

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J. W. HEATON
ROUTE 2, BOX 290
BAKER, OREGON 97814

confirms the right to use the waters of A SUMP in the POWDER RIVER BASIN for the purpose of THE SUPPLEMENTAL IRRIGATION OF 149.0 ACRES.

The right has been perfected under Permit G-9012. The date of priority is SEPTEMBER 25, 1980. The right is limited to not more than 1.86 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the sump.

The sump is located as follows:

SW 1/4 NE 1/4, SECTION 34, T 8 S, R 40 E, W.M.; 60 FEET NORTH AND 1000 FEET EAST FROM C 1/4 CORNER SECTION 34.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right shall be limited to any deficiency in the available supply of any prior right for the same land and shall not exceed the limitation allowed herein.

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

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

| | |
|---------------|------------|
| SW 1/4 NE 1/4 | 29.8 ACRES |
| SE 1/4 NE 1/4 | 40.0 ACRES |
| NE 1/4 SE 1/4 | 40.0 ACRES |
| NW 1/4 SE 1/4 | 39.2 ACRES |

SECTION 34
TOWNSHIP 8 SOUTH, RANGE 40 EAST, W.M.

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.

WITNESS the signature of the Water Resources Director, affixed this date MAY 11, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 60975

G-9953.TES