

STATE OF OREGON

COUNTY OF CURRY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MCKENZIE FAMILY PROPERTIES LLC
PO BOX 281
SIXES OR 97476

AGWEST FARM CREDIT FLCA
2222 NW KLINE ST
ROSEBURG OR 97471

confirms the right to the use of water perfected under the terms of Permit G-13029. 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: G-13664

SOURCE OF WATER: TWO WELLS IN FLORAS LAKE BASIN

PURPOSE OR USE: SUPPLEMENTAL CRANBERRY OPERATIONS ON 45.0 ACRES

MAXIMUM RATE: 0.54 CUBIC FOOT PER SECOND (CFS), BEING 0.34 CFS FROM WELL 1 AND 0.20 CFS FROM WELL 2

PERIOD OF USE: THE USE OF WATER IS ALLOWED YEAR ROUND PROVIDED THE WATER USER RELEASES 0.05 CFS (11.0 ACRE-FEET) OF WATER FROM RESERVOIR 1 UNDER APPLICATION R-74011, PERMIT R-12096 AND APPLICATION S-74012, PERMIT S-52994

DATE OF PRIORITY: APRIL 11, 1994

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
31 S	15 W	WM	29	SW SW	WELL 1 - 685 FEET NORTH AND 1231 FEET EAST FROM SW CORNER, SECTION 29
31 S	15 W	WM	32	NW NW	WELL 2 - 590 FEET SOUTH AND 40 FEET EAST FROM NW CORNER, SECTION 32

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 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.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Acres
31 S	15 W	WM	29	NW SW	18.2
31 S	15 W	WM	29	SW SW	26.8

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device approved by the watermaster as identified in OAR 690-507-645. The water user 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 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 quantity of water diverted at the new points of appropriation (Well 1 & Well 2) shall not exceed the quantity of water lawfully available at the original point of appropriation described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
31 S	15 W	WM	29	SW SW	- 640 FEET NORTH AND 70 FEET EAST FROM SW CORNER, SECTION 29

Water shall be acquired from the same aquifer as the original point of appropriation.

The water user shall maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted.

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.

If interference with a senior water right or surface water flows occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference.

To monitor the effect of water use from the well(s) authorized under this right, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and

- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of 3 or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The reference levels against which any future measurements will be compared is 7.92 feet below land surface (bls) for Well 1 and 6.0 feet bls for Well 2.

The period of non or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

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 shall be limited when it interferes with any prior surface or ground water rights.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued APR 17 2026.



Katherine Ratcliffe
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department