

STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT L. ATEN  
53539 ROSA RD  
BANDON OR 97411

confirms the right to the use of water perfected under the terms of Permit S-52502. 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-71745

SOURCE OF WATER: BANDON RESERVOIR, CONSTRUCTED UNDER PERMIT R-6280, TO BE ENLARGED UNDER APPLICATION R-71744, PERMIT R-11819, AND AN UNNAMED STREAM, TRIBUTARIES OF CHINA CREEK

PURPOSE or USE: CRANBERRY USE ON 7.3 ACRES

MAXIMUM RATE: 0.78 CUBIC FEET PER SECOND (CFS), BEING FURTHER LIMITED DURING THE PERIODS LISTED BELOW; AND 7.0 ACRE-FEET STORED WATER ONLY

PERIOD OF USE: NOVEMBER 1 THROUGH JANUARY 31 FOR 0.78 CFS, FURTHER LIMITED FROM FEBRUARY 1 THROUGH APRIL 30 TO 0.5 CFS, MAY 1 THROUGH JUNE 30 TO 0.25 CFS, AND JULY 1 THROUGH OCTOBER 31 TO 0.01 CFS FROM LIVE FLOW; YEAR ROUND FOR WATER LEGALLY STORED

DATE OF PRIORITY: JULY 8, 1991 FOR WATER FROM LIVE FLOW; FEBRUARY 15, 1994 FOR STORED WATER

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
29 S	14 W	WM	7	SW SW	4	STREAM - 1000 FEET NORTH AND 840 FEET EAST FROM SW CORNER, SECTION 7
29 S	14 W	WM	7	SW SW	4	RESERVOIR - 1090 FEET NORTH AND 400 FEET EAST FROM SW CORNER, SECTION 7

**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, 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						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
29 S	14 W	WM	7	NW SW	3	0.4
29 S	14 W	WM	7	SW SW	4	1.9

SUPPLEMENTAL						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
29 S	14 W	WM	7	NW SW	3	5.0

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

The water user may be required in the future to install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

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

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.

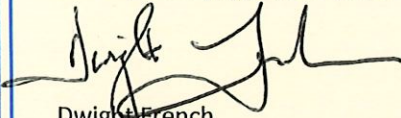
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 AUG 30 2024



Dwight French  
Water Right Services Division Administrator, for  
Ivan Gall, Director  
Oregon Water Resources Department

