

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES M. AND MAURICE HEATER  
4672 DRIFT CREEK ROAD SE  
SUBLIMITY, OR 97385

confirms the right to use the waters of RESERVOIRS 1 AND 2, CONSTRUCTED UNDER PERMIT R-6699, a tributary of DRIFT CREEK, for IRRIGATION OF 40.0 ACRES.

This right was perfected under Permit 42324. The date of priority is FEBRUARY 28, 1977. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 7.0 ACRE-FEET (AF) STORED WATER ONLY, BEING 3.2 AF FROM RESERVOIR 1 AND 3.8 AF FROM RESERVOIR 2, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

RESERVOIR 1 - NW 1/4 SE 1/4, AS PROJECTED WITHIN HEATER DLC 43, SECTION 8, TOWNSHIP 8 SOUTH, RANGE 1 EAST, W.M.; 30 FEET NORTH AND 390 FEET EAST FROM THE NW CORNER OF THE SW 1/4 SE 1/4 OF SECTION 8; AND

RESERVOIR 2 - SW 1/4 SE 1/4, AS PROJECTED WITHIN HEATER DLC 43, SECTION 8, TOWNSHIP 8 SOUTH, RANGE 1 EAST, W.M.; 550 FEET SOUTH AND 1050 FEET EAST FROM THE NW CORNER OF THE SW 1/4 SE 1/4 OF SECTION 8.

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 not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year stored water only.

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 to which this right is appurtenant is as follows:

SW 1/4 NE 1/4	4.4 ACRES
SE 1/4 NE 1/4	1.5 ACRES
NE 1/4 SW 1/4	2.3 ACRES
SE 1/4 SW 1/4	5.6 ACRES
ALL AS PROJECTED WITHIN HEATER DLC 43	
SE 1/4 SW 1/4	0.6 ACRE
SW 1/4 SE 1/4	0.2 ACRE
BOTH AS PROJECTED WITHIN LIPSCOMB DLC 46	
SECTION 8	
TOWNSHIP 8 SOUTH, RANGE 1 EAST W.M.	

NE 1/4 SE 1/4 2.5 ACRE  
NW 1/4 SE 1/4 17.0 ACRES  
SW 1/4 SE 1/4 5.9 ACRES  
ALL AS PROJECTED WITHIN HEATER DLC 43  
SECTION 8  
TOWNSHIP 8 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 use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed March 29, 2002.

  
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Paul R. Cleary

Recorded in State Record of Water Right Certificates Number 79421.