

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LAWRIE DUNN RUTHERFORD
5844 COBLIEIGH ROAD
EAGLE POINT, OREGON 97524

confirms the right to use the waters of CLARK'S CREEK, a tributary of BIG BUTTE CREEK, for IRRIGATING 2.1 ACRES.

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 13, at Page 376. The date of priority is 1899.

The use is limited to 0.04 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 NE 1/4, SECTION 8, T 34 S, R 2 E, W.M.; 820 FEET NORTH AND 1970 FEET WEST OF THE EAST 1/4 CORNER OF SECTION 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent).

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

SE 1/4 SE 1/4 2.1 ACRES
SECTION 7
TOWNSHIP 34 SOUTH, RANGE 2 EAST, W.M.

(NOTE: THIS ALLOWANCE IS SUBJECT TO THE QUANTIFICATIONS AND STIPULATIONS SET OUT IN THE ROGUE RIVER DECREE, PARAGRAPH 28, PAGE 61, COLUMN 3.)

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered JUNE 19, 1972, and together with Certificate 38667 supersedes Certificate 32755, State Record of Water Right Certificates.

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.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed OCTOBER 26, 1992.

/s/ MARTHA O. PAGEL
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 67931.

T-2635.BSJ