

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 SUPPLEMENTAL IRRIGATION OF 166.5 ACRES.

This right was perfected under Permit G-10629. The date of priority is JUNE 18, 1986. This right is limited to 1.34 CUBIC FOOT PER SECOND (IF AVAILABLE AT THE ORIGINAL POINT OF APPROPRIATION DESCRIBED AS WELL NO. 2), 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. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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-8661B.SB

Cancelled due to
T-9401 Sp. Or.
Vol 62 P. 133

SUPERSEDED BY
CERT. NO. **88538** Certificate Number 80789

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.

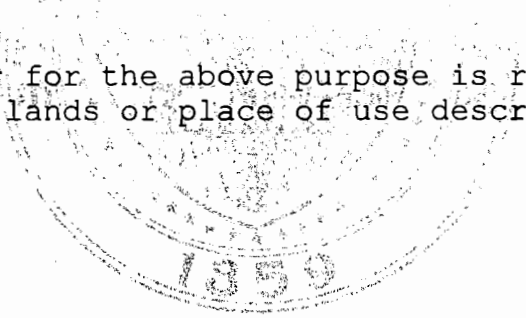
The water user shall install in-line flow meters or other suitable devices for measuring and recording the quantity of water used. The type and plans of the measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the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

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 80789.