

STATE OF OREGON

COUNTY OF JOSEPHINE

CANCELED

Superseded by 49426
Cert. No.

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Martha Messinger and Heirs of Simon Messinger, Deceased of Provolt, State of Oregon, has a right to the use of the waters of Williams Creek, a tributary of Applegate River

for the purpose of irrigation of 18 acres in Tract No. 1, and irrigation of 120 acres in Tract No. 2,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 4, at page 1; that the priority of the right thereby confirmed dates from 1867;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.30 cubic foot per second for Tract No. 1, and 2.00 cubic feet per second for Tract No. 2.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Tract No. 1 (Williams Cr.)

18 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 12,
T. 38 S., R. 5 W., W. M.

Tract No. 2 (Powell Cr.)

30 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
80 acres in S $\frac{1}{2}$ SE $\frac{1}{4}$
Section 11,
5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 12,
5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 14,
T. 38 S., R. 5 W., W. M.

Re Tract 2.

Apparatus decree of Mar. 9, 1944 was misread
the 120 ac in Tract 2 receives water
from Powell Cr through the Messinger ditch
as stated in the 1919 decree

The 1944 decree concerns only the
lands in Tract 1 which receive water
through the Waits & Knox ditch (also
known as "Waits-Topping ditch")

Note: This Certificate conforms to the provisions of a decree of the Circuit Court for Jackson County dated March 9, 1944.

And said right shall be subject to all other conditions and limitations contained in said decree. 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 30 day of September, 19 49.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 16337