

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That LITTLE BUTTE IRRIGATION COMPANY

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

a tributary of Rogue River, irrigation of 652.27 acres, domestic and stock CANCELED for the purpose of

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 1883 for Tract #1 and 1908 for Tract #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 10.99 cubic feet per second for irrigation from Tract #1 and 2.056 cubic feet per second from Tract #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 1/4 SE 1/4, Section 31, T35S, R1E, WM; 560 feet North and 2990 feet East from SW corner Section 31.

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

549.89 acres in Tract #1 as follows:

- 34.0 acres SW 1/4 SE 1/4
 - 18.9 acres SE 1/4 SE 1/4
 - 10.0 acres SW 1/4 SW 1/4
 - 15.0 acres SE 1/4 SW 1/4
- Section 34

- 4.6 acres Lot 4 (SW 1/4 NW 1/4)
 - 37.0 acres NE 1/4 SW 1/4
 - 33.0 acres NW 1/4 SW 1/4
 - 40.0 acres SW 1/4 SW 1/4
 - 33.0 acres SE 1/4 SW 1/4
 - 21.0 acres NE 1/4 SE 1/4
 - 32.5 acres NW 1/4 SE 1/4
 - 4.0 acres SW 1/4 SE 1/4
 - 12.0 acres SE 1/4 SW 1/4
- Section 35

SEE NEXT PAGE

RECORDED AT 11:14 AM 1960

T 872

3.0 acres SE 1/4 NW 1/4
10.0 acres SW 1/4 NW 1/4
20.0 acres NE 1/4 SW 1/4
35.0 acres NW 1/4 SW 1/4
20.0 acres SW 1/4 SW 1/4
17.5 acres SE 1/4 SW 1/4
3.5 acres NW 1/4 SE 1/4
7.5 acres SW 1/4 SE 1/4

Section 36
Township 35 South, Range 1 West, WM

11.52 acres NE 1/4 NE 1/4
19.10 acres NW 1/4 NE 1/4

Section 3

2.6 acres NE 1/4 NW 1/4
25.1 acres SW 1/4 NW 1/4
27.2 acres SE 1/4 NW 1/4
6.2 acres NE 1/4 SW 1/4
32.0 acres NW 1/4 SW 1/4
3.0 acres SW 1/4 SW 1/4

Section 3

0.17 acre SE 1/4 SE 1/4 as projected within Westgate DLC 47
Section 4

Township 36 South, Range 1 West, WM

3.1 acres NW 1/4 NW 1/4 as projected within DLC 43
8.4 acres NW 1/4 NW 1/4 as projected within DLC 42

Section 6

Township 36 South, Range 1 East, WM

102.38 acres in Tract #2 as follows:

4.6 acres NE 1/4 SE 1/4
4.4 acres NW 1/4 SE 1/4

Section 34

0.46 acre SW 1/4 NE 1/4
2.50 acres SE 1/4 NE 1/4
1.10 acres NE 1/4 SE 1/4
10.3 acres SW 1/4 SE 1/4

Section 35

3.3 acres SW 1/4 NW 1/4
2.90 acres NE 1/4 SW 1/4
1.10 acres NE 1/4 SE 1/4
11.50 acres NW 1/4 SE 1/4
14.10 acres SW 1/4 SE 1/4

Section 36
Township 35 South, Range 1 West, WM

4.3 acres NE 1/4 NE 1/4
11.22 acres SW 1/4 NE 1/4
2.7 acres NE 1/4 NW 1/4
12.3 acres NW 1/4 NW 1/4 - 0221 APQU 0250
3.7 acres NE 1/4 SW 1/4
9.9 acres SW 1/4 SW 1/4

Section 3
Township 36 South, Range 1 West, WM

~~0221 APQU~~
2.0 acres NW 1/4 NW 1/4 as projected within DLC 42
Section 6
Township 36 South, Range 1 East, WM

This certificate describes that portion of the water right confirmed by the prior certificate of water right recorded at page 42285, Volume 34, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered on October 11, 1976, May 11, 1978, and February 12, 1979, approving transfer applications 3210, 3221, 3224, 3950, and 4138, and is issued to confirm changes in place of use approved by the same orders and supersedes certificate 42285.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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
Cert No. 08091 & 08092 this date March 23, 19 87.

Cancelled Sp.Or.Vol. 29 P. 115

...../s/ William H. Young
Water Resources Director