

STATE OF OREGON

COUNTY OF CURRY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SEA WIND FARMS INC.
 PO BOX 242
 SIXES OR 97476

confirms the right to use the waters of UNNAMED CREEKS AND BIG CREEK, TRIBUTARIES OF FLORAS LAKE, FOR STORAGE.

This right was perfected under Permit R-12960. The date of priority is AUGUST 26, 1994. The maximum volume of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 54.0 ACRE-FEET (AF) EACH YEAR, BEING:

RESERVOIR 2	5.0 AF
RESERVOIR 3	7.5 AF
RESERVOIR 4	9.3 AF
RESERVOIR 5	5.0 AF
RESERVOIR 6	12.2 AF
RESERVOIR 7	15.0 AF

The purpose of the stored water is to be appropriated under Application S-74439, Permit S-53713 for SUPPLEMENTAL CRANBERRY OPERATIONS.

The period that water may be appropriated for storage under this right is November 1 through May 31.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
31 S	15 W	WM	21	SW NW	PS-2: 2160 FEET SOUTH & 620 FEET EAST FROM NW CORNER, SECTION 21
31 S	15 W	WM	21	NW SW	PS-3: 2775 FEET SOUTH & 660 FEET EAST FROM NW CORNER, SECTION 21

The area to be submerged by the reservoirs is as follows:

Twp	Rng	Mer	Sec	Q-Q	RESERVOIR(S)
31 S	15 W	WM	21	SW NE	R-5
31 S	15 W	WM	21	NE NW	R-6, R-7

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.

Twp	Rng	Mer	Sec	Q-Q	RESERVOIR(S)
31 S	15 W	WM	21	NW NW	R-6, R-7
31 S	15 W	WM	21	NE SW	R-2, R-3, R-4
31 S	15 W	WM	21	NW SE	R-4, R-5

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meters or other suitable measuring device(s) in good working order. The totalizing flow meters must be maintained as identified in OAR 690-507-645. The water user shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department of Water Resources at its request. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.

The storage of water allowed herein is subject to the maintenance of an outlet pipe, with a minimum diameter of eight inches, or the provision of other means to evacuate water when determined necessary for the public safety, to satisfy prior to downstream rights, or pass natural flow as determined by the Water Resources Director.

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 AUG 07 2013



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