

## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** ROBERT L. AND BETTY JANE FOSTER

of 2975 Brownsboro Highway, Eagle Point, State of Oregon, has a right to the use of the waters of Little Butte Creek

a tributary of Rogue River for the purpose of irrigation of 34.5 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 1883 for Tract No. 1 and 1908 for Tract No. 2;

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 0.14 cubic foot per second for irrigation for Tract No. 1 and 0.55 cubic foot per second for Tract No. 2; 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.

The point of diversion is located in the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 31, T. 35 S., R. 1 E., W.M. Diversion point located 560 feet North and 2990 feet East from the SW Corner, Section 31.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

<u>Tract No. 1</u>	<u>Tract No. 2</u>
4.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31 T. 35 S., R. 1 E., W. M.	5.3 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$ 18.1 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.2 acre SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31 T. 35 S., R. 1 E., W. M.
3.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36 T. 35 S., R. 1 W., W. M.	3.9 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36 T. 35 S., R. 1 W., W. M.

Paragraph 19 of the Little Butte Creek Decree and orders of the State Engineer entered July 31, 1961 and June 23, 1975, provided separate certificates be issued for the Phillips right of 69.73 acres irrigation which are tabulated under Little Butte Irrigation Company. This certificate is issued to confirm the change and together with certificates recorded at pages 42285 and 42287, Volume 34, State Record of Water Right Certificates supersedes the certificate heretofore issued to Little Butte Irrigation Company and recorded at page 36604, Volume 28, State Record of Water Right Certificates.

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 date June 25, 1975.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 34, page 42286