

STATE OF OREGON

COUNTY OF CLATSOP

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GEARHART GOLF LINKS  
 PO BOX 2874  
 GEARHART OR 97138

confirms the right to use the waters of NEACOXIE CREEK, a tributary to the PACIFIC OCEAN, for IRRIGATION of 90.45 ACRES.

This right was perfected under Permit S-26314. The date of priority is AUGUST 19, 1959. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.0 CUBIC FOOT PER SECOND (CFS) being 1.0 cfs from the Sump, 0.23 cfs from Well 1, 0.23 cfs from Well 2, and 0.23 cfs from Well 3, in any combination, or its equivalent in case of rotation, measured at the point of diversion.

The points of appropriation are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 N	10 W	WM	3	NW NW	40	WELL 1 - 768.1 FEET SOUTH AND 2313.8 FEET EAST FROM NW CORNER, GEARHART DLC 40
6 N	10 W	WM	3	SW NW	40	SUMP - 879.2 FEET SOUTH AND 2417.9 FEET EAST FROM NW CORNER, GEARHART DLC 40
6 N	10 W	WM	3	SW NW	40	WELL 2 - 1068.4 FEET SOUTH AND 2226.2 FEET EAST FROM NW CORNER, GEARHART DLC 40
6 N	10 W	WM	3	SW NW	40	WELL 3 - 971.3 FEET SOUTH AND 2079.4 FEET EAST FROM NW CORNER, GEARHART DLC 40

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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 is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 N	10 W	WM	3	NW NW	40	7.5
6 N	10 W	WM	3	SW NW	40	8.85
6 N	10 W	WM	3	NW SW	40	2.7
6 N	10 W	WM	3	SW SW	40	2.01
6 N	10 W	WM	4	NE NE	40	11.67
6 N	10 W	WM	4	SE NE	40	22.87
6 N	10 W	WM	4	NE SE	40	20.31
6 N	10 W	WM	4	SE SE	40	14.54

**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.

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

The quantity of water diverted at the new ground water points of appropriation shall not exceed the quantity of water lawfully available at the original surface water point of diversion located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
6 N	10 W	WM	3	SW NW	40	NOT SPECIFIED IN CERTIFICATE

The use of water under this right shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.

The original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion under this right.

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.

This certificate is issued to confirm a change from A SURFACE WATER POINT OF DIVERSION TO GROUND WATER POINTS OF APPROPRIATION AND REDESCRIBING PLACE OF USE approved by an order of the Water Resources Director entered OCTOBER 31, 2008, at Special Order Volume 76, Page 663, approving Transfer Application 9319, and supercedes Certificate 30349, State record of Water Right Certificates.

Issued APR 11 2014

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