

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or 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.

STATE OF OREGON
COUNTY OF TILLAMOOK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NESKOWIN REGIONAL WATER DISTRICT
P.O. BOX 823
NESKOWIN, OREGON 97149

confirms the right to use the waters of HAWK CREEK, a tributary of NESKOWIN CREEK, for the purpose of MUNICIPAL.

This right was perfected under Permit 23990. The date of priority is DECEMBER 1, 1955. This right is limited to 0.35 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 SE 1/4, SECTION 25, T 5 S, R 11 W, W.M.; 710 FEET NORTH AND 2300 FEET EAST FROM THE S 1/4 CORNER, SECTION 25.

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

MUNICIPAL

LOT 2 (SW 1/4 NW 1/4)

SE 1/4 NW 1/4

NE 1/4 SW 1/4

LOT 3 (NW 1/4 SW 1/4)

LOT 4 (SW 1/4 SW 1/4)

SE 1/4 SW 1/4

SECTION 25

TOWNSHIP 5 SOUTH, RANGE 11 WEST, W.M.

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

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 0.35 cubic foot per second.

When in the judgement of the Watermaster it becomes necessary to install headgates and measuring devices:

the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the water user is entitled;

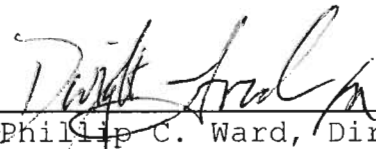
the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered MAY 27, 1987, approving Transfer Application 5929, and supersedes certificate 27378, State Record of Water Right Certificates.

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

JAN 19 2007



Phillip C. Ward, Director
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates Number 82654.

T-5929.JWG