

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J. W. HEATON
ROUTE 2, BOX 690
BAKER, OREGON 97814

confirms the right to use the waters of POWDER RIVER, a tributary of SNAKE RIVER, for the purpose of IRRIGATING 80.0 ACRES.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for BAKER County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 6, at page 291. The date of priority is 1873 FOR 2.0 ACRES AND 1893 FOR 78.0 ACRES.

The right is limited to not more than ONE-FORTIETH OF ONE CUBIC FOOT PER SECOND PER ACRE, IF AVAILABLE AT THE OLD POINT OF DIVERSION; BALDOCK SLOUGH DITCH.

The point of diversion is located as follows:

SW 1/4 NW 1/4, SECTION 33, T 8 S, R 40 E, W.M.;' 2640 FEET NORTH AND 850 FEET EAST FROM SW CORNER SECTION 33.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

NE 1/4 SE 1/4 40.0 ACRES
NW 1/4 SE 1/4 40.0 ACRES
SECTION 34
TOWNSHIP 8 SOUTH, RANGE 40 EAST, W.M.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JULY 21, 1980 and supersedes certificate 4516, 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 and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed this date MARCH 23, 1989.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 60564

T-4436.TES

Canceled Sp.Or.Vol. 51 P. 148