

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LAWRIE D. AND PHYLLIS RUTHERFORD
5844 COBLEIGH ROAD
EAGLE POINT, OREGON 97524

confirms the right to use the waters of 3 UNNAMED STREAMS, a tributary of CLARK'S CREEK, for SUPPLEMENTAL IRRIGATION OF 17.9 ACRES.

This right was perfected under Permit 6590. The date of priority is AUGUST 4, 1924. This right is limited to 0.22 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 POINTS OF DIVERSION.

The points of diversion are located as follows:

NW 1/4 NE 1/4 AND SW 1/4 NW 1/4, SECTION 8; NE 1/4 SE 1/4, SECTION 7, T 34 S, R 2 E, W.M.; 1600 FEET NORTH AND 2700 FEET EAST; 1170 FEET NORTH AND 1100 FEET EAST; AND 120 FEET SOUTH AND 1230 FEET WEST; ALL 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).

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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

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

NE 1/4 SE 1/4	2.9 ACRES
SW 1/4 SE 1/4	1.0 ACRE
SE 1/4 SE 1/4	10.7 ACRES

SECTION 7

NW 1/4 SW 1/4	1.2 ACRES
SW 1/4 SW 1/4	2.1 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.

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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 43757 supersedes Certificate 40373, 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 67933.

T-3293.BSJ