3291 RUTHERFORD
Medford, OR 97501

Lawrie D. & Phyllis Rutherford
5844 Cobleigh Road
Eagle Point, OR 97524

3291

STATUS OF APPLICATION

Change in point of diversion + place of use

Date filed 8-12-75

Date of hearing 7-15-76

Place of hearing Medford

Date of order 8-10-76 Vol. 27, page 361

Date for application of water ~~10-1-77 10-1-78~~ 10-1-79 10-1-78

Proof mailed AUG 17 1992

Proof received

Certificate issued OCT 18 1976 Vol. 35, page 43756 67932

OCT 26 1992

DESCRIPTION OF WATER RIGHT

Name of stream Clarks Creek

Trib. of ..... County of Jackson

Use irrigation

Quantity of water ..... No. of acres 38 2

Name of ditch Childers

Date of priority July 18, 1923

In name of Medford Corporation

..... Adjudication, Vol. ....., page .....

App. No. 9071 Per. No. 5971 Cert. No. 40374

Certificate cancelled

Notation made on record by

OK Cert 10-26-92

FEES PAID

Date	Amount	Receipt No.
8-12-75	47.25	48898
TOTAL . . .	~~$4.00~~	
6-25-76	Cert. Fee	48900

FEES REFUNDED

Date	Amount	Check No.

REMARKS

See File 3293 for P.O.W. & Deposit

Note: The East-West dimension of Section 2 is greater than 5280 feet -- acreage illustrated on supporting map does not over lap on existing right.

TO BE ENTERED WHERE CHECKED

	INDEX CARDS:	Entered	Checked
WH	Name	✓	
WH	Stream	✓	
	Pt. of Div.		
WH	Calendar	✓	
	CHECKED TO RECORDS:		
✓	Twp. & Rge.	WH	
	Decree-vault		
	Decree-safe		
✓	Cert. of W/R	WH	
✓	Per. Folder	WH	
	Chaindex		
	Cross Ref.		
	Power Claim		
	Abstracts		

SP*70822-119

WH

STATE OF OREGON

COUNTY OF JACKSON

PROPOSED 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.

