

STATE OF OREGON
COUNTY OF TILLAMOOK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WAYNE AND MARNI JOHNSTON
16295 OLD MOHLER ROAD
NEHALEM, OREGON 97131

confirms the right to use the waters of an unnamed spring, a tributary of South Fork Nehalem River, for domestic use for one family including the irrigation of lawn and garden not to exceed one-half acre in area, stock and dairy.

This right was perfected under Permit 37951. The date of priority is May 17, 1973. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.015 CUBIC FOOT PER SECOND (CFS), being 0.005 cfs for dairy, 0.005 cfs for stock and 0.005 cfs for domestic, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

Lot 9 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 36, T3N, R10W, WM; 830 feet North and 20 feet East from the W $\frac{1}{4}$ corner of Section 36.

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:

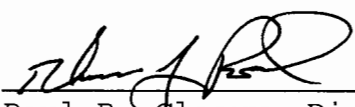
Lot 9 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
Section 36
Township 3 North, Range 10 West, WM

This certificate describes that portion of the water right confirmed by Certificate 54199, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAR 25 2004, approving Transfer Application T-7188.

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 MAR 25 2004.


For Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 80642.