

STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAVID S PECK
89551 TWO MILE LANE
BANDON OR 97411

confirms the right to the use of water perfected under the terms of Permit S-52613. 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-73462

SOURCE OF WATER: AN UNNAMED SPRING, A TRIBUTARY OF AN UNNAMED STREAM; AN UNNAMED STREAM, A TRIBUTARY TWOMILE CREEK; AND TWOMILE CREEK, A TRIBUTARY OF THE PACIFIC OCEAN

PURPOSE OR USE: CRANBERRY USE, IRRIGATION, DOMESTIC USE FOR TWO HOUSEHOLDS, AND STOCKWATER

RATE OF USE: 0.05 CUBIC FOOT PER SECOND (CFS), BEING 0.005 CFS FOR DOMESTIC USE FROM AN UNNAMED SPRING; 0.005 CFS TOTAL FOR STOCKWATER USE FROM AN UNNAMED STREAM AND AN UNNAMED SPRING; 0.02 CFS FROM AN UNNAMED STREAM FOR IRRIGATION AND STOCKWATER USE; AND 0.02 CFS FROM TWOMILE CREEK FOR CRANBERRY USE

PERIOD OF ALLOWED USE: YEAR ROUND FOR DOMESTIC USE AND STOCKWATER USE, DECEMBER 1 THROUGH APRIL 30 FOR CRANBERRY USE, AND MARCH 1 THROUGH APRIL 30 FOR IRRIGATION

DATE OF PRIORITY: JUNE 29, 1993

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
29 S	14 W	WM	27	SE NW	UNNAMED SPRING (POD 3) - 2300 FEET SOUTH AND 1860 FEET EAST FROM NE CORNER, SECTION 28
29 S	14 W	WM	28	NE NE	UNNAMED STREAM (POD 1) - 960 FEET SOUTH AND 550 FEET WEST FROM NE CORNER, SECTION 28
29 S	14 W	WM	28	NW NE	TWOMILE CREEK (POD 2) - 1040 FEET SOUTH AND 1680 FEET WEST FROM NE CORNER, SECTION 18

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.

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:

CRANBERRY USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
29 S	14 W	WM	28	NE NE	0.7
29 S	14 W	WM	28	NW NE	3.0
29 S	14 W	WM	28	SW NE	5.0

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
29 S	14 W	WM	28	NE NE	2.5

DOMESTIC AND STOCKWATER					
Twp	Rng	Mer	Sec	Q-Q	
29 S	14 W	WM	28	NE NE	

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.

The water user shall maintain and operate fish screening as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

The totalizing flow meter must be maintained at each diversion point as identified in OAR 690-507-645.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of Twomile Creek.

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 SEP 16 2016.



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