

STATE OF OREGON

COUNTY OF

COOS

CERTIFICATE OF WATER RIGHT

This Is to Certify, ThatMrs. GERTRUDE PEARL TUCKER and
Mr. JAY HESS

of Box 955, Bandon, State of Oregon 97411, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Crooked Creek and two reservoirs constructed under Permit R-5431

a tributary of Pacific Ocean for the purpose of cranberry harvesting of 12.55 acres, irrigation of 5.34 acres and supplemental irrigation of 15.64 acres under Permit No. 34185 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from February 26, 1969

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.76 cubic foot per second from Crooked Creek and 5.5 acre-feet from 2 reservoirs, being 0.13 cfs for irrigation and 0.63 cfs for cranberry harvesting from Crooked Creek; 2.75 acre-feet stored water only for supplemental *

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the SE 1/4 SE 1/4, Section 7; NW 1/4 NE 1/4; NE 1/4 NE 1/4, Section 18, T29S, R14W, WM; Creek - 380 feet North and 120 feet East; Reservoir 1 - 650 feet South and 600 feet West; Reservoir 2 - 200 feet South and 140 feet East, all from NW Corner, NE 1/4 NE 1/4, Section 18.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoirs constructed under Permit R-5431 for cranberries. If for the irrigation of any other crop, this appropriation shall be limited to one-eightieth of one cubic foot per second or its equivalent for each acre irrigated from direct flow, and shall be further limited to a diversion of not to exceed 2 1/2 acre-feet per acre for each acre irrigated during the ** and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

- * irrigation and 2.75 acre-feet stored water only for supplemental cranberry harvesting.
- ** irrigation season of each year from direct flow and storage from reservoirs constructed under Permit R-5431, and further limited to the use of stored water only on the lands described as supplemental.

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Crooked Creek (Primary)

| | |
|--------------------------------------|--------------------------|
| Irrigation | Harvesting |
| 5.14 acres NE 1/4 NE 1/4 | 5.75 acres NE 1/4 NE 1/4 |
| 0.20 acre NW 1/4 NE 1/4 | 6.80 acres NW 1/4 NE 1/4 |
| Section 18 | |
| Township 29 South, Range 14 West, WM | |

Reservoirs (Supplemental)

| | |
|--------------------------------------|---------------------------|
| Irrigation | Harvesting |
| 5.14 acres NE 1/4 NE 1/4 | 5.75 acres NE 1/4 NE 1/4 |
| 10.50 acres NW 1/4 NE 1/4 | 10.50 acres NW 1/4 NE 1/4 |
| Section 18 | |
| Township 29 South, Range 14 West, WM | |

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 39632, Volume 31, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered November 18, 1983.

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 purposes aforesaid is restricted to the lands or place of use herein described. and is subject to minimum flows established by the Water Policy Review Board with an effective date prior to this right

WITNESS the signature of the Water Resources Director, affixed

this date. February 10, 1984

/s/ WILLIAM H. YOUNG
Water Resources Director