

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Fryer Ditch Association

of Eagle Point, State of Oregon, has a right to the use of the waters of Little Butte Creek

for the purpose of Irrigation of 96.85 acres

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 14, at page 498; that the priority of the right thereby confirmed dates from See below;

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 2.43 cubic feet per second; measured at the head of the ditch or the point where the same leaves the natural stream, from April 1st to October 1st of each year.

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:

<u>Date of Priority</u>	<u>Quantity of Water in c.f.s.</u>	<u>No. of Acres</u>	<u>Place of Use</u>	
1885	0.08	3	(Tract 1 - Gus Nichols Tract 2 - Merrit Brown)	3.00 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, T. 36 S., R. 1 W., W. M.
Jan. 31, 1870	0.35	15.1	(Tract 3 - Gladius F. Pearce)	1.45 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$
			(Tract 4 - Gladius F. Pearce)	4.42 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$
			(Tract 5 - Gladius F. Pearce)	0.50 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$
			(Tract 6 - Gladius F. Pearce)	0.25 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$
			(Tract 7 - Mrs. Arglee Green)	3.59 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$
			(Tract 8 - Mrs. Arglee Green)	1.93 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
			(Tract 9 - Mrs. Arglee Green)	0.85 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$
			(Tract 10 - Clara Young)	0.25 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$
			(Tract 11 - Dave Cingcade)	0.70 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$
			(Tract 12 - Dolly Mathews)	0.23 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$
			(Tract 13 - F. Ayers)	0.46 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$
			(Tract 14 - F. Ayers)	0.20 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$
			(Tract 15 - Mrs. Arglee Green)	0.27 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ All in Section 3, T. 36 S., R. 1 W., W. M.

Ch. Pt. of Div. (See next page)

<u>Date of Priority</u>	<u>Quantity of Water in c.f.s.</u>	<u>No. of Acres</u>	<u>Place of Use</u>
1908	0.41	16.25	(Tract 40 - Wm. Lewis) 1.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$
			(Tract 41 - Geo. Phillips) 0.9 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$
			(Tract 42 - Ada Matthews) 2.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
<i>1$\frac{1}{2}$ Ac. Tract Sp. Or. Vol. 11, p. 171</i>			(Tract 43 - Catholic Church) 2.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
			(Tract 44 - E. Clark) 0.5 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$
			(Tract 45 - Jackson County) 1.15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
			(Tract 46 - Jackson County) 0.5 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$
			(Tract 47 - Jackson County) 0.7 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$
			(Tract 48 - Mrs. Arglee Green) 0.5 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$
			(Tract 49 - Faye J. Hall) 6.5 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$
			Section 3, T. 36 S., R. 1 W., W. M.

Pt. of div. changed for all lands south of River except for Tracts 17 and 46 - See Sp. Or. Vol. 9, p. 414

Pt. of Div. Changed for Tract 17, only Sp. Or. Vol. 10 p. 478

Pt. of Div. Changed for parts of Tracts 28 and 30 only Sp. Or. Vol. 10, p. 552

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 28th day of April, 19 50

CHAS. E. STRICKLIN

State Engineer

<u>Date of Priority</u>	<u>Quantity of Water in c.f.s.</u>	<u>No. of Acres</u>	<u>Place of Use</u>
Jan. 31, 1870	0.25	10	(Tract 16 - A. A. Newman) <i>Ch. Pt. of Div. of 8.9 acres Sp. Dr. Vol. 11, p. 278</i> 10.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, T. 36 S., R. 1 W., W. M.
1908	0.48	19.3	(Tract 16 - A. A. Newman) <i>Ch. Pt. of Div. Sp. Dr. Vol. 11, p. 278</i> 13.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ (Tract 17 - A. C. Mittelstaedt) 2.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Tract 18 - A. C. Mittelstaedt) 0.8 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ All in Section 3, T. 36 S., R. 1 W., W. M.
1907	0.13	5	(Tract 19 - J. F. Brown Tract 20 - Geo. Brown Est. Tract 21 - Wm. Von der Hellen Tract 22 - J. A. Miller Tract 23 - T. F. Nichols Tract 24 - W. H. Brown Tract 25 - R. S. Brown Tract 26 - Cecelia Holmes Tract 27 - J. B. Rader) 5.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, T. 36 S., R. 1 W., W. M.
Jan. 31, 1870	0.3	12	(Tract 28 - Fred Thompson) 1.0 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ (Tract 29 - A. H. Thompson) 2.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ (Tract 30 - Geo. Lewis) 9.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T. 36 S., R. 1 W., W. M.
1908	0.05	2	(Tract 30 - Geo. Lewis) 2.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T. 36 S., R. 1 W., W. M.
Jan. 31, 1870	0.04	1.3	(Tract 31 - Gladius F. Pearce) <i>0.2 Ac. Tract Sp. Dr. Vol. 11 p. 171</i> 1.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, T. 36 S., R. 1 W., W. M.
Jan. 31, 1870	0.13	5	(Tract 32 - A. R. McDonald) 5.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, T. 36 S., R. 1 W., W. M.
Jan. 31, 1870	0.13	5	(Tract 33 - Ira Grove Tract 34 - Grace Dahack Tract 35 - W. W. Taylor Tract 36 - Ira Grove Tract 37 - Tom Cingcade) 5.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, T. 36 S., R. 1 W., W. M.
Jan. 31, 1870	0.05	2	(Tract 38 - O. M. Goss) 2.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T. 36 S., R. 1 W., W. M.
Jan. 31, 1870	0.03	1	(Tract 39 - Walter A. Wood) 1.0 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, T. 36 S., R. 1 W., W. M.