ORDER APPROVING A CHANGE IN POINTS OF APPROPRIATION AND A CHANGE IN PLACES OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

CRAIG AND JUANITA SCHURTER
6540 TORVEND RD NE
SILVERTON, OR 97381

Findings of Fact

1. On August 1, 2022, Craig and Juanita Schurter filed an application to change the points of appropriation and change the places of use under Certificates 88739 and 93894. The Department assigned the application number T-14059.

2. Notice of the application for transfer was published on August 9, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

3. On June 13, 2023, the Department notified the applicant's agent that the application did not meet the requirements for the exceptions under OAR 690-380-3220. The multiple certificates proposed for transfer require separate applications, or the applicant would need to add a place of use change to the application to meet the exception requirements under OAR 690-380-3220.

4. On July 19, 2023, the applicant's agent submitted superseding application pages and superseding maps, adding a place of use change under Certificates 88739 and 93894.

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.

5. On November 3, 2023, the Department determined one proposed point of appropriation (POA) under Certificate 88739 (Alluvial Well 2) will cause additional drawdown/ interference in well MARI 3594. The drawdown by the pumping of proposed Alluvial Well 2 would likely result in other existing groundwater rights not receiving the water to which they are legally entitled.

6. On November 13, 2023, the Department notified the applicant's agent via email that the transfer application did not include supporting documentation for the Evidence of Use Affidavit.

7. On November 13, 2023, the applicant's agent submitted the supporting documentation for the Evidence of Use Affidavit.

8. On December 12, 2023, the applicant's agent submitted a revised Table 1 indicating a change in location of the injurious proposed point of appropriation (Alluvial Well 2).

9. On January 18, 2024, The Department completed a review of the revised location proposed for Alluvial Well 2 and determined that the new proposed location would not likely result in another existing groundwater right not receiving the water to which it is legally entitled.

10. On March 6, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14059 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of April 5, 2024, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.

11. On March 11, 2024, the agent for the applicant requested additional time to complete beneficial use of the water to October 1, 2027. Pursuant to OAR 690-380-5140(3), the applicant requested additional time to compensate for well driller's schedules, constructing power lines to said well, laying piping for the well to get to the place of use, and using profits from the installed first well to install the second well.

12. On July 12, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14059 and sent a copy to the applicants. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on July 16, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate:	88739 in the name of ROBERT E. ROTH (perfected under Permit G-11434)
Use:	IRRIGATION OF 66.3 ACRES
Priority Date:	MARCH 4, 1991

Rate: 151 GALLONS PER MINUTE

Limit/Duty: 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.

Source: A WELL in the ABIQUA CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	1 W	WM	28	SE NE	1975 FEET SOUTH AND 25 FEET WEST FROM THE NE CORNER OF SECTION 28

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 W	WM	27	SW NW	44	12.5
6 S	1 W	WM	27	NW SW	44	27.5
6 S	1 W	WM	27	SW SW	44	26.3
					TOTAL	66.3

14. Transfer Application T-14059 proposes to move the authorized point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate Distance from Authorized Well
6 S	1 W	WM	27	SW SW	44	ALLUVIAL WELL 1 - 1060 FEET NORTH AND 1090 FEET EAST FROM THE SW CORNER OF SECTION 27	2550 FEET SOUTHEAST
6 S	1 W	WM	27	NW SW	44	ALLUVIAL WELL 2 - 1500 FEET NORTH AND 1090 FEET EAST FROM THE SW CORNER OF SECTION 27	2220 FEET SOUTH

15. Transfer Application T-14059 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 W	WM	27	SW NW	44	11.8
6 S	1 W	WM	27	NW SW	44	27.5
6 S	1 W	WM	27	SW SW	44	27.0
					TOTAL	66.3

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

Certificate: 93894 in the name of ROTH FAMILY LLC (perfected under Permit G-17076)

Use: IRRIGATION, TO MAKE UP A DEFICIENCY IN RATE FOR PERMIT G-11434, OF 66.3 ACRES

Priority Date: DECEMBER 20, 1996

Rate: A MAXIMUM CUMULATIVE TOTAL OF 0.495 CUBIC FOOT PER SECOND (CFS); FURTHER LIMITED TO 0.32 CFS FROM WELL 1 AND 0.24 CFS FROM WELL 2

Limit/Duty: The amount of water used for irrigation under this right, 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 for each acre irrigated during the irrigation season of each year.

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: WELL 1 AND WELL 2 both in the WILLAMETTE RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	1 W	WM	27	SW NW	WELL 1 - 2013 FEET SOUTH AND 26 FEET EAST FROM THE NE CORNER OF SECTION 28
6 S	1 W	WM	28	NW SE	WELL 2 - 1500 FEET SOUTH AND 70 FEET WEST FROM THE NW CORNER OF DLC 44

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 W	WM	27	SW NW	44	12.5
6 S	1 W	WM	27	NW SW	44	27.5
6 S	1 W	WM	27	SW SW	44	26.3
					TOTAL	66.3

17. Transfer Application T-14059 proposes to move the authorized points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate Distances from Authorized Wells
6 S	1 W	WM	27	SW SW	44	BASALT WELL 1- 1085 FEET NORTH AND 1090 FEET EAST FROM THE SW CORNER OF SECTION 27	Well 1- 2450 FEET SOUTHEAST Well 2- 2500 FEET EAST
6 S	1 W	WM	27	SW SW	44	BASALT WELL 2- 75 FEET NORTH AND 225 FEET EAST FROM THE SW CORNER OF SECTION 27	Well 1- 3300 FEET SOUTH Well 2- 2300 FEET SOUTHEAST

18. Transfer Application T-14059 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 W	WM	27	SW NW	44	11.8
6 S	1 W	WM	27	NW SW	44	27.5
6 S	1 W	WM	27	SW SW	44	27.0
					TOTAL	66.3

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2110(2)]

19. Confirming rights have been issued and water has been used within the last five years prior to the submittal of Transfer Application T-14059 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

20. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14059.

21. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).

22. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).

23. The proposed changes, as conditioned, would not result in enlargement of the rights.

24. The proposed changes, as conditioned, would not result in injury of other rights.

25. All other application requirements are met.

Conclusions of Law

The change in points of appropriation and change in places of use proposed in Transfer Application T-14059 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in points of appropriation and change in places of use proposed in Transfer Application T-14059 are approved.

2. The right to the use of the water is restricted to beneficial use at the places of use described and is subject to all other conditions and limitations contained in Certificates 88739, 93894 and any related decree.

3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation or the new places of use.

4. Water right Certificates 88739 and 93894 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.

5. Under Certificate 88739, the quantity of water diverted at the new points of appropriation (Alluvial Well 1 and Alluvial Well 2) shall not exceed the quantity of water lawfully available at the original point of appropriation.

6. Under Certificate 93894, the quantity of water diverted at the new points of appropriation (Basalt Well 1 and Basalt Well 2) shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 1 and Well 2).

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

8. The former place of use of the transferred rights shall no longer receive water under the rights.

9. Water use measurement conditions:

   a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).

   b. The water user shall maintain the meters or measuring devices in good working order.

   c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

10. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2027**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

11. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on SEP 06 2024

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Mailing Date: SEP 09 2024

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT E. ROTH
12513 HOBART RD
SILVERTON, OR 97381

confirms the right to use the waters of A WELL in the ABIQUA CREEK BASIN for IRRIGATION of 91.7 ACRES.

This right was perfected under Permit G-11434. The date of priority is MARCH 4, 1991. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 209 GALLONS PER MINUTE or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	1 W	WM	28	SE NE	1975 FEET SOUTH AND 25 FEET WEST FROM THE NE CORNER OF SECTION 28

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.

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 W	WM	27	NW SW	44	0.3
6 S	1 W	WM	28	SW NE	44	0.2
6 S	1 W	WM	28	SE NE	44	1.2
6 S	1 W	WM	28	NE SE	44	31.0
6 S	1 W	WM	28	NW SE	44	3.2
6 S	1 W	WM	28	NW SE	43	6.9
6 S	1 W	WM	28	SW SE	44	2.4
6 S	1 W	WM	28	SW SE	43	16.8
6 S	1 W	WM	28	SE SE	44	29.7
					TOTAL	91.7

The water user shall report a March static water level in the well to the Groundwater/Hydrology Section of the Water Resources Department by April 15 of each year. The measurement shall be made

and calculations detailed by a certified water rights examiner, registered professional geologist, certified engineering geologist, professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board, or the appropriator.

Use of water from the well shall not be allowed if the well displays an (A) average water level decline of 3 or more feet per year for 5 consecutive years, or (B) a water level decline of 15 or more feet in fewer than 5 consecutive years, or (C) a water level decline of 25 or more feet, or (D) a hydraulic interference decline of 25 or more feet in any neighboring well with senior priority which provides water for an authorized use.

The Water Resources Department has determined that the initial water level in the well is 39' 8" below ground surface. That is the level from which the cited declines in (A), (B) and (C) above will be referenced.

The wells shall be maintained 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 to determine the water level elevation in the well at all times. When required by the Department, the water user 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.

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 the 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.

This certificate describes that portion of water right Certificate 88739, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered SEP 0 6 2024, approving Transfer Application T-14059.

The issuance of this superseding certificate does not confirm the status 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 on the lands or place of use described.

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

WITNESS the signature of the Water Resources Director, affixed SEP 06 2024.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROTH FAMILY LLC
12513 HOBART RD
SILVERTON, OR 97381

confirms the right to use the waters under Permit G-17076. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed the amount specified, or its equivalent in case of rotation, measured at the point of diversion from the source. The specific limits and conditions are listed below.

SOURCE OF WATER: WELL 1 AND WELL 2, BOTH IN THE WILLAMETTE RIVER BASIN

PURPOSE OR USE: IRRIGATION, TO MAKE UP A DEFICIENCY IN RATE FOR PERMIT G-11434, of 91.7 ACRES

MAXIMUM RATE: A MAXIMUM CUMULATIVE TOTAL OF 0.685 CUBIC FOOT PER SECOND (CFS), FURTHER LIMITED TO .43 CFS FROM WELL 1 AND .34 CFS FROM WELL 2

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: DECEMBER 20, 1996

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	1 W	WM	27	SW NW	WELL 1 - 2013 FEET SOUTH AND 26 FEET EAST FROM THE NE CORNER OF SECTION 28
6 S	1 W	WM	28	NW SE	WELL 2 - 1500 FEET SOUTH AND 70 FEET WEST FROM THE NW CORNER OF DLC 44

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 for each acre irrigated during the irrigation season of each year.

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 W	WM	27	NW SW	44	0.3
6 S	1 W	WM	28	SW NE	44	0.2
6 S	1 W	WM	28	SE NE	44	1.2

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 W	WM	28	NE SE	44	31.0
6 S	1 W	WM	28	NW SE	43	6.9
6 S	1 W	WM	28	NW SE	44	3.2
6 S	1 W	WM	28	SW SE	44	2.4
6 S	1 W	WM	28	SW SE	43	16.8
6 S	1 W	WM	28	SE SE	44	29.7
					TOTAL	91.7

The quantity of water diverted at the new point of appropriation (Well 1) shall not exceed the quantity of water lawfully available at the original point of appropriation (Old Well 1).

Measurement, recording and reporting conditions:

A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, 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 use of water under the right.

B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) 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 interferences.

(1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:

(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 install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used 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) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.

(b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.

(c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the water user.

(d) 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.

(e) 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).

Ground water for use under this right shall be produced from the basalt aquifer between approximately 350 and 700 feet below land surface. Neither well may be perforated above the basalt aquifer.

The wells shall be maintained 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 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 the 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 right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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

This certificate describes that portion of water right Certificate 93894, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered SEP 06 2024, approving Transfer Application T-14059.

The issuance of this superseding certificate does not confirm the status 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 on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed SEP 06 2024.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14059

Transfer Type: Permanent Transfer RA

Transfer Specialist: Dante'

Applicant:	Agent: ☐ N/A
Craig Juanita Shurter Email: craigscharter@gmail.com Phone: 503 932 9021	Doann Hamilton Email: phdmh@gmail.com Phone: 503-632-5016
Irrigation District: ☐ N/A Email:	CWRE: ☐ N/A Email:
Affected Local Gov'ts: ☐ N/A Email:	Affected Tribal Gov't: ☐ N/A Email:
Current Landowner if other than Applicant: ☐ N/A Email:	Receiving Landowner: ☐ N/A Email:

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐	Cert ~~88~~ 88739		88739	☐ Yes ☐ No	
☐			93894	☐ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions:

Rec'd:	Proposed Action(s): AOA	
Fees Pd:	WM District: 16	ODFW District:
Initial Public Notice:	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent ☐		GW Review sent: ☐ N/A
County sent cc: of Ack Letter ☐	BOR notified (date): ☐ N/A	
Newspaper quote requested:	Request for news $ sent:	News $ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: ~~3-~~3-24 Initials: AL (Revised)	Date: ~~3-~~2-21-24 Initials: RF	Date: 3-4-24 Initials: PLS (Revised)	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: 5-10-24 Initials: AL	Date: _____ Initials: _____	Date: 5/24/24 Initials: PLS	Date: 5-25-24 Initials: AL **Data Review** **Date:** 5-29-24	7-3-24 Date: ~~6-20-24~~	Date: 7/12/24
FO	Date: 8-21-24 Initials: AL	Date: 8-22-24 Initials: JS	Date: 8-30-24 Initials: CL	Date: 8-30-24 Initials: AL	Date: 9-5-24 How many for signature: 3	Date: 9/6/24

Special Issues: _____

Special Order Volume: Vol. 133 Pages 29-34

Oregon

Tina Kotek, Governor

Water Resources Department

July 12, 2024

VIA CERTIFIED MAIL AND E-MAIL

CRAIG SCHURTER
6541 TORVEND RD NE
SILVERTON, OR 97381

SUBJECT: Water Right Transfer Application T-14059

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14059. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Woodburn Independent newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please don't hesitate to contact me at 971 304-5006 or Dante.J.Luongo@water.oregon.gov, if I may be of assistance.

Sincerely,

Dante Luongo
Transfer Specialist
Transfer and Conservation Section

cc: T-14059
Gregory J. Wacker, District 16 Watermaster *(via e-mail)*
Doann Hamilton, Agent for the applicant *(via e-mail)*

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-14059, Marion County	)	PRELIMINARY DETERMINATION
	)	PROPOSING APPROVAL OF A CHANGE IN
	)	POINTS OF APPROPRIATION AND A
	)	CHANGE IN PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

CRAIG AND JUANITA SCHURTER
6540 TORVEND RD NE
SILVERTON, OR 97381

Findings of Fact

1. On August 1, 2022, Craig and Juanita Schurter filed an application to change the points of appropriation and change the place of use under Certificates 88739 and 93894. The Department assigned the application number T-14059.

2. Notice of the application for transfer was published on August 9, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

3. On June 13, 2023, the Department notified the applicant's agent that the application did not meet the requirements for the exceptions under OAR 690-380-3220. The multiple certificates proposed for transfer require separate applications, or the applicant would need to add a place of use change to the application to meet the exception requirements under OAR 690-380-3220.

4. On July 19, 2023, the applicant's agent submitted superseding application pages and superseding maps, adding a place of use change under Certificates 88739 and 93894.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, of this preliminary determination.

5. On November 3, 2023, the Department determined one proposed point of appropriation (POA) under Certificate 88739 (Alluvial Well 2) will cause additional drawdown/ interference in well MARI 3594. The drawdown by the pumping of proposed Alluvial Well 2 would likely result in other existing groundwater rights not receiving the water to which they are legally entitled.

6. On November 13, 2023, the Department notified the applicant's agent via email that the transfer application did not include supporting documentation for the Evidence of Use Affidavit.

7. On November 13, 2023, the applicant's agent submitted the supporting documentation for the Evidence of Use Affidavit.

8. On December 12, 2023, the applicant's agent submitted a revised Table 1 indicating a change in location of the injurious proposed point of appropriation (Alluvial Well 2).

9. On January 18, 2024, The Department completed a review of the revised location proposed for Alluvial Well 2 and determined that the new proposed location would not likely result in another existing groundwater right not receiving the water to which it is legally entitled.

10. On March 6, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14059 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of April 5, 2024, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.

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

Certificate: 88739 in the name of ROBERT E. ROTH (perfected under Permit G-11434)
Use: IRRIGATION OF 66.3 ACRES
Priority Date: MARCH 4, 1991
Rate: 151 GALLONS PER MINUTE
Limit/Duty: 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.
Source: A WELL in the ABIQUA CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	1 W	WM	28	SE NE	1975 FEET SOUTH AND 25 FEET WEST FROM THE NE CORNER OF SECTION 28

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 W	WM	27	SW NW	44	12.5
6 S	1 W	WM	27	NW SW	44	27.5
6 S	1 W	WM	27	SW SW	44	26.3
					TOTAL	66.3

12. Transfer Application T-14059 proposes to move the authorized point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Distance from Authorized Well
6 S	1 W	WM	27	SW SW	44	ALLUVIAL WELL 1 - 1060 FEET NORTH AND 1090 FEET EAST FROM THE SW CORNER OF SECTION 27	2550 FEET SOUTHEAST
6 S	1 W	WM	27	NW SW	44	ALLUVIAL WELL 2 - 1500 FEET NORTH AND 1090 FEET EAST FROM THE SW CORNER OF SECTION 27	2220 FEET SOUTH

13. Transfer Application T-14059 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 W	WM	27	SW NW	44	11.8
6 S	1 W	WM	27	NW SW	44	27.5
6 S	1 W	WM	27	SW SW	44	27.0
					TOTAL	66.3

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

Certificate: 93894 in the name of ROTH FAMILY LLC (perfected under Permit G-17076)
Use: IRRIGATION, TO MAKE UP A DEFICIENCY IN RATE FOR PERMIT G-11434, OF 66.3 ACRES
Priority Date: DECEMBER 20, 1996
Rate: A MAXIMUM CUMULATIVE TOTAL OF 0.495 CUBIC FOOT PER SECOND (CFS); FURTHER LIMITED TO 0.32 CFS FROM WELL 1 AND 0.24 CFS FROM WELL 2
Limit/Duty: The amount of water used for irrigation under this right, 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 for each acre irrigated during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH OCTOBER 31
Source: WELL 1 AND WELL 2 both in the WILLAMETTE RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	1 W	WM	27	SW NW	WELL 1 - 2013 FEET SOUTH AND 26 FEET EAST FROM THE NE CORNER OF SECTION 28
6 S	1 W	WM	28	NW SE	WELL 2 - 1500 FEET SOUTH AND 70 FEET WEST FROM THE NW CORNER OF DLC 44

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 W	WM	27	SW NW	44	12.5
6 S	1 W	WM	27	NW SW	44	27.5
6 S	1 W	WM	27	SW SW	44	26.3
					TOTAL	66.3

15. Transfer Application T-14059 proposes to move the authorized points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Distances from Authorized Wells
6 S	1 W	WM	27	SW SW	44	BASALT WELL 1- 1085 FEET NORTH AND 1090 FEET EAST FROM THE SW CORNER OF SECTION 27	Well 1- 2450 FEET SOUTHEAST Well 2- 2500 FEET EAST
6 S	1 W	WM	27	SW SW	44	BASALT WELL 2- 75 FEET NORTH AND 225 FEET EAST FROM THE SW CORNER OF SECTION 27	Well 1- 3300 FEET SOUTH Well 2- 2300 FEET SOUTHEAST

16. Transfer Application T-14059 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 W	WM	27	SW NW	44	11.8
6 S	1 W	WM	27	NW SW	44	27.5
6 S	1 W	WM	27	SW SW	44	27.0
					TOTAL	66.3

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2110(2)]

17. Confirming rights have been issued and water has been used within the last five years prior to the submittal of Transfer Application T-14059 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

18. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14059.

19. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).

20. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).

21. The proposed changes, as conditioned, would not result in enlargement of the rights.

22. The proposed changes, as conditioned, would not result in injury of other rights.

23. All other application requirements are met.

Determination and Proposed Action

The change in points of appropriation and change in place of use proposed in Transfer Application T-14059 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14059 is approved, the final order will include the following:

1. *The change in points of appropriation and change in place of use proposed in Transfer Application T-14059 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 88739, 93894 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation or the new place of use.*
4. *Water right Certificates 88739 and 93894 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.*
5. *Under Certificate 88739, The quantity of water diverted at the new points of appropriation (Alluvial Well 1 and Alluvial Well 2) shall not exceed the quantity of water lawfully available at the original point of appropriation.*
6. *Under Certificate 93894, The quantity of water diverted at the new points of appropriation (Basalt Well 1 and Basalt Well 2) shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 1 and Well 2).*
7. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
8. *The former place of use of the transferred right shall no longer receive water under the right.*

9. *Water use measurement conditions:*

   a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.*

   b. *The water user shall maintain the meters or measuring devices in good working order.*

   c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*

10. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before* ***October 1, 2025****. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*

11. *After satisfactory proof of beneficial use is received, a new certificate confirming the rights transferred will be issued.*

Dated in Salem, Oregon on JUL 12 2024

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Dante Luongo. If you have questions about the information in this document, you may reach me at 971-304-5006 or Dante.J.Luongo@water.oregon.gov.

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing statements must be received by the Water Resources Department within 30 days after the last

date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;

- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;

- If you are the applicant, a protest fee of $480 required by ORS 536.050; and

- If you are not the applicant, a protest fee of $950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;

- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;

- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and

- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active-duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through http://legalassistance.law.af.mil.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-507-2749.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 143116

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Schurter Ag Services, Inc.
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14059
TOTAL REC'D	$ 89.24

CASH: ☐ CHECK:# ☒ 33791 ☐ OTHER: (IDENTIFY) _____

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	46118	$
0207	OTHER:	(IDENTIFY) Newspaper Notice	$ 89.24

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	$
0410	RESEARCH FEES	$
0408	MISC REVENUE: (IDENTIFY) _____	$
TC162	DEPOSIT LIAB. (IDENTIFY) _____	$
0240	EXTENSION OF TIME	$

WATER RIGHTS:

		EXAM FEE		RECORD FEE
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

WELL CONSTRUCTION

		EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD#
0210	MONITORING WELLS	$	CARD#

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)		$
0231	HYDRO LICENSE FEE (FW/WRD)		$
_____	HYDRO APPLICATION		$

____ TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ $ _____

RECEIPT: 143116 DATED 6-14-24 BY: _____

Distribution – White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Cash in checking-Mort for T-14059 NOTICE 89.24

Received
JUN 14 2024
OWRD

Schurter Ag Services, Inc. 33791
Oregon Water Resources Department 6/11/2024
For T-14059 NOTICE 89.24

Carpenter Media Group
OREGON

NEW MAILING ADDRESS - P.O. Box 45, West Linn, Oregon 97068

P.O. Box 45 West Linn, OR 97068
Phone: 503-684-0360 Fax: 503-620-3433
E-mail: legals@commnewspapers.com

AFFIDAVIT OF PUBLICATION

State of Oregon, County of Marion, ss I, Kristine Humphries, being first duly sworn, depose and say that I am the Principal Clerk of the Woodburn Independent, a newspaper of general circulation, published in Marion County, Oregon, as defined by ORS 193.010 and 193.020, that

Ad#: 331161
Owner: Oregon Water Resources Department
Description: Notice of Preliminary Determination for
Water Right Transfer T-14059

SEE EXHIBIT A

A copy of which is hereto annexed, was published in the entire issue of said newspaper for 2 week(s) in the following issue:
07/17/2024, 07/24/2024

Kristine Humphries (Principal Clerk)

Subscribed and sworn to before me this 07/24/2024:

NOTARY PUBLIC FOR OREGON

Received
AUG 05 2024
OWRD

Acct #: 149038
Attn: ELYSE D. RICHMAN
OREGON WATER RESOURCES DEPARTMENT
725 SUMMER STREET SE, SUITE A
SALEM, OR 97301

OFFICIAL STAMP
DESERI KIM CERRUTI
NOTARY PUBLIC - OREGON
COMMISSION NO. 1014575
MY COMMISSION EXPIRES JULY 18, 2025

EXHIBIT A

Notice of Preliminary Determination for
Water Right Transfer T-14059

T-14059 filed by Craig and Juanita Schurter, 6540 Torvend Rd NE, Silverton, OR 97381, proposes a change in point of appropriation and place of use under Certificates 88739 and 93894. Certificate 88739 allows the use of 151 gallons per minute from a well in Sec. 28, T6S, R1W, WM for irrigation in Sec. 27, T6S, R1W, WM. The applicant proposes to move the point of appropriation in Sec. 27, T6S, R1W, WM and to change the place of use within Sec. 27, T6S, R1W, WM. Certificate 93894 allows the use of 0.772 cubic foot per second from two wells in Sects. 27 and 28, T6S, R1W, WM for irrigation in Sects. 27, T6S, R1W, WM. The applicant proposes to move the points of appropriation in Sects. 27 and 28, T6S, R1W, WM and to change the place of use within Sec. 27, T6S, R1W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, July 24, 2024. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination. Published July 17 & 24, 2024.

WI331161

Received
AUG 05 2024
OWRD

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 142271

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Craig + Juanita Schurter

BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14059

CASH: ☐ CHECK:# ☒ 4319 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $308.52

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	47124 R-11384-23	$
0412	OTHER:	(IDENTIFY) Transfer RA	$ 308.52

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	$
0410	RESEARCH FEES	$
0408	MISC REVENUE: (IDENTIFY) _____	$
TC162	DEPOSIT LIAB. (IDENTIFY) _____	$
0240	EXTENSION OF TIME	$

WATER RIGHTS:

		EXAM FEE		RECORD FEE
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

WELL CONSTRUCTION

		EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD#	
0210	MONITORING WELLS	$	CARD#	

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY

LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)		$
0231	HYDRO LICENSE FEE (FW/WRD)		$
_____	HYDRO APPLICATION		$

____ TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ $ _____

RECEIPT: 142271 DATED: 1-23-2024 BY: vm vmills

Distribution – White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

RECEIVED
JAN 23 2024
OWRD

REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-384-23

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Craig and Juanita Schurter**, hereafter Applicant, hereafter known together as the parties.