SEE NEXT PAGE

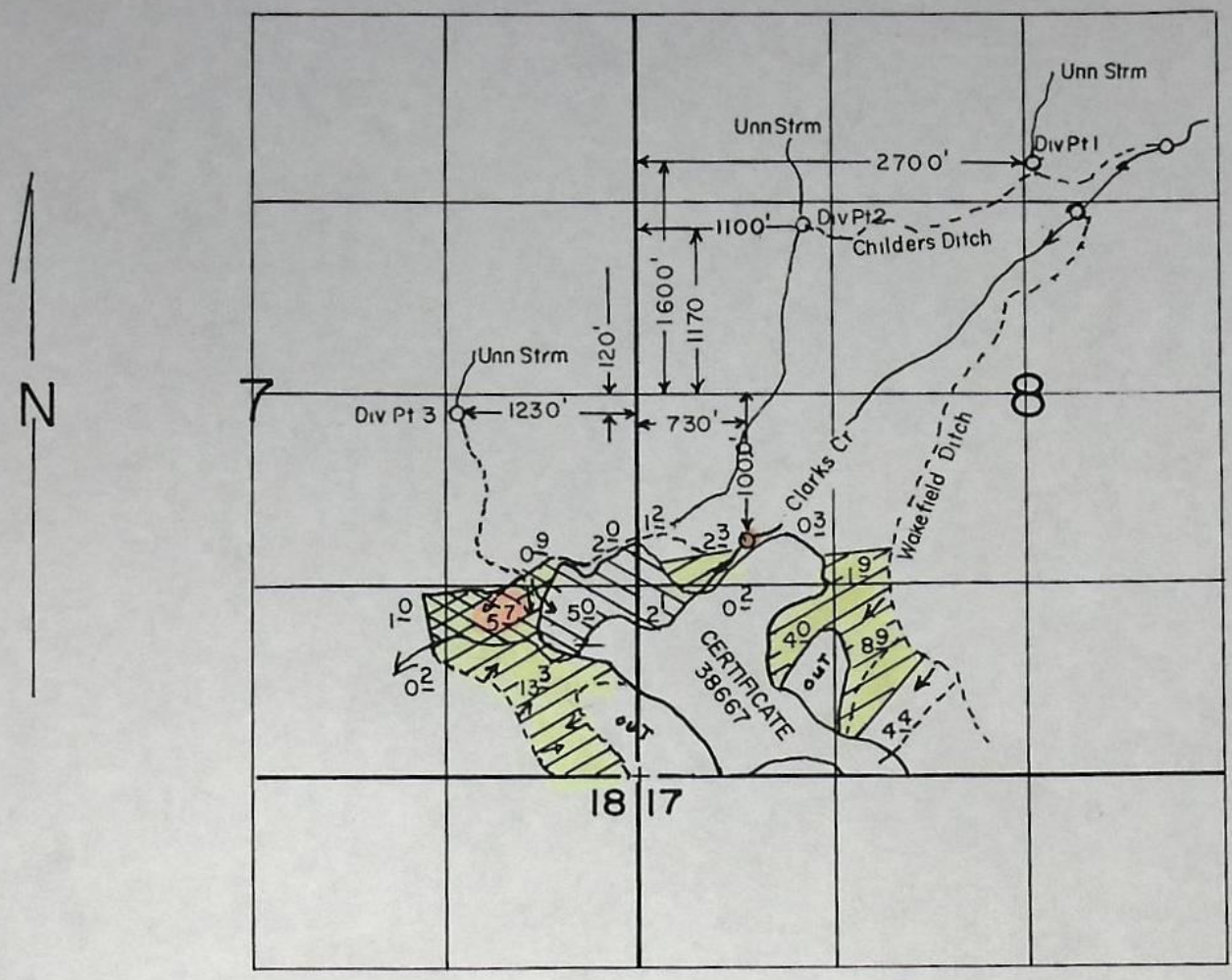
This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered AUGUST 10, 1976, and together with Certificate 43756 supersedes Certificate 40374, State Record of Water Right Certificates.

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.

90684

T.34S., R.2E., W.M.



SCALE: 1" = 1320'

FINAL PROOF SURVEY

UNDER

TRANSFER NO. 3291

3293
2635

Application No. ..... Permit No. .....

