

STATE OF OREGON

COUNTY OF LINCOLN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF WALDPORT
PO BOX 1120
WALDPORT OR 97394

confirms the right to use the waters of WEIST CREEK, tributary of ECKMAN CREEK, and ECKMAN CREEK, tributary to ALSEA RIVER for MUNICIPAL USE.

This right was perfected under permit S-9114. The date of priority is MAY 16, 1929. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.5 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the points of diversions.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	11 W	WM	33	SE NW	ECKMAN CREEK POD - NORTH 47 DEGREES 30 MINUTES 22 SECONDS WEST, 1693 FEET FROM C1/4 CORNER, SECTION 33
13 S	11 W	WM	33	NW SE	SOUTH WEIST CREEK POD - SOUTH 6 DEGREES 13 MINUTES 28 SECONDS EAST, 766 FEET FROM C1/4 CORNER, SECTION 33

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
13 S	11 W	WM	18	SW SE
13 S	11 W	WM	18	SE SE
13 S	11 W	WM	19	NE 1/4
13 S	11 W	WM	19	SW 1/4
13 S	11 W	WM	19	SE 1/4
13 S	11 W	WM	20	NW 1/4
13 S	11 W	WM	20	SW 1/4
13 S	11 W	WM	20	SE 1/4
13 S	11 W	WM	29	NE 1/4
13 S	11 W	WM	28	W 1/2 W 1/2
13 S	11 W	WM	29	NE NW
13 S	11 W	WM	29	SE NW
13 S	11 W	WM	29	NE SW
13 S	11 W	WM	29	NE SE

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, 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.

Twp	Rng	Mer	Sec	Q-Q
13 S	11 W	WM	29	NW SE
13 S	11 W	WM	30	NW NE
13 S	11 W	WM	30	SW NE
13 S	11 W	WM	30	NW 1/4
13 S	11 W	WM	30	NE SW
13 S	11 W	WM	30	NW SW
13 S	11 W	WM	30	NW SE
13 S	12 W	WM	25	SW NE
13 S	12 W	WM	25	SE NE
13 S	12 W	WM	25	NE SE

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available from the original point of diversion.

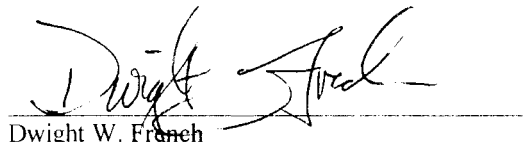
When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The types and plans of the headgate and measuring device must be approved by the Department prior to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

The water user shall maintain and operate fish screening as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

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; however, water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

This certificate is issued to confirm a change in PLACE OF USE, A CHANGE IN POINT OF DIVERSION, AND AN ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered July 16, 2003, at Special Order Volume 57, Page 1035, approving Transfer Application 8835, and supersedes Certificate 11357, State Record of Water Right Certificates.

Issued JUN 12 2013



Dwight W. French
Administrator, Water Right Services, for
Phillip C. Ward, Director