

STATE OF OREGON

COUNTY OF JACKSON

SUPERSEDED
CERTIFICATE NO. 446624

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

FRYER DITCH ASSOCIATION

of Eagle Point, State of Oregon, 97524, has
a right to the use of the waters of Little Butte Creek

a tributary of Rogue River for the purpose of
the irrigation of 84.72 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 WATER RESOURCES DIRECTOR, 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 2.12 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.

The point of diversion is located in the

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

DATE OF PRIORITY	QUANTITY OF WATER IN C.F.S.	NO. OF ACRES	PLACE OF USE
Jan. 31, 1870	0.24	10.49	Tract 3 - 0.70 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Tract 4 - 4.42 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Tract 5 - 0.50 acre NE $\frac{1}{4}$ SW $\frac{1}{4}$ Tract 6 - 0.25 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Tract 8 - 1.93 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ Tract 9 - 0.85 acre NE $\frac{1}{4}$ SW $\frac{1}{4}$ Tract 10- 0.25 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Tract 11- 0.70 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Tract 12- 0.23 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$ Tract 13- 0.46 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$ Tract 14- 0.20 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$
	0.24	9.65	Tract 16- 9.65 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$

DATE OF PRIORITY	QUANTITY OF WATER IN C.F.S.	NO. OF ACRES	PLACE OF USE
Jan. 31, 1870	0.3	12.0	Tract 28- 1.00 acre NW $\frac{1}{4}$ SE $\frac{1}{4}$ Tract 29- 2.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$ Tract 30- 9.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$
	0.04	1.3	Tract 31- 0.40 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.70 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.20 acre NW $\frac{1}{4}$ SE $\frac{1}{4}$
	0.13	5.0	Tract 32- 5.00 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
	0.12	4.6	Tracts 33- 4.60 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ thru 37 NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$
	0.01	0.54	Tract 38: now Block 2, Fryer's Addition to Eagle Point more explicitly described as 0.32 acre with- in Lots 1 & 2 and adjacent portion of 9th St., Block 2, Fryer's Addition to Eagle Point, appurtenant to: 0.14 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.18 acre NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 0.22 acre within Lot 3 and adjoining portion of alley along northwesterly edge, Block 2, Fryer's Addition to Eagle Point, appurtenant to: 0.03 acre NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.19 acre NW $\frac{1}{4}$ SE $\frac{1}{4}$
	0.03	1.0	Tract 39- 1.00 acre NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3
1885	0.08	3.0	Tract 1 - 3.00 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$ and Section 2 Tract 2 and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3
1907	0.13	5.0	Tracts 19- 5.00 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ thru 27
1908	0.46	18.5	Tract 16-13.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Tract 17- 2.00 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 0.25* 3.50 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
	0.05	2.0	Tract 30- 2.00 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
	0.29	11.64	Tracts 41- 0.22 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$ thru 47 2.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 49 0.40 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.50 acre NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.15 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.50 acre NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.47 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$ 4.80 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.40 acre SE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.20 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 3
T. 36 S., R. 1 W., W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 29579, Volume 21, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered on February 23, 1966, approving transfer application No. K-44, entered on May 6, 1966, approving transfer application No. D-116, entered on May 6, 1966, approving transfer application No. D-119, entered on October 6, 1966 approving transfer application No. M-166, entered on September 18, 1972, approving transfer application No. 2543, and entered on March 23, 1973, approving transfer application No. 2725.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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 Water Resources Director, affixed

this date May 1, 1978 .


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 38 , page 45504

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