IN NAME OF

LAWRIE D & PHYLLIS RUTHERFORD

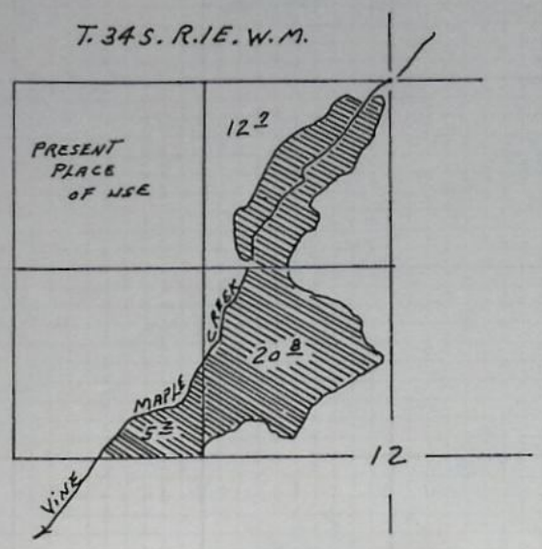
Surveyed JUNE 28 1989, by B S JAMES

Transfer No 3291 Primar 2635

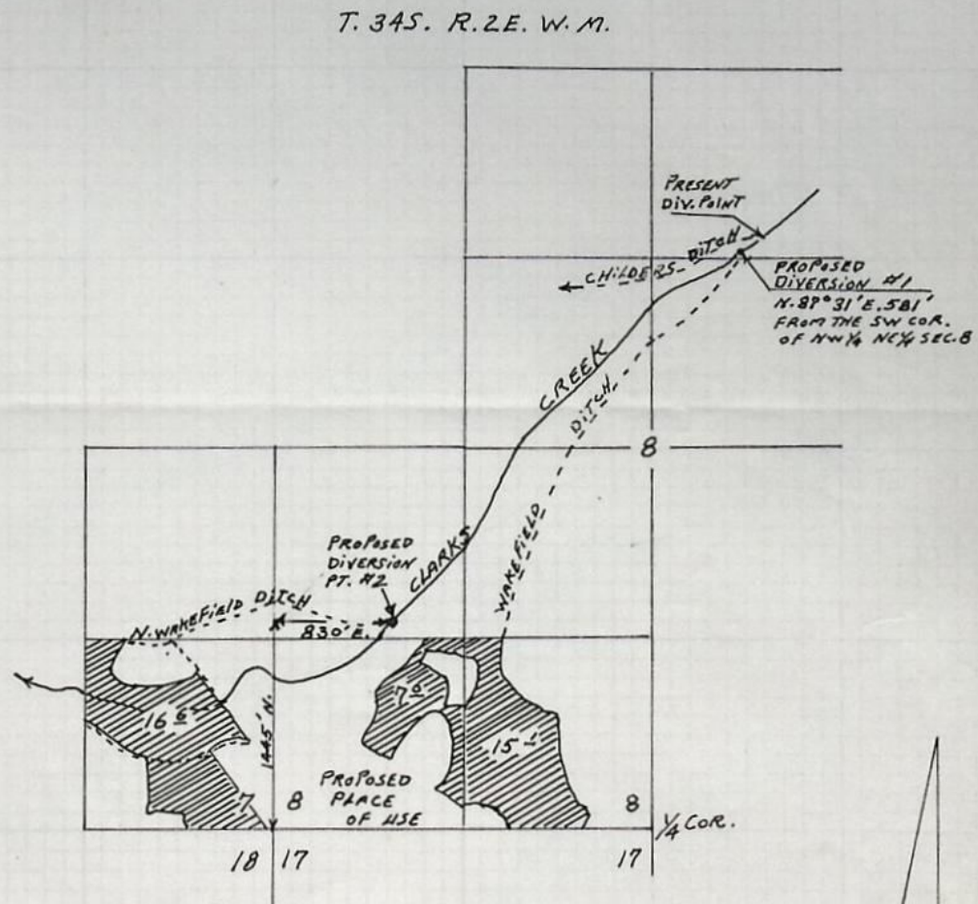
Transfer No 3293 Supplemental

40129-279-165R

11-16-89 DM



RECEIVED
AUG 12 1975
WATER RESOURCES DEPT.
SALEM, OREGON



MAP TO ACCOMPANY APPLICATION OF MEDFORD CORP. BY KEN PICKENS FOR CHANGE IN POINT OF DIVERSION AND CHANGE IN PLACE OF USE.

SCALE 4" = 1 MILE

8-5-75

T-3291

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LAWRIE DUNN RUTHERFORD
5844 COBLIEIGH ROAD
EAGLE POINT, OREGON 97524

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NE 1/4 SE 1/4	0.9 ACRE
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SE 1/4 SE 1/4	19.0 ACRES
SECTION 7	
NE 1/4 SW 1/4	1.9 ACRES
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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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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.

