

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RUSSMAR COMPANY, JACK RUSSELL
c/o CASCADE CATTLE COMPANY
1155 SOUTH FORK LITTLE BUTTE CREEK ROAD
EAGLE POINT, OREGON 97524

confirms the right to use the waters of WEST FORK LAKE CREEK, EAST FORK LAKE CREEK, AND LAKE CREEK RESERVOIR CONSTRUCTED UNDER PERMIT R-3232, tributaries of LITTLE BUTTE CREEK, for IRRIGATION OF 836.0 ACRES.

This right was perfected under Permit 28688. The date of priority is APRIL 18, 1963. This right is limited to 10.45 CUBIC FEET PER SECOND (CFS), BEING 5.25 CFS FROM WEST FORK AND 5.20 CFS FROM EAST FORK, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

EAST FORK: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 17, T 37 S, R 2 E, WM; 2340 FEET SOUTH AND 2750 FEET EAST FROM THE NW CORNER, SECTION 17.

RESERVOIR: SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 6, T37 S, R 2 E, WM; 440 FEET NORTH AND 850 FEET EAST FROM THE S $\frac{1}{4}$ CORNER, SECTION 6.

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 from each acre irrigated from direct flow (or its equivalent) and 4.5 acre-feet for each acre irrigated during the irrigation season of each year from direct flow and storage, provided further that the right to use of direct flow shall be limited to the period when the flow of the Rogue River is more than 1000 cfs immediately above Savage Rapids Dam, more than 1000 cfs at Raygold, and more than 735 cfs at its mouth and the flow of Little Butte Creek is more than 31 cfs at its mouth.

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:

SE $\frac{1}{4}$ NE $\frac{1}{4}$	0.4 ACRE	NE $\frac{1}{4}$ NE $\frac{1}{4}$	32.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	0.1 ACRE	NW $\frac{1}{4}$ NE $\frac{1}{4}$	5.4 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	0.1 ACRE	SW $\frac{1}{4}$ NE $\frac{1}{4}$	25.2 ACRES
SECTION 23		SE $\frac{1}{4}$ NE $\frac{1}{4}$	28.0 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.4 ACRES	SE $\frac{1}{4}$ NW $\frac{1}{4}$	2.7 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.8 ACRES	NE $\frac{1}{4}$ SW $\frac{1}{4}$	9.7 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	12.0 ACRES	SE $\frac{1}{4}$ SW $\frac{1}{4}$	23.5 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	17.0 ACRES	NE $\frac{1}{4}$ SE $\frac{1}{4}$	19.2 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	36.0 ACRES	NW $\frac{1}{4}$ SE $\frac{1}{4}$	30.5 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	31.0 ACRES	SW $\frac{1}{4}$ SE $\frac{1}{4}$	15.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	33.7 ACRES	SE $\frac{1}{4}$ SE $\frac{1}{4}$	2.3 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	26.8 ACRES	SECTION 25	
SW $\frac{1}{4}$ SW $\frac{1}{4}$	34.4 ACRES	NE $\frac{1}{4}$ NE $\frac{1}{4}$	7.4 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	24.5 ACRES	NW $\frac{1}{4}$ NE $\frac{1}{4}$	29.8 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	24.6 ACRES	SW $\frac{1}{4}$ NE $\frac{1}{4}$	5.4 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	24.0 ACRES	SE $\frac{1}{4}$ NE $\frac{1}{4}$	12.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	12.0 ACRES	NE $\frac{1}{4}$ NW $\frac{1}{4}$	14.5 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	29.5 ACRES	SECTION 36	
SECTION 24		TOWNSHIP 36 SOUTH,	
		RANGE 1 EAST, W.M.	

SE¹/₄ SW¹/₄ 16.2 ACRES
SW¹/₄ SE¹/₄ 24.3 ACRES

SECTION 19

NE¹/₄ NE¹/₄ 1.6 ACRE
NW¹/₄ NE¹/₄ 21.9 ACRES
SW¹/₄ NE¹/₄ 24.0 ACRES
NW¹/₄ NW¹/₄ 15.5 ACRES
SW¹/₄ NW¹/₄ 4.4 ACRES
NW¹/₄ SW¹/₄ 9.0 ACRES
SW¹/₄ SW¹/₄ 5.5 ACRES

SECTION 30

NE¹/₄ NW¹/₄ 12.8 ACRES
NW¹/₄ NW¹/₄ 31.8 ACRES
SW¹/₄ NW¹/₄ 0.6 ACRE
NE¹/₄ SW¹/₄ 4.6 ACRES
SW¹/₄ SW¹/₄ 9.5 ACRES
SE¹/₄ SW¹/₄ 30.5 ACRES
NW¹/₄ SE¹/₄ 0.6 ACRE
SW¹/₄ SE¹/₄ 9.0 ACRES

SECTION 31

TOWNSHIP 36 SOUTH,
RANGE 2 EAST, W.M.

LOT 2 (NW¹/₄ NE¹/₄) 6.5 ACRES
LOT 3 (NE¹/₄ NW¹/₄) 19.3 ACRES
LOT 4 (NW¹/₄ NW¹/₄) 13.5 ACRES

SECTION 6

TOWNSHIP 37 SOUTH, RANGE 2 EAST, W.M.

This Certificate is issued to correctly describe the location of the place of use in Township 37 South, Range 2 East, W.M., and supersedes Certificate 56187, 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 purposes aforesaid is restricted to the lands or place of use herein described, and is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

~~MAY 04 2007~~


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 83347.

38659(56187)corr.LHN