OWRD Information		Applicant's Information		Applicant's Representative	
Contact:	**Dante Luongo**	Name:	Craig and Juanita Schurter	Name:	Pacific Hydro-Geology, Inc.
Title:	Transfer Specialist	Contact:		Contact:	Doann Hamilton
Address:	725 Summer Street, NE, Suite A Salem, OR 97301-1266	Address:	6540 Torvend Rd NE Silverton, OR 97381	Address:	18487 S. Valley Vista Rd Mulino, OR 97042
Phone:	(971) 304-5006	Phone:	(503) 932-9021	Phone:	(503) 349-6946
Fax:	503 986-0901	Fax:		Fax:	(503) 632-5983
Email:	dante.j.luongo@water.oregon.gov	Email:	craigschurter@gmail.com	Email:	phgdmh@gmail.com

Purpose The purpose of this Agreement is to expedite the processing of the **Transfer Application. (Application Number: T-14059)**

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.

2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.

3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.

4. **Consideration.**

   a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is ~~$2,167.55~~ $2,476.07. Applicant agrees to pay the full amount of ~~$2,167.55~~ $2,476.07 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.

   b. The costs stated in this Agreement do not include the statutory application processing and filing fees.

5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.

6. **Indemnity**. Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.

8. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.

9. **Duration of Estimate.** The Estimate of Time to completion is **approximately** 120 days once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.

10. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information. **IMPORTANT:** Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.

11. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.

12. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.

13. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Applicant: Juanita Schuetz OWNER — Name/Title: — 1.12.24 — Date

For OWRD: Dwight French Administrator — Name/Title: — JAN 25 2024 — Date

Mail signed Agreement to:

Elyse Richman
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14059

GW Reviewer Dennis Orlowski Date Review Completed: January 18, 2024 ~~November 3, 2023~~

Summary of Same Source Review:

☐ The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

Summary of Injury Review:

☐ The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

Summary of GW-SW Transfer Similarity Review:

☐ The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.

OREGON
WATER RESOURCES DEPARTMENT

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Ground Water Review Form:

- ☒ **Water Right Transfer**
- ☐ **Permit Amendment**
- ☐ **GR Modification**
- ☐ **Other**

Application: T-14059 Applicant Name: Craig and Juanita Shurter

Proposed Changes: ☒ POA ☐ APOA ☐ SW→GW ☒ RA
☐ USE ☒ POU ☐ OTHER

Reviewer(s): Dennis Orlowski Date of Review: January 18, 2024 ~~November 3, 2023~~

Date Reviewed by GW Mgr. and Returned to WRSD: January 18, 2024

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.

☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.

☐ Other _____

---

1. Basic description of the changes proposed in this transfer: **T-14059 proposes three changes: (1) addition of two alluvial aquifer POAs under Certificate 88739; (2) addition of two basalt aquifer POAs under Certificate 93894; and (3) modifies 0.7 acre of the POU authorized under Certificate 88739.**

   NOTE: the original review for this application was completed on November 3, 2023, and resulted in a likely injury finding due to the then-proposed location for Alluvial Well 2. The applicant resubmitted the application with a revised proposed location for Alluvial Well 2, which was used for this re-review.

   Certificate 88739 (alluvial) has a priority date of March 4, 1991 and allows irrigation of 158.0 acres (maximum rate 0.802 cfs) by one currently-authorized POA producing from the alluvial aquifer, identified as MARI 3467 (altered under well report MARI 3466 and partially abandoned (backfilled) under MARI 63096). MARI 3467/3466/63096 is also the authorized POA under Certificate 48478, with a priority date of April 4, 1975 and allows primary irrigation of 33.0 acres and supplemental irrigation of 40.0 acres with a total maximum rate of 0.56 cfs.

MARI 3467 was originally drilled to a total depth of 450 feet bls, then deepened under MARI 3466 to a total depth of 614 feet below land surface (bls). As originally constructed, the well was commingled between the alluvial and basalt aquifers. To comply with one of the conditions associated with T-11594 (modifies Certification 48478), the well was grouted from 614 to 310 feet bls under MARI 63096. Thus, as currently constructed, MARI 3467/3466/63096 produces solely from the alluvial aquifer.

Certificate 93894 (basalt) has a priority date of December 20, 1996 and allows irrigation of 158.0 acres (maximum rate 1.18 cfs) by two currently-authorized POAs producing from the basalt aquifer, identified as MARI 63097 and MARI 51875.

The proposed changes under each certificate are described separately in the following pages.

Certificate 88739 (Alluvial POAs)

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: After alteration, the currently-authorized POA (MARI 3467/3466/63096) is 310 feet deep and produces from the alluvial aquifer. The proposed POAs are of similar depth and construction details and thus should also produce from the alluvial aquifer system.

   However, geologic mapping and nearby well log descriptions indicate that the alluvial aquifer thickness is much thinner at and near the proposed APOA locations. For example, a USGS map shows the top of basalt bedrock ranging from approximately 215 to 225 feet bls near the proposed APOAs (Gannett and Caldwell, 1998). Consequently, this information indicates that the actual attainable depth for the proposed alluvial APOAs will be much less than the 310 ft depth of the currently-authorized POA, with corresponding effects to well performance and injury potential (latter discussed in the next section of this review).

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No As discussed previously, MARI 63096 documented the abandonment of the basalt portion of the original well in order to produce solely from the alluvial aquifer.

   b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____

   a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☒ Yes ☐ No Comments: OWRD's well log database indicates that there are several alluvial wells that are relatively much nearer to the proposed APOA locations. The nearest known existing alluvial well to proposed Alluvial Well 1 was identified as MARI 3594, estimated to be located about 1,380 feet away, based on the street address provided in the well report. Relative to the authorized alluvial POA, the proposed location for proposed Alluvial Well 1 is approximately 2,020 feet nearer to MARI 3594. Thus the proposed change will likely result in an increase in interference with MARI 3594 and perhaps other nearby alluvial aquifer wells.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

☐ Yes ☒ No If yes, explain: In this area the alluvial deposits overlying the basalt generally thin towards the south, starting at approximately 300 feet thick at the current POA location (MARI 3467) and thinning to perhaps 200-250 feet near the proposed APOAs. The log for MARI 58966, located southwest of proposed Alluvial Well 1, shows sediments from 0-178 ft, underlain by basalt.

The existing well nearest to proposed APOA Alluvial Well 1 is MARI 3594, estimated to be located about 1,380 feet away and 122 feet deep; this depth apparently does not fully penetrate the alluvial deposits at that location, which are assumed to be about 160-180 feet thick as discussed above. However, the MARI 3594 log indicates water-bearing deposits (conglomerate) extending from about 51-115 ft bls; below that depth is low-permeability clay to 122 ft bls. Similarly, the nearby MARI 58966 log shows conglomerate and sand and gravel deposits from ~25-100 ft bls, and also underlain by almost 80 feet of low-permeability clay to 178 ft bls. Consequently, despite not fully penetrating the entire sedimentary sequence at this location, it appears that MARI 3594 does fully encompass the water-bearing layers (aquifer) present in the alluvial sediments, and is thus subject to potential injury from the proposed change.

The Theis distance-drawdown analytical method (Theis, 1935) was used to estimate the increased drawdown at MARI 3594 due to pumping at the proposed Alluvial Well 1 location. The attached Theis drawdown analysis was performed using parameter values derived from nearby pumping tests (MARI 3416, MARI 3467, MARI 17933) and published values (Freeze and Cherry, 1979; Conlon et al., 2005).

The results of the Theis drawdown analysis indicate that the potential net additional drawdown/interference in MARI 3594 caused by pumping at proposed Alluvial Well 1 location is estimated at about 15 feet (using the mid-range of aquifer parameters; net additional drawdown is estimated to be between ~5 to 25 feet when considering the entire range of selected parameters). These estimates of additional drawdown in MARI 3594 and other nearby similarly-completed wells caused by this proposed use would not likely result in those groundwater rights receiving the water to which they are legally entitled.

a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

☒ Yes ☐ No Comments: The perennial surface water sources nearest to current and proposed POAs that are hydraulically connected to the alluvial aquifer system are summarized in the table below (note that the National Hydrography Dataset maps three unnamed tributaries to the Pudding River west of the current and proposed POAs as being perennial reaches; however, based on observations of recent aerial photography, these particular stream courses are not considered perennial and are not included in this evaluation).

Well	Surface Water Name	Distance (ft)
MARI 3467/3466/63096 (Current)	Abiqua Creek	3,300
Alluvial Well 1 (Proposed)	Abiqua Creek	5,750
Alluvial Well 2 (Proposed)	Abiqua Creek	6,700
MARI 3467/3466/63096 (Current)	Silver Creek	4,650
Alluvial Well 1 (Proposed)	Silver Creek	2,150
Alluvial Well 2 (Proposed)	Silver Creek	1,500

From this information it is shown that relative to the currently-authorized POA (MARI 3467), the proposed Alluvial Well 2 location is approximately 3,150 feet nearer to Silver Creek. Consequently, the proposed use is likely to result in an increase in interference with Silver Creek.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: Silver Creek ☒ Minimal ☐ Significant

Stream: Abiqua Creek ☒ Minimal ☐ Significant

Provide context for minimal/significant impact: The change in interference to Abiqua Creek is not likely to increase due to the proposed change based on the increased intervening distance to Abiqua Creek. However, interference to Silver Creek is expected to increase due to the proposed change.

The Hunt 2003 analytical stream depletion model was used to estimate interference at Silver Creek caused by pumping the proposed and authorized POAs (Hunt, 2003). Model parameters were derived from nearby pumping tests (MARI 3416, MARI 3467, MARI 17933) and published values (Freeze and Cherry, 1979). Model results indicate that the net additional interference is expected to be minimal.

4. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?
   ☐ Yes ☐ No Comments: Not applicable.
5. What conditions or other changes in the application are necessary to address any potential issues identified above: None
6. Any additional comments: None

Certificate 93894 (Basalt POAs)

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: The currently authorized POAs, MARI 63097 and MARI 51875, produce from the basalt aquifer beginning at depths of 305 and 292 feet bls, respectively. It is assumed that the proposed POAs would produce from generally the same water-bearing interflows of the basalt aquifer (proposed total well depths of approximately 615 feet, cased and sealed to 320 feet).

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No _____

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☒ Yes ☐ No Comments: The nearest known basalt well with similar construction as the existing and proposed POAs was identified as MARI 54651. MARI 54651 is associated with Permit G-13563 with a priority date of June 1, 1998 and has an open interval from 228 to 400 feet bls. MARI 54651 is located 4,200 feet from current POA MARI 51875 and would be nearest to Basalt Well 1, at approximately 1,700 feet in distance. As noted previously, the depth to basalt is generally shallower towards the south and southeast, which is seen in the reported depth to basalt for MARI 54651 at 180 feet bls. The proposed change will likely result in an increase in interference with MARI 54651 and perhaps other similar wells in the area not identified.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
☐ Yes ☒ No If yes, explain: The Theis distance-drawdown analysis was performed to estimate the degree of additional interference at MARI 54651; aquifer parameter values were based on results from pumping tests (MARI 18235, MARI 51875) and published values (Freeze and Cherry, 1979; Conlon et al., 2005). The results of the Theis drawdown analysis indicate that the proposed change, specifically pumping at the Basalt Well 1 location, is not expected to result in added interference sufficient enough to prevent MARI 56541 from receiving the water to which it is legally entitled.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
☐ Yes ☒ No Comments: The depth to basalt in the vicinity of the proposed POAs is estimated at approximately 200 to 220 feet bls. The proposed construction includes sealing the wells to 320 feet bls. Streams near the proposed POAs (Abiqua Creek and Silver Creek) incise to a depth less than 30 feet bls. Therefore, based on the seal depth of the proposed POAs and the relatively shallow depth of stream incision, hydraulic connection with nearby surface water sources is likely inefficient.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: _____ ☐ Minimal ☐ Significant

Stream: _____ ☐ Minimal ☐ Significant

Provide context for minimal/significant impact: Not applicable.

6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

   ☐ Yes ☐ No Comments: Not applicable.

7. What conditions or other changes in the application are necessary to address any potential issues identified above: None

8. Any additional comments: Water level reporting for the currently-authorized POAs is available from 1998 to 2023 for MARI 51875, and from 2014 to 2023 for MARI 63097. Data from both wells show consistent declines in water levels over the time period available. As of March 2023, levels in MARI 51875 had declined by almost 32 feet since the first acceptable measurement made in 1998.

   The declining trends present in MARI 51875 and MARI 63097 are also seen in other basalt wells located within 1-2 miles of those two wells (see hydrograph). From the mid- to late-1990s most of these wells exhibited pronounced declines. It is notable that the wells shown on the hydrograph have markedly different completion elevations and open intervals. However, beginning ~2004 the sustained declines generally subsided; since that time until the present, water levels in this group of wells have generally oscillated about a fairly-stable mean (taking into account declines associated with drought conditions experienced over the past few years). Thus, it appears that a new dynamic equilibrium was established within the local basalt aquifer system about 20 years ago. Consequently, for this review it was not certain which datapoints would constitute valid reference levels for MARI 51875 or MARI 63097, which normally would have been done to assess whether or not decline conditions of the existing water right (certificate 93894) have been exceeded.

References

Application T-14059 RA

Conlon, T.D., Wozniak, K.C., Woodcock, D., Herrera, N.B., Fisher, B.J., Morgan, D.S., Lee, K.K., and Hinkle, S.R., 2005, *Ground-water hydrology of the Willamette Basin, Oregon*, Scientific Investigations Report 2005-5168: U. S. Geological Survey, Reston, VA.

Freeze, R.A. and Cherry, J.A., 1979, Groundwater, Prentice Hall, Englewood Cliffs, New Jersey, 604 p.

Gannett, M.W. and Caldwell, R., 1998, *Geologic framework of the Willamette Lowland aquifer system, Oregon and Washington*, Professional Paper 1424-A, 32 p: U. S. Geological Survey, Reston, VA.

Hunt, B., 2003, Unsteady stream depletion when pumping from semiconfined aquifer: Journal of Hydrologic Engineering, January/February, Vol 8, p. 12-19.

Theis, C.V., 1935, The relation between the lowering of the piezometric surface and the rate and duration of discharge of a well using groundwater storage, American Geophysical Union Transactions, vol. 16, p. 519-524.

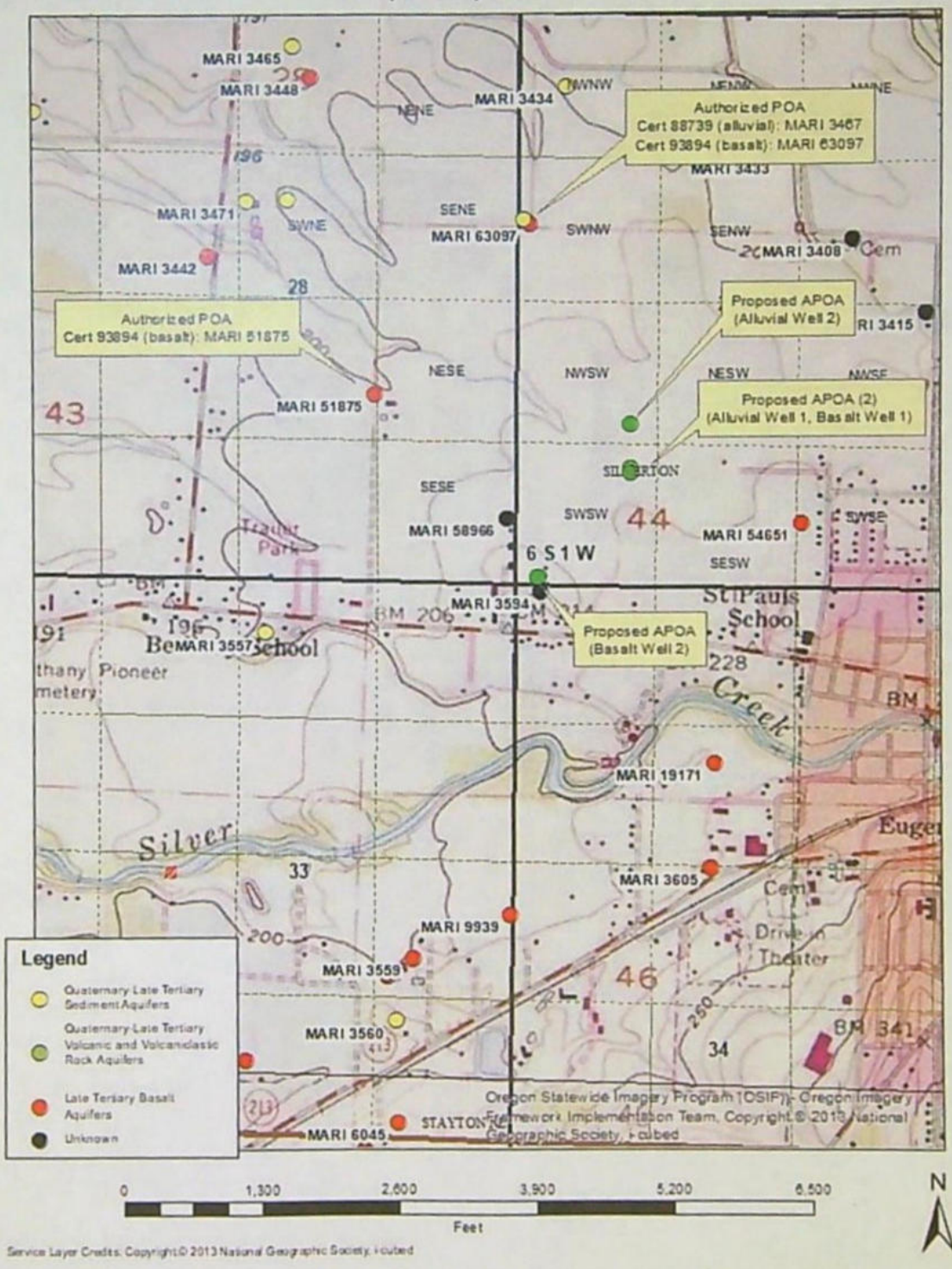
United States Geological Survey, 2013, National Elevation Dataset (NED) [DEM geospatial data]. 1/9th arc-second, updated 2013.

United States Geological Survey, 2017, Silverton *quadrangle*, Oregon [map], 1:24,000, 7.5 minute topographic series, U.S. Department of the Interior, Reston, VA.

Watershed Sciences, 2009, *LIDAR remote sensing data collection, Department of Geology and Mineral Industries, Willamette Valley Phase I, Oregon*: Portland, OR, December 21.

Woodward, D.G., Gannett, M.W., and Vaccaro, J.J., 1998, Hydrogeologic framework of the Willamette Lowland aquifer system, Oregon and Washington: U.S. Geological Survey Professional Paper 1424-B, 82 p.

Application T-14059 Schurter
T6S, R1W, Section 27

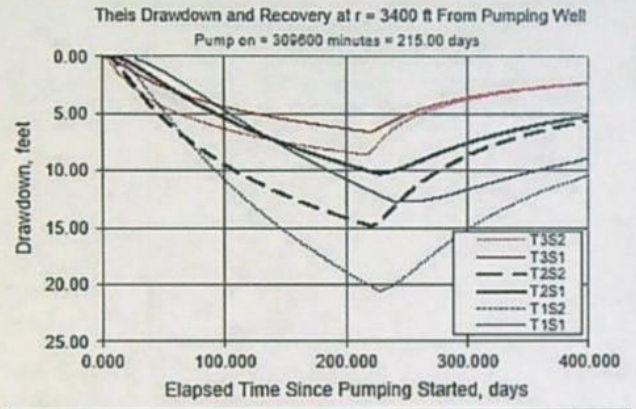


Theis Drawdown Analysis: Current POA MARI 3467/3466/63096 - MARI 3594

Theis Time-Drawdown Worksheet v.5.00
Calculates Theis nonequilibrium drawdown and recovery at any arbitrary radial distance, r, from a pumping well for 3 different T values and radial distance, r, from a pumping well for 3 different T values and 2 different S values.
Written by Karl C. Wozniak September 1992. Last modified December 17, 2019

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units	
Total pumping time	t		215		d	
Radial distance from pumped well:	r		3400		ft	Q conversions
Pumping rate	Q		0.802		cfs	359.94 gpm
Hydraulic conductivity	K	5	10	25	ft/day	0.80 cfs
Aquifer thickness	b		70		ft	48.12 cfm
Storativity	S_1		0.01			69,292.80 cfd
	S_2		0.005			1.59 af/d
Transmissivity Conversions	T_f2pd	350	700	1750	ft2/day	
	T_ft2pm	0.243056	0.486111	1.215278	ft2/min	Recalculate
	T_gpdpft	2618	5236	13090	gpd/ft	

Use the Recalculate button if recalculation is set to manual

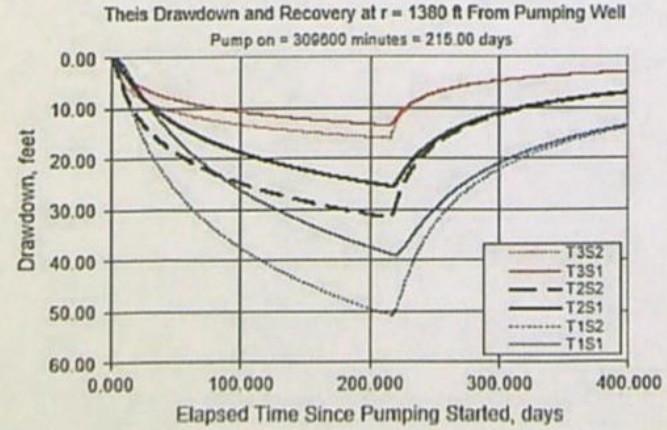


Theis Drawdown Analysis: Proposed POA Alluvial Well 1 - MARI 3594

Theis Time-Drawdown Worksheet v.5.00
Calculates Theis nonequilibrium drawdown and recovery at any arbitrary radial distance, r, from a pumping well for 3 different T values and radial distance, r, from a pumping well for 3 different T values and 2 different S values.
Written by Karl C. Wozniak September 1992. Last modified December 17, 2019

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units	
Total pumping time	t		215		d	
Radial distance from pumped well:	r		1380		ft	Q conversions
Pumping rate	Q		0.802		cfs	359.94 gpm
Hydraulic conductivity	K	5	10	25	ft/day	0.80 cfs
Aquifer thickness	b		60		ft	48.12 cfm
Storativity	S_1		0.01			69,292.80 cfd
	S_2		0.005			1.59 af/d
Transmissivity Conversions	T_f2pd	300	600	1500	ft2/day	
	T_ft2pm	0.208333	0.416667	1.041667	ft2/min	Recalculate
	T_gpdpft	2244	4488	11220	gpd/ft	

Use the Recalculate button if recalculation is set to manual

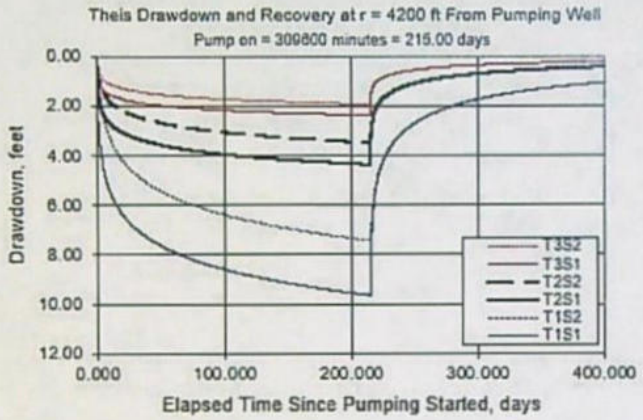


Theis Drawdown Analysis: Current POA MARI 51875 - MARI 54651

Theis Time-Drawdown Workshee v.5.00
Calculates Theis nonequilibrium drawdown and recovery at any arbitrary radial distance, r, from a pumping well for 3 different T values and radial distance, r, from a pumping well for 3 different T values and 2 different S values.
Written by Karl C. Wozniak September 1992. Last modified December 17, 2019

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units	
Total pumping time	t		215		d	
Radial distance from pumped well	r		4200		ft	Q conversions
Pumping rate	Q		0.802		cfs	359.94 gpm
Hydraulic conductivity	K	100	250	500	ft/day	0.80 cfs
Aquifer thickness	b		40		ft	48.12 cfm
Storativity	S_1		0.0001			69,292.80 cfd
	S_2		0.0005			1.59 af/d
Transmissivity Conversions	T_ft2pd	4000	10000	20000	ft2/day	
	T_ft2pm	2.7777778	6.9444444	13.888889	ft2/min	Recalculate
	T_gpdpft	29920	74800	149600	gpd/ft	

