

STATE OF OREGON  
COUNTY OF CURRY  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROY PETERS  
c/o RUSS PETERS  
PETERS' CRANBERRIES & CO.  
93030 AIRPORT RD  
SIXES OR 97476

confirms the right to use the waters of TWO RESERVOIRS, CONSTRUCTED UNDER PERMIT R-11461, tributaries of SIXES RIVER for CRANBERRY OPERATIONS of 1.62 ACRES.

This right was perfected under Permit 51474. The date of priority is NOVEMBER 9, 1990. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.01 CUBIC FOOT PER SECOND, measured at the point of diversion.

The appropriation of water from direct flow is limited to the period of November through April of each year.

The points of diversion are located as follows:

RESERVOIR	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
A	31 S	15 W	WM	33	SW SW	806 FEET NORTH & 184 FEET EAST FROM SW CORNER, SECTION 33
B	31 S	15 W	WM	33	SE SW	1173 FEET NORTH & 1831 FEET EAST FROM SW CORNER, SECTION 33

The amount of water diverted for CRANBERRY OPERATIONS, together with the amount secured under any other right existing for the same lands, is limited as follows: For temperature control, 0.15 cubic foot per second per acre from direct flow and storage. For flood harvesting or pest control, 0.05 CUBIC FOOT PER SECOND per acre from direct flow and storage. 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 from direct flow and storage. 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 from direct flow and storage.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

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

CRANBERRY							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
31 S	15 W	WM	33	NW SW			1.62

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

This right 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.

Issued DEC 05 2008

  
Phillip C. Ward, Director  
Water Resources Department