

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 HEATER RESERVOIR 2, CONSTRUCTED UNDER PERMIT R-8149, a tributary of DRIFT CREEK, for SUPPLEMENTAL IRRIGATION OF 40.0 ACRES.

This right was perfected under Permit 44946. The dates of priority are FEBRUARY 25, 1980 FOR 21.0 ACRE-FEET(AF) AND AUGUST 4, 1980 FOR 9.0 AF. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 30.0 AF OF STORED WATER ONLY, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

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, SW 1/4 SE 1/4, 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.

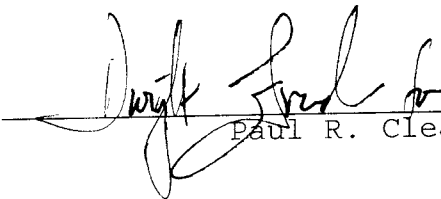
The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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	
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.


Paul R. Cleary

Recorded in State Record of Water Right Certificates Number 79423.