Use the Recalculate button if recalculation is set to manual

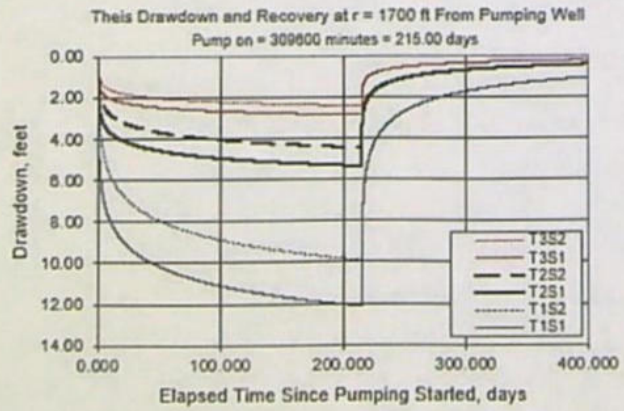


Theis Drawdown Analysis: Proposed POA Basalt Well 1 - MARI 54651

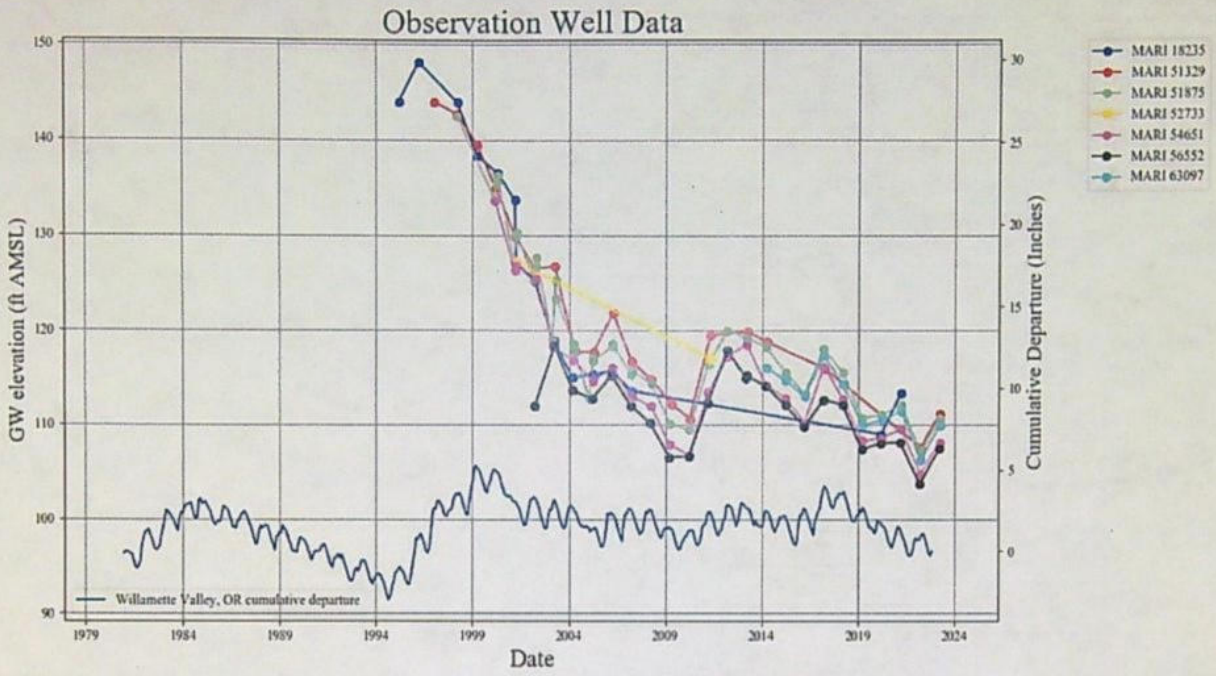
Theis Time-Drawdown Workshee v.5.00
Calculates Theis nonequilibrium drawdown and recovery at any arbitrary radial distance, r, from a pumping well for 3 different T values and radial distance, r, from a pumping well for 3 different T values and 2 different S values.
Written by Karl C. Wozniak September 1992. Last modified December 17, 2019

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units	
Total pumping time	t		215		d	
Radial distance from pumped well	r		1700		ft	Q conversions
Pumping rate	Q		0.802		cfs	359.94 gpm
Hydraulic conductivity	K	100	250	500	ft/day	0.80 cfs
Aquifer thickness	b		40		ft	48.12 cfm
Storativity	S_1		0.0001			69,292.80 cfd
	S_2		0.0005			1.59 af/d
Transmissivity Conversions	T_ft2pd	4000	10000	20000	ft2/day	
	T_ft2pm	2.7777778	6.9444444	13.888889	ft2/min	Recalculate
	T_gpdpft	29920	74800	149600	gpd/ft	

Use the Recalculate button if recalculation is set to manual



Hydrograph – Area Basalt Wells (January – April measurements only)



Groundwater Transfer Review Summary Form

Transfer/PA # T- 14059

GW Reviewer Gabriela Ferreira / Dennis Orlowski Date Review Completed: November 3, 2023

Summary of Same Source Review:

☐ The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

Summary of Injury Review:

☒ The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

Summary of GW-SW Transfer Similarity Review:

☐ The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.

OREGON
WATER RESOURCES DEPARTMENT

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Ground Water Review Form:

- ☒ **Water Right Transfer**
- ☐ **Permit Amendment**
- ☐ **GR Modification**
- ☐ **Other**

Application: T-14059

Applicant Name: Craig and Juanita Shurter

Proposed Changes: ☒ POA ☐ APOA ☐ SW→GW ☒ RA ☐ USE ☒ POU ☐ OTHER

Reviewer(s): Gabriela Ferreira, Dennis Orlowski

Date of Review: November 3, 2023

Date Reviewed by GW Mgr. and Returned to WRSD: _____

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.

☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.

☐ Other _____

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1. Basic description of the changes proposed in this transfer: **T-14059 proposes three changes: (1) addition of two alluvial aquifer POAs under Certificate 88739; (2) addition of two basalt aquifer POAs under Certificate 93894; and (3) modifies 0.7 acre of the POU authorized under Certificate 88739.**

   Certificate 88739 (alluvial) has a priority date of March 4, 1991 and allows irrigation of 158.0 acres (maximum rate 0.802 cfs) by one currently-authorized POA producing from the alluvial aquifer, identified as MARI 3467 (altered under well report MARI 3466 and partially abandoned (backfilled) under MARI 63096). MARI 3467/3466/63096 is also the authorized POA under Certificate 48478, with a priority date of April 4, 1975 and allows primary irrigation of 33.0 acres and supplemental irrigation of 40.0 acres with a total maximum rate of 0.56 cfs.

   MARI 3467 was originally drilled to a total depth of 450 feet bls, then deepened under MARI 3466 to a total depth of 614 feet below land surface (bls). As originally constructed, the well was commingled between the alluvial and basalt aquifers. To comply with one of the conditions associated with T-11594 (modifies Certification 48478), the well was grouted from 614 to 310 feet bls under MARI 63096. Thus, as currently constructed, MARI 3467/3466/63096 produces solely from the alluvial aquifer.

Certificate 93894 (basalt) has a priority date of December 20, 1996 and allows irrigation of 158.0 acres (maximum rate 1.18 cfs) by two currently-authorized POAs producing from the basalt aquifer, identified as MARI 63097 and MARI 51875.

The proposed changes under each certificate are described separately in the following pages.

Certificate 88739 (Alluvial POAs)

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: After alteration, the currently-authorized POA (MARI 3467/3466/63096) is 310 feet deep and produces from the alluvial aquifer. The proposed POAs are of similar depth and construction details and thus should also produce from the alluvial aquifer system.

However, geologic mapping and nearby well log descriptions indicate that the alluvial aquifer thickness is much thinner at and near the proposed APOA locations. For example, a USGS map shows the top of basalt bedrock ranging from approximately 215 to 225 feet bls near the proposed APOAs (Gannett and Caldwell, 1998). Well reports very near the proposed Alluvial Well 2 location (e.g., MARI 58966, MARI 3603, MARI 18275) identify the top of basalt at about 150 to 175 ft bls, depths much shallower than those observed in MARI 3467/3466/63096. Furthermore, water-bearing layers shown in these and other well logs are reportedly even shallower, on the order of 60-100 ft bls. Consequently, this information indicates that the actual attainable depth for the proposed alluvial APOAs will be much less than the 310 ft depth of the currently-authorized POA, with corresponding effects to well performance and injury potential (latter discussed in the next section of this review).

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No As discussed previously, MARI 63096 documented the abandonment of the basalt portion of the original well in order to produce solely from the alluvial aquifer.

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____

a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☒ Yes ☐ No Comments: OWRD's well log database indicates that there are several alluvial wells that are relatively much nearer to the proposed APOA locations. The nearest known existing alluvial well to proposed Alluvial Well 1 was identified as MARI 52111, estimated to be located between 1,500 and 1,800 feet away, based on the street address provided in the well report. The nearest known existing alluvial well to proposed Alluvial Well 2 was identified as MARI 3594, estimated to be located between about 50 to 200 ft away (rough end points of the parcel were used for this estimate because the exact well is not discernible from existing information sources).

Relative to the authorized alluvial POA, the proposed location for proposed Alluvial Well 2 is approximately 3400 feet nearer to MARI 3594. Thus the proposed change will likely result in an increase in interference with MARI 3594 and perhaps other nearby alluvial aquifer wells.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

☒ Yes ☐ No If yes, explain: In this area the alluvial deposits overlying the basalt generally thin towards the south, starting at approximately 300 feet thick at the current POA location (MARI 3467) and thinning to less than 200 feet near the proposed APOAs. The log for MARI 58966, located approximately 500-700 feet NNW of proposed Alluvial Well 2, shows sediments from 0-178 ft, underlain by basalt.

The existing well nearest to proposed APOA Alluvial Well 2 is MARI 3594, estimated to be located about 50-200 feet away and 122 feet deep; this depth apparently does not fully penetrate the alluvial deposits at that location, which are assumed to be about 160-180 feet thick as discussed above. However, the MARI 3594 log indicates water-bearing deposits (conglomerate) extending from about 51-115 ft bls; below that depth is low-permeability clay to 122 ft bls. Similarly, the nearby MARI 58966 log shows conglomerate and sand and gravel deposits from ~25-100 ft bls, and also underlain by almost 80 feet of low-permeability clay to 178 ft bls. Consequently, despite not fully penetrating the entire sedimentary sequence at this location, it appears that MARI 3594 does fully encompass the water-bearing layers (aquifer) present in the alluvial sediments, and is thus subject to potential injury from the proposed change.

The Theis distance-drawdown analytical method (Theis, 1935) was used to estimate the increased drawdown at MARI 3594 due to pumping at the proposed Alluvial Well 2 location. The attached Theis drawdown analysis was performed using parameter values derived from nearby pumping tests (MARI 3416, MARI 3467, MARI 17933) and published values (Freeze and Cherry, 1979; Conlon et al., 2005).

The results of the Theis drawdown analysis indicate that the potential net additional drawdown/interference in MARI 3594 caused by pumping at proposed Alluvial Well 2 is estimated at about 60 feet (using the mid-range of aquifer parameters; net additional drawdown is estimated to be between ~25 to 120 feet when considering the entire range of selected parameters). **These estimates of additional drawdown in MARI 3594 and other nearby similarly-completed wells caused by this proposed use would likely result in those groundwater rights not receiving the water to which they are legally entitled.**

a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

☒ Yes ☐ No Comments: The perennial surface water sources nearest to current and proposed POAs that are hydraulically connected to the alluvial aquifer system are summarized in the below table (note that the National Hydrography Dataset maps three unnamed tributaries to the Pudding River west of the current and proposed POAs as being perennial reaches; however, based on observations of recent aerial photography, these particular stream courses are not considered perennial and are not included in this evaluation).

Well	Surface Water Name	Distance (ft)
MARI 3467/3466/63096 (Current)	Abiqua Creek	3,300
Alluvial Well 1 (Proposed)	Abiqua Creek	5,750
Alluvial Well 2 (Proposed)	Abiqua Creek	6,700
MARI 3467/3466/63096 (Current)	Silver Creek	4,650
Alluvial Well 1 (Proposed)	Silver Creek	2,150
Alluvial Well 2 (Proposed)	Silver Creek	1,500

From this information it is shown that relative to the currently-authorized POA (MARI 3467), the proposed Alluvial Well 2 location is approximately 3150 feet nearer to Silver Creek. Consequently, the proposed use is likely to result in an increase in interference with Silver Creek.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: Silver Creek ☒ Minimal ☐ Significant

Stream: Abiqua Creek ☒ Minimal ☐ Significant

Provide context for minimal/significant impact: The change in interference to Abiqua Creek is not likely to increase due to the proposed change based on the increased intervening distance to Abiqua Creek. However, interference to Silver Creek is expected to increase due to the proposed change.

The Hunt 2003 analytical stream depletion model was used to estimate interference at Silver Creek caused by pumping the proposed and authorized POAs (Hunt, 2003). Model parameters were derived from nearby pumping tests (MARI 3416, MARI 3467, MARI 17933) and published values (Freeze and Cherry, 1979). Model results indicate that the net additional interference is expected to be minimal.

4. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?
   ☐ Yes ☐ No Comments: Not applicable.
5. What conditions or other changes in the application are necessary to address any potential issues identified above: None
6. Any additional comments: None

Certificate 93894 (Basalt POAs)

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: The currently authorized POAs, MARI 63097 and MARI 51875, produce from the basalt aquifer beginning at depths of 305 and 292 feet bls, respectively. It is assumed that the proposed POAs would produce from generally the same water-bearing interflows of the basalt aquifer (proposed total well depths of approximately 615 feet, cased and sealed to 320 feet).

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No _____

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☒ Yes ☐ No Comments: The nearest known basalt well with similar construction as the existing and proposed POAs was identified as MARI 54651. MARI 54651 is associated with Permit G-13563 with a priority date of June 1, 1998 and has an open interval from 228 to 400 feet bls. MARI 54651 is located 4,200 feet from current POA MARI 51875 and would be nearest to Basalt Well 1, at approximately 1,700 feet in distance. As noted previously, the depth to basalt is generally shallower towards the south and southeast, which is seen in the reported depth to basalt for MARI 54651 at 180 feet bls. The proposed change will likely result in an increase in interference with MARI 54651 and perhaps other similar wells in the area not identified.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
☐ Yes ☒ No If yes, explain: The Theis distance-drawdown analysis was performed to estimate the degree of additional interference at MARI 54651; aquifer parameter values were based on results from pumping tests (MARI 18235, MARI 51875) and published values (Freeze and Cherry, 1979; Conlon et al., 2005). The results of the Theis drawdown analysis indicate that the proposed change, specifically pumping at the Basalt Well 1 location, is not expected to result in added interference sufficient enough to prevent MARI 56541 from receiving the water to which it is legally entitled.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
☐ Yes ☒ No Comments: The depth to basalt in the vicinity of the proposed POAs is estimated at approximately 200 to 220 feet bls. The proposed construction includes sealing the wells to 320 feet bls. Streams near the proposed POAs (Abiqua Creek and Silver Creek) incise to a depth less than 30 feet bls. Therefore, based on the seal depth of the proposed POAs and the relatively shallow depth of stream incision, hydraulic connection with nearby surface water sources is likely inefficient.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: _____ ☐ Minimal ☐ Significant

Stream: _____ ☐ Minimal ☐ Significant

Provide context for minimal/significant impact: Not applicable.

6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

   ☐ Yes ☐ No Comments: Not applicable.

7. What conditions or other changes in the application are necessary to address any potential issues identified above: None

8. Any additional comments: Water level reporting for the currently-authorized POAs is available from 1998 to 2023 for MARI 51875, and from 2014 to 2023 for MARI 63097. Data from both wells show consistent declines in water levels over the time period available. As of March 2023, levels in MARI 51875 had declined by almost 32 feet since the first acceptable measurement made in 1998.

   The declining trends present in MARI 51875 and MARI 63097 are also seen in other basalt wells located within 1-2 miles of those two wells (see hydrograph). From the mid- to late-1990s most of these wells exhibited pronounced declines. It is notable that the wells shown on the hydrograph have markedly different completion elevations and open intervals. However, beginning ~2004 the sustained declines generally subsided; since that time until the present, water levels in this group of wells have generally oscillated about a fairly-stable mean (taking into account declines associated with drought conditions experienced over the past few years). Thus, it appears that a new dynamic equilibrium was established within the local basalt aquifer system about 20 years ago. Consequently, for this review it was not certain which datapoints would constitute valid reference levels for MARI 51875 or MARI 63097, which normally would have been done to assess whether or not decline conditions of the existing water right (certificate 93894) have been exceeded.

References

Application T-14059 RA

Conlon, T.D., Wozniak, K.C., Woodcock, D., Herrera, N.B., Fisher, B.J., Morgan, D.S., Lee, K.K., and Hinkle, S.R., 2005, *Ground-water hydrology of the Willamette Basin, Oregon*, Scientific Investigations Report 2005-5168; U. S. Geological Survey, Reston, VA.

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Gannett, M.W. and Caldwell, R., 1998, *Geologic framework of the Willamette Lowland aquifer system, Oregon and Washington*, Professional Paper 1424-A, 32 p; U. S. Geological Survey, Reston, VA.

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Theis, C.V., 1935, The relation between the lowering of the piezometric surface and the rate and duration of discharge of a well using groundwater storage, American Geophysical Union Transactions, vol. 16, p. 519-524.

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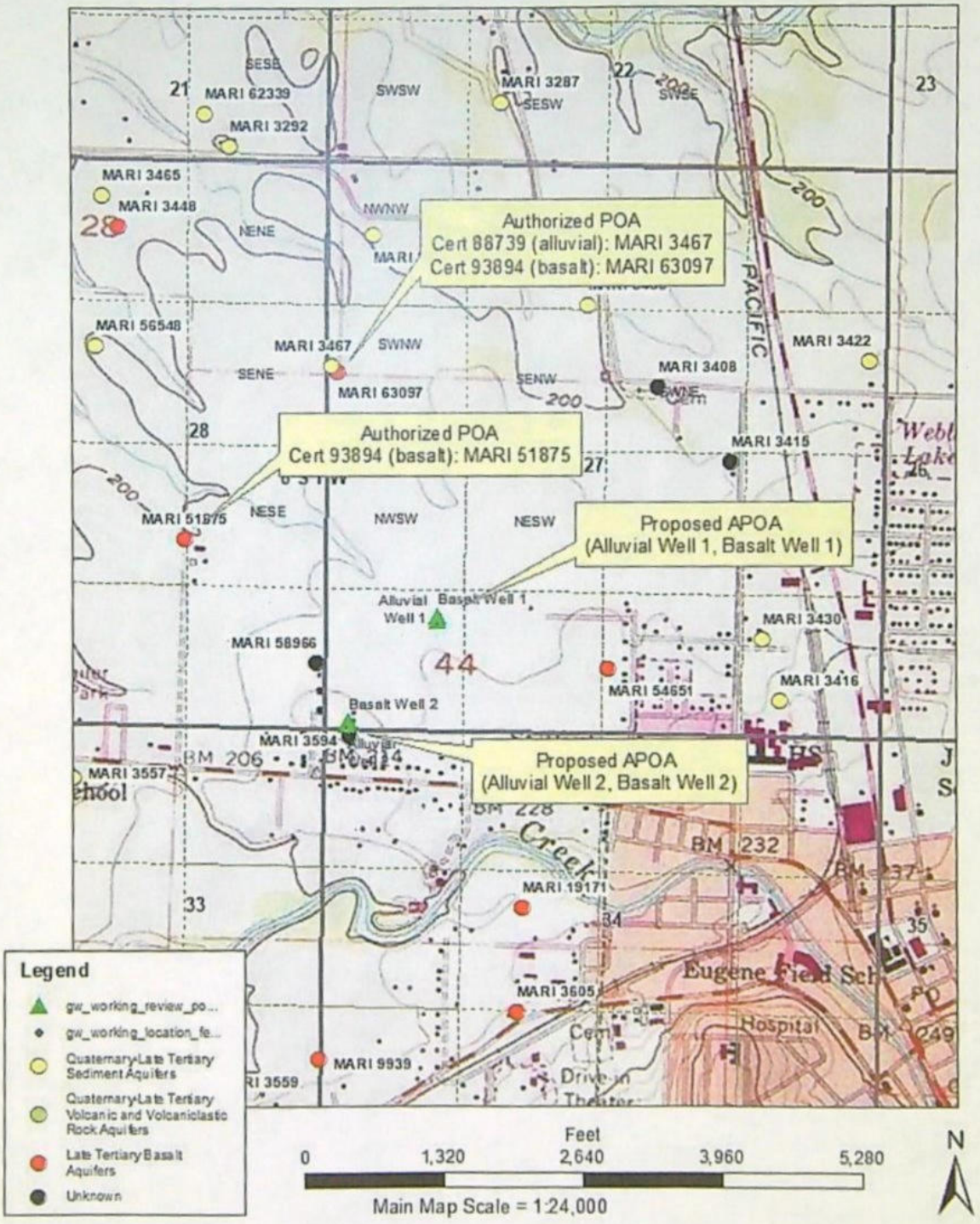
Watershed Sciences, 2009, *LIDAR remote sensing data collection, Department of Geology and Mineral Industries, Willamette Valley Phase I, Oregon*: Portland, OR, December 21.

Woodward, D.G., Gannett, M.W., and Vaccaro, J.J., 1998, Hydrogeologic framework of the Willamette Lowland aquifer system, Oregon and Washington: U.S. Geological Survey Professional Paper 1424-B, 82 p.

T-14059 Schurter
T6S R1W Section 27



Service Layer Credits: Copyright © 2013 National Geographic Society, i-cubed

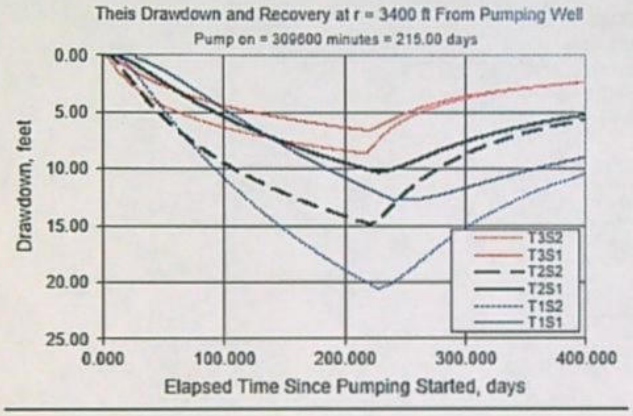
Theis Drawdown Analysis: Current POA MARI 3467/3466/63096 - MARI 3594

Theis Time-Drawdown Worksheet v.5.00

Calculates Theis nonequilibrium drawdown and recovery at any arbitrary radial distance, r, from a pumping well for 3 different T values and radial distance, r, from a pumping well for 3 different T values and 2 different S values.
Written by Karl C. Wozniak September 1992. Last modified December 17, 2019

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units	
Total pumping time	t		215		d	
Radial distance from pumped well	r		3400		ft	Q conversions
Pumping rate	Q		0.802		cfs	359.94 gpm
Hydraulic conductivity	K	5	10	25	ft/day	0.80 cfs
Aquifer thickness	b		70		ft	48.12 cfm
Storativity	S_1		0.01			69,292.80 cfd
	S_2		0.005			1.59 af/d
Transmissivity Conversions	T_ft2pd	350	700	1750	ft2/day	
	T_ft2pm	0.243056	0.486111	1.215278	ft2/min	Recalculate
	T_gpdpft	2618	5236	13090	gpd/ft	

Use the Recalculate button if recalculation is set to manual



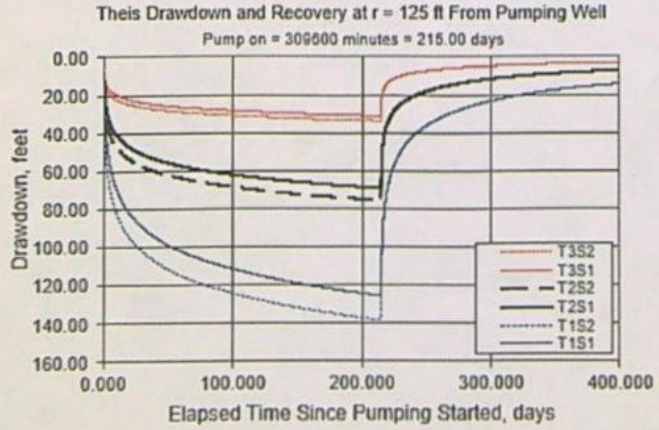
Theis Drawdown Analysis: Proposed POA Alluvial Well 2 - MARI 3594

Theis Time-Drawdown Worksheet v.5.00

Calculates Theis nonequilibrium drawdown and recovery at any arbitrary radial distance, r, from a pumping well for 3 different T values and radial distance, r, from a pumping well for 3 different T values and 2 different S values.
Written by Karl C. Wozniak September 1992. Last modified December 17, 2019

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units	
Total pumping time	t		215		d	
Radial distance from pumped well	r		125		ft	Q conversions
Pumping rate	Q		0.802		cfs	359.94 gpm
Hydraulic conductivity	K	5	10	25	ft/day	0.80 cfs
Aquifer thickness	b		60		ft	48.12 cfm
Storativity	S_1		0.01			69,292.80 cfd
	S_2		0.005			1.59 af/d
Transmissivity Conversions	T_ft2pd	300	600	1500	ft2/day	
	T_ft2pm	0.208333	0.416667	1.041667	ft2/min	Recalculate
	T_gpdpft	2244	4488	11220	gpd/ft	

Use the Recalculate button if recalculation is set to manual

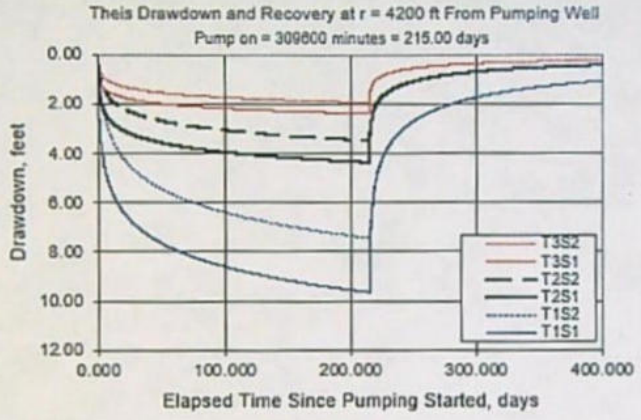


Theis Drawdown Analysis: Current POA MARI 51875 - MARI 54651

Theis Time-Drawdown Workshee v.5.00
Calculates Theis nonequilibrium drawdown and recovery at any arbitrary radial distance, r, from a pumping well for 3 different T values and radial distance, r, from a pumping well for 3 different T values and 2 different S values.
Written by Karl C. Wozniak September 1992. Last modified December 17, 2019