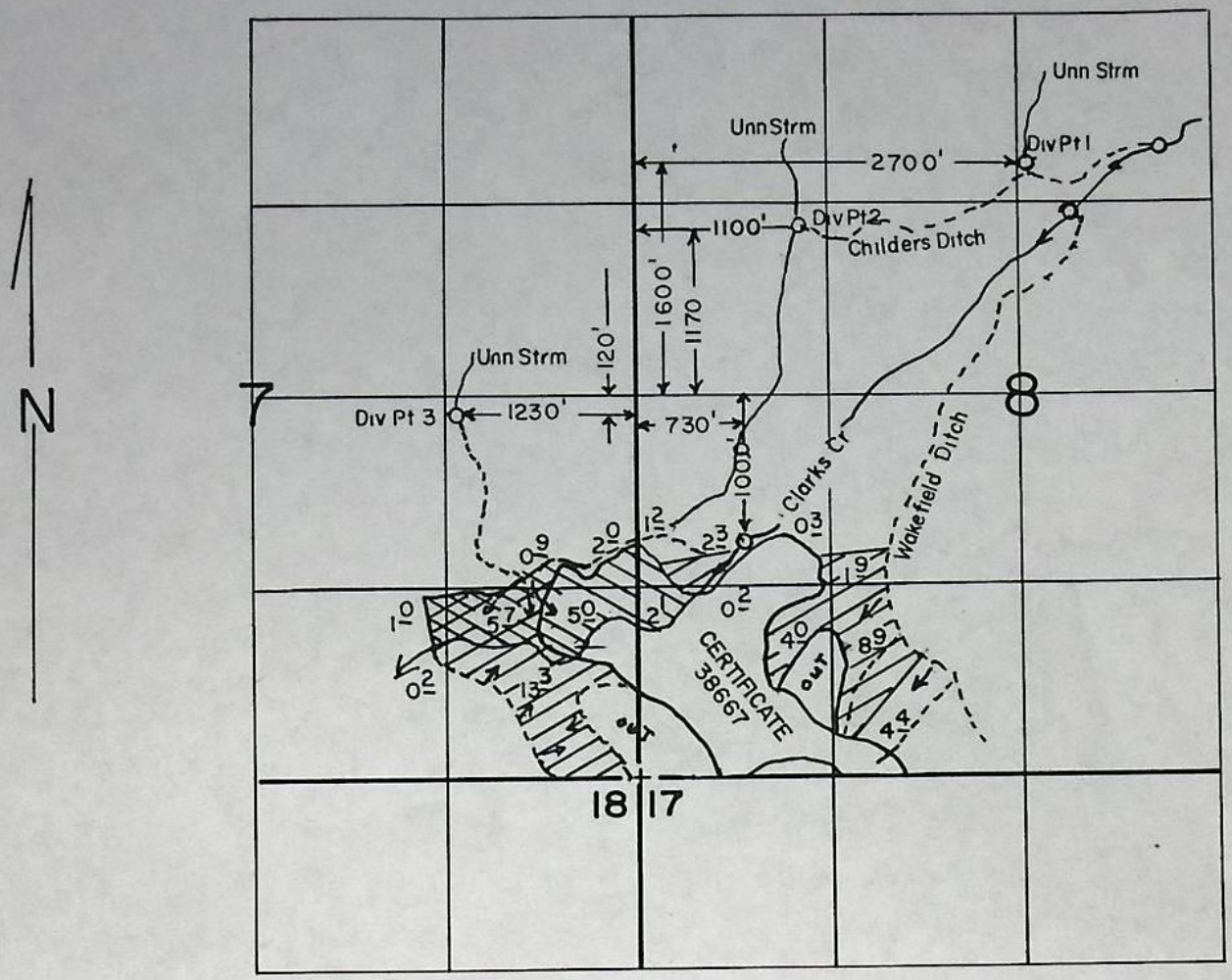
WITNESS the signature of the Water Resources Director, affixed OCTOBER 26, 1992.

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 67932.

T-3291.BSJ

T.34S., R.2E., W.M.



SCALE: 1" = 1320'

FINAL PROOF SURVEY

UNDER

TRANSFER NO. 3291

3293

2635

Application No. ..... **Permit No.** .....

