

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES AND SHIRLEY HEATER  
4672 DRIFT CREEK ROAD SE  
SUBLIMITY, OREGON 97385

confirms the right to use the waters of WELL NO.'S 1, 2 AND 3, in the BEAVER CREEK BASIN for IRRIGATION OF 166.5 ACRES.

This right was perfected under Permit G-5718. The date of priority is MARCH 16, 1973. This right is limited to 0.894 CUBIC FOOT PER SECOND (IF AVAILABLE AT THE ORIGINAL POINT OF APPROPRIATION DESCRIBED AS WELL NO. 1), or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

WELL NO. 1 - SE 1/4 SW 1/4, AS PROJECTED WITHIN FINE DLC 59, SECTION 14, TOWNSHIP 8 SOUTH, RANGE 1 WEST, W.M.; 630 FEET NORTH AND 1620 FEET EAST FROM THE SOUTHWEST CORNER OF DLC 59;

WELL NO. 2 - SE 1/4 SW 1/4, AS PROJECTED WITHIN FINE DLC 59, SECTION 14, TOWNSHIP 8 SOUTH, RANGE 1 WEST, W.M.; 620 FEET NORTH AND 730 FEET EAST FROM THE SOUTHWEST CORNER OF DLC 59; AND

WELL NO. 3 - SE 1/4 SW 1/4, AS PROJECTED WITHIN FINE DLC 59, SECTION 14, TOWNSHIP 8 SOUTH, RANGE 1 WEST, W.M.; 780 FEET NORTH AND 480 FEET EAST FROM THE SOUTHWEST CORNER OF DLC 59.

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 ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

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

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

T-8661A.SB Canceled due to  
T-9407; Sp. Or.  
Vol. 12 P. 133

Certificate Number 80788

SUPERSEDED BY  
CERT NO 88537

A description of the place of use to which this right is appurtenant is as follows:

NE 1/4 SW 1/4 18.2 ACRES  
 NW 1/4 SW 1/4 2.0 ACRES  
 SW 1/4 SW 1/4 10.1 ACRES  
 SE 1/4 SW 1/4 39.6 ACRES  
 NW 1/4 SE 1/4 8.6 ACRES  
 SW 1/4 SE 1/4 38.6 ACRES  
 SE 1/4 SE 1/4 7.5 ACRES

ALL AS PROJECTED WITHIN FINE DLC 59  
 SECTION 14

NE 1/4 NE 1/4 3.7 ACRES  
 NW 1/4 NE 1/4 17.2 ACRES  
 NE 1/4 NW 1/4 16.3 ACRES  
 NW 1/4 NW 1/4 4.7 ACRES

ALL AS PROJECTED WITHIN FINE DLC 59  
 SECTION 23

TOWNSHIP 8 SOUTH, RANGE 1 WEST, W.M.

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The water user shall install in-line flow meters or other suitable devices for measuring and recording the quantity of water used. The type and plans of the measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in POINT OF APPROPRIATION approved by an order of the Water Resources Director entered JUNE 11, 2001, and supersedes Certificate 49807, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued July 22, 2004.

  
 Phillip C. Ward, Acting Director  
 Water Resources Department

Recorded in State Record of Water Right Certificates Number 80788.

T-8661A.SB