## 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 TWO WELLS in the SIXES RIVER BASIN for CRANBERRY USE on 20.2 ACRES.

This right was perfected under Permit G-13453. 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 0.17 CUBIC FOOT PER SECOND measured at the wells, being 0.07 from CURR 065 and 0.10 from CURR 50192.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
32 S	15 W	WM	9	SW SW	CURR 50192 - 790 FEET NORTH & 1310 FEET EAST FROM SW CORNER, SECTION 9
32 S	15 W	WM	16	NE NW	CURR 065 - 560 FEET SOUTH & 1700 FEET EAST FROM SW CORNER, SECTION 9

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, 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 the meter or other suitable 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.

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 Water Resources Department (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.

The water user shall monitor and report the impact of water use under this right in accordance with the approved water level monitoring plan on file with the Department. The reference level against which any future measurements will be compared is 28.0 feet below ground surface for CURR 065, which also serves as a proxy reference level for CURR 50192.

If any well listed on this right (or replacement well) displays a total static water-level decline of 25 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 25-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 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 wells at all times.

The Director may require water level or pump test results 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

AUG 02 2013

Dwight W. French Administrator, Wa

or, Water Right Services, for

Phillip C. Ward, Director