

STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT NELSON
RT 1 BOX 966
BANDON OR 97411

confirms the right to use the waters of AN UNNAMED STREAM AND NELSON 1 AND 2 RESERVOIRS, constructed under Application R-70423, Permit R-11364, tributaries of TWOMILE CREEK for CRANBERRY OPERATIONS on 10.5 ACRES.

This right was perfected under Permit S-51208. The date of priority is JUNE 18, 1990. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.58 CUBIC FEET PER SECOND, measured at the point of diversion from the source.

The use is limited to stored water only during the period from June 1 through October 31 of each year.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
29 S	14 W	WM	18	SW SE	NELSON 2 – 420 FEET NORTH AND 700 FEET EAST FROM N¼ CORNER, SECTION 19
29 S	14 W	WM	19	NW NE	NELSON 1 – 350 FEET SOUTH AND 300 FEET EAST FROM N¼ CORNER, SECTION 19

Diversion screening or fish passage facilities shall be designed and operated to Oregon Department of Fish and Wildlife specifications.

When required by the Department the water user shall install and maintain an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

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.

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.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
29 S	14 W	WM	18	SW SE	5.4
29 S	14 W	WM	19	NW NE	5.1

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 rights for maintaining instream flows.

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

'JUL 24 2015

Issued _____.



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