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units	
Total pumping time	t		215		d	
Radial distance from pumped well	r		4200		ft	Q conversions
Pumping rate	Q		0.802		cfs	359.94 gpm
Hydraulic conductivity	K	100	250	500	ft/day	0.80 cfs
Aquifer thickness	b		40		ft	48.12 cfm
Storativity	S_1		0.0001			69,292.80 cfd
	S_2		0.0005			1.59 af/d
Transmissivity Conversions	T_f2pd	4000	10000	20000	ft2/day	
	T_ft2pm	2.7777778	6.9444444	13.888889	ft2/min	Recalculate
	T_gpdpft	29920	74800	149600	gpd/ft	

Use the Recalculate button if recalculation is set to manual

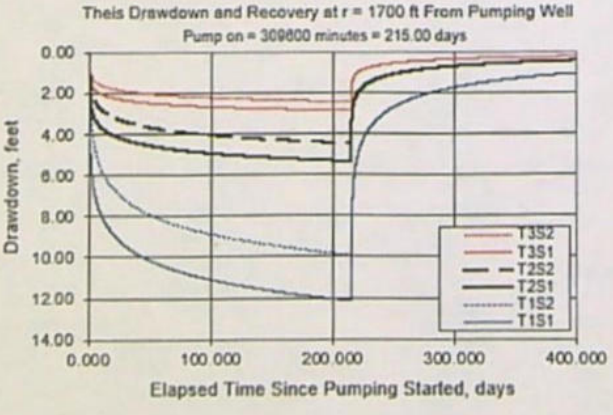


Theis Drawdown Analysis: Proposed POA Basalt Well 1 - MARI 54651

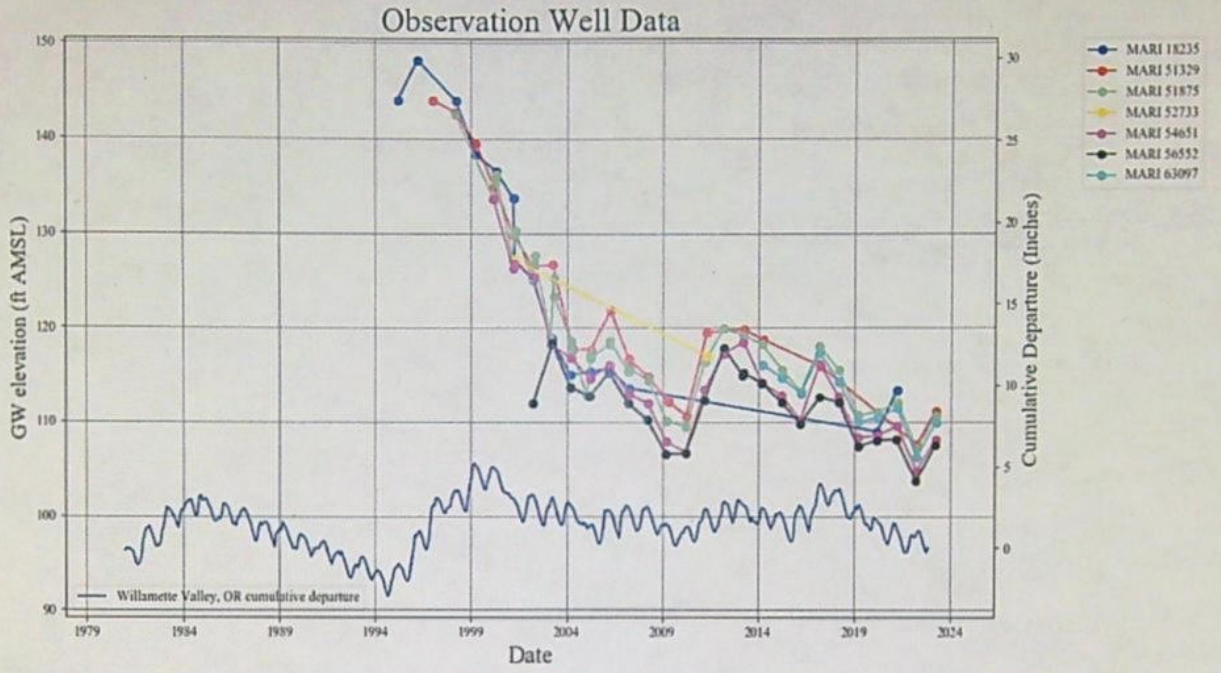
Theis Time-Drawdown Workshee v.5.00
Calculates Theis nonequilibrium drawdown and recovery at any arbitrary radial distance, r, from a pumping well for 3 different T values and radial distance, r, from a pumping well for 3 different T values and 2 different S values.
Written by Karl C. Wozniak September 1992. Last modified December 17, 2019

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units	
Total pumping time	t		215		d	
Radial distance from pumped well	r		1700		ft	Q conversions
Pumping rate	Q		0.802		cfs	359.94 gpm
Hydraulic conductivity	K	100	250	500	ft/day	0.80 cfs
Aquifer thickness	b		40		ft	48.12 cfm
Storativity	S_1		0.0001			69,292.80 cfd
	S_2		0.0005			1.59 af/d
Transmissivity Conversions	T_f2pd	4000	10000	20000	ft2/day	
	T_ft2pm	2.7777778	6.9444444	13.888889	ft2/min	Recalculate
	T_gpdpft	29920	74800	149600	gpd/ft	

Use the Recalculate button if recalculation is set to manual



Hydrograph – Area Basalt Wells (January – April measurements only)



Watermaster Review Form: Water Right Transfer

Oregon Water Resources Department
725 Summer St NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

Transfer Application: T-14059 Review Due Date: 09/08/2022

Applicant Name: Craig and Juanita Schurter

Proposed Changes: ☐ POU ☐ POD ☑ POA ☐ USE ☐ OTHER

Reviewer(s): G. Wacker Date of Review: 08/29/2022

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☑ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)

2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☐ Yes ☑ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:

3. Have headgate notices been issued for the source that serves the transferred right(s)?
   ☐ Yes ☑ No ☐ Records not available.

4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☑ No If "Yes", explain:

5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☑ No If "Yes", describe how the rights would be affected and list the rights most affected:

6. Check here ☐ if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

☑ N/A

7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:

☑ N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:
☑ N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? ☐ Yes ☐ No

9. For POU changes: ☑ N/A Is it likely the original place of use would continue to receive water from the same source? ☐ Yes ☐ No If "Yes", explain:

10. For POU or USE changes: ☑ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?
☐ Yes ☐ No If "Yes", explain:

11. For POU changes that involve micro-irrigation: ☑ N/A
    a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?
    ☐ Yes ☐ No If "Yes", explain:

b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

☐ Yes ☐ No If "Yes", answer the following:

i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:

ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:

iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:

iv. Do you have any other observations regarding the temporary transfer?

☐ Yes ☐ No If "Yes", describe:

v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

c. To the best of your knowledge, if this transfer is approved, does it appear that:

i. "Injury" will occur to other water rights that share the same source?

☐ Yes ☐ No If "Yes", explain:

ii. "Enlargement" of the water right being transferred will occur?

☐ Yes ☐ No If "Yes", explain:

12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

☐ Yes ☑ No If "Yes", explain:

13. What alternatives may be available for addressing any issues identified above:

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? ☐ No ☑ Yes, as checked and provided below:

☐ For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

☐ A Headgate should be required prior to diverting water.

☑ Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

a. Before water use may begin *under this order, the water user shall install a* ***totalizing flow meter****, or, with prior approval of the Director, another suitable measuring device,* ☑ *at each point of diversion/appropriation (new and existing)* ***OR*** *at each new point of diversion/appropriation* ☐ *with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

b. *The water user shall maintain the meters or measuring devices in good working order.*

c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*

☐ Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

a. Before water use may begin *under this order, the water user shall install* ***staff gages****, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*

b. Before water use may begin *under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.*

*** The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:**

☐ Weir
☐ Parshall Flume
☐ Other: ___
☐ Submerged Orifice
☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 14059

☑ In order to avoid enlargement of the right or injury to other rights, a totalizing flow meter will be required to be installed **prior to diversion of water**, as a condition of this transfer:

- ☑ *at each point of diversion/appropriation (new and existing)* ***OR***
- ☐ *at each new point of diversion/appropriation.*

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Greg Wacker

District: 16

Address: 725 Summer St NE Ste A

City/State/Zip: Salem, OR 97301

Phone: 971-719-6262

Email: gregory.j.wacker@water.oregon.gov

Note: *If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.*

****

Approval of an Alternate Measurement Device T-

(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

_____

_____

_____ _____

Watermaster signature District Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

STATE OF OREGON
WATER RESOURCES DEPARTMENT
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 138928 INVOICE # _____

RECEIVED FROM: Schurter Ag Services, Inc.
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14059
TOTAL REC'D	$2,167.55

CASH: ☐ CHECK:# ☒ 33431 OTHER: (IDENTIFY) ☐ _____

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES 47124	R11384-23	$
0412	OTHER: (IDENTIFY)	Transfer Reimbursement Authority	$2,167.55

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	$
0410	RESEARCH FEES	$
0408	MISC REVENUE: (IDENTIFY) _____	$
TC162	DEPOSIT LIAB. (IDENTIFY) _____	$
0240	EXTENSION OF TIME	$

		EXAM FEE		RECORD FEE
	WATER RIGHTS:			
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

		EXAM FEE		LICENSE FEE
	WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD#	
0210	MONITORING WELLS	$	CARD#	

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)		$
0231	HYDRO LICENSE FEE (FW/WRD)		$
_____	HYDRO APPLICATION		$

____ TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ $

RECEIPT: 138928 DATED: 06/15/22 BY: _____

Distribution – White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Cash in checking-Mort 2,167.55

RECEIVED
AUG 15 2022
OWRD

Schurter Ag Services, Inc. 33431
Oregon Water Resources Department 8/12/2022
Expedite T-14059 HS farm permit 2,167.55

RECEIVED
AUG 19 2022
OWRD

REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-384-23

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Craig and Juanita Schurter**, hereafter Applicant, hereafter known together as the parties.

OWRD Information		Applicant's Information		Applicant's Representative	
Contact:	**Kelly Starnes**	Name:	Craig and Juanita Schurter	Name:	Pacific Hydro-Geology, Inc.
Title:	Transfer Advisor	Contact:		Contact:	Doann Hamilton
Address:	725 Summer Street, NE, Suite A Salem, OR 97301-1266	Address:	6540 Torvend Rd NE Silverton, OR 97381	Address:	18487 S. Valley Vista Rd Mulino, OR 97042
Phone:	503 979-3511	Phone:	(503) 932-9021	Phone:	(503) 349-6946
Fax:	503 986-0901	Fax:		Fax:	(503) 632-5983
Email:	patrick.k.starnes@water.oregon.gov	Email:	craigschurter@gmail.com	Email:	phgdmh@gmail.com

Purpose The purpose of this Agreement is to expedite the processing of the **Transfer Application. (Application Number: T-14059)**

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.

2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.

3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.

4. **Consideration.**

    a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is **$2,167.55**. Applicant agrees to pay the full amount of **$2,167.55** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.

    b. The costs stated in this Agreement do not include the statutory application processing and filing fees.

5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.

6. **Indemnity**. Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.

8. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.

9. **Duration of Estimate.** The Estimate of Time to completion is **approximately** 120 days once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.

10. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information. **IMPORTANT:** Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.

11. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.

12. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.

13. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Applicant: Juanita Schurter Craig Schurter — Name/Title: — 8/17/22 Date

For OWRD: Dwight French – Administrator — 8/24/22 Date

Mail signed Agreement to:

Stacy Phillips
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

RECEIVED
AUG 19 2022
OWRD

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 138797

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Craig & Juanita Schuerler

BY:

APPLICATION	
PERMIT	
TRANSFER	T-14059

CASH: ☐ CHECK:# ☒ 4288 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	L17124 R11384-23	$
0412	OTHER:	(IDENTIFY) Reimbursement Authority	$ 125.00

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

	MISCELLANEOUS				
0407	COPY & TAPE FEES				$
0410	RESEARCH FEES				$
0408	MISC REVENUE: (IDENTIFY)	_____			$
TC162	DEPOSIT LIAB. (IDENTIFY)	_____			$
0240	EXTENSION OF TIME				$
	WATER RIGHTS:	EXAM FEE		RECORD FEE	
0201	SURFACE WATER	$	0202	$	
0203	GROUND WATER	$	0204	$	
0205	TRANSFER	$			
	WELL CONSTRUCTION	EXAM FEE		LICENSE FEE	
0218	WELL DRILL CONSTRUCTOR	$	0219	$	
	LANDOWNER'S PERMIT		0220	$	

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD#	
0210	MONITORING WELLS	$	CARD#	

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)		$
0231	HYDRO LICENSE FEE (FW/WRD)		$
_____	HYDRO APPLICATION		$

____ TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ $

RECEIPT: 138797 DATED: 8-1-2022 BY: _____

Distribution – White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

OREGON WATER RESOURCES DEPARTMENT

TRANSFER REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION

ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.
Please contact Transfer Personnel before submitting this request; as the application fee is a non-refundable $125.00 fee per request. Checks submitted for this application should be separate From Transfer fees.
The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. ***There is a non-refundable application fee of $125.00 per request.***

REQUEST	TYPE	FILE NUMBER
☒	Transfer Application	Transfer Number T-14059

	Applicant Information	Applicant's Representative/Contact
Name:	Craig and Juanita Schurter	Pacific Hydro-Geology, Inc. c/o Doann Hamilton
Address:	6540 Torvend Rd NE	18487 S. Valley Vista Road
	Silverton, OR 97381	Mulino, OR 97042
Phone:	(503) 932-9021	(503) 349-6946 cell
Fax:	____	(503) 632-5983
E-Mail Address:	craigschurter@gmail.com	phgdmh@gmail.com

I understand the following:

- That upon receipt of my non-refundable application fee of **$ 125.00**, OWRD will, within fourteen (14) days, notify me in writing of the estimate of costs and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:
  Oregon Water Resources Department
  Transfer Reimbursement Authority Program
  725 Summer St. NE, Suite A
  Salem, OR 97301-1271

RECEIVED
AUG 01 2022
OWRD

I certify that I am the *(check one)*:
◉ Applicant ○ Applicant's Representative ○ Other *(Please specify)* ____

Name: Craig Schurter Juanita Schurter

Signature: Craig Schurter Juanita Schurter

OWRD USE ONLY: Reimbursement Authority Number: R11-384 -23

Oregon
Kate Brown, Governor

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

August 9, 2022

CRAIG AND JUANITA SCHURTER
6541 TORVEND RD NE
SILVERTON, OR 97381

Reference: Application T-14059

On August 1, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by $5660.00. Our receipt number 138809 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water from the new point of appropriation until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

If the land is sold before the application is approved, the buyer's consent to the application will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

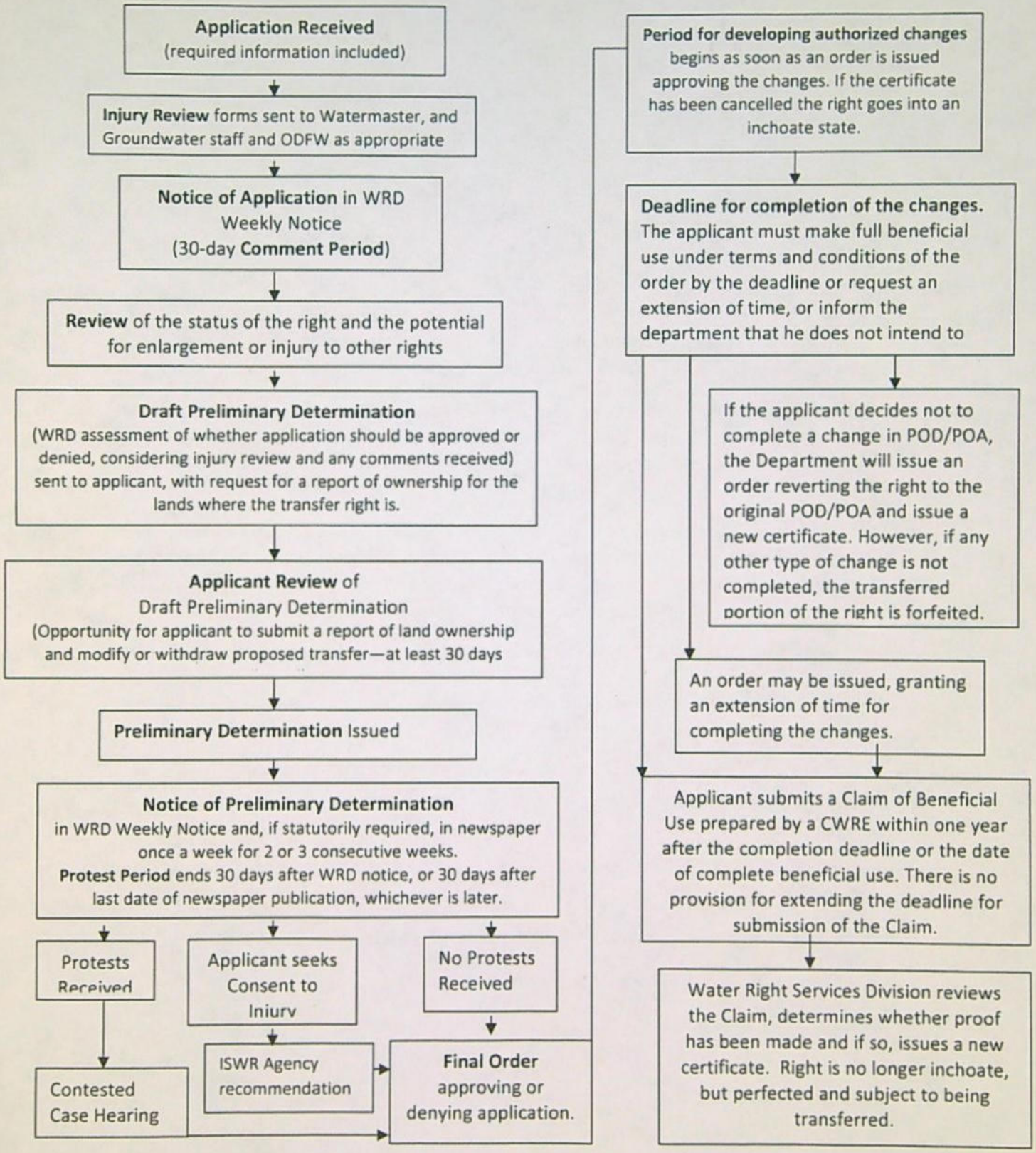
If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #16, Gregory J. Wacker *(via email)*
Doann Hamilton, Agent
Marion County

Enclosure

Regular Transfer Process (including "Proving Up" on the changes)

OAR 690 Division 380



STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 138809

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Craig & Juanita Schuster

BY:

APPLICATION	
PERMIT	
TRANSFER	T-14059

CASH: ☐ CHECK:# ☒ 4289 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $5,660.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES		$
_____	OTHER:	(IDENTIFY) _____	$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

46110

MISCELLANEOUS

0407	COPY & TAPE FEES	$
0410	RESEARCH FEES	$
0408	MISC REVENUE: (IDENTIFY) _____	$
TC162	DEPOSIT LIAB. (IDENTIFY) _____	$
0240	EXTENSION OF TIME	$

WATER RIGHTS:

		EXAM FEE		RECORD FEE
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$ 5660.00		

WELL CONSTRUCTION

		EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD#	
0210	MONITORING WELLS	$	CARD#	

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY

		LIC NUMBER	
0233	POWER LICENSE FEE (FW/WRD)		$
0231	HYDRO LICENSE FEE (FW/WRD)		$
_____	HYDRO APPLICATION		$

_____ TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ $

RECEIPT: 138809 DATED: 8-1-2022 BY: _____

Distribution – White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Application for
Permanent Water Right Transfer

OREGON WATER RESOURCES DEPARTMENT
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

RECEIVED
AUG 01 2022
OWRD

Check all items included with this application. (N/A = Not Applicable)

☒ Part 1 – Completed Minimum Requirements Checklist.

☒ Part 2 – Completed Transfer Application Map Checklist.

☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.

☒ Part 4 – Completed Applicant Information and Signature.

☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: Certificate: 88739, 93894**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

☒ Completed Transfer Application Map.

☒ Completed Evidence of Use Affidavit and supporting documentation.

☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)

☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.

☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.

☒ ☐ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

___ Application fee not enclosed/insufficient
___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete
___ Evidence of Use Form not enclosed or incomplete
___ Additional signature(s) required
___ Part _____ is incomplete
Other/Explanation _____
Staff: _____ 503- _____ Date: ____/____/____

RECEIVED
JUL 10 2023
OWRD

Part 2 of 5 – Transfer Application Map

Your transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

☒ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.

☐ ☒ N/A If **more than three** water rights are involved, separate maps are needed for each water right.

☒ Permanent quality printed with dark ink on good quality paper.

☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.

☒ A north arrow, a legend, and scale.

☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.

☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.

☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.

☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.

☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.

☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.

Revised 7-3-2023 DH

☒ ☐ N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.

☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.

☒ ☐ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

SUPERSEDING TACS

RECEIVED

JUL 19 2023

OWRD

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	*1*	$1,360
2	Types of change proposed: ☒ Place of Use ☐ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = 2 (2a) Subtract 1 from the number in line 2a = 1 (2b) *If only one change, this will be 0* Multiply line 2b by $1090 and enter »	*2*	$1,090
3	Number of water rights included in transfer 2 (3a) Subtract 1 from the number in 3a above: 1 (3b) *If only one water right this will be 0* Multiply line 3b by $610 and enter »	*3*	$610
4	Do you propose to add or change a well, or change from a surface water POD to a well? ☐ No: enter 0 ☒ Yes: enter $480 for the 1st well to be added or changed $480 (4a) Do you propose to add or change additional wells? ☐ No: enter 0 ☒ Yes: multiply the number of additional wells by $410 $1,230 (4b) Add line 4a to line 4b and enter » » » » » » » » » » » » » » » »	*4*	$1,710
5	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 ☒ Yes: enter the cfs for the portions of the rights to be transferred (see below 0.0088 (5a) Subtract 1.0 from the number in 5a above: -0.99 (5b) If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by $410, then enter on line 5 »	*5*	$0
6	Add entries on lines 1 through 5 above » » » » » » » » » Subtotal:	*6*	$4,770
7	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » » » »	*7*	$0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » » » **Transfer Fee:**	*8*	**$4,770**

Revised 7-14-23 DH

*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each water right involved as follows:
   a. Divide total authorized cfs by total acres in the water right *(for C12345, 1.25 cfs ÷100 ac)*; then multiply by the number of acres to be transferred to get the transfer cfs *(x 45 ac= 0.56 cfs)*.
   b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). *(For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)*
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each "on the ground" acre included in the transfer. *(In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).*

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	*1*	$990.00
2	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) *If only one well this will be 0* Multiply line 2b by $480 and enter » » » » » » » » » » » » »	*2*	
3	Add entries on lines 1 through 2 above » » » » » **Fee for Substitution:**	*3*	NA

SUPERSEDING

SUPERSEDING TACS

Part 4 of 5 – Applicant Information and Signature

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Applicant Information

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Craig and Juanita Schurter			(503) 932-9021	
ADDRESS				FAX NO.
6540 Torvend Rd NE				
CITY	STATE	ZIP	E-MAIL	
Silverton	OR	97381	craigschurter@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Doann Hamilton / Pacific Hydro-Geology, Inc.			(503) 632-5016	(503) 349-6946 (cell)
ADDRESS				FAX NO.
18487 S. Valley Vista Road				(503) 632-5983
CITY	STATE	ZIP	E-MAIL	
Mulino	OR	97042	phgdmh@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
We recently purchased TL 1300 but the authorized wells for both Certificates 88739 and 93894 are on another property. We need to install one or more wells on our property to supply our needs.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check One Box

☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**

☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**

☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Silverton Appeal.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

I (we) affirm that the information contained in this application is true and accurate.

Applicant Signature	Print Name *and title if applicable*	Date
Craig Schurter	Craig Schurter	7/18/22
Juanita Schurter	Juanita Schurter	7/18/22

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Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes ☐ No*

**If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

Check the following boxes that apply:

☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.

☐ The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.

