

STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SCOTT R. AND EDITH P. VIERCK
P.O. BOX 508
BANDON, OREGON 97411

confirms the right to store the waters of AN UNNAMED STREAM, a tributary of CHINA CREEK, in RESERVOIRS NO.'S 1 THROUGH 4, appropriated under Permit 52476, for CRANBERRY OPERATIONS.

The right to store these waters was perfected under Reservoir Permit R-11815. The date of priority is FEBRUARY 24, 1994. The amount of water entitled to be stored each year under this right is not more than 28.2 ACRE-FEET(AF): BEING 9.0 AF IN RESERVOIR NO. 1; 6.0 AF IN RESERVOIR NO. 2; 6.0 AF IN RESERVOIR NO. 3; AND 7.2 AF IN RESERVOIR NO. 4.

The reservoirs are located as follows:

SW 1/4 SW 1/4
SECTION 17
TOWNSHIP 29 SOUTH, RANGE 14 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The water user shall maintain a meter or other measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

A staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoirs. The staff gages shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E, I or M. Weirs must be installed upstream and downstream of the reservoirs and gated valve outlets must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

Diversion screening or fish passage facilities may be required by the Oregon Department of Fish & Wildlife in the future.

The storage of water allowed herein is subject to the installation and maintenance of an fully functional conduit/gate assembly having a minimum diameter of 8 inches.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

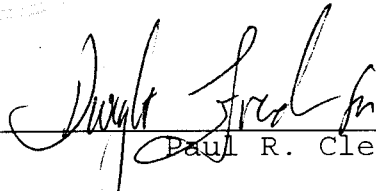
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.

WITNESS the signature of the Water Resources Director, affixed
MARCH 1, 2002.


Paul R. Cleary