

STATE OF OREGON

COUNTY OF CURRY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BURGUNDY HARVEST FARM INC.
 PO BOX 613
 GOLD BEACH OR 97444

confirms the right to use the waters of RESERVOIR 1 and RESERVOIR 2 for SUPPLEMENTAL CRANBERRY USE on 20.2 ACRES.

This right was perfected under Permit S-53431. The date of priority is JULY 25, 1997. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 61.0 ACRE-FEET PER YEAR OF STORED WATER ONLY, BEING 51.0 ACRE-FEET FROM RESERVOIR 1 AND 10 ACRE-FEET FROM RESERVOIR 2, measured at the points of diversion.

The period of use is year round.

The dams are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
32 S	15 W	WM	9	SE SW	RESERVOIR 1 DAM 2 - 510 FEET NORTH & 1710 FEET EAST FROM SW CORNER, SECTION 9
32 S	15 W	WM	16	NE NW	RESERVOIR 1 DAM 1 - 820 FEET SOUTH & 1480 FEET EAST FROM SW CORNER, SECTION 9

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
32 S	15 W	WM	9	NW SW	RESERVOIR 2 - 1620 FEET NORTH & 975 FEET EAST FROM SW CORNER, SECTION 9
32 S	15 W	WM	16	NE NW	RESERVOIR 1 - 420 FEET SOUTH & 1350 FEET EAST FROM SW CORNER, SECTION 9

The amount of water used 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; 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

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 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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 within three months after issuance of the certificate.

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.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
32 S	15 W	WM	9	SW SW	17.2
32 S	15 W	WM	9	SE SW	3.0

Measurement, recording and reporting conditions:

- A. The water user shall maintain in good working order, the totalizing flow meter at each point of diversion. The totalizing flow meter shall be maintained as identified in OAR 690-507-645.
- 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.

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 on the lands or place of use described. 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 MAR 22 2013



Dwight W. French
Water Right Services Administrator, for
Phillip C. Ward, Director
Water Resources Department