☐ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? ☐ Yes ☒ No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

RECEIVING LANDOWNER NAME **NA**			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: ☐ Applicant ☐ Receiving Landowner				

☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (**Tip: Complete and attach Supplemental Form D.**)

IRRIGATION DISTRICT NAME **NA**	ADDRESS	
CITY	STATE	ZIP

☐ Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME **NA**	ADDRESS	
CITY	STATE	ZIP

To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME	ADDRESS	
Marion County Planning Division	5155 Silverton Road NE	
CITY	STATE	ZIP
Salem	Oregon	97305

Part 5a of 5b – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 88739

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Description of Water Delivery System

System capacity: _____ cubic feet per second (cfs) **OR**

360 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water is pumped from the well using a 40 Hp submersible pump through 5-inch PVC buried mainline with hydrants to supply portable laterals with impact sprinklers and/or to attach a large volume hard hose traveler.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well	☒ Authorized ☐ Proposed	MARI 3466, 3467, 63096	6 S	1 W	28	SE NE	Lot 1	1,975 feet south and 25 feet west from the NE corner, Section 28
Alluvial Well 1	☐ Authorized ☒ Proposed	NA	6 S	1 W	27	SW SW	DLC 44	1,060 feet north and 1,090 feet east from the SW corner, Section 27
Alluvial Well 2	☐ Authorized ☐ Proposed	NA	6 S	1 W	27	SW SW	DLC 44	50 feet north and 225 feet east from the SW corner, Section 27

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

Revision 7/7/2023

- ☒ Place of Use (POU)
- ☐ Character of Use (USE)
- ☐ Point of Diversion (POD)
- ☐ Additional Point of Diversion (APOD)
- ☐ Supplemental Use to Primary Use (S to P)
- ☒ Point of Appropriation/Well (POA)
- ☐ Additional Point of Appropriation (APOA)
- ☐ Substitution (SUB)

SUPERSEDING TACS

Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 88739

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
6	S	1	W	27	SW	NW	1300	DLC 44	12.5	IR	Authorized Well	3-4-1991	POA, POU	6	S	1	W	27	SW	NW	1300	DLC 44	11.8	IR	Proposed Alluvial Wells 1 & 2	3-4-1991
6	S	1	W	27	NW	SW	1300	DLC 44	27.5	IR	Authorized Well	3-4-1991	POA, POU	6	S	1	W	27	NW	SW	1300	DLC 44	27.5	IR	Proposed Alluvial Wells 1 & 2	3-4-1991
6	S	1	W	27	SW	SW	1300	DLC 44	26.3	IR	Authorized Well	3-4-1991	POA, POU	6	S	1	W	27	SW	SW	1300	DLC 44	27.0	IR	Proposed Alluvial Wells 1 & 2	3-4-1991
TOTAL ACRES:									66.3					TOTAL ACRES:									66.3			

Additional remarks: **The change in place of use involves moving 0.7 acres from the northern end of the original place of use to the southern end of the original place of use (in lot 1300). The "FROM" and "TO" maps depict picking up the entire place of use and putting it back down to cover the new proposed footprint.**

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Rowland 7-3-2023

SUPERSEDING

Certificate # 88739

For Place of Use or Character of Use Changes

Revised 7/3/2023 AH

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **Certificate 93894.**

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # NA;
Surface water primary Certificate # NA.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

☒ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

SUPERSEDING

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Authorized Well	Yes	MARI 3466, 3467, 63096	See Well logs MARI 3466, 3467, 63096							Not less than full rate of water right
Alluvial Well 1	No	NA	300 feet	8 inch	0 to 300 feet	0 to 20 feet	TBD	NA	Alluvial	
Alluvial Well 2	No	NA	300 feet	8 inch	0 to 300 feet	0 to 20 feet	TBD	NA	Alluvial	

Revised 7-3-2023 DH

Part 5b of 5b – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 93894

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Description of Water Delivery System

System capacity: **1.18** cubic feet per second (cfs) **OR**

___ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water is pumped from the Well 1 (MARI 63097) using a 40 Hp submersible pump through 5-inch PVC buried mainline with hydrants to supply portable laterals with impact sprinklers and/or to attach a large volume hard hose traveler. Well 2 (MARI 51875) is not used on the affected acres in this transfer but uses a 40 Hp submersible pump through 5-inch PVC buried mainline with hydrants to supply portable laterals with impact sprinklers and/or to attach a large volume hard hose traveler.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	☒ Authorized ☐ Proposed	MARI (63097)	6 S	1 W	27	SW NW	DLC 44	2,013 feet south and 26 feet east from the NE corner, Section 28
Well 2	☒ Authorized ☐ Proposed	MARI (51875)	6 S	1 W	28	NW SE	DLC 43	1,500 feet south and 70 feet west from the NW corner, DLC 44

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Basalt Well 1	☐ Authorized ☒ Proposed	NA	6 S	1 W	27	SW	SW	DLC 44	1,085 feet north and 1,090 feet east from the SW corner, Section 27
Basalt Well 2	☐ Authorized ☐ Proposed	NA	6 S	1 W	27	SW	SW	DLC 44	75 feet north and 225 feet east from the SW corner, Section 27

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

Revised 7.3.2023

- ☒ Place of Use (POU)
- ☐ Character of Use (USE)
- ☐ Point of Diversion (POD)
- ☐ Additional Point of Diversion (APOD)
- ☐ Surface Water POD to Ground Water POA (SW/GW)
- ☐ Supplemental Use to Primary Use (S to P)
- ☒ Point of Appropriation/Well (POA)
- ☐ Additional Point of Appropriation (APOA)
- ☐ Substitution (SUB)
- ☐ Government Action POD (GOV)

Will all of the proposed changes affect the entire water right?

☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 88739

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
6	S	1	W	27	SW	NW	1300	DLC 44	12.5	IR	Authorized Well 1& 2	12-20-96	POA, POU	6	S	1	W	27	SW	NW	1300	DLC 44	11.8	IR	Proposed Basalt Wells 1 and2	12-20-96
6	S	1	W	27	NW	SW	1300	DLC 44	27.5	IR	Authorized Well 1& 2	12-20-96	POA, POU	6	S	1	W	27	NW	SW	1300	DLC 44	27.5	IR	Proposed Basalt Wells 1 and2	12-20-96
6	S	1	W	27	SW	SW	1300	DLC 44	26.3	IR	Authorized Well 1& 2	12-20-96	POA, POU	6	S	1	W	27	SW	SW	1300	DLC 44	27.0	IR	Proposed Basalt Wells 1 and2	12-20-96
TOTAL ACRES:									66.3					TOTAL ACRES:									66.3			

Additional remarks: **The change in place of use involves moving 0.7 acres from the northern end of the original place of use to the southern end of the original place of use (in lot 1300). The "FROM" and "TO" maps depict picking up the entire place of use and putting it back down to cover the new proposed footprint.**

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TACS

SUPERSEDING

Revised 1-3-2023

Certificate # 93894

For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **Certificate 88739**

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # **NA;**
Surface water primary Certificate # **NA.**

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **NA**

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

☒ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

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Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

SUPERSEDING

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Authorized Well 1	Yes	MARI 63097	See Well logs MARI 63097							Not less than full rate of water right
Authorized Well 2	Yes	MARI 51875	See Well logs MARI 51875							
Basalt Well 1	No	NA	615 feet	8 inch	0 to 320 feet	0 to 320 feet	TBD	NA	Basalt	
Basalt Well 2	No	NA	615 feet	8 inch	0 to 320 feet	0 to 320 feet	TBD	NA	Basalt	

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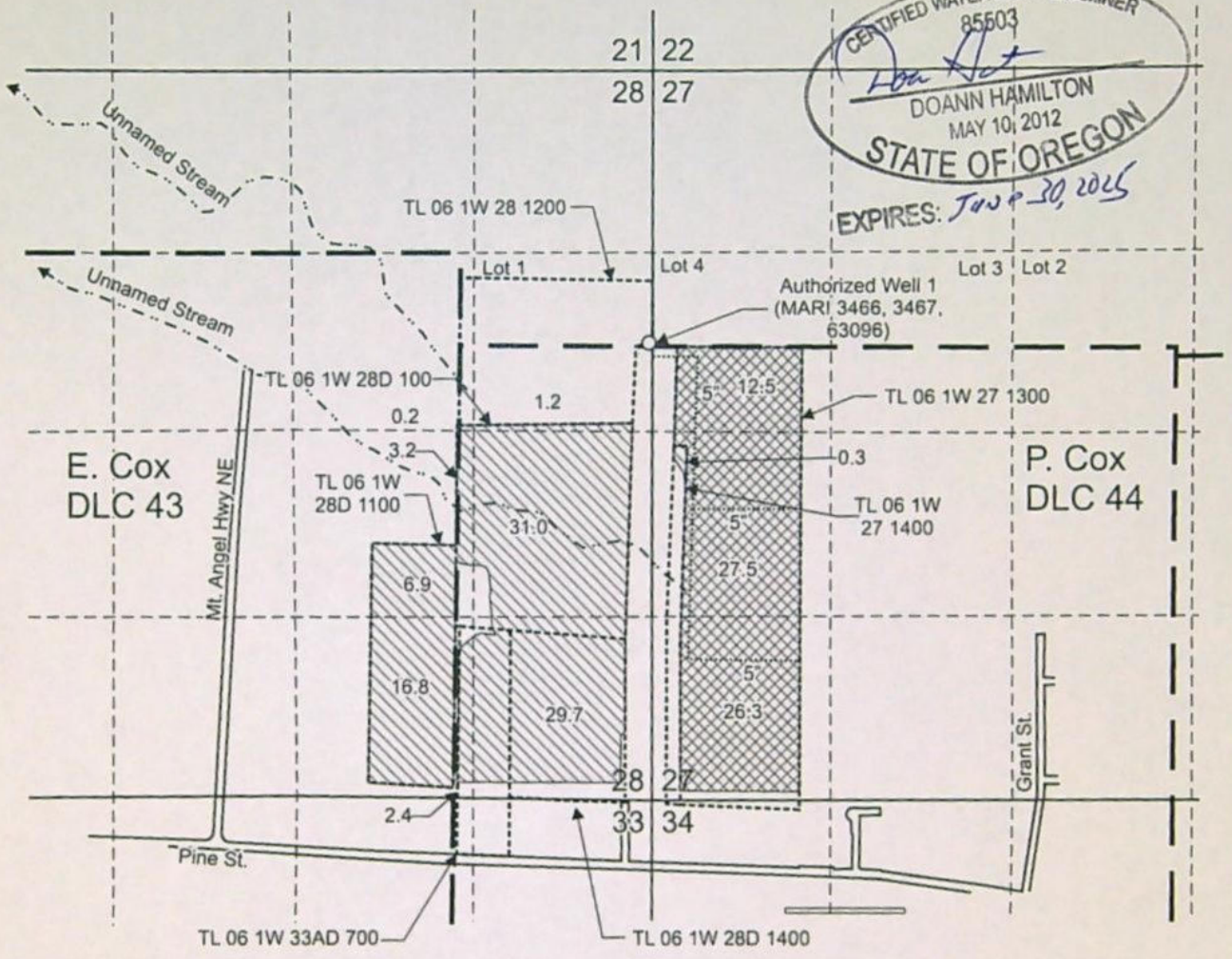
T.6S. R.1W. Sec. 27 & 28, W.M.

CERTIFIED WATER RIGHT EXAMINER
85503
DOANN HAMILTON
MAY 10, 2012
STATE OF OREGON
EXPIRES: June 30, 2025



Authorized Well (MARI 3466, 3467, 63096) is located 1,975 feet south and 25 feet west from the NE corner, Section 28.

Area (91.7 Acres) irrigated under Certificate 88739, priority date: March 4, 1991, not affected by this transfer.

"From" Area (66.3 Acres) irrigated under Certificate 88739, priority date: March 4, 1991, affected by this transfer.

— · — Donation Land Claim boundary

--------- Tax lot boundary

..... Irrigation mainlines

SUPERSEDING

N

Scale: 1" = 1,320'

0 1,320 Feet

This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.

Pacific Hydro-Geology Inc.

Transfer Application "From" Map
Certificate 88739

Craig and Juanita Schurter
T.6S. R.1W. Sec. 27 & 28, W.M.

07/2022
Rev. 07?2023

Schurter,CraigCert88739TransMap.cdr

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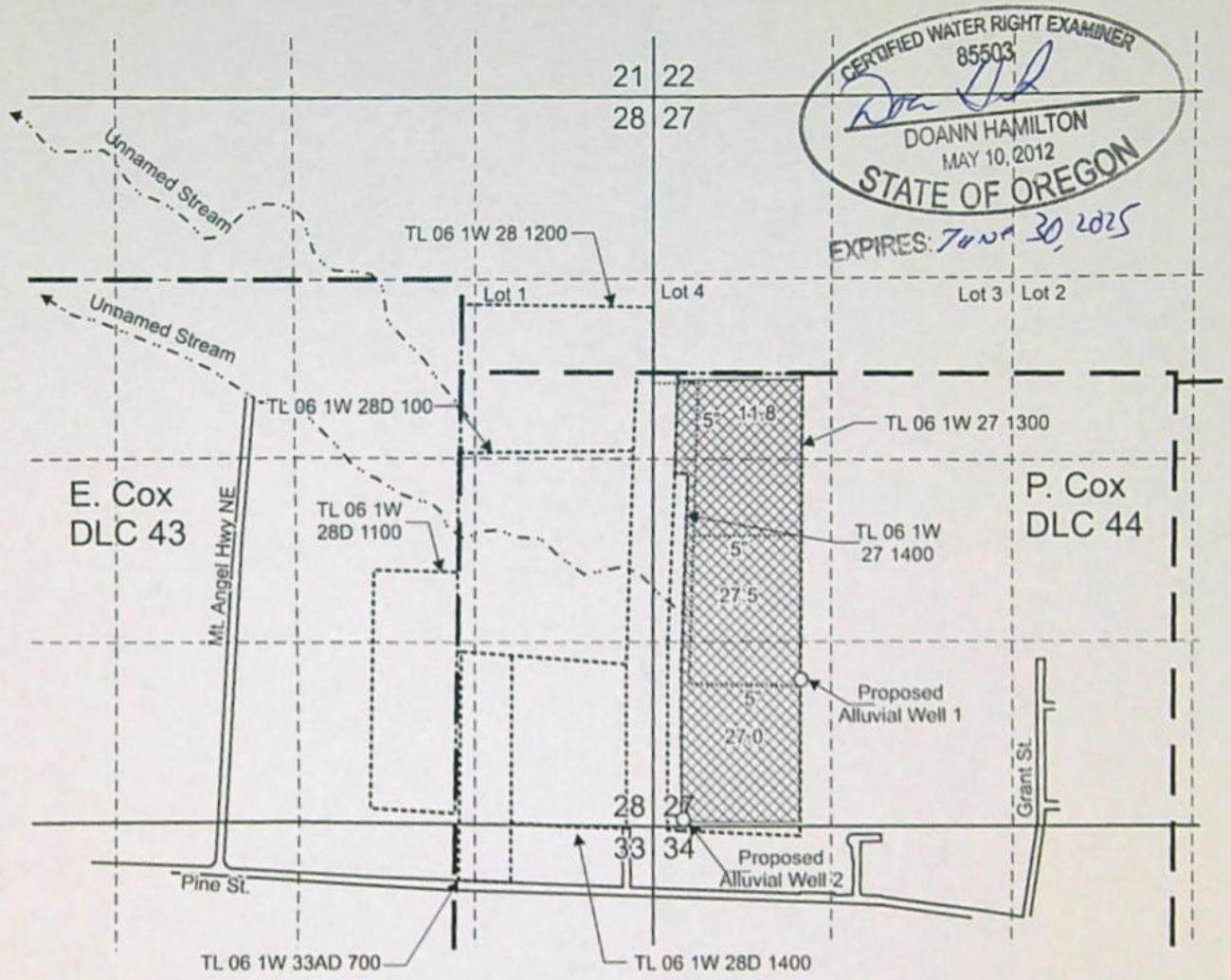
T.6S. R.1W. Sec. 27 & 28, W.M.



Proposed Alluvial Well 1 is located 1,060 feet north and 1,090 feet east from the SW corner, Section 27.

Proposed Alluvial Well 2 is located 50 feet north and 225 feet east from the SW corner, Section 27.

"To" Area (66.3 Acres) irrigated under Certificate 88739, priority date: March 4, 1991, affected by this transfer.

— · — Donation Land Claim boundary

..... Tax lot boundary

..... Irrigation mainlines

SUPERSEDING

N

Scale: 1" = 1,320'

0 1,320 Feet

This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.

Pacific Hydro-Geology Inc.

07/2022
Rev. 07/ 2023

Transfer Application "To" Map
Certificate 88739

Craig and Juanita Schurter
T.6S. R.1W. Sec. 27 & 28, W.M.

Schurter.CraigCert88739TransMap.cdr

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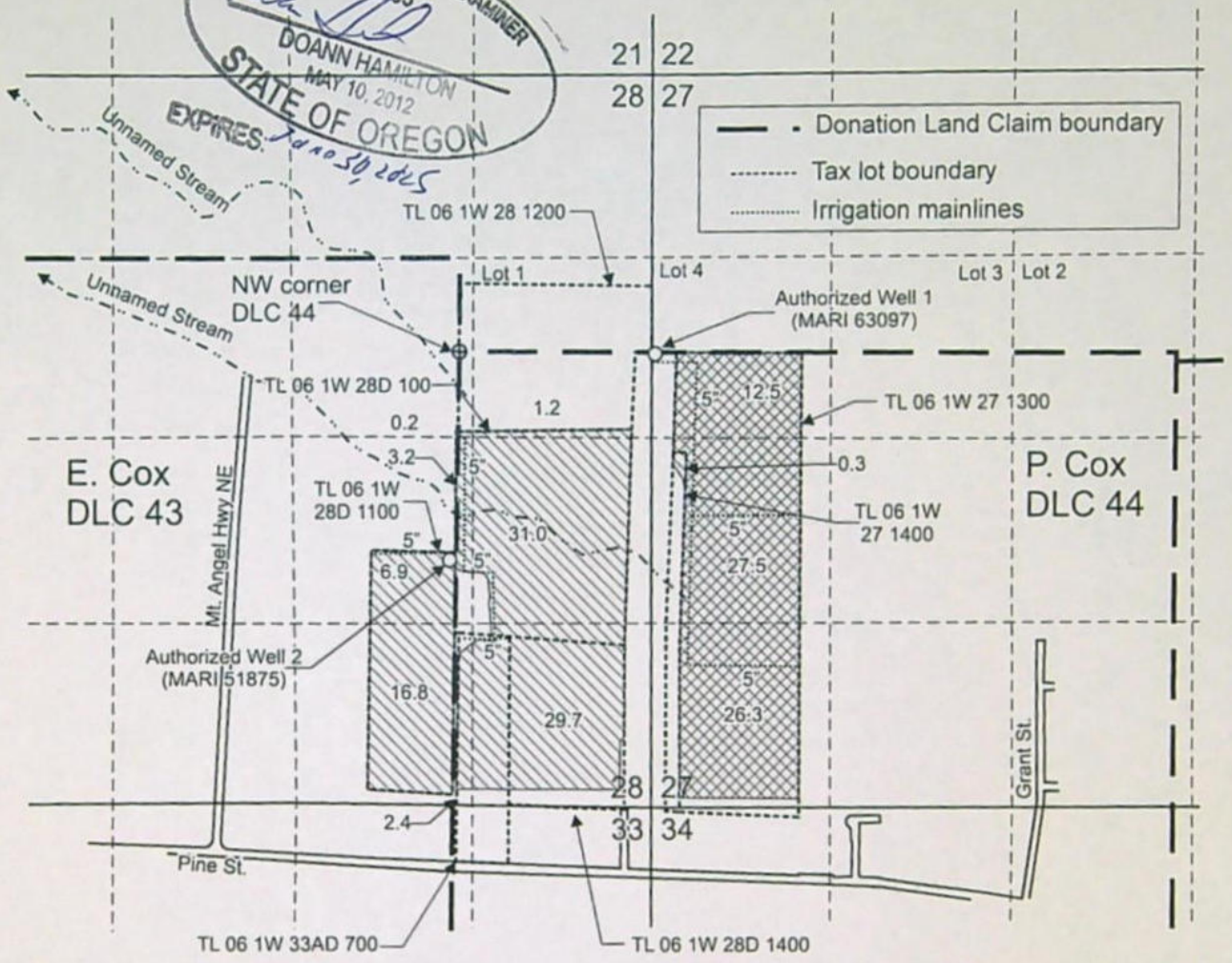
T.6S. R.1W. Sec. 27 & 28, W.M.

CERTIFIED WATER RIGHT EXAMINER
85503
DOANN HAMILTON
MAY 10, 2012
STATE OF OREGON
EXPIRES: June 30, 2025



Authorized Well 1 (MARI 63097) is located 2,013 feet south and 26 feet east from the NE corner, Section 28.
Authorized Well 2 (MARI 51875) is located 1,500 feet south and 70 feet west from the NW corner, DLC 44.

Area (91.7 Acres) irrigated under Certificate 93894 to make up a deficiency in rate for Permit G-11434, priority date: 12-20-1996, not affected by this transfer.

"From" Area (66.3 Acres) irrigated under Certificate 93894, to make up a deficiency in rate for Permit G-11434, priority date: 12-20-1996, affected by this transfer.

SUPERSEDING

N

Scale: 1" = 1,320'

0 1,320 Feet

This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.

Transfer Application "From" Map
Certificate 93894

Craig and Juanita Schurter
T.6S. R.1W. Sec. 27 & 28, W.M.

Pacific Hydro-Geology Inc.

07/2022
Rev. 07/2023

Schurter.CraigCert93894TransMap.cdr

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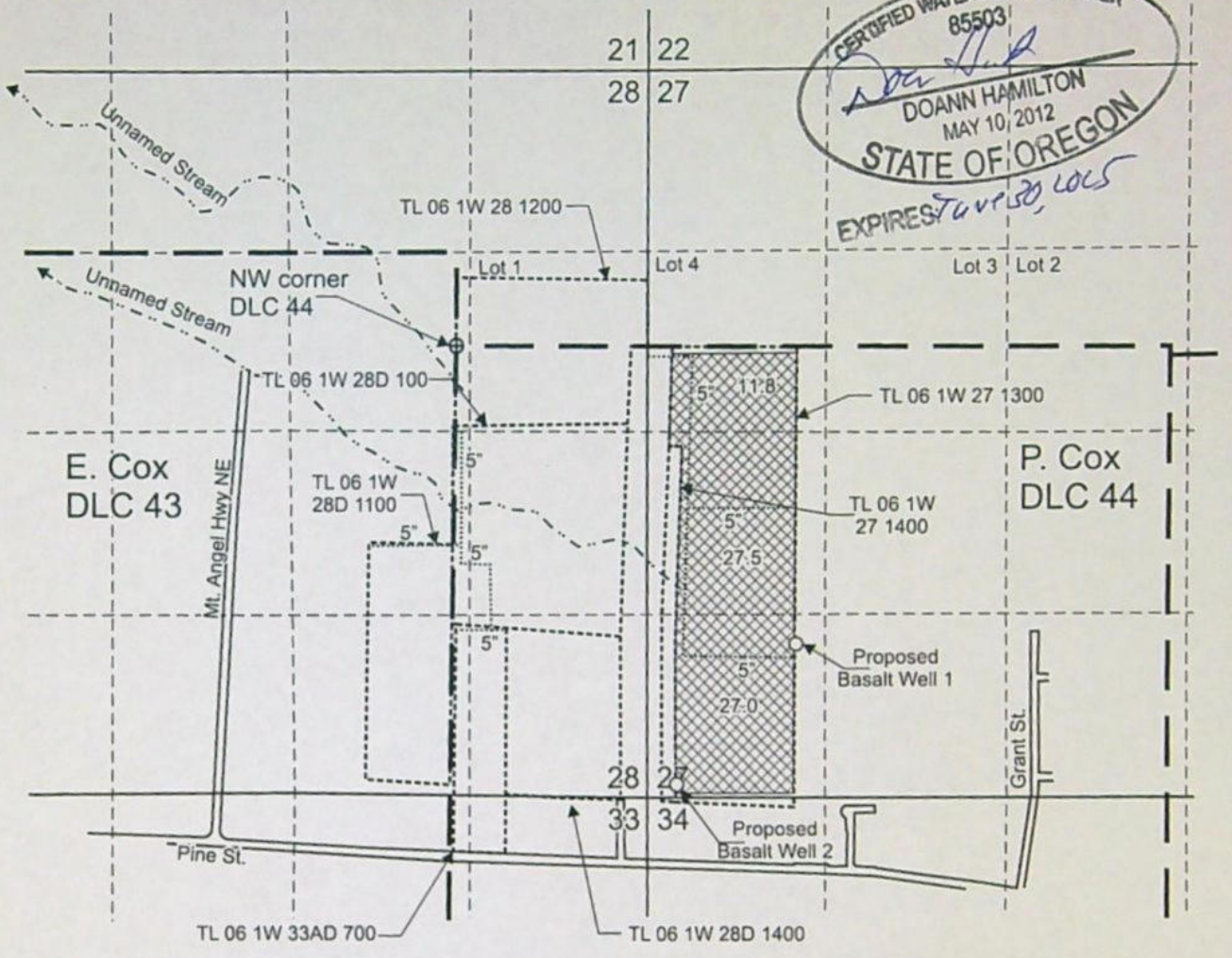
T.6S. R.1W. Sec. 27 & 28, W.M.

CERTIFIED WATER RIGHT EXAMINER
85503
DOANN HAMILTON
MAY 10, 2012
STATE OF OREGON
EXPIRES: June 30, 2025



Proposed Basalt Well 1 is located 1,085 feet north and 1,090 feet east from the SW corner, Section 27.
Proposed Basalt Well 2 is located 75 feet north and 225 feet east from the SW corner, Section 27.

"To" Area (66.3 Acres) irrigated under Certificate 93894, to make up a deficiency in rate for Permit G-11434, priority date: 12-20-1996, affected by this transfer.

— · — Donation Land Claim boundary

--------- Tax lot boundary

..... Irrigation mainlines

SUPERSEDING

N

Scale: 1" = 1,320'

0 1,320 Feet

This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.

Transfer Application "To" Map
Certificate 93894

Craig and Juanita Schurter
T.6S. R.1W. Sec. 27 & 28, W.M.

Pacific Hydro-Geology Inc.

