

STATE OF OREGON  
 COUNTY OF JOSEPHINE  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARTHA MESSINGER & HEIRS OF SIMON MESSINGER, DECEASED

PROVOLT OR 97530

confirms the right to use the waters of the WILLIAMS CR, a tributary of the APPLGATE R for TRACT 1 AND POWELL CREEK, a tributary of WILLIAMS CREEK for TRACT 2; for purposes of irrigation of 15.4 acres in TRACT No. 1 and irrigation of 120 acres in TRACT No. 2.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Jackson County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 4, at Page 1. The date of priority thereby confirmed dates from 1867.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.257 CUBIC FEET PER SECOND from WILLIAMS CREEK for TRACT No. 1 and 2.00 CUBIC FEET PER SECOND from POWELL CREEK for TRACT No. 2 or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Survey Coordinates
TRACT 1; WATTS TOPPING DITCH from WILLIAMS CR
TRACT 2; MESSINGER DITCH from POWELL CR

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION TRACT 1						
Twp	Rng	Mer	Sec	Q-Q		Acres
38 S	5 W	WM	12	NW SW		15.40

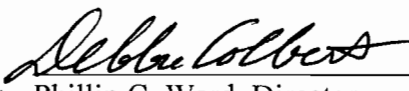
IRRIGATION TRACT 2						
Twp	Rng	Mer	Sec	Q-Q		Acres
38 S	5 W	WM	11	NE SE		30.00
38 S	5 W	WM	11	SW SE		40.00
38 S	5 W	WM	11	SE SE		40.00
38 S	5 W	WM	12	NW SW		5.00
38 S	5 W	WM	14	NE NW		5.00

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 above purpose is restricted to beneficial use on the lands or place of use described

This certificate describes that portion of the water right confirmed by Certificate 49426, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 12 2005, approving Transfer Application 8325.

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.

WITNESS the signature of the Water Resources Director, affixed August 12, 2005.

*for*   
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Phillip C. Ward, Director