

STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PROSPER WATER DISTRICT
C/O ALLEN CONVERSE
1295 PROSPER ROAD
BANDON, OREGON 97411

confirms the right to use the waters of SIMPSON CREEK AND A RESERVOIR, CONSTRUCTED UNDER PERMIT R-8647, tributaries of COQUILLE RIVER, for SUPPLEMENTAL IRRIGATION OF 40.11 ACRES.

This right was perfected under Permit 47492. The dates of priority are FEBRUARY 10, 1978, FOR USE OF 0.48 CUBIC FOOT PER SECOND FROM SIMPSON CREEK AND RESERVOIR; FEBRUARY 1, 1979, FOR USE OF 0.33 CFS FROM SIMPSON CREEK; AND AUGUST 16, 1982, FOR USE OF 0.19 CFS FROM SIMPSON CREEK.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.0 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NE 1/4, SECTION 19, T 28 S, R 14 W, W.M.; 2650 FEET SOUTH AND 530 FEET WEST FROM THE NE CORNER OF SECTION 19.

If for irrigation of cranberries, this appropriation shall be limited to ONE-FORTIETH 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. 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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir to be constructed under permit R-8647, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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:

SW 1/4 SW 1/4 9.36 ACRES

SE 1/4 SW 1/4 14.60 ACRES

SW 1/4 SE 1/4 6.40 ACRES

SECTION 17

NE 1/4 NW 1/4 9.00 ACRES

NW 1/4 NW 1/4 0.75 ACRE

SECTION 20

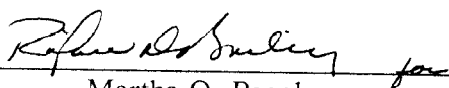
TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

SEE NEXT PAGE

The amount of water diverted for CRANBERRY OPERATIONS, together with amounts secured under any other rights existing for the same lands, is limited as follows: For temperature control, 0.15 cubic foot per second per acre; For flood harvesting or pest control, 0.05 cubic foot per second per acre; For irrigation of cranberries, ONE-FORTIETH of one cubic foot per second and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. For the irrigation of any other crop, ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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 OCTOBER 28, 1997.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75232.