07/2022
Rev. 07/2023

Schurter.CraigCert93894TransMap.cdr

Application for Water Right
Transfer
Evidence of Use Affidavit

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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

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State of Oregon)
) ss
County of MARION)

I, CRAIG SCHURTER, in my capacity as OWNER,

mailing address 6540 TORVEND RD NE, SILVERTON, OR 97381

telephone number (503) 932-9021, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):
   ☒ Personal observation ☐ Professional expertise

2. I attest that:
   ☐ Water was used during the previous five years on the **entire** place of use for Certificate # ___; **OR**

   ☒ My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
88739	6	S	1	W	WM	27	SW	NW	DLC 44	12.5
88739	6	S	1	W	WM	27	NW	SW	DLC 44	27.5
88739	6	S	1	W	WM	27	SW	SW	DLC 44	26.3

AND

☒ Confirming Certificate # 93894 has been issued within the past five years; **OR**

☐ Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

☐ Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____(For Historic POD/POA Transfers)

(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): SWEET CORN, GREEN BEANS AND RYE GRASS

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

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Signature of Affiant

7/18/22
Date

Signed and sworn to (or affirmed) before me this 18 day of July, 2022.

OFFICIAL SEAL
MELINDA J. ANDREW
NOTARY PUBLIC-OREGON
COMMISSION NO.979868
MY COMMISSION EXPIRES OCTOBER 2, 2022

Notary Public for Oregon

My Commission Expires: 10-02-2022

Supporting Documents	Examples
☒ Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of **confirming** water right certificate that shows issue date
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
☒ Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU –www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

ROTH FAMILY LLC
12513 HOBART RD
SILVERTON OR 97381

confirms the right to the use of water perfected under the terms of Permit G-17076. 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 diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14426

SOURCE OF WATER: WELL 1 AND WELL 2 BOTH IN THE WILLAMETTE RIVER BASIN

PURPOSE OR USE: IRRIGATION, TO MAKE UP A DEFICIENCY IN RATE FOR PERMIT G-11434, OF 158.0 ACRES

MAXIMUM RATE: A MAXIMUM CUMULATIVE TOTAL OF 1.18 CUBIC FOOT PER SECOND (CFS); FURTHER LIMITED TO 0.75 CFS FROM WELL 1 AND 0.58 CFS FROM WELL 2

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: DECEMBER 20, 1996

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	1 W	WM	27	SW NW	WELL 1 - 2013 FEET SOUTH AND 26 FEET EAST FROM NE CORNER, SECTION 28
6 S	1 W	WM	28	NW SE	WELL 2 - 1500 FEET SOUTH AND 70 FEET WEST FROM NW CORNER, DLC 44

The amount of water used for irrigation under this right, 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 for each acre irrigated during the irrigation season of each year.

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:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 W	WM	27	SW NW	44	12.5
6 S	1 W	WM	27	NW SW	44	27.8
6 S	1 W	WM	27	SW SW	44	26.3
6 S	1 W	WM	28	SW NE	44	0.2
6 S	1 W	WM	28	SE NE	44	1.2
6 S	1 W	WM	28	NE SE	44	31.0
6 S	1 W	WM	28	NW SE	43	6.9
6 S	1 W	WM	28	NW SE	44	3.2
6 S	1 W	WM	28	SW SE	43	16.8
6 S	1 W	WM	28	SW SE	44	2.4
6 S	1 W	WM	28	SE SE	44	29.7

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The quantity of water diverted at the new point of appropriation (Well 1) shall not exceed the quantity of water lawfully available at the original point of appropriation (Old Well 1).

Water shall be acquired from the same aquifer as the original point of appropriation.

Measurement, recording and reporting conditions:

A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, 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 use of water under the right.

B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) 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 interferences.

(1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:

(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 install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used 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) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.

(b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.

(c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the water user.

(d) 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.

(e) 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).

Ground water for use under this right shall be produced from the basalt aquifer between approximately 350 and 700 feet below land surface. Neither well may be perforated above the basalt aquifer.

The wells shall be maintained 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 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 the 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.

Issued AUG 3 2018

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

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Land Use Information Form

OREGON WATER RESOURCES DEPARTMENT
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

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Applicant(s): Craig and Juanita Schurter

Mailing Address: 6540 Torvend Rd NE

City: Silverton State: OR Zip Code: 97381 Daytime Phone: (503) 932-9021

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	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
6S	1W	27	____	1300	EFU	☒ Diverted ☒ Conveyed ☒ Used	IR
____	____	____	____	____	____	☐ Diverted ☐ Conveyed ☐ Used	____
____	____	____	____	____	____	☐ Diverted ☐ Conveyed ☐ Used	____
____	____	____	____	____	____	☐ Diverted ☐ Conveyed ☐ Used	____

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

Marion County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

☐ Permit to Use or Store Water ☒ Water Right Transfer ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 151 ☐ cubic feet per second ☒ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

This Land Use Information Form is to accompany a water right transfer application that proposes to change the point of appropriation (well) for two existing water rights (Certificates 88739 and 93894).

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. →

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This 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): EFU zone farm use, see MCC 17.136.020 & 17.110.223

☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use 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 (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ 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: Daniel Jansen Title: Assistant Planner

Signature: Daniel Jansen Phone: (503) 588 5038 Date: 7/27/2022

Government Entity: Marion County

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 Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the
STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

NC RECEIVED
JUN 3 1974
STATE ENGINEER
SALEM, OREGON

WATER WELL REPORT
STATE OF OREGON
(Please type or print) (Do not write above this line)

State Well No. 6S/1W-28 dd ad
State Permit No. G 6877

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3467 MAR 7...

(1) OWNER:
Name Robert Roth
Address Rt2, Silverton, Oreg

(2) TYPE OF WORK (check):
New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

CASING INSTALLED:
Threaded ☐ Welded ☒
[illegible]" Diam. from 0 ft. to 318 ft. Gage .250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

PERFORATIONS:
Perforated? ☒ Yes ☐ No
Type of perforator used Mills knife
Size of perforations 3/8 in. by 4 in.
850 perforations from 50 ft. to 110 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:
Well screen installed? ☐ Yes ☒ No
Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☒ Yes ☐ No If yes, by whom? Driller
Yield: 350 gal./min. with 165 ft. drawdown after 3½ hrs.
" " "
" " "
Baller test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:
Well seal—Material used Cement
Well sealed from land surface to 20 ft.
Diameter of well bore to bottom of seal 13 in.
Diameter of well bore below seal 10 in.
Number of sacks of cement used in well seal 10 sacks
Number of sacks of bentonite used in well seal sacks
Brand name of bentonite
Number of pounds of bentonite per 100 gallons of water lbs./100 gals.
Was a drive shoe used? ☒ Yes ☐ No Plug Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:
County Marion Driller's well number
S.E. ¼ S.E. ¼ Section 28 T. 6 S. R. 1 W.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.
Depth at which water was first found 28 ft.
Static level 35 ft. below land surface. Date 2/2/74
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:
Diameter of well below casing 8"
Depth drilled 446 ft. Depth of completed well 446 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. *Report each change in position of Static Water Level and indicate principal water-bearing strata.*

MATERIAL	From	To	SWL
Top soil brn.	0	1	
Clay brn.	1	12	
Clay grey	12	28	
Clay & cbbles grey	28	32	
Clay grey	32	38	
Med Conglomerate grey W.B.	38	112	
Clay sandy blue	112	130	
Clay blue	130	147	
Clay sandy brn.	147	168	
Clay sandy grey& wood	168	172	
Clay sticky blue	172	184	
Cla y blue &few gravels	184	205	
Clay brn & few gravels	205	222	
Clay grey	222	262	
Clay brn.	262	300	
S. claystone grey	300	304	
H. clayston e brn	304	312	
M. rock brn.	312	318	
Bagalt & streaks of claystone	318	360	H. BASALT, 390-446
M. asalt & streaks of claystone	360-390		

Work started 9/26/73 19 Completed 2/2/74 19
Date well drilling machine moved off of well 2/6/74 19

Drilling Machine Operator's Certification:
This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Leon Tuppaman Jr. (Drilling Machine Operator) Date 2/8/74, 19
Drilling Machine Operator's License No. 322

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name R. Stadeli & Sons Inc. (Person, firm or corporation) (Type or print)
Address Silverton, Oreg
[Signed] Paul R. Stadeli (Water Well Contractor)
Contractor's License No. 296 Date 2/8/74, 19

(USE ADDITIONAL SHEETS IF NECESSARY)

SP*45656-119

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the WATER RESOURCES DEPARTMENT, SALEM, OREGON 97310 within 30 days from the date of well completion.

RECEIVED
DEC 26 1978
WATER RESOURCES DEPT.
SALEM, OREGON

WATER WELL REPORT
STATE OF OREGON
(Please type or print)
(Do not write above this line)

MARI. 346
5-0817

State Well No. 6S/1W-27BB
State Permit No.

28 ad

(1) OWNER:
Name Robert Roth
Address 12513 Hobart Road NE
Silverton, Oregon 97381

(2) TYPE OF WORK (check):
New Well ☐ Deepening ☒ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

CASING INSTALLED: ORIGINAL
Threaded ☐ Welded ☐
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

PERFORATIONS:
Perforated? ☐ Yes ☒ No
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:
Well screen installed? ☐ Yes ☒ No
Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☐ Yes ☒ No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
" " "
" " "
AIR test app. 600 gal./min. with 280 ft. drawdown after 4 hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION: ORIGINAL
Well seal—Material used
Well sealed from land surface to ft.
Diameter of well bore to bottom of seal in.
Diameter of well bore below seal in.
Number of sacks of cement used in well seal sacks
How was cement grout placed?
Was a drive shoe used? ☐ Yes ☐ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☐ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☐ No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:
County Marion Driller's well number
NW ¼ NW ¼ Section 27 T. 6S R. 1W W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.
Depth at which water was first found 481 ft.
Static level 35 ft. below land surface. Date 10/6/78
Artesian pressure lbs. per square inch. Date

(12) WELL LOG: ORIGINAL
Diameter of well below casing
Depth drilled 614 ft. Depth of completed well 614 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Basalt Hard Grey	450	463	
Basalt Gray. Grey	463	481	
Basalt Porous Black	481	502	W.B.
Basalt Hard Grey	502	584	
Basalt Grey & Seamy	584	602	W.B.
Basalt Hard Grey	602	614	

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Work started 10/5 1978 Completed 10/6 1978
Date well drilling machine moved off of well 10/6 1978

Drilling Machine Operator's Certification:
This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Steven N. Stadel (Drilling Machine Operator) Date 10/26, 1978.
Drilling Machine Operator's License No. 860

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name West Coast Drilling Co., Inc. (Person, firm or corporation) (Type or print)
Address 320 Academy St., Mt. Angel, OR 97362
[Signed] Charles E. Stadel (Water Well Contractor)
Contractor's License No. 519 Date 10/26, 1978

(USE ADDITIONAL SHEETS IF NECESSARY)

SP*45656-119

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1-9-79

R. Roth's log 6S/11W-27bb

Roth told me he had his well deepened to 600+ feet recently

. . We surveyed in 1977, found a well 25' West of sec line & in NE¼NE¼ Sec 28. I suspect it is same well

Tom S

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MARI 63096

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

R. Stadell & Sons
Well & Pump Inc.
4385 Stadell Lane NE
Silverton, OR 97381

WELL I.D. # L 101907

START CARD # 201579

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER Well Number MARI 3467 & 3466
Name Roth Farms
Address 12433 Hobart Rd NE
City Silverton State OR Zip 97381

(2) TYPE OF WORK ☐ New Well
☐ Deepening ☐ Alteration (repair/recondition) ☑ Abandonment ☐ Conversion

(3) DRILL METHOD
☐ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud
☑ Other Pump Truck

(4) PROPOSED USE
☐ Domestic ☐ Community ☐ Industrial ☑ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☑ Other Abandon

(5) BORE HOLE CONSTRUCTION Special Construction: ☐ Yes ☑ No
Depth of Completed Well 310 ft.
Explosives used: ☐ Yes ☑ No Type _____ Amount _____

BORE HOLE Diameter	From	To	SEAL Material	From	To	Sacks or Pounds
10"	0	318				
8"	318	614	Cement	310	614	80 sacks

How was seal placed: Method ☐ A ☐ B ☑ C ☐ D ☐ E
☐ Other _____
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	10	+1	318	.250	☑	☐	☑	☐
	See	MARI	3467		☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner:	NONE				☐	☐	☐	☐
					☐	☐	☐	☐

Drive Shoe used ☐ Inside ☐ Outside ☐ None
Final location of shoe(s) See MARI 3467

(7) PERFORATIONS/SCREENS
☐ Perforations Method NONE
☐ Screens Type _____ Material _____

From	To	Slot Size	Number	Diameter	Tele/pipe size	Casing	Liner
						☐	☐
						☐	☐
						☐	☐
						☐	☐
						☐	☐

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
No testing done			
Abandonment	Only		

Temperature of water N/A Depth Artesian Flow Found _____
Was a water analysis done? ☐ Yes By whom _____
Did any strata contain water not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____
Depth of strata: _____

(9) LOCATION OF WELL (legal description)
County Marion
Tax Lot 1200 Lot _____
Township 6 S Range 1 W WM
Section 28 SE 1/4 NE 1/4
Lat ___° ___' ___" or _____ (degrees or decimal)
Long ___° ___' ___" or _____ (degrees or decimal)
Street Address of Well (or nearest address) Next to 12442 Hobart Rd. Silverton, OR 97381

(10) STATIC WATER LEVEL
31' 7" ft. below land surface. Date 05/13/10
_____ ft. below land surface. Date _____
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES
Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL
See MARI 3467 & MARI 3466			

(12) WELL LOG Ground Elevation _____

Material	From	To	SWL
Install 1 1/4" grout pipe to 614' and tremie grout from 614' to 310'. 80 bags. Abandon basalt portion of well.			
This was a commingling well and was a requirement of the water right permit to repair. The upper portion of this well will remain in use for exempt purposes. A new basalt well was drilled next to this well for the permitted use.			

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SALEM, OREGON

Date Started 05/13/10 Completed 05/13/10

(unbonded) Water Well Constructor Certification
I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WWC Number 1358 Date 05/13/10
Signed _____

(bonded) Water Well Constructor Certification
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 1358 Date 06/11/10
Signed Steven M. Stadell

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MARI 63097
R. Stadeli & Sons
Well & Pump Inc.
4385 Stadeli Lane NE
Silverton, OR 97381

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

WELL I.D. # L 99823
START CARD # 201580

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER Well Number
Name Roth Farms
Address 12433 Hobart Rd NE
City Silverton State OR Zip 97381

(2) TYPE OF WORK ☑ New Well
☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment ☐ Conversion

(3) DRILL METHOD
☑ Rotary Air ☑ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud
☐ Other

(4) PROPOSED USE
☐ Domestic ☐ Community ☐ Industrial ☑ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION Special Construction: ☐ Yes ☑ No
Depth of Completed Well 615 ft.
Explosives used: ☐ Yes ☑ No Type Amount

BORE HOLE Diameter	From	To	SEAL Material	From	To	Sacks or Pounds
14"	0	315	Bentonite	0	7	4 sacks
			Cement	7	315	102 sacks
8"	315	615				

How was seal placed: Method ☐ A ☑ B ☑ C ☐ D ☐ E
☑ Other Bentonite Poured & Probed
Backfill placed from ft. to ft. Material
Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	10"	+1.5	315	.250	☑	☐	☑	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner:	None				☐	☐	☐	☐
					☐	☐	☐	☐

Drive Shoe used ☐ Inside ☐ Outside ☐ None
Final location of shoe(s)

(7) PERFORATIONS/SCREENS
☐ Perforations Method
☐ Screens Type Material

From	To	Slot Size	Number	Diameter	Tele/pipe size	Casing	Liner
						☐	☐
						☐	☐
						☐	☐
						☐	☐
						☐	☐

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Bailer ☑ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
500	N/A	315'	1 hr

Temperature of water 60 Depth Artesian Flow Found
Was a water analysis done? ☐ Yes By whom
Did any strata contain water not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other
Depth of strata:

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(9) LOCATION OF WELL (legal description)
County Marion
Tax Lot 1200 Lot
Township 6 S Range 1 W WM
Section 28 SE 1/4 NE 1/4
Lat ° ' " or (degrees or decimal)
Long ° ' " or (degrees or decimal)
Street Address of Well (or nearest address) S. of 12442 Hobart Rd.
Silverton, OR 97381

(10) STATIC WATER LEVEL
91' 8" ft. below land surface. Date 6/2/10
ft. below land surface. Date
Artesian pressure lb. per square inch Date

(11) WATER BEARING ZONES
Depth at which water was first found 27'

From	To	Estimated Flow Rate	SWL
27	112	DNM	DNM
375	615	500 gpm	91' 8"

(12) WELL LOG Ground Elevation

Material	From	To	SWL
Soil	0	1	
Clay Brown Medium	1	18	
Clay Blue Silty	18	27	
Gravel	27	39	
Gravel With Grey Clay	39	50	
Gravel With Brown Clay	50	95	
Sand With Wood	95	112	
Clay Blue	112	120	
Gravel With Clay	120	126	
Clay Grey	126	135	
Clay Blue Sticky	135	179	
Clay Blue-Green Med Gritty	179	220	
Clay Grey Brown & Green	220	241	
Clay Brown	241	280	
Clay Blue Gritty	280	295	
Weathered Rock Soft Brown	295	305	

Date Started 05/14/10 Completed 06/02/10

(unbonded) Water Well Constructor Certification
I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WWC Number 1356 Date 06/03/10
Signed

(bonded) Water Well Constructor Certification
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 588 Date 06/14/10
Signed Steven N. Stadeli

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MARI 63097

R. Stadeli & Sons
WELL & PUMP INC.
SINCE 1923

4385 Stadeli Lane N.E. • Silverton, Oregon 97381
Phone: 503.873.5245 • Fax: 503.873.2275
Email: rstadeli.sons@verizon.net

WELL ID#	OWNER/BUSINESS NAME	MAILING ADDRESS	CITY/STATE/ZIP
99823	Roth Farms	12433 Hobart Rd. NE	Silverton, OR 97381

WELL ADDRESS	COUNTY	TOWNSHIP	RANGE	SECTION	1/4	1/4	TAX LOT
S. of 12442 Hobart Rd., Silverton	Marion	6S	1W	28	SE	NE	1200

(12) WELL LOG INFO. CONTINUED FROM PREVIOUS PAGE:

MATERIAL	FROM	TO	SWL
Basalt Grey Hard	305	350	
Basalt Softer Grey	350	375	
Basalt Fractured w/Grey & White Siltstone	375	392	
Basalt Grey Hard	392	403	
Basalt Grey w/White Visicules	403	410	
Basalt Grey Hard	410	413	
Basalt Grey Fractured	413	416	
Basalt Grey Hard	416	495	
Basalt Grey Semi-Visicular	495	505	
Basalt Grey Hard	505	522	
Basalt Grey Semi-Fractured	522	530	
Basalt Grey Hard	530	564	
Basalt Grey Semi-Fractured	564	570	
Basalt Grey Hard	570	615	

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WATER RESOURCES DEPT.
SALEM, OREGON

WELL I.D.# 40563

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)
Instructions for completing this report are on the last page of this form.

Page 1 of 2

(START CARD) # 95669

(1) OWNER: Well Number
Name Myrtle Mikkelson
Address 608 Pine Street
City Silverton State OR Zip 97381

(2) TYPE OF WORK
[X] New Well [ ] Deepening [ ] Alteration (repair/recondition) [ ] Abandonment

(3) DRILL METHOD:
[X] Rotary Air [ ] Rotary Mud [ ] Cable [ ] Auger
[ ] Other

(4) PROPOSED USE:
[ ] Domestic [ ] Community [ ] Industrial [X] Irrigation
[ ] Thermal [ ] Injection [ ] Livestock [ ] Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval [ ] Yes [X] No Depth of Completed Well 498 ft.
Explosives used [ ] Yes [X] No Type Amount

HOLE Diameter	From	To	SEAL Material	From	To	Sacks or pounds
16	0	25	Cement	0	25	25 SACKS
12	25	498	Cement	25	292	7 SACKS

How was seal placed: Method [ ] A [ ] B [X] C [ ] D [ ] E
[ ] Other
Backfill placed from ft. to ft. Material
Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	12	+1	292	.25	[X]	[ ]	[X]	[ ]
					[ ]	[ ]	[ ]	[ ]
					[ ]	[ ]	[ ]	[ ]
					[ ]	[ ]	[ ]	[ ]
Liner:					[ ]	[ ]	[ ]	[ ]
					[ ]	[ ]	[ ]	[ ]

Final location of shoe(s) 292

(7) PERFORATIONS/SCREENS: N/A
[ ] Perforations Method
[ ] Screens Type Material

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						[ ]	[ ]
						[ ]	[ ]
						[ ]	[ ]
						[ ]	[ ]
						[ ]	[ ]

(8) WELL TESTS: Minimum testing time is 1 hour
[ ] Pump [ ] Bailer [X] Air [ ] Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
650		495	1 hr.
425		210	

Temperature of water 56 Depth Artesian Flow Found
Was a water analysis done? [ ] Yes By whom
Did any strata contain water not suitable for intended use? [ ] Too little
[ ] Salty [ ] Muddy [ ] Odor [ ] Colored [ ] Other
Depth of strata:

(9) LOCATION OF WELL by legal description:
County Marion Latitude Longitude
Township 6S N or S Range 1W E or W. WM.
Section 28 SW 1/4 SE 1/4
Tax Lot Lot Block Subdivision
Street Address of Well (or nearest address) Same as Mailing

(10) STATIC WATER LEVEL:
52 ft. below land surface. Date 5/27/97
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:
Depth at which water was first found 23

From	To	Estimated Flow Rate	SWL
370	397	75	
401	493	50	
493	498	525	

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(12) WELL LOG:
Ground Elevation

Material	From	To	SWL
Top soil	0	1	
Silty clay brn	1	18	
Clay Silty gray	18	23	
Cobbles blk hard	23	32	WB
Sand & silt Lt gray	32	34	
Gravels silty brn	34	37	
Packed Sand & gravels with	37	43	
Gravels Sandy med	43	54	
Gravels silty gray	54	110	
Silty clay & gravels	110	157	
Silty clay brn	157	235	
Clay Blue sticky	235	261	
Sandstone green	261	274	
Basalt frac black hrd	274	276	
Sandstone gray med	276	279	
Basalt gray med	279	332	
Claystone blk/brn streak	332	354	
Basalt gray hard	354	370	
CONTINUED			

Date started Completed

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
WWC Number 1672
Signed Jeff McCoy Date 6/5/97

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
WWC Number 1523
Signed Date 6/5/97

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mari
51875

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WATER RESOURCES DEPT.
SALEM, OREGON

WELL I.D.# L105263

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)
Instructions for completing this report are on the last page of this form

Page 2 of 2

(START CARD) # 951669

(1) OWNER: Well Number
Name Myrtle Mikkelsen
Address 1098 Pine Street
City Silverton State OR Zip 97381

(2) TYPE OF WORK
☐ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:
☐ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger
☐ Other

(4) PROPOSED USE:
☐ Domestic ☐ Community ☐ Industrial ☐ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval ☐ Yes ☐ No Depth of Completed Well ____ ft.
Explosives used ☐ Yes ☐ No Type ____ Amount ____

HOLE Diameter	From	To	SEAL Material	From	To	Sacks or pounds

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☐ Other
Backfill placed from ____ ft. to ____ ft. Material
Gravel placed from ____ ft. to ____ ft. Size of gravel

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner:					☐	☐	☐	☐
					☐	☐	☐	☐

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:
☐ Perforations Method
☐ Screens Type Material

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						☐	☐
						☐	☐
						☐	☐
						☐	☐
						☐	☐

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
			1 hr.

Temperature of water Depth Artesian Flow Found
Was a water analysis done? ☐ Yes By whom
Did any strata contain water not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other
Depth of strata:

(9) LOCATION OF WELL by legal description:
County Marion Latitude Longitude
Township 6S N or S Range 1W E or W. WM.
Section 28 SW 1/4 SE 1/4
Tax Lot Lot Block Subdivision
Street Address of Well (or nearest address) Same as Mailing

(10) STATIC WATER LEVEL:
ft. below land surface. Date
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:
Depth at which water was first found

From	To	Estimated Flow Rate	SWL

(12) WELL LOG:
Ground Elevation

Material	From	To	SWL
Basalt gray frac	370	397	WB
Claystone hard	397	401	
Basalt med pourous gray	401	493	WB
Sand packed black	493	498	WB

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Date started 5/20/97 Completed 5/27/97

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
WWC Number 1692
Signed [signature] Date 6/5/97

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
WWC Number 1523
Signed [signature] Date 6/5/97

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arm Horse Training
SPD Performance Inc
Silverton High School
Western Ave
Florida Dr
Kromminga Dr
Bits & Bits
Little James F
Helmer Automotive
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Wooden Nickel Pub & Eateries
Pine St
Pine St
Google Earth
Pine St
Imagery Date: 4/19/2021 45°00'59.88" N 122°48'18.77" W elev 211 ft eye alt 6699 ft

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS **Transfer # T-** 14059

Checked by- Aila Date- 8/5/22	*Type of Change(s) Proposed:* *Mark the Proposed Changes*	Substitution	Supplemental to Primary	POU	POD	APOD
Fee Received: 960.00		Gov Action	Surface to Ground	USE	(POA)	APOA
Calculated Fee: 960.00			*How many rights to be Transferred?* 2			
Additional Observations:			*Certificate #* 88739 93894			

If OK and complete, check box to the left; if NOT, fill in.

