

STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PROSPER SUB DISTRICT OF THE BANDON CRANBERRY WATER CONTROL DISTRICT  
PO BOX 1832  
BANDON OR 97411

confirms the right to the use of water perfected under the terms of Permit S-54683. 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-86225

SOURCE OF WATER: PROSPER RESERVOIR (FORMERLY AMOS RESERVOIR), CONSTRUCTED UNDER PERMIT R-8647, ENLARGED UNDER PERMIT R-14855

PURPOSE OR USE: CRANBERRY USE ON 132.45 ACRES

MAXIMUM RATE: 69.0 ACRE FEET EACH YEAR

PERIOD OF USE: APRIL 1 THROUGH NOVEMBER 30

DATE OF PRIORITY: APRIL 1, 2005

POINTS OF DIVERSION LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	14 W	WM	20	NW SW	POD 1 - 2570 FEET NORTH AND 889 FEET EAST FROM SW CORNER, SECTION 20
28 S	14 W	WM	20	NW SW	POD 2 - 2280 FEET NORTH AND 615 FEET EAST FROM SW CORNER, SECTION 20

The amount of water diverted for cranberry operations, together with amounts secured under any other rights existing for the same lands, shall not exceed a maximum of 3.0 acre feet per acre, and is further 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 irrigation of any other crop, the amount of water diverted is limited to 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
28 S	14 W	WM	20	NE SW	5.00
28 S	14 W	WM	20	NW SW	3.70
28 S	14 W	WM	20	SW SW	19.32
28 S	14 W	WM	20	SE SW	1.75
28 S	14 W	WM	20	NW SE	9.31
28 S	14 W	WM	20	SW SE	22.18
28 S	14 W	WM	21	NW SW	14.60
28 S	14 W	WM	29	NW NE	18.72
28 S	14 W	WM	29	NE NW	9.93
28 S	14 W	WM	29	NW NW	17.70
28 S	14 W	WM	29	SW NW	5.38
28 S	14 W	WM	29	SE NW	4.86

Measurement, recording and reporting conditions:

- A. The water user shall maintain, in good working order, a totalizing flow meter or other suitable measuring device as approved by the Director at each point of diversion.
- B. 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 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.
- C. The water user shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the water user to submit alternative measuring and reporting procedures for review and approval.

The water user shall maintain and operate fish screening consistent with current Oregon Department of Fish and Wildlife (ODFW) standards.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the water user has requested and been granted a fish passage waiver by the Oregon Department of Fish and Wildlife Commission.

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.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

The use may be restricted if the quality of the source stream or downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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 01 2026**    .



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