IN NAME OF

LAWRIE D & PHYLLIS RUTHERFORD

Surveyed JUNE 28 **19**89**., by** B S JAMES

Transfer No 3291 Primary 2635

Transfer No 3293 Supplemental

40129-279-165R

11-16-89 DM

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION OF MEDFORD CORPORATION FOR THE APPROVAL OF A CHANGE IN POINT OF DIVERSION AND PLACE OF USE OF WATER FROM CLARKS CREEK	ORDER APPROVING TRANSFER NO. 3291

On August 12, 1975, Medford Corporation filed an application in the office of the Water Resources Director for the approval of a change in point of diversion and place of use of water from Clarks Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Medford Corporation and recorded at Page 40374, Volume 32, State Record of Water Right Certificates, confirms a right to the use of not to exceed 1.48 cubic feet per second of water from Clarks Creek for the irrigation of, among other lands, 12.7 acres in NE¼ NW¼, 5.2 acres in SW¼ NW¼ and 20.8 acres in SE¼ NW¼, Section 12, Township 34 South, Range 1 East, W.M., with a date of priority of July 18, 1923. These lands are irrigated by means of the Childers ditch from a point of diversion located near the center of the NE¼ of Section 8, being within the SE¼ NE¼ of Section 8, Township 34 South, Range 2 East, W.M.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 16.6 acres in SE¼ SE¼ of Section 7, 7.0 acres in SW¼ SW¼ and 15.1 acres in SE¼ SW¼ of Section 8, Township 34 South, Range 2 East, W.M., and to irrigate these lands from two points of diversion to be located (1) North 87 degrees 31 minutes East, 581 feet from the Southwest corner of the NW¼ NE¼ of Section 8, being within the NW¼ NE¼ of Section 8, Township 34 South, Range 2 East, W.M., and (2) 1445 feet North and 830 feet East from the Southwest corner of Section 8, being within the NW¼ SW¼ of Section 8, Township 34 South, Range 2 East, W.M.

1 Sp. Or. V27 p36

for the irrigation of 16.6 acres in SE¼ SE¼, Section 7, and 7.0 acres in SW¼ SW¼, and 15.1 acres in SE¼ SW¼, Section 8, Township 34 South, Range 2 East, W.M., with a date of priority of July 18, 1923, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in points of diversion and place of use of water made on or before October 1, 1977.

It is FURTHER ORDERED that the quantity of water diverted at the new points of diversion shall not exceed the quantity of water available at the old point of diversion, and shall not exceed 0.48 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install head-gates and measuring devices.

> That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled.
>
> That 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.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Medford Corporation and recorded at Page 40374, Volume 32, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding, and upon receipt of proof satisfactory to the Water Resources Director of completion of the authorized change in points of diversion and application of water to beneficial use, a certificate of water right shall be issued to Medford Corporation confirming the change in points of diversion and the extent to which water has been applied beneficially.

Dated at Salem, Oregon, this 10th day of August, 1976.

/s/ JAMES E. SEXSON
Director

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in points of diversion and place of use of water, if any there were, namely: at the county courthouse in Medford, Oregon, on July 15, 1976, at 9:30 a.m. The notice was published in the Medford Mail Tribune, a newspaper printed and having general circulation in Jackson County, Oregon, for a period of three weeks in the issues of May 20, 27 and June 3, 1976. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. David C. Hendrix, Watermaster of District No. 13, has filed a report to the effect that the proposed change in points of diversion and place of use of water may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed change in points of diversion and place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the change in place of use of water is approved and the water right hereinbefore described as appurtenant to 12.7 acres in NE¼ NW¼, 5.2 acres in SW¼ NW¼ and 20.8 acres in SE¼ NW¼, Section 12, Township 34 South, Range 1 East, W.M., with a date of priority of July 18, 1923, be severed therefrom and simultaneously and without loss of priority transferred to 16.6 acres in SE¼ SE¼, Section 7, 7.0 acres in SW¼ SW¼, and 15.1 acres in SE¼ SW¼, Section 8, Township 34 South, Range 2 East, W.M.

