

STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAVE COMDEN
59045 SEVEN DEVILS RD
BANDON OR 97411

confirms the right to use the waters of RESERVOIR 1 AUTHORIZED UNDER APPLICATION R-76995 FOR SUPPLEMENTAL IRRIGATION of 2.3 ACRES, RESERVOIR 2 CONSTRUCTED UNDER APPLICATION R-83853, AND RESERVOIR 3 CONSTRUCTED UNDER APPLICATION R-83972 FOR CRANBERRY OPERATIONS ON 6.7 ACRES, TRIBUTARIES OF TWO MILE CREEK.

This right was perfected under Permit S-53569. The date of priority is JUNE 1, 1998. 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) PER YEAR, BEING 5.0 AF FROM RESERVOIR 1 FOR IRRIGATION; AND 4.0 AF FOR CRANBERRY OPERATIONS, BEING 1.7 AF FROM RESERVOIR 2 AND 2.3 AF FROM RESERVOIR 3.

The period of use is May 1 through October 31 for irrigation and year round for cranberry operations.

The points of diversions are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	14 W	WM	21	SE NW	RES 1 - 145 FEET NORTH AND 40 FEET WEST FROM C1/4 CORNER, SECTION 21
27 S	14 W	WM	21	SE NW	RES 2 - 600 FEET NORTH AND 485 FEET WEST FROM C1/4 CORNER, SECTION 21
27 S	14 W	WM	21	SE NW	RES 3 - 605 FEET NORTH AND 315 FEET WEST FROM C1/4 CORNER, SECTION 21

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

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:

CRANBERRY						
Twp	Rng	Mer	Sec	Q-Q	Acres	Reservoir
27 S	14 W	WM	21	SW NW	1.0	2, 3
27 S	14 W	WM	21	SE NW	5.7	2, 3

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Reservoir
27 S	14 W	WM	21	SW NE	1.7	1
27 S	14 W	WM	21	SE NW	0.6	1

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director 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.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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.

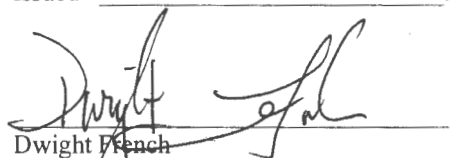
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 plans.

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 lands or place of use described.

Issued AUG 28 2015



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