

STATE OF OREGON

COUNTY OF CURRY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MILTON SMITH
PO BOX 6
LANGLOIS OR 97450

confirms the right to the use of water perfected under the terms of Permit S-53004. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-73403

SOURCE OF WATER: AN UNNAMED STREAM AND AN UNNAMED RESERVOIR, TO BE CONSTRUCTED UNDER APPLICATION R-73402, PERMIT R-12109, TRIBUTARIES OF BUTTE CREEK

PURPOSE OR USE: CRANBERRY OPERATIONS ON 12.3 ACRES

MAXIMUM RATE/VOLUME ALLOWED: 0.96 CUBIC FOOT PER SECOND OF LIVE FLOW AND 9.1 ACRE-FEET PER YEAR, FROM STORED WATER ONLY

PERIOD OF USE: NOVEMBER 1 THROUGH MAY 31 FOR LIVE FLOW FROM AN UNNAMED STREAM AND YEAR ROUND FOR STORED WATER FROM AN UNNAMED RESERVOIR

DATE OF PRIORITY: MAY 18, 1993

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-0	GLot	Measured Distances
30 S	15 W	WM	26	NE-NW	3	300 FEET SOUTH AND 1980 FEET EAST FROM NW CORNER, SECTION 26

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	GLot	Acres
30 S	15 W	WM	26	NE NW	3	12.3

Measurement, recording and reporting conditions:

- A. The water user shall maintain a totalizing flow meter or other suitable measuring device(s) as approved by the Watermaster at each diversion point. The totalizing flow meter must be installed and 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.

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.

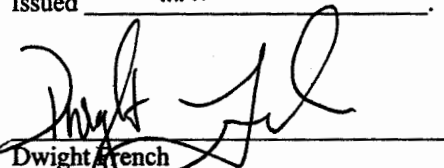
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 MAY 13 2016



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