

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH WHEELER
RURAL ROUTE BOX 232
HALFWAY, OREGON 97814

confirms the right to use the waters of WASTE WATER, a tributary of SPRING CREEK, for the purpose of PRIMARY IRRIGATION OF 36.3 ACRES AND SUPPLEMENTAL IRRIGATION OF 20.0 ACRES.

The right has been perfected under Permit 42935. The date of priority is MARCH 7, 1974. The right is limited to not more than 1.41 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SW 1/4 NW 1/4, SE 1/4 NW 1/4, NW 1/4 SW 1/4, SECTION 11, T 8 S, R 46 E, W.M.; ALONG WASTE WATER COLLECTION DITCH BETWEEN POINT A - 900 FEET SOUTH AND 1800 FEET WEST AND POINT B - 230 FEET NORTH, BOTH FROM C 1/4 CORNER SECTION 11.

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-FORTIETH 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 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. THE RIGHT IS LIMITED TO THE QUANTITY OF WATER AVAILABLE AT THE PRESENT POINTS OF DIVERSION, AND SHALL NOT CARRY WITH IT THE RIGHT TO COMPEL THE CONTINUANCE OF THE WASTE WATER. 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:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW 1/4 NW 1/4	1.7 ACRES	
SE 1/4 NW 1/4	5.4 ACRES	
NE 1/4 SW 1/4	17.2 ACRES	20.0 ACRES
NW 1/4 SW 1/4	12.0 ACRES	
SECTION 11		
TOWNSHIP 8 SOUTH, RANGE 46 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. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date JULY 7, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 61807

51715.SB