

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That MARTHA MESSINGER & HEIRS OF SIMON MESSINGER, DECEASED

of Provolt, State of Oregon, has a right to the use of the waters of Williams Creek for Tract No. 1 and Powell Creek for Tract No. 2

a tributary of Applegate River for the purpose of irrigation of 18 acres in Tract No. 1, and irrigation 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 WATER RESOURCES DIRECTOR, 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 from Williams Creek for Tract No. 1, and 2.00 cubic feet per second from Powell Creek for Tract No. 2.

The point of diversion is located in the Messinger Ditch from Powell Creek; Watts and Knox Ditch (Watts and Topping Ditch) from Williams Creek.

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

This certificate is issued to correct and supersede the certificate recorded at page 16337, Volume 13, issued to Martha Messinger and heirs of Simon Messinger, deceased and conforms to the provisions of a decree of the Circuit Court for Jackson County dated March 9, 1944 which affected only the lands in Tract No. 1. Issuance of this certificate does not reinstate or confirm the validity of the water right for those portions of the irrigated lands that may have been abandoned through 5 consecutive years of nonuse.

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

SUPERSEDED BY this date 25th August, 19 80.
CERT. NO. 88527
81585

James B. Sexton
Water Resources Director

Cancelled due to
T-8325 Sp. Or.
Vol 66 P. 81

Recorded in State Record of Water Right Certificates, Volume 43, page 49426

T-8325