

STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RICHARD E. HALLIBURTON
1905 N. BANK ROAD
BANDON, OR 97411

confirms the right to use the waters of AN UNNAMED STREAM, a tributary of SEVENMILE SLOUGH, for AIR TEMPERATURE CONTROL, HARVESTING CRANBERRIES AND IRRIGATION ON 2.5 ACRES.

This right was perfected under Permit 36440. The date of priority is AUGUST 9, 1971. This right is limited to 0.147 CUBIC FOOT PER SECOND, BEING 0.147 CFS FOR AIR TEMPERATURE CONTROL, 0.126 CFS FOR HARVESTING CRANBERRIES AND 0.064 CFS FOR IRRIGATION, [IF AVAILABLE AT ORIGINAL POINT OF DIVERSION LOCATED AT NE 1/4 SW 1/4, SECTION 3, T 28 S, R 14 W, W.M.; 2900 FEET SOUTH AND 2680 FEET WEST FROM THE NE CORNER OF SECTION 3] or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NE 1/4 SW 1/4, SW 1/4 NE 1/4, SECTION 3, T 28 S, R 14 W, W.M.; 2900 FEET SOUTH AND 2680 FEET WEST FROM NE CORNER SECTION 3 (SOUTH 16 DEGREES 33 MINUTES WEST AND 586 FEET FROM THE CENTER 1/4 CORNER SECTION 3) - NORTH 52 DEGREES 12 MINUTES EAST, 715 FEET FROM THE CENTER 1/4 CORNER OF SECTION 3.

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-FORTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet 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 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 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

NW 1/4 SE 1/4 2.5 ACRES
SECTION 3
TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

SEE NEXT PAGE

When required by the department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the department prior to beginning construction and shall be installed under the general supervision of the department.

This certificate is issued to confirm a change for an ADDITIONAL POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered NOVEMBER 19, 1990, and together with Certificate 65063, supersedes Certificate 48783, 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 above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed JULY 24, 1992.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 67637.