

SUPERSEDED by 50331  
STATE OF OREGON

CANCELED  
PC 80-10

COUNTY OF DOUGLAS

Sp Or Vol 34, p 36

# CERTIFICATE OF WATER RIGHT

**This Is to Certify, That**

WM. FITZPATRICK, JOHN G. HAIL, &  
EZRA BROWN

of Myrtle Creek, State of Oregon, 97457, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of North Myrtle Creek

a tributary of South Fork of Umpqua River for the purpose of the irrigation of 33.6 acres

under Permit No. 879 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 September 25, 1911 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 0.42 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 NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 4, T. 29 S., R. 4 W., W. M., 1100 feet South and 290 feet West from the N $\frac{1}{2}$  Corner, Section 4

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-eighth 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 2 $\frac{1}{2}$  acre feet per acre for each acre irrigated during the irrigation season 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:

- 2.0 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$
- 3.6 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$
- Section 4
- 10.0 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$
- 10.0 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$
- 8.0 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$
- Section 5

T. 29 S., R. 4 W., W. M.

This certificate describes that portion of the water right confirmed by prior certificate recorded at page 834, NOT modified by the provisions of an order entered on September 15, 1977, approving transfer application No. 3762. The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. October 17, 1977

.....James E. Sexson.....  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 36, page 44821

T-4804, 4805

See PC 80-10

T-4223