

STATE OF OREGON
COUNTY OF CURRY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BLANCO BOGS
ATTN: ALEX ELLS
PO BOX 41
PORT ORFORD OR 97465

confirms the right to use the waters of THREE WELLS in the Sixes River Basin for CRANBERRY USE on 11.5 ACRES.

This right was perfected under Permit G-13621. The date of priority is JUNE 27, 1997. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.668 CUBIC FOOT PER SECOND (CFS) IN ANY COMBINATION, BEING NO MORE THAN 0.334 CFS FROM WELL 1, 0.334 CFS FROM WELL 2, AND 0.30 CFS FROM WELL 3 or its equivalent in case of rotation, measured at the wells.

The combined quantity of water diverted at the new point of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.

The period of allowed use is year round.

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 (original)	31 S	15 W	WM	32	SW SE	1315 FEET NORTH AND 790 FEET EAST FROM S1/4 CORNER, SECTION 32
2 (original)	31 S	15 W	WM	32	SW SE	1290 FEET NORTH AND 1160 FEET EAST FROM S1/4 CORNER, SECTION 32
3	31 S	15 W	WM	32	SW SE	35 FEET NORTH AND 635 FEET EAST FROM S1/4 CORNER, SECTION 32

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, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

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:

Twp	Rng	Mer	Sec	Q-Q	Acres
31 S	15 W	WM	32	SE SW	11.5

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meters or measuring devices 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.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interference.

If a well listed on this right (or replacement well) displays a total static water-level decline of 10 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 10-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right.

The Department has determined that the reference levels in the wells are those listed below. These are the levels from which the cited declines above will be referenced.

Well #	Well ID #	Feet Below Ground Surface
1	CURR 1722	4.10
2	CURR 50193	7.80
3	CURR 51674	13.70

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times.

The Director may require water level or pump test every ten years.

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 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 of water shall be limited when it interferes with any prior surface or ground water rights.

Issued **APR 01 2011**

A handwritten signature in dark ink, appearing to read "Dwight French", is written over a horizontal line.

Dwight W. French

Administrator Water Rights and Adjudications, for

Phillip C. Ward, Director

Water Resources Department