

STATE OF OREGON

COUNTY OF

COOS

CERTIFICATE OF WATER RIGHT

This is to certify, *That* HENRY J. PHILLIPS

of Route 1, Box 225, 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 a well

a tributary of Simpson Creek for the purpose of irrigation of 2.1 acres, frost control, and harvesting cranberries of 2.1 acres

under Permit No. G-6894 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 3, 1976

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 0.11 cubic foot per second; being 0.03 cfs for irrigation, 0.11 cfs for frost control, and 0.10 cfs for harvesting of cranberries

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW 1/4 NE 1/4, Section 29, T28S, R14W, WM; 740 feet South and 205 feet West from NE corner NW 1/4 NE 1/4.

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 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:

frost control, harvesting cranberries & 2.1 acres NW 1/4 NE 1/4
Section 29
Township 28 South, Range 14 West, WM

In processing the application towards issuance of the permit, it appears that a clerical error was inadvertently made in limiting the duty of water to not exceed 1/80th of one cubic foot per second per acre and 2.5 acre feet per acre. In the issuance of this certificate, the duty of water has been raised to 1/40th cubic foot per second per acre and 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year, for cranberries, in keeping with the customary policy and determination of this office of the proper maximum limits.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date. March 23, 1987

/s/ William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 51, page 55860

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