

STATE OF OREGON  
 COUNTY OF COOS  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES MICHAEL SCHAER  
 88804 WINDHURST LANE  
 BANDON, OR 97411

confirms the right to use the waters of TWO RESERVOIRS, CONSTRUCTED UNDER PERMIT R-11907, TRIBUTARY TO JOHNSON CREEK, WITHIN THE SOUTH COAST BASIN, for CRANBERRY USE on 8.0 ACRES AND IRRIGATION OF 0.5 ACRE.

This right was perfected under Permit S-52549. The date of priority is FEBRUARY 22, 1994. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 9.0 ACRE-FEET (AF), BEING 4.0 AF FROM RESERVOIR 1 AND 4.5 AF FROM RESERVOIR 2 FOR CRANBERRY USE, AND 0.5 AF FROM RESERVOIR 2 FOR IRRIGATION or its equivalent in case of rotation, measured at the point of diversion.

The period of allowed use is YEAR ROUND FROM STORED WATER ONLY.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
29 S	14 W	WM	5	SE SE	RESERVOIR #1 - 1160 FEET NORTH AND 780 FEET WEST FROM SE CORNER, SECTION 5
29 S	14 W	WM	5	SE SE	RESERVOIR #2 - 410 FEET NORTH AND 1000 FEET WEST FROM SE CORNER, SECTION 5

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 during the irrigation season of each year.

A description of the place of use is as follows:

CRANBERRY					
Twp	Rng	Mer	Sec	Q-Q	Acres
29 S	14 W	WM	5	SE SE	8.0

**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.

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
29 S	14 W	WM	5	SE SE	0.5

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.

The totalizing flow meter shall be maintained as identified in OAR 690-507-645.

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.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued APR 10 2015



Dwight French  
 Water Right Services Division Administrator, for  
 Thomas M. Byler, Director  
 Oregon Water Resources Department