☒ **1.** Is applicant information complete? Have all applicants listed at the top of the page signed at the bottom?
If **no**, what is missing? Whose signature is missing? _____

☒ **2.** Does applicant indicate the place of use is in or near an irrigation district? Is a Form D included? ☒ N/A.
Name of the district: _____

☒ **3.** Part 5 of application, has the applicant(s) completed the entire page and does the information match the description of the explanation of the reasons for transfer on Part 4 of the application?
If **no**, you may need to contact the applicant or agent? _____

☒ **4.** Is there only one (1) water right included in this transfer application?
If **no**, are the criteria of OAR 690-380-3220 for more than one WR met? Yes or No Yes
If **no**, then the transfer application **CANNOT** be accepted. See attached "3220" Decision Tree Flowchart.

☒ **5.** For multiple certificates do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2?
If **no**, which certificate(s) are missing a separate Part 5 tables 1 & 2? Yes

☒ **6.** Is the map prepared and signed by a CWRE? Does the map meet requirements?
If **no**, what is missing? _____. Map waiver included? ☒ Yes ☐ No

☒ **7.** If a change in point of appropriation (POA), have the well logs been included? ☐ N/A.

☒ **8.** If a change in place of use (POU) within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☒ N/A.

☒ **9.** If all boxes on this checklist are checked (with no remaining deficiencies identified), **ACCEPT** the application. Put this application intake completeness check sheet in the transfer folder.

OR: ☐ If all boxes to the left are **NOT** checked, then this application is deficient and **CANNOT** be accepted. It should be returned and the **deficiencies listed in the "staff" section at the bottom of Application Page 1**, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken: _____ **Date:** _____

Permanent Transfer Application Intake Completion Checklist

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	*1*	**$1,360**
2	Types of change proposed: ☐ Place of Use ☐ Character of Use ☐ Point of Diversion/Appropriation Number of above boxes checked = _____(2a) Subtract 1 from the number in line **2a** = _____(2b) *If only one change, this will be 0.* Multiply line **2b** by **$1,090** and enter » » » » » » » » » » » » » » » »	*2*	0
3	Number of water rights included in transfer _____(3a) Subtract 1 from the number in **3a** above: _____(3b) *If only one water right this will be 0* Multiply line **3b** by $610 and enter » » » » » » » » » » » » » » » »	*3*	0
4	Do you propose to add or change a well, change from a surface water POD to a well, or Substitute a Suppl GW right for a Primary SW right? ☐ No: enter 0 » ☐ Yes = $480 (4a) If YES: enter the number of wells being proposed: _____(4b) Subtract 1 from the number in line **4b** = _____(4c) *If only one well this will be 0.* Multiply line **4c** by $410 = _____(4d) Add lines **4a** and **4d** and enter » » » » » » » » » » » » » » » » » »	*4*	0
5	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 » ☐ Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____(5a) Subtract 1.0 from the number in **5a** above: _____(5b) If **5b** is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » » » If **5b** is greater than 0, round up to the nearest whole number: _____(5c) and multiply **5c** by $350, then enter on line 5 » » » » » » » » » » » » » »	*5*	0
6	Add entries on lines **1** through **5** above » » » » » » » » » » Subtotal:	*6*	0
7	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line **6** by 0.5 and enter on line 7 » » » If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » »	*7*	0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » **Transfer Fee:**	*8*	

Revised 7/14/2021

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Part 2 of 5 – Transfer Application Map

Your transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

☒ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.

☐ ☒ N/A If **more than three** water rights are involved, separate maps are needed for each water right.

☒ Permanent quality printed with dark ink on good quality paper.

☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.

☒ A north arrow, a legend, and scale.

☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.

☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.

☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.

☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.

☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.

☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.

☐ ☒ N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.

☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.

☒ ☐ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

SUPERSEDED TACS

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	*1*	$1,360
2	Types of change proposed: ☐ Place of Use ☐ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = 1 (2a) Subtract 1 from the number in line 2a = 0 (2b) *If only one change, this will be 0* Multiply line 2b by $1090 and enter »	*2*	$0
3	Number of water rights included in transfer 2 (3a) Subtract 1 from the number in 3a above: 1 (3b) *If only one water right this will be 0* Multiply line 3b by $610 and enter »	*3*	$610
4	Do you propose to add or change a well, or change from a surface water POD to a well? ☐ No: enter 0 ☒ Yes: enter $480 for the 1st well to be added or changed $480 (4a) Do you propose to add or change additional wells? ☐ No: enter 0 ☒ Yes: multiply the number of additional wells by $410 $3,690 (4b) Add line 4a to line 4b and enter »	*4*	$3,690
5	Do you propose to change the place of use or character of use? ☒ No: enter 0 on line 5 ☐ Yes: enter the cfs for the portions of the rights to be transferred (see below*): (5a) Subtract 1.0 from the number in 5a above: (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: (5c) and multiply 5c by $410, then enter on line 5 »	*5*	$0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	*6*	$5,660
7	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 »	*7*	$0
8	Subtract line 7 from line 6 » **Transfer Fee:**	*8*	**$5,660**

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*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each water right involved as follows:
   a. Divide total authorized cfs by total acres in the water right *(for C12345, 1.25 cfs ÷100 ac)*; then multiply by the number of acres to be transferred to get the transfer cfs *(x 45 ac= 0.56 cfs)*.
   b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). *(For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)*
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land.** The fee should be assessed only once for each "on the ground" acre included in the transfer. *(In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).*

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	*1*	$990.00
2	Number of wells included in substitution (2a) Subtract 1 from the number in 2a above: (2b) *If only one well this will be 0* Multiply line 2b by $480 and enter » » » » » » » » » » » » » »	*2*	
3	Add entries on lines 1 through 2 above » » » » » » **Fee for Substitution:**	*3*	NA

 SUPERSEDED

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	*1*	$1,360
2	Types of change proposed: ☒ Place of Use ☐ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = 2 (2a) Subtract 1 from the number in line 2a = 1 (2b) *If only one change, this will be 0* Multiply line 2b by $1090 and enter »	*2*	$1,090
3	Number of water rights included in transfer 2 (3a) Subtract 1 from the number in 3a above: 1 (3b) *If only one water right this will be 0* Multiply line 3b by $610 and enter »	*3*	$610
4	Do you propose to add or change a well, or change from a surface water POD to a well? ☐ No: enter 0 ☒ Yes: enter $480 for the 1st well to be added or changed $480 (4a) Do you propose to add or change additional wells? ☐ No: enter 0 ☒ Yes: multiply the number of additional wells by $410 $410 (4b) Add line 4a to line 4b and enter » » » » » » » » » » » » » » » » » »	*4*	$890
5	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 ☒ Yes: enter the cfs for the portions of the rights to be transferred (see below 0.0088 (5a) Subtract 1.0 from the number in 5a above: -0.99 (5b) If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » » » If 5b is greater than 0, round up to the nearest whole number: ____ (5c) and multiply 5c by $410, then enter on line 5 »	*5*	$0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	*6*	$3,950
7	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » » » » »	*7*	$0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » » » **Transfer Fee:**	*8*	**$3,950**

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*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each water right involved as follows:
   a. Divide total authorized cfs by total acres in the water right *(for C12345, 1.25 cfs ÷100 ac)*; then multiply by the number of acres to be transferred to get the transfer cfs *(x 45 ac= 0.56 cfs)*.
   b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). *(For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)*
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each "on the ground" acre included in the transfer. *(In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).*

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	*1*	$990.00
2	Number of wells included in substitution ____ (2a) Subtract 1 from the number in 2a above: ____ (2b) *If only one well this will be 0* Multiply line 2b by $480 and enter » » » » » » » » » » » » » »	*2*	
3	Add entries on lines 1 through 2 above » » » » » » **Fee for Substitution:**	*3*	NA

SUPERSEDED TACS

To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME	ADDRESS	
Marion County Planning Division	5155 Silverton Road NE	
CITY	STATE	ZIP
Salem	Oregon	97305

Part 5a of 5b – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

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CERTIFICATE # 88739

Description of Water Delivery System

System capacity: _____ cubic feet per second (cfs) **OR**

360 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water is pumped from the well using a 40 Hp submersible pump through 5-inch PVC buried mainline with hydrants to supply portable laterals with impact sprinklers and/or to attach a large volume hard hose traveler.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well	☒ Authorized ☐ Proposed	MARI 3466, 3467, 63096	6	S	1	W	28	SE	NE	Lot 1	1,975 feet south and 25 feet west from the NE corner, Section 28
Alluvial Well 1	☐ Authorized ☒ Proposed	NA	6	S	1	W	27	SW	SW	DLC 44	1,060 feet north and 1,090 feet east from the SW corner, Section 27
Alluvial Well 2	☐ Authorized ☐ Proposed	NA	6	S	1	W	27	SW	SW	DLC 44	170 feet north and 1,090 feet east from the SW corner, Section 27
Alluvial Well 3	☐ Authorized ☐ Proposed	NA	6	S	1	W	27	SW	SW	DLC 44	0 feet north and 645 feet east from the SW corner, Section 27
Alluvial Well 4	☐ Authorized ☐ Proposed	NA	6	S	1	W	27	SW	SW	DLC 44	50 feet north and 225 feet east from the SW corner, Section 27
Alluvial Well 5	☐ Authorized ☐ Proposed	NA	6	S	1	W	27	SW	SW	DLC 44	1,065 feet north and 225 feet east from the SW corner, Section 27

SUPERSEDED TACS

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- ☐ Place of Use (POU)
- ☐ Character of Use (USE)
- ☐ Point of Diversion (POD)
- ☐ Additional Point of Diversion (APOD)
- ☐ Surface Water POD to Ground Water POA (SW/GW)
- ☐ Supplemental Use to Primary Use (S to P)
- ☒ Point of Appropriation/Well (POA)
- ☐ Additional Point of Appropriation (APOA)
- ☐ Substitution (SUB)
- ☐ Government Action POD (GOV)

Will all of the proposed changes affect the entire water right?

☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 88739

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
6	S	1	W	27	SW	NW	1300	DLC 44	12.5	IR	Authorized Well	3-4-1991	POA	6	S	1	W	27	SW	NW	1300	DLC 44	12.5	IR	Proposed Alluvial Wells 1, 2, 3, 4, 5	3-4-1991
6	S	1	W	27	NW	SW	1300	DLC 44	27.5	IR	Authorized Well	3-4-1991	POA	6	S	1	W	27	NW	SW	1300	DLC 44	27.5	IR	Proposed Alluvial Wells 1, 2, 3, 4, 5	3-4-1991
6	S	1	W	27	SW	SW	1300	DLC 44	26.3	IR	Authorized Well	3-4-1991	POA	6	S	1	W	27	SW	SW	1300	DLC 44	26.3	IR	Proposed Alluvial Wells 1, 2, 3, 4, 5	3-4-1991
TOTAL ACRES:									66.3					TOTAL ACRES:									66.3			

Additional remarks: **None.**

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For Place of Use or Character of Use Changes - NA

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☐ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: NA.

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # NA;
Surface water primary Certificate # NA.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

☒ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

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Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Authorized Well	**Yes**	**MARI 3466, 3467, 63096**	**See Well logs MARI 3466, 3467, 63096**							
Alluvial Well 1	**No**	**NA**	**300 feet**	**8 inch**	**0 to 300 feet**	**0 to 20 feet**	**TBD**	**NA**	**Alluvial**	**Not less than full rate of water right**
Alluvial Well 2	**No**	**NA**	**300 feet**	**8 inch**	**0 to 300 feet**	**0 to 20 feet**	**TBD**	**NA**	**Alluvial**	
Alluvial Well 3	**No**	**NA**	**300 feet**	**8 inch**	**0 to 300 feet**	**0 to 20 feet**	**TBD**	**NA**	**Alluvial**	
Alluvial Well 4	**No**	**NA**	**300 feet**	**8 inch**	**0 to 300 feet**	**0 to 20 feet**	**TBD**	**NA**	**Alluvial**	
Alluvial Well 5	**No**	**NA**	**300 feet**	**8 inch**	**0 to 300 feet**	**0 to 20 feet**	**TBD**	**NA**	**Alluvial**	

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Part 5b of 5b – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 93894

Description of Water Delivery System

System capacity: **1.18** cubic feet per second (cfs) **OR**

___ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water is pumped from the Well 1 (MARI 63097) using a 40 Hp submersible pump through 5-inch PVC buried mainline with hydrants to supply portable laterals with impact sprinklers and/or to attach a large volume hard hose traveler. Well 2 (MARI 51875) is not used on the affected acres in this

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transfer but uses a 40 Hp submersible pump through 5-inch PVC buried mainline with hydrants to supply portable laterals with impact sprinklers and/or to attach a large volume hard hose traveler.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	☒ Authorized ☐ Proposed	MARI (63097)	6	S	1	W	27	SW	NW	DLC 44	2,013 feet south and 26 feet east from the NE corner, Section 28
Well 2	☒ Authorized ☐ Proposed	MARI (51875)	6	S	1	W	28	NW	SE	DLC 43	1,500 feet south and 70 feet west from the NW corner, DLC 44
Basalt Well 1	☐ Authorized ☒ Proposed	NA	6	S	1	W	27	SW	SW	DLC 44	1,085 feet north and 1,090 feet east from the SW corner, Section 27
Basalt Well 2	☐ Authorized ☐ Proposed	NA	6	S	1	W	27	SW	SW	DLC 44	195 feet north and 1,090 feet east from the SW corner, Section 27
Basalt Well 3	☐ Authorized ☐ Proposed	NA	6	S	1	W	27	SW	SW	DLC 44	0 feet north and 670 feet east from the SW corner, Section 27
Basalt Well 4	☐ Authorized ☐ Proposed	NA	6	S	1	W	27	SW	SW	DLC 44	75 feet north and 225 feet east from the SW corner, Section 27
Basalt Well 5	☐ Authorized ☐ Proposed	NA	6	S	1	W	27	SW	SW	DLC 44	1,090 feet north and 225 feet east from the SW corner, Section 27

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- ☐ Place of Use (POU)
- ☐ Character of Use (USE)
- ☐ Point of Diversion (POD)
- ☐ Additional Point of Diversion (APOD)
- ☐ Surface Water POD to Ground Water POA (SW/GW)
- ☐ Supplemental Use to Primary Use (S to P)
- ☒ Point of Appropriation/Well (POA)
- ☐ Additional Point of Appropriation (APOA)
- ☐ Substitution (SUB)
- ☐ Government Action POD (GOV)

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Will all of the proposed changes affect the entire water right?

☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 88739

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
6	S	1	W	27	SW	NW	1300	DLC 44	12.5	IR	Authorized Well 1& 2	12-20-96	POA	6	S	1	W	27	SW	NW	1300	DLC 44	12.5	IR	Proposed Basalt Wells 1, 2, 3, 4, 5	12-20-96
6	S	1	W	27	NW	SW	1300	DLC 44	27.5	IR	Authorized Well 1& 2	12-20-96	POA	6	S	1	W	27	NW	SW	1300	DLC 44	27.5	IR	Proposed Basalt Wells 1, 2, 3, 4, 5	12-20-96
6	S	1	W	27	SW	SW	1300	DLC 44	26.3	IR	Authorized Well 1& 2	12-20-96	POA	6	S	1	W	27	SW	SW	1300	DLC 44	26.3	IR	Proposed Basalt Wells 1, 2, 3, 4, 5	12-20-96
TOTAL ACRES:									66.3					TOTAL ACRES:									66.3			

Additional remarks: **None.**

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For Place of Use or Character of Use Changes - NA

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☐ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **NA.**

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # **NA;**
Surface water primary Certificate # **NA.**

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **NA**

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

☒ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

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Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Authorized Well 1	**Yes**	**MARI 63097**	**See Well logs MARI 63097**							
Authorized Well 2	**Yes**	**MARI 51875**	**See Well logs MARI 51875**							
Basalt Well 1	**No**	**NA**	**615 feet**	**8 inch**	**0 to 320 feet**	**0 to 320 feet**	**TBD**	**NA**	**Basalt**	**Not less than full rate of water right**
Basalt Well 2	**No**	**NA**	**615 feet**	**8 inch**	**0 to 320 feet**	**0 to 320 feet**	**TBD**	**NA**	**Basalt**	
Basalt Well 3	**No**	**NA**	**615 feet**	**8 inch**	**0 to 320 feet**	**0 to 320 feet**	**TBD**	**NA**	**Basalt**	
Basalt Well 4	**No**	**NA**	**615 feet**	**8 inch**	**0 to 320 feet**	**0 to 320 feet**	**TBD**	**NA**	**Basalt**	
Basalt Well 5	**No**	**NA**	**615 feet**	**8 inch**	**0 to 320 feet**	**0 to 320 feet**	**TBD**	**NA**	**Basalt**	

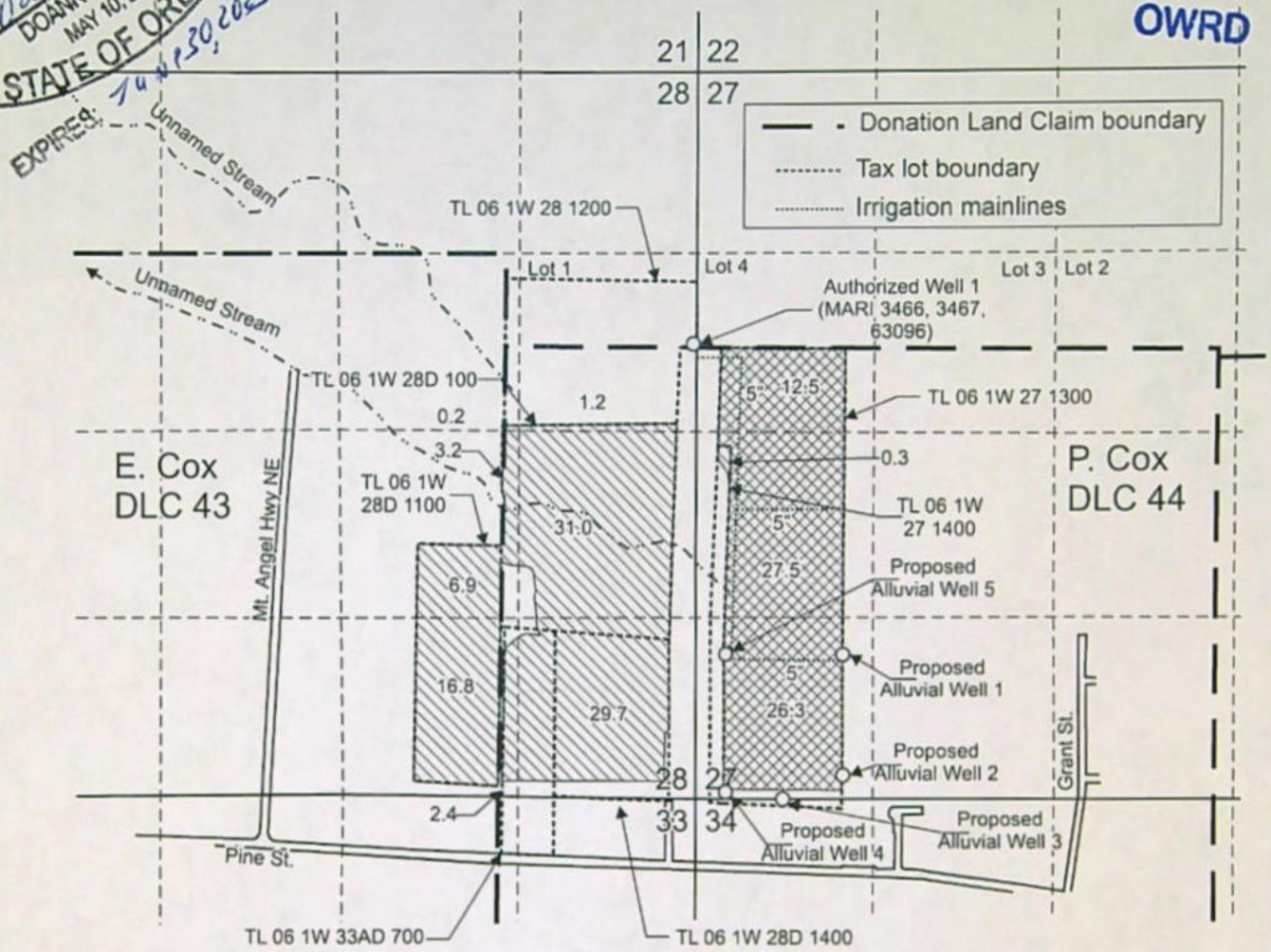
RECEIVED
AUG 01 2022
OWRD

SUPERSEDED

CERTIFIED WATER RIGHT EXAMINER
85503
DOANN HAMILTON
MAY 10, 2012
STATE OF OREGON
EXPIRES: 12/31/2023

T.6S. R.1W. Sec. 27 & 28, W.M.

RECEIVED
AUG 01 2022
OWRD



Authorized Well (MARI 3466, 3467, 63096) is located 1,975 feet south and 25 feet west from the NE corner, Section 28.

Proposed Alluvial Well 1 is located 1,060 feet north and 1,090 feet east from the SW corner, Section 27.

Proposed Alluvial Well 2 is located 170 feet north and 1,090 feet east from the SW corner, Section 27.

Proposed Alluvial Well 3 is located 0 feet north and 645 feet east from the SW corner, Section 27.

Proposed Alluvial Well 4 is located 50 feet north and 225 feet east from the SW corner, Section 27.

Proposed Alluvial Well 5 is located 1,065 feet north and 225 feet east from the SW corner, Section 27.

Area (91.7 Acres) irrigated under Certificate 88739, priority date: March 4, 1991, not affected by this transfer.

Area (66.3 Acres) irrigated under Certificate 88739, priority date: March 4, 1991, affected by this transfer.

N

This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.

Scale: 1" = 1,320'

0 1,320 Feet

Transfer Application Map
Certificate 88739

Craig and Juanita Schurter
T.6S. R.1W. Sec. 27 & 28, W.M.

Pacific Hydro-Geology Inc.

07/2022

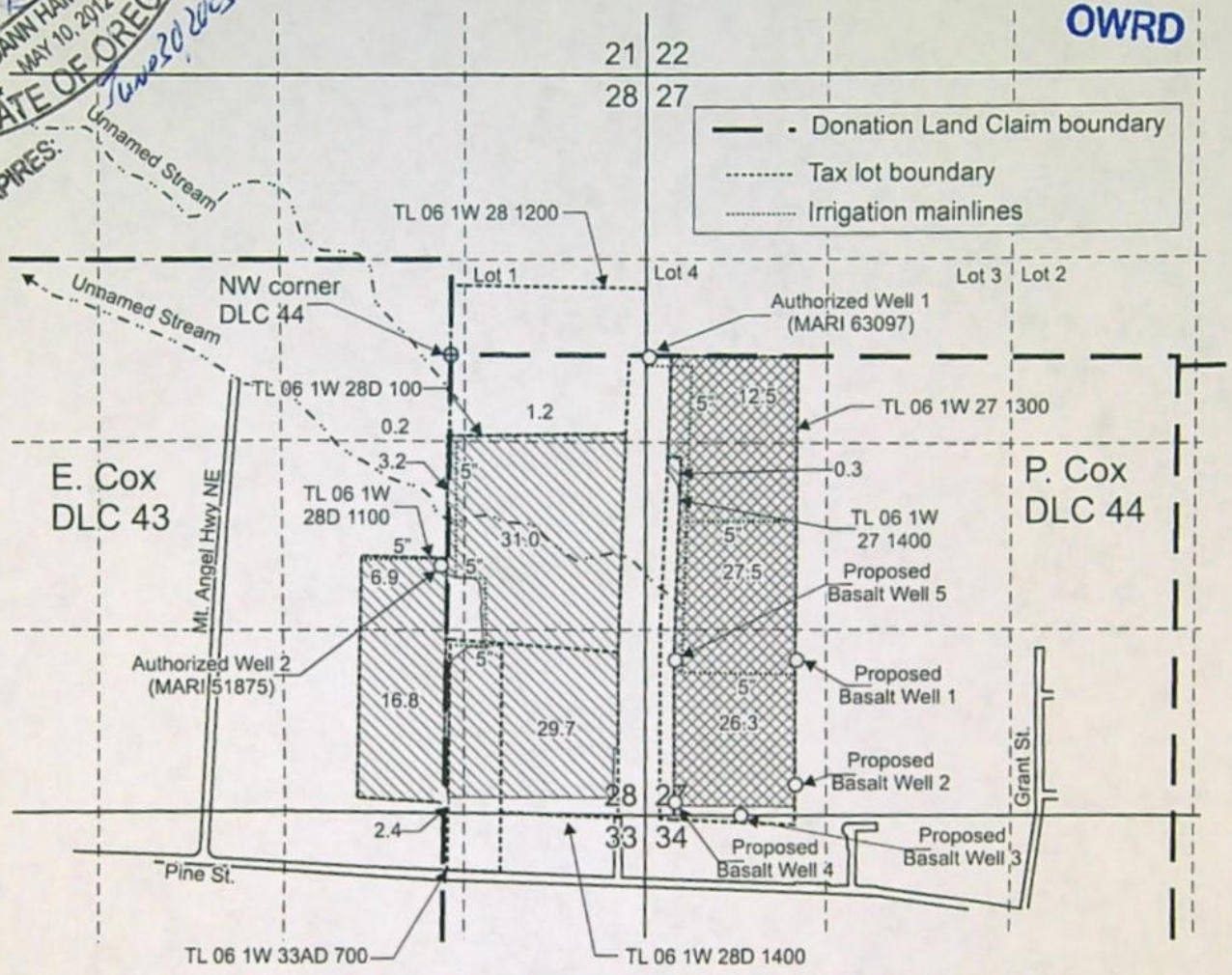
SUPERSEDED

Schurter.CraigCert88739TransMap.cdr

CERTIFIED WATER RIGHT EXAMINER
85503
DOANN HAMILTON
MAY 10, 2012
STATE OF OREGON
EXPIRES: June 30, 2023

T.6S. R.1W. Sec. 27 & 28, W.M.

