

STATE OF OREGON

COUNTY OF CURRY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SEA WIND FARMS INC.  
PO BOX 1027  
LANGLOIS OR 97450

confirms the right to the use of water perfected under the terms of Permit S-52993. 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-73734

SOURCE OF WATER: MILL CREEK AND THREE UNNAMED RESERVOIRS, CONSTRUCTED UNDER APPLICATION R-73733, PERMIT R-12095, TRIBUTARIES OF FLORAS LAKE

PURPOSE or USE: PRIMARY CRANBERRY OPERATIONS ON 15.7 ACRES AND SUPPLEMENTAL CRANBERRY OPERATIONS ON 30.2 ACRES

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND (CFS) OF LIVE FLOW FROM MILL CREEK, AND 21.8 ACRE- FEET (AF) PER YEAR FROM STORED WATER, BEING 18.4 AF FROM RESERVOIR 1, 1.0 AF FROM RESERVOIR 2, AND 2.4 AF FROM RESERVOIR 3

PERIOD OF USE: SEPTEMBER 1 THROUGH MAY 31 FROM MILL CREEK AND YEAR ROUND WHEN AVAILABLE FROM THREE UNNAMED RESERVOIRS

DATE OF PRIORITY: OCTOBER 13, 1993

The points of diversion and reservoirs are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
31 S	15 W	WM	29	NE NW	MILL CREEK - 1230 FEET SOUTH AND 1940 FEET EAST FROM NE CORNER, SECTION 30
31 S	15 W	WM	29	NW NW	RES 3 (CENTER) - 960 FEET SOUTH AND 490 FEET EAST FROM NE CORNER, SECTION 30
31 S	15 W	WM	30	NE NE	RES 2 (CENTER) - 490 FEET SOUTH AND 670 FEET WEST FROM NE CORNER, SECTION 30
31 S	15 W	WM	30	SE NE	RES 1 (DAM) - 1320 FEET SOUTH AND 540 FEET WEST FROM NE CORNER, SECTION 30
31 S	15 W	WM	30	SE NE	POD 1 - 1650 FEET SOUTH AND 420 FEET WEST FROM NE CORNER, SECTION 30

**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.

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
31 S	15 W	WM	30	SE NE	POD 2 - 1340 FEET SOUTH AND 640 FEET WEST FROM NE CORNER, SECTION 30

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, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

A description of the place of use is as follows:

PRIMARY CRANBERRY					
Twp	Rng	Mer	Sec	Q-Q	Acres
31 S	15 W	WM	29	NW NW	3.0
31 S	15 W	WM	29	SW NW	2.0
31 S	15 W	WM	30	NE NE	8.6
31 S	15 W	WM	30	SE NE	2.1

SUPPLEMENTAL CRANBERRY					
Twp	Rng	Mer	Sec	Q-Q	Acres
31 S	15 W	WM	29	SW NW	5.6
31 S	15 W	WM	30	NE NE	4.0
31 S	15 W	WM	30	SE NE	20.6

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department 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.
- 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.

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

To the extent that water is naturally available, it is the water user's responsibility to allow 0.05 cfs to pass the Mill Creek diversion point. In the event that less than 0.05 cfs is naturally available, ALL natural flow will be allowed to pass the diversion point on Mill Creek. Measurement is required through weirs or other suitable measuring devices upstream and downstream from the diversion point.

Diversion and use of water under this right must comply with the Clean Water Act and utilize best management practices as identified in the plan developed as specified in the New River Alternative Dispute Resolution Team Agreement on file with the Department.

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.

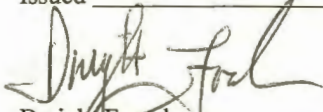
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 **NOV 25 2022**



Dwight French  
Water Right Services Division Administrator, for  
Douglas E. Woodcock, Acting Director  
Oregon Water Resources Department