

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RICHARD HEATER
10067 SIEGMUND ROAD S.E.
STAYTON, OREGON 97383

confirms the right to use the waters of NORTH FORK VALENTINE CREEK, SOUTH FORK OF VALENTINE CREEK, HEATER RESERVOIR CONSTRUCTED UNDER PERMIT R-2301, RESERVOIR 1 CONSTRUCTED UNDER PERMIT R-1927, RESERVOIR 6 CONSTRUCTED UNDER PERMIT R-1928, AND RESERVOIR 4 CONSTRUCTED UNDER PERMIT R-7928, a tributary of VALENTINE CREEK, for the purpose of IRRIGATING 237.7 ACRES.

The right has been perfected under Permit 44382. The date of priority is MARCH 30, 1979. The right is limited to not more than 2.97 CUBIC FEET PER SECOND; BEING 1.03 CFS FROM NORTH FORK VALENTINE CREEK, SOUTH FORK VALENTINE CREEK, HEATER RESERVOIR CONSTRUCTED UNDER PERMIT R-2301 AND RESERVOIR 4 CONSTRUCTED UNDER PERMIT R-1928; 0.62 CFS FROM SOUTH FORK VALENTINE CREEK, HEATER RESERVOIR CONSTRUCTED UNDER PERMIT R-2391 AND RESERVOIR 6 CONSTRUCTED UNDER PERMIT R-1928; 1.32 CFS FROM SOUTH FORK VALENTINE CREEK AND RESERVOIR 1 CONSTRUCTED UNDER PERMIT R-1927 or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NE 1/4 NE 1/4, AS PROJECTED WITHIN DLC 43, SECTION 9, SE 1/4 NE 1/4, AS PROJECTED WITHIN DLC 42, NW 1/4 NW 1/4, SE 1/4 NW 1/4, BOTH AS PROJECTED WITHIN DLC 43, SECTION 10, T 9 S, R 1 E, W.M.; SOUTH FORK VALENTINE CREEK AND RESERVOIR 1 - 1450 FEET SOUTH AND 4840 FEET EAST; NORTH FORK VALENTINE CREEK AND RESERVOIR 4 - 850 FEET EAST; SOUTH FORK VALENTINE CREEK AND HEATER RESERVOIR - 860 FEET SOUTH AND 40 FEET WEST; SOUTH FORK VALENTINE CREEK AND RESERVOIR 6 - 1500 FEET SOUTH AND 2000 FEET EAST; ALL FROM THE NW CORNER SECTION 10.

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 from direct flow 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 from direct flow and storage.

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:

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NORTH FORK VALENTINE CREEK, SOUTH FORK VALENTINE CREEK, HEATER RESERVOIR CONSTRUCTED UNDER PERMIT R-2301, AND RESERVOIR 4 CONSTRUCTED UNDER PERMIT R-7928:

SW 1/4 SW 1/4 1.0 ACRE
AS PROJECTED WITHIN DLC 42
SECTION 2

SW 1/4 SE 1/4 0.2 ACRE
AS PROJECTED WITHIN DLC 43

SW 1/4 SE 1/4 4.4 ACRES
SE 1/4 SE 1/4 7.7 ACRES
BOTH AS PROJECTED WITHIN DLC 42
SECTION 3

NE 1/4 NE 1/4 10.5 ACRES
NW 1/4 NE 1/4 32.4 ACRES
BOTH AS PROJECTED WITHIN DLC 42

NW 1/4 NE 1/4 6.2 ACRES
SW 1/4 NE 1/4 0.3 ACRE
BOTH AS PROJECTED WITHIN DLC 43

SW 1/4 NE 1/4 0.2 ACRE
SE 1/4 NE 1/4 0.5 ACRE
BOTH AS PROJECTED WITHIN DLC 42

NE 1/4 NW 1/4 14.0 ACRES
NW 1/4 NW 1/4 0.7 ACRE
SE 1/4 NW 1/4 1.7 ACRES
ALL AS PROJECTED WITHIN DLC 43
SECTION 10

NW 1/4 NW 1/4 2.2 ACRES
AS PROJECTED WITHIN DLC 42
SECTION 11
TOWNSHIP 9 SOUTH, RANGE 1 EAST, W.M.

SOUTH FORK VALENTINE CREEK, HEATER RESERVOIR CONSTRUCTED UNDER PERMIT R-2391, AND RESERVOIR 6 CONSTRUCTED UNDER PERMIT R-1928:

NE 1/4 SE 1/4 3.9 ACRES
AS PROJECTED WITHIN DLC 43
SECTION 9

SW 1/4 NE 1/4 0.5 ACRE
AS PROJECTED WITHIN DLC 43

SW 1/4 NE 1/4 2.5 ACRES
AS PROJECTED WITHIN DLC 42

SW 1/4 NW 1/4 10.8 ACRES
SE 1/4 NW 1/4 7.2 ACRES
NE 1/4 SW 1/4 14.0 ACRES
NW 1/4 SW 1/4 7.2 ACRES
ALL AS PROJECTED WITHIN DLC 43

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NW 1/4 SE 1/4 1.8 ACRES
AS PROJECTED WITHIN DLC 43

NW 1/4 SE 1/4 2.0 ACRES
AS PROJECTED WITHIN DLC 42
SECTION 10
TOWNSHIP 9 SOUTH, RANGE 1 EAST, W.M.

SOUTH FORK VALENTINE CREEK AND RESERVOIR 1 CONSTRUCTED UNDER PERMIT R-1927:

SW 1/4 NE 1/4 23.4 ACRES
SE 1/4 NE 1/4 32.6 ACRES
BOTH AS PROJECTED WITHIN DLC 42

NE 1/4 SE 1/4 12.3 ACRES
NW 1/4 SE 1/4 16.6 ACRES
BOTH AS PROJECTED WITHIN DLC 42
SECTION 10

SW 1/4 NW 1/4 16.9 ACRES
NW 1/4 SW 1/4 4.0 ACRES
BOTH AS PROJECTED WITHIN DLC 42
SECTION 11
TOWNSHIP 9 SOUTH, RANGE 1 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 AUGUST 13, 1990.

/s/ WILLIAM M. WONG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 64522.