

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 38.7 ACRES.

This right was perfected under Permit 5971. The date of priority is JULY 18, 1923. This right is limited to 0.48 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION.

The points of diversion are located as follows:

NW 1/4 NE 1/4 AND NW 1/4 SW 1/4, SECTION 8, T 34 S, R 2 E, W.M.; (1) NORTH 87 DEGREES 31 MINUTES EAST, 581 FEET FROM THE SOUTHWEST CORNER OF SECTION 8; (2) 1000 FEET SOUTH AND 730 FEET EAST FROM THE WEST 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:

NE 1/4 SE 1/4	0.9 ACRE
SW 1/4 SE 1/4	1.2 ACRES
SE 1/4 SE 1/4	19.0 ACRES
SECTION 7	

NE 1/4 SW 1/4	1.9 ACRES
NW 1/4 SW 1/4	2.6 ACRES
SW 1/4 SW 1/4	4.2 ACRES
SE 1/4 SW 1/4	8.9 ACRES
SECTION 8	

TOWNSHIP 34 SOUTH, RANGE 2 EAST, W.M.

When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the wateruser is entitled;

the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered AUGUST 10, 1976, and together with Certificate 43756 supersedes Certificate 40374, 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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

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 67932.

T-3291.BSJ