

STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RONALD F. KASPER
PO BOX 2070
BANDON OR 97411

confirms the right to use the waters of A WELL in the Crooked Creek Basin for CRANBERRY OPERATIONS on 26.40 ACRES.

This right was perfected under Permit G-12652. The date of priority is JUNE 29, 1990. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.116 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The period of allowed use is December 1 through March 31 of each year.

The well is located as follows:

| Twp | Rng | Mer | Sec | Q-Q | GLot | DLC | Measured Distances |
|------|------|-----|-----|-------|------|-----|-----------------------------------------------------------|
| 29 S | 14 W | WM | 8 | NE SW | | | 60 FEET SOUTH & 140 FEET WEST FROM C1/4 CORNER, SECTION 8 |

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 and 2.5 acre feet per acre during the irrigation season of each year.

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

| Twp | Rng | Mer | Sec | Q-Q | GLot | DLC | Acres |
|------|------|-----|-----|-------|------|-----|-------|
| 29 S | 14 W | WM | 8 | SW NE | | | 0.70 |
| 29 S | 14 W | WM | 8 | NE NW | | | 0.40 |
| 29 S | 14 W | WM | 8 | SW NW | | | 4.10 |
| 29 S | 14 W | WM | 8 | SE NW | | | 18.70 |
| 29 S | 14 W | WM | 8 | NE SW | | | 2.10 |
| 29 S | 14 W | WM | 8 | NW SW | | | 0.40 |

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.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meter or 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.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

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

Issued JUL 28 2010



Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director
Water Resources Department