

STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT H STOLZ
7945 S ALGONQUIAN CIR
AURORA CO 80016-7018

confirms the right to use the waters of CROOKED CREEK AND AN UNNAMED RESERVOIR, CONSTRUCTED UNDER PERMIT R-1031, TRIBUTARIES OF THE PACIFIC OCEAN, for CRANBERRY OPERATIONS ON 4.08 ACRES AS FURTHER LIMITED BELOW.

This right was perfected under Permit S-53544. The date of priority is FEBRUARY 23, 1988. The amount of water to which this right is entitled is limited to an amount actually used beneficially as follows:

DECEMBER 1 THROUGH MARCH 31 – 0.612 CUBIC FOOT PER SECOND (CFS) FROM CROOKED CREEK FOR TEMPERATURE CONTROL

APRIL 1 THROUGH NOVEMBER 30 – DURING THIS TIME PERIOD LIVE FLOW APPROPRIATION FROM CROOKED CREEK UNDER THIS PERMIT IN COMBINATION WITH CERTIFICATE 66902, OR SUBSEQUENT CERTIFICATES, SHALL NOT EXCEED 0.19 CFS AND IS FURTHER LIMITED TO 0.19 CFS FOR TEMPERATURE CONTROL, 0.19 CFS FOR FLOOD HARVEST AND 0.10 CFS FOR IRRIGATION.

2.2 ACRE-FEET FROM AN UNNAMED RESERVOIR FOR FLOOD HARVEST.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
29 S	14 W	WM	8	NE SW	1525 FEET NORTH AND 745 FEET WEST FROM S1/4 CORNER, SECTION 8

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
29 S	14 W	WM	8	NE SW	4.08

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.

Measurement, recording and reporting conditions:

- A. The water user shall maintain a totalizing flow meter installed at each diversion point. The totalizing flow meter 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. The water user shall submit a report which includes the recorded water use measurements to the Department at its request. The water user may be required to report annually or more frequently as may be required by the Director. 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 Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.
- 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.

The water user shall maintain and operate fish screening to prevent fish from entering the proposed diversion.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the water user has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The water user is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

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

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.

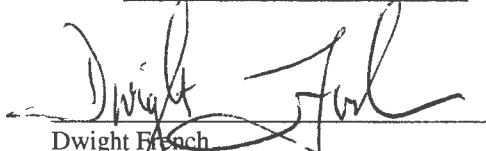
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 lands or place of use described.

SEP 04 2015

Issued _____



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