

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **C. R. ELBERT**

of P. O. Box 1107, Eagle Point, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Little Butte Creek, a tributary of Rogue River, for the purpose of irrigation under Permit No. 17808 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 14, 1947

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.04 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 35 South, Range 1 East, W. M.

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 and shall be further limited to a diversion of not to exceed $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season from April 2, to October 31, of each year,

and 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 hereby confirmed, and to which such right is appurtenant, is as follows:

3 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 35,
T. 35 S., R. 1 E., W. M.

Land on which water is to be used is a part of that more explicitly described by appropriator as follows: Beginning at a point on the South line of State Highway No. 236 from which the northeast corner of Section 35, Township 35 South of Range 1 West of the Willamette Meridian, in Jackson County, Oregon, bears north 1326.9 feet and east 308 feet; thence South 0° 07' West 1788 feet to a 1" x 36" galvanized pipe on the boundary line between Donation Land Claims Nos. 38 and 39, said Township and Range (from which point the southwest corner of said Donation Land Claim No. 38 bears South 0° 02' West 1493.7 feet) for a true point of beginning, and from said true point of beginning, thence south 0° 02' West, along the boundary line between said Claims Nos. 38 and 39, 102.0 feet to the center of the channel of Little Butte Creek; thence along the channel of said creek, as follows: south 38° 09' West 849.7 feet, south 72° 45' West 177.3 feet, north 57° 00' West 173.0 feet, south 87° 36' West 273.4 feet, south 78° 42' West 155.9 feet, south 20° 51' West 185.5 feet (from which a 1" iron pin set in the bed rock bears south 53° east 39.1 feet) and south 32° 11' West 321.24 feet; thence leaving the channel of said Creek north 1° 42' west 206.3 feet more or less to the south line of said State Highway; thence North 28° 29' East 133.7 feet along the southerly line of said Highway; thence continuing along the southerly line of said Highway on the arc of a curve, to the right, the radius of which is 543.0 feet, a distance of 281.3 feet; thence north 58° 10' East 1095.8 feet continuing along the said southerly line of Highway; thence continuing along the said southerly line of Highway on the arc of a curve, to the right of radius of which is 543.0 feet, a distance of 152.0 feet; thence north 71° 37' East 191.4 feet more or less to the point of beginning, containing 10.10 acres, more or less.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 1st day of March, 19 49

CHAS. E. STRICKLIN

State Engineer