RECEIVED
AUG 01 2022
OWRD



Authorized Well 1 (MARI 63097) is located 2,013 feet south and 26 feet east from the NE corner, Section 28.
Authorized Well 2 (MARI 51875) is located 1,500 feet south and 70 feet west from the NW corner, DLC 44.

Proposed Basalt Well 1 is located 1,085 feet north and 1,090 feet east from the SW corner, Section 27.
Proposed Basalt Well 2 is located 195 feet north and 1,090 feet east from the SW corner, Section 27.
Proposed Basalt Well 3 is located 0 feet north and 670 feet east from the SW corner, Section 27.
Proposed Basalt Well 4 is located 75 feet north and 225 feet east from the SW corner, Section 27.
Proposed Basalt Well 5 is located 1,090 feet north and 225 feet east from the SW corner, Section 27.

Area (91.7 Acres) irrigated under Certificate 93894 to make up a deficiency in rate for Permit G-11434, priority date: 12-20-1996, not affected by this transfer.

Area (66.3 Acres) irrigated under Certificate 93894, to make up a deficiency in rate for Permit G-11434, priority date: 12-20-1996, affected by this transfer.

N

Scale: 1" = 1,320'

0 1,320 Feet

This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.

Pacific Hydro-Geology Inc.

Transfer Application Map
Certificate 93894

Craig and Juanita Schurter
T.6S. R.1W. Sec. 27 & 28, W.M.

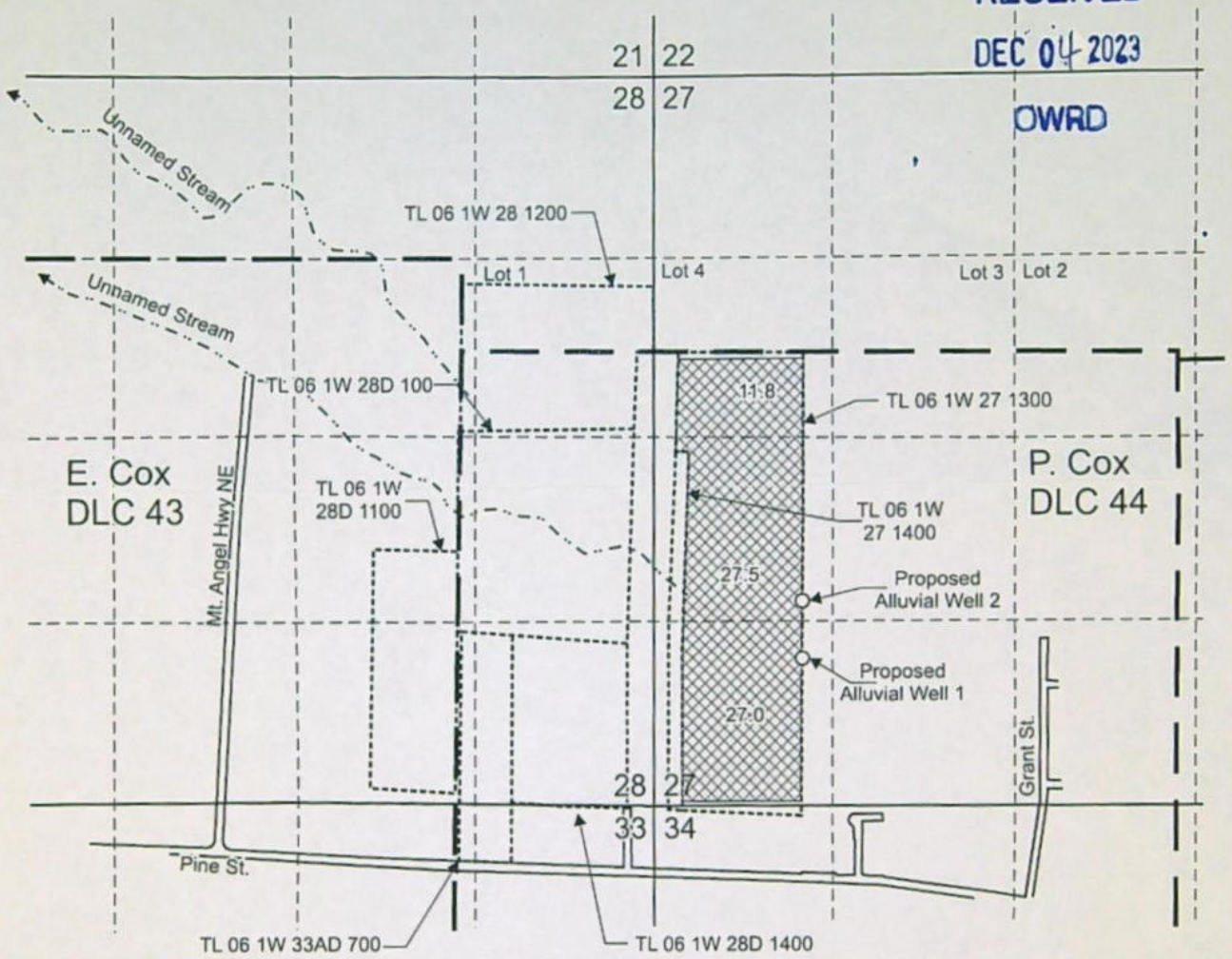
07/2022

SUPERSEDED

Schurter,CraigCert88739TransMap.cdr

T.6S. R.1W. Sec. 27 & 28, W.M.

RECEIVED
DEC 04 2023
OWRD



Proposed Alluvial Well 1 is located 1,060 feet north and 1,090 feet east from the SW corner, Section 27.

Proposed Alluvial Well 2 is located 1,500 feet north and 1,090 feet east from the SW corner, Section 27.

"To" Area (66.3 Acres) irrigated under Certificate 88739, priority date: March 4, 1991, affected by this transfer.

— · — Donation Land Claim boundary

--------- Tax lot boundary

..... Irrigation mainlines

14059 -

CERTIFIED WATER RIGHT EXAMINER
85503
DOANN HAMILTON
MAY 10, 2012
STATE OF OREGON
EXPIRES: June 30, 2025

SUPERSEDED

This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.

Scale: 1" = 1,320'

0 1,320 Feet

Transfer Application "To" Map
Certificate 88739

Craig and Juanita Schurter
T.6S. R.1W. Sec. 27 & 28, W.M.

Pacific Hydro-Geology Inc.

07/2022
Rev. 07/2023
Rev. 11/2023

Schurter,CraigCert88739TransMap.cdr

To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME	ADDRESS	
Marion County Planning Division	5155 Silverton Road NE	
CITY	STATE	ZIP
Salem	Oregon	97305

Part 5a of 5b – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 88739

RECEIVED
DEC 04 2023
OWRD

Description of Water Delivery System

System capacity: _____ cubic feet per second (cfs) **OR**

360 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water is pumped from the well using a 40 Hp submersible pump through 5-inch PVC buried mainline with hydrants to supply portable laterals with impact sprinklers and/or to attach a large volume hard hose traveler.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well	☒ Authorized ☐ Proposed	MARI 3466, 3467, 63096	6 S	1 W	28	SE NE	Lot 1	1,975 feet south and 25 feet west from the NE corner, Section 28
Alluvial Well 1	☐ Authorized ☒ Proposed	NA	6 S	1 W	27	SW SW	DLC 44	1,060 feet north and 1,090 feet east from the SW corner, Section 27
Alluvial Well 2	☐ Authorized ☐ Proposed	NA	6 S	1 W	27	SW SW	DLC 44	1,500 feet north and 1,090 feet east from the SW corner, Section 27

Revised 11-30-23 DH

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- ☒ Place of Use (POU)
- ☐ Character of Use (USE)
- ☐ Point of Diversion (POD)
- ☐ Additional Point of Diversion (APOD)
- ☐ Supplemental Use to Primary Use (S to P)
- ☒ Point of Appropriation/Well (POA)
- ☐ Additional Point of Appropriation (APOA)
- ☐ Substitution (SUB)

14059 -

SUPERSEDED TACS

18487 S. Valley Vista Rd.
Mulino, Oregon 97042
(503) 632-5016 Phone
(503) 632-5983 Fax

Pacific Hydro-Geology Inc.

Memo

To: Oregon Water Resources Department / Dante Luongo

From: Doann Hamilton, CWRE

CC:

Date: November 30, 2023

Re: Certificate 88739 transfer T-14059 revisions

The groundwater review for our client , Craig Schurter, transfer application T-14059, was issued November 3, 2023. Due to the results of this review, our client has revised the location of Alluvial Well 2.

Attached are the corrected map and page of the application to reflect this change.

CERTIFIED WATER RIGHT EXAMINER
85503
DOANN HAMILTON
MAY 10, 2012
STATE OF OREGON
EXPIRES: JUNE 30, 2025

RECEIVED
DEC 04 2023
OWRD

14059 -

GREW Scott A * WRD

From: JARAMILLO Lisa J * WRD
Sent: Wednesday, June 7, 2023 2:57 PM
To: GREW Scott A * WRD
Subject: One more thing... RE: T-14059 - Need you to contact Doann...

Hi Scott,

One more follow-up item in the event that the applicant chooses to break the application into two separate Transfer Applications.....

If they decide to file a new, second transfer application.... Once we receive it and a new T-##### is filed, please let Dennis Orlowski know that it's been filed and what the new number is.

Thank you,
Lisa

Lisa J. Jaramillo
Transfer and Conservation Section Manager
725 Summer Street NE, Suite A, Salem, OR 97301 | Phone: 503-871-1889 (work cell)

OREGON WATER RESOURCES DEPARTMENT

Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

NOTE: OWRD offices are now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, however, availability of staff in the office is not guaranteed 8 a.m. - 5 p.m. every day (M-F). OWRD's Salem office is closed for customer service drop-ins from Noon – 1pm. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

From: JARAMILLO Lisa J * WRD <Lisa.J.JARAMILLO@water.oregon.gov>
Sent: Wednesday, June 7, 2023 2:53 PM
To: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Subject: T-14059 - Need you to contact Doann...

Hi Scott,

I'm catching up on outstanding items today.....

Please reach out to Doann at Pacific Hydrogeology (*first by phone to give her a heads-up, then by email where you can lay everything out*)... to let her know that it's been discovered as part of the GW Review that we should not have accepted Application T-14059 with two water right certificates (88739 and 93894) included. This is because the application does not meet the criteria under OAR 690-380-2250 or 690-380-3220 for allowing more than one water right in a transfer application. **(See detailed analysis of rule requirements below for more specifics).**

Then..... let her know that the applicant has two options at this time:

1. The applicant could amend T-14059 to also propose a POU or USE change (*and pay the **$1,090** application fee required for the additional type of change requested*), thereby meeting the requirement under OAR 690-380-2250(1) for allowing layered rights to be processed in the same application;

   or

2. Remove one of the water rights (Cert 93894) from T-14059, then include it on a new, second transfer application requesting a POA change (to 5 new basalt wells), and then submit it to the Department. Application fees would total **$3,480**.

   [Base Fee of $1,360 for 1 water right, 1 change (POA), and 1st CFS of water; plus $480 add'l fee for transfers involving a POA change (1st well); plus $410 for each additional well after the first well (4 more wells)].

NOTE: If they choose to proceed with **Option #2**, let her know that since it was our mistake for accepting the application with both certificates included, we will not charge an RA Estimate Fee for the second application and that even though they've been split apart into two applications, the GW Section will evaluate them together under the existing contract, keeping track of the time it takes to evaluate the 5 proposed alluvial wells as well as the 5 proposed basalt wells. Depending on how long it takes the GW Section to complete their review of the 10 proposed wells, it's possible that the total cost for the RA may slightly change.

Analysis of Rule Requirements:

Transfer Application T-14059 does **not** meet OAR 690-380-2250(1) because, while the water right certificates 88739 & 98394 may be layered irrigation rights, T-14059 does not propose a change in Place of Use (POU)or a change in Character of Use (USE). T-14059 only proposes changes in Points of Appropriation (POA).

> **OAR 690-380-2250(1)** When an application for change of the use or place of use for a primary water right is submitted in accordance with OAR 690-380-3000, the applicant also shall indicate whether the land described in the application has an appurtenant supplemental water right or permit. If the applicant intends to transfer the supplemental water right or permit with the primary water right, the applicant shall include information on the supplemental right or permit as part of the transfer application for the primary water right as required under OAR 690-380-3000.

Transfer Application T-14059 does **not** meet criteria outlined in:

- OAR 690-380-3220(1) – Because the proposed wells for Cert 88739 are alluvial wells, and proposed wells for Cert 98394 are different wells in the basalts;
- OAR 690-380-3220(2) – Because the transfer does not propose any USE or POU changes; only POA changes.
- OAR 690-380-3220(3) – Because the transfer does not propose any USE or POU changes; only POA changes.
- OAR 690-380-3220(4) – Because the transfer does not propose a transfer between two parcels using water from the same source.

> **OAR 690-380-3220** For changes involving more than one landowner or water use subject to transfer, a separate transfer application is required for each water use subject to transfer from each landowner involved, except under the following circumstances:
> **(1)** A change in point or points of diversion or appropriation to a new common point of diversion or appropriation for a delivery system serving multiple rights or multiple ownerships.
> **(2)** A change in use or place of use of all rights on a single parcel from all sources.
> **(3)** A change in use or place of use from as many as four land owners may be allowed within a district. Such a change must be for the same water right and not total more than 10 acres transferred.
> **(4)** Transfers between two parcels using water from the same source.

Thank you.... and please let me know if you have any questions,
-Lisa

Lisa J. Jaramillo
Transfer and Conservation Section Manager
725 Summer Street NE, Suite A, Salem, OR 97301 | Phone: 503-871-1889 (work cell)

GREW Scott A * WRD

From: GREW Scott A * WRD
Sent: Tuesday, June 13, 2023 4:56 PM
To: Doann Hamilton
Cc: GREW Scott A * WRD
Subject: Application T-14059 Craig and Juanita Schurter

Good evening Doann,

It has been discovered as part of the GW Review that the Department should not have accepted Application T-14059 with two water right certificates (88739 and 93894) included. This is because the application does not meet the criteria under OAR 690-380-2250 or 690-380-3220 for allowing more than one water right in a transfer application. (**See detailed analysis of rule requirements below for more specifics**).

The applicant has two options at this time:

1. The applicant could amend T-14059 to also propose a POU or USE change (*and pay the **$1,090** application fee required for the additional type of change requested*), thereby meeting the requirement under OAR 690-380-2250(1) for allowing layered rights to be processed in the same application;

   or

2. Remove one of the water rights (Cert 93894) from T-14059, then include it on a new, second transfer application requesting a POA change (to 5 new basalt wells), and then submit it to the Department. Application fees would total **$3,480**.

   [*Base Fee of $1,360 for 1 water right, 1 change (POA), and 1st CFS of water; plus $480 add'l fee for transfers involving a POA change (1st well); plus $410 for each additional well after the first well (4 more wells)*].

NOTE: If your applicant chooses to proceed with **Option #2**, because it was the Department's mistake for accepting the application with both certificates included, we will not charge an RA Estimate Fee for the second application and that even though they've been split apart into two applications, the GW Section will evaluate them together under the existing contract, keeping track of the time it takes to evaluate the 5 proposed alluvial wells as well as the 5 proposed basalt wells. Depending on how long it takes the GW Section to complete their review of the 10 proposed wells, it's possible that the total cost for the RA may slightly change.

Analysis of Rule Requirements:
Transfer Application T-14059 does **not** meet OAR 690-380-2250(1) because, while the water right certificates 88739 & 98394 may be layered irrigation rights, T-14059 does not propose a change in Place of Use (POU)or a change in Character of Use (USE). T-14059 only proposes changes in Points of Appropriation (POA).

> **OAR 690-380-2250(1)** When an application for change of the use or place of use for a primary water right is submitted in accordance with OAR 690-380-3000, the applicant also shall indicate whether the land described in the application has an appurtenant supplemental water right or permit. If the applicant intends to transfer the supplemental water right or permit with the primary water right, the applicant shall include information on the supplemental right or permit as part of the transfer application for the primary water right as required under OAR 690-380-3000.

Transfer Application T-14059 does **not** meet criteria outlined in:

- OAR 690-380-3220(1) – Because the proposed wells for Cert 88739 are alluvial wells, and proposed wells for Cert 98394 are different wells in the basalts;
- OAR 690-380-3220(2) – **Because the transfer does not propose any USE or POU changes; only POA changes.**
- OAR 690-380-3220(3) – Because the transfer does not come from a single water right and is not in a district.

- OAR 690-380-3220(4) – Because the transfer does not propose a transfer between two parcels using water from the same source.

> **OAR 690-380-3220** For changes involving more than one landowner or water use subject to transfer, a separate transfer application is required for each water use subject to transfer from each landowner involved, except under the following circumstances:
> **(1)** A change in point or points of diversion or appropriation to a new common point of diversion or appropriation for a delivery system serving multiple rights or multiple ownerships.
> **(2)** A change in use or place of use of all rights on a single parcel from all sources.
> **(3)** A change in use or place of use from as many as four land owners may be allowed within a district. Such a change must be for the same water right and not total more than 10 acres transferred.
> **(4)** Transfers between two parcels using water from the same source.

Let me know if you have any further questions.

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890

Oregon Water Resources Department
Transfer Fee Calculation for Permanent (Non-District) Transfer

Today's Date: Friday, July 14, 2023

	Fee Calculation
Base Fee (includes one type of change to one water right for up to 1 cfs)	$1,360.00

Fill in information below-- Check each box that applies.

Types of Change Proposed:

- [x] Place of Use
- [x] Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD
- [ ] Character of Use — $1,090.00

Enter total number of water rights included in transfer. 2 — $610.00

- [x] Check this box if you propose to add or change a well, or change from a surface water POD to a well. — $480.00

Enter total number of groundwater wells (POAs) included in transfer. 4 — $1,230.00

- [ ] Check this box if you propose to change the place of use or character of use for a NON-irrigation right.
- [x] Check this box if you propose to change the place of use or character of use for an irrigation right.

Enter the following for the primary certificates on the land included in the transfer.
(If a supplemental certificate also covers the same land as an included primary right, only list the primary.)

Certificate #	Total acres in the water right	# of acres to be transferred	Total cfs in the water right certificate	OR	If certificate does not list cfs,enter 1/__ cfs per acre	Transfer cfs
93894	158	66.3	1.18			0.495152
88739	158	66.3	0.8			0.335696

Total Transfer CFS(rounded up to the next whole cfs): 1.00

Subtotal: $4,770.00

Check each box that applies.

☐ The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.

☐ The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

Discount:	
Transfer Fee:	$4,770.00

Return to Edit Clear

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	$1,360
2	Types of change proposed: ☒ Place of Use ☐ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = 2 (2a) Subtract 1 from the number in line 2a = 1 (2b) *If only one change, this will be 0* Multiply line 2b by $1090 and enter »	2	$1,090
3	Number of water rights included in transfer 2 (3a) Subtract 1 from the number in 3a above: 1 (3b) *If only one water right this will be 0* Multiply line 3b by $610 and enter »	3	$610
4	Do you propose to add or change a well, or change from a surface water POD to a well? ☐ No: enter 0 ☒ Yes: enter $480 for the 1st well to be added or changed $480 (4a) Do you propose to add or change additional wells? ☐ No: enter 0 ☒ Yes: multiply the number of additional wells by $410 $1,230 (4b) Add line 4a to line 4b and enter » » » » » » » » » » » » » »	4	$1,710
5	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 ☒ Yes: enter the cfs for the portions of the rights to be transferred (see below 0.0088 (5a) Subtract 1.0 from the number in 5a above: -0.99 (5b) If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » If 5b is greater than 0, round up to the nearest whole number: ____ (5c) and multiply 5c by $410, then enter on line 5 »	5	$0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	$4,770
7	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » » » » »	7	$0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » » » **Transfer Fee:**	8	**$4,770**

Revised 7-14-23 DH

*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each water right involved as follows:
   a. Divide total authorized cfs by total acres in the water right *(for C12345, 1.25 cfs ÷100 ac)*; then multiply by the number of acres to be transferred to get the transfer cfs *(x 45 ac= 0.56 cfs)*.
   b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). *(For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)*
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land.** The fee should be assessed only once for each "on the ground" acre included in the transfer. *(In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).*

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	$990.00
2	Number of wells included in substitution ____ (2a) Subtract 1 from the number in 2a above: ____ (2b) *If only one well this will be 0* Multiply line 2b by $480 and enter » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » **Fee for Substitution:**	3	NA

18487 S. Valley Vista Rd.
Mulino, Oregon 97042
(503) 632-5016 Phone
(503) 632-5983 Fax

Pacific Hydro-Geology Inc.

Memo

RECEIVED
JUL 19 2023
OWRD

To: Oregon Water Resources Department / Scott Grew

From: Doann Hamilton, CWRE

CC:

Date: July 14, 2023

Re: Permit Amendment T-14059

On July 14, 2023 I received an email from Scott Grew from OWRD acknowledging receipt of the revised pages and map for T-14059, but he noted the fee schedule page was calculated wrong. Attached is the revised fee schedule page.

CERTIFIED WATER RIGHT EXAMINER
85503
Doann Hamilton
MAY 10, 2012
STATE OF OREGON
EXPIRES: June 30, 2025

GREW Scott A * WRD

From: GREW Scott A * WRD
Sent: Friday, July 14, 2023 2:49 PM
To: Doann Hamilton
Cc: GREW Scott A * WRD
Subject: RE: Application T-14059 Craig and Juanita Schurter
Attachments: Revised Application Transfer Fee Calculation for Permanent (Non-District) Transfer.pdf

Doann,

I received to originals for your amended application. I did notice that there was an error in the fee schedule that was submitted. I understand that the applicant is dropping 6 of the proposed wells. The fee scheduled that was submitted only had 2 wells on the fee schedule.
The amended application is proposing 4 wells (2 Alluvial and 2 Basalt). See attached fee schedule.

I just wanted to let you know and ask if you could resubmit a corrected page 3. Any overage from the original application fee will be refunded at Final Order.

Thank you,
Scott

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890

From: Doann Hamilton <phgdmh@gmail.com>
Sent: Monday, July 3, 2023 5:19 PM
To: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>; Craig Schurter <craigschurter@gmail.com>; Greg Kupillas <phggek@bctonline.com>
Subject: Fwd: Application T-14059 Craig and Juanita Schurter

Hi Scott

We received this email from you requiring action by our client

> Our client has chosen to come into compliance with the rules, to propose an additional change in POU. To offset some of the cost, our client also removed some of the proposed wells. In doing so we are not sure if our client still owes additional fees or if he has overpaid.
>
> Attached are the revised pages to the application and revised maps. Please let us know if our client needs to do anything else to get this application process.

The original is in the mail

Doann

---------- Forwarded message ---------
From: **GREW Scott A * WRD** <Scott.A.GREW@water.oregon.gov>
Date: Tue, Jun 13, 2023 at 4:55 PM
Subject: Application T-14059 Craig and Juanita Schurter
To: Doann Hamilton <phgdmh@gmail.com>
Cc: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>

Good evening Doann,

It has been discovered as part of the GW Review that the Department should not have accepted Application T-14059 with two water right certificates (88739 and 93894) included. This is because the application does not meet the criteria under OAR 690-380-2250 or 690-380-3220 for allowing more than one water right in a transfer application. (**See detailed analysis of rule requirements below for more specifics**).

The applicant has two options at this time:

1. The applicant could amend T-14059 to also propose a POU or USE change (*and pay the **$1,090** application fee required for the additional type of change requested*), thereby meeting the requirement under OAR 690-380-2250(1) for allowing layered rights to be processed in the same application;

or

2. Remove one of the water rights (Cert 93894) from T-14059, then include it on a new, second transfer application requesting a POA change (to 5 new basalt wells), and then submit it to the Department. Application fees would total **$3,480**.

   [Base Fee of $1,360 for 1 water right, 1 change (POA), and 1st CFS of water; plus $480 add'l fee for transfers involving a POA change (1st well); plus $410 for each additional well after the first well (4 more wells)].

NOTE: If your applicant chooses to proceed with **Option #2**, because it was the Department's mistake for accepting the application with both certificates included, we will not charge an RA Estimate Fee for the second application and that even though they've been split apart into two applications, the GW Section will evaluate them together under the existing contract, keeping track of the time it takes to evaluate the 5 proposed alluvial wells as well as the 5 proposed basalt wells. Depending on how long it takes the GW Section to complete their review of the 10 proposed wells, it's possible that the total cost for the RA may slightly change.

Analysis of Rule Requirements:

18487 S. Valley Vista Rd.
Mulino, Oregon 97042
(503) 632-5016 Phone
(503) 632-5983 Fax

Pacific Hydro-Geology Inc.

RECEIVED
JUL 10 2023
OWRD

Memo

To: Oregon Water Resources Department / Scott Grew

From: Doann Hamilton, CWRE

CC:

Date: July 3, 2023

Re: Permit Amendment T-14059

On June 13, 2023 I received an email from Scott Grew from OWRD explaining the application as received should have been submitted as two separate applications. To move forward Scott gave our client Chris Schurter two options. Our client has chosen to come into compliance with the rules, to propose an additional change in POU. To offset some of the cost, our client also removed some of the proposed wells. In doing so we are not sure if our client still owes additional fees or if he has overpaid.

Attached are the revised pages to the application and revised maps. Please let us know if our client needs to do anything else to get this application processes.

CERTIFIED WATER RIGHT EXAMINER
85503
DOANN HAMILTON
MAY 10, 2012
STATE OF OREGON
EXPIRES: JUNE 30, 2025