

STATE OF OREGON

COUNTY OF

COOS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

G. FRED AND BARBARA J. COX

of PO Box 932, Bandon, State of OR 97411, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Johnson Creek, Crooked Creek and six reservoirs constructed under Permit R-5461

a tributary of Pacific Ocean for the purpose of frost control, cranberry flood harvesting for 20.37 acres and irrigation of 14.51 acres

under Permit No. 34284 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 May 13, 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 3.10 cubic feet per second; being 1.6 cfs from Johnson Creek and reservoirs and 1.5 cfs from Crooked Creek and reservoirs and 1.6 cfs for frost control from Johnson Creek, 0.55 cfs for harvesting and 0.27 for irrigation from Johnson* or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the SW 1/4 SW 1/4, Section 5, SW 1/4 NW 1/4, Section 8, T29S, R14W, WM; Johnson Creek - 2820 feet North and 1570 feet West; Reservoir No. 6 - 280 feet North and 1430 feet West; Reservoir No. 7 - 830 feet North and 1480 feet West; all from the Center of Section 8; NW 1/4 SE 1/4, NE 1/4 SW 1/4, SE 1/4 NW 1/4, Section 8, T29S, R14W, WM;**

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 and shall be

further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year for cranberries. If for the irrigation of any other crop, this appropriation shall be limited to $\frac{1}{80}$ 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, 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:

*Creek and reservoirs numbered 6 & 7 and 1.47 cfs for frost control from Crooked Creek and 0.49 cfs for harvesting and 0.09 cfs for irrigation from Crooked Creek and reservoirs numbered 1, 2, 3, & 5.

**Crooked Creek - Reservoir No 1 - 250 feet South and 40 feet East; Reservoir No 2- 350 feet South and 370 feet West; Reservoir No 3 - 650 feet North and 110 feet West; Reservoir No 5 - 440 feet North and 670 feet West; all from the Center of Section 8.

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Irrigation

Johnson Creek
3.53 acres SW 1/4 NW 1/4
7.15 acres SE 1/4 NW 1/4
0.20 acre NW 1/4 SW 1/4
Section 8

Crooked Creek
0.40 acre SW 1/4 NE 1/4
2.34 acres SE 1/4 NW 1/4
0.59 acre NE 1/4 SW 1/4
0.30 acre NW 1/4 SW 1/4
Section 8

Frost Control and Cranberry Harvesting

Johnson Creek
3.53 acres SW 1/4 NW 1/4
7.15 acres SE 1/4 NW 1/4
0.20 acre NW 1/4 SW 1/4
Section 8

Crooked Creek
0.40 acre SW 1/4 NE 1/4
0.39 acre NE 1/4 NW 1/4
6.40 acres SE 1/4 NW 1/4
0.30 acre NW 1/4 SW 1/4
2.00 acres NE 1/4 SW 1/4
Section 8

Township 29 South, Range 14 West, WM

This certificate is issued so as to correctly describe the source of water and supersedes Certificate of Water Right recorded at page 49500, Volume 43, State Record of Water Right Certificates.

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 Resources Commission with an effective date prior to this right.
WITNESS the signature of the Water Resources Director, affixed

this date. October 13, 1986

/s/ William H. Young

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Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50 , page 54885