

STATE OF OREGON
COUNTY OF TILLAMOOK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH AND DONNA FOSTER
P.O. BOX 876
GARIBALDI, OREGON 97118

confirms the right to use the waters of AN UNNAMED STREAM, a tributary of FOLEY CREEK, for DOMESTIC USE FOR TWO FAMILIES.

This right was perfected under Permit 44723. The date of priority is NOVEMBER 6, 1979. This right is limited to 0.01 CUBIC FOOT PER SECOND IF AVAILABLE AT ORIGINAL POINT OF DIVERSION LOCATED AT: NW 1/4 NE 1/4, SECTION 24, T 2 N, R 10 W, W.M.; 2280 FEET NORTH AND 2390 FEET EAST FROM THE SW CORNER OF SE 1/4 NW 1/4 OF SECTION 24, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 NE 1/4, SECTION 24, T 2 N, R 10 W, W.M.; 2172.8 FEET NORTH AND 94.7 FEET EAST FROM THE SOUTHWEST CORNER OF THE SE 1/4 NE 1/4 OF SECTION 24.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

NW 1/4 NE 1/4 DOMESTIC - 2 FAMILIES
SECTION 24
TOWNSHIP 2 NORTH, RANGE 10 WEST, W.M.

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the original point of diversion.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an Order of the Water Resources Director entered MARCH 8, 1990 and supersedes Certificate 60632, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed
MARCH 20, 1992.

/s/ WILLIAM H. YOUNG

William H. Young

Recorded in State Record of Water Right Certificates numbered 67237.
T-6309.DSM