It is FURTHER ORDERED that the change in points of diversion of water from Clarks Creek, to wit:

> From a point located near the center of the NE¼ of Section 8, being within the SE¼ NE¼ of Section 8, Township 34 South, Range 2 East, W.M.
>
> To points to be located (1) North 87 degrees 31 minutes East, 581 feet from the Southwest corner of NW¼ NE¼, Section 8, being within the NW¼ NE¼ of Section 8, Township 34 South, Range 2 East, W.M., and (2) 1445 feet North and 830 feet East from the Southwest corner of Section 8, being within the NW¼ SW¼ of Section 8, Township 34 South, Range 2 East, W.M.

RECEIVED
OCT - 2 1979
WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

Transfer No. 3291

I, Medford Corporation by / Lawrie Rutherford hereby certify that before and on September 28, 1979, the water has been applied to the lands to which the water right was transferred by an order of the Water Resources Director dated 8-10-76, approving an application for a change in place of use of water from Clarks Creek.

ok
Lcy

10-1-79
Date

Medford Corp. by Lawrie Dunn Rutherford
Signature
5844 Cobleigh Road
Eagle Point, Oregon 97524

please
Note: Send all proofs of appropriation to Lawrie Rutherford, at above address as this water is being used on his land and the orginal man that was handling the matter for Medford Corporation passed away and the papers might get lost in the process if you send them there.

Contact prior to Survey

(3)

165-R

REPORT ON INSPECTION UNDER TRANSFER
OF WATER RIGHT FOR CHANGE IN: POD
POU
USE
Add'l POD

Transfer NO. 3291

County Jackson

Old Certificate NO. 40374

1. Name c/o L Medford Corporation Laurie Rutherford

Address 5844 Crooleigh Rd, Eagle Point, OR 97524

2. Source of Supply Clark's Creek, Trib of Big Butte Creek

3. Use irrigation

4. Amount of Water 1.48 cfs Priority Date July 18, 1923

5. Proposed Point of Diversion (1) N 87°31' E, 581 ft from SW Corner of NW¼NE¼, Sec 8, w/in NW¼NE¼ Sec 8; (2) 1445' N + 830' E from SW Cor of Sec 8, w/in NW¼SW¼, Sec 8, T 34S, R 2E W.M.

6. Completion Date 10-1-79

7. Place of Use:

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	0 9/12
34S	2E	~~8~~ 7	NE SE ~~NW SE~~ SESE	16 6 ac	19 0
		8	SWSW	~~9 0~~ ac	4 2
		8	SESW	~~15 1~~ ac	8 9
		8	NE SW	1	1 9
		8	NWSW		~~38 2~~ 6
					38 2

40129-279-165R
6-28-89 RSS

INFO: MET WITH OWNER LAURIE RUTHERFORD AT RANCH.
HE SHOWED US SYSTEM.
ALL GRAVITY THRU CANAL'S & FLOODS FIELDS.

SOURCE: CLARKS CREEK

DIV. PTS: GRAVEL & ROCK DIVERSION'S MADE EACH YEAR.

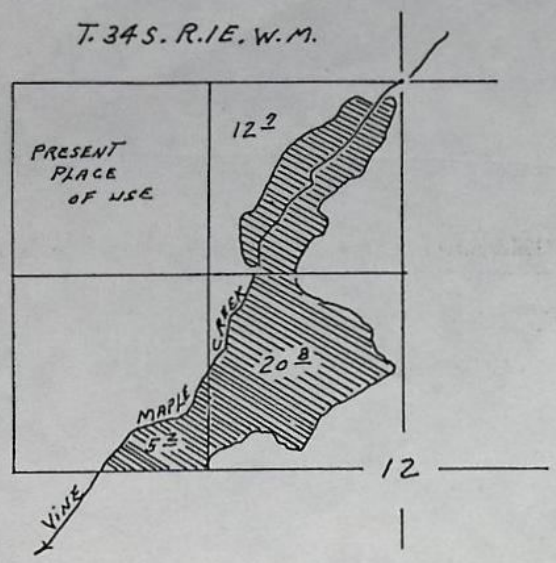
MOTOR
PUMP
PIPE } N/A

USE: PASTURE, HAY, TREES. (70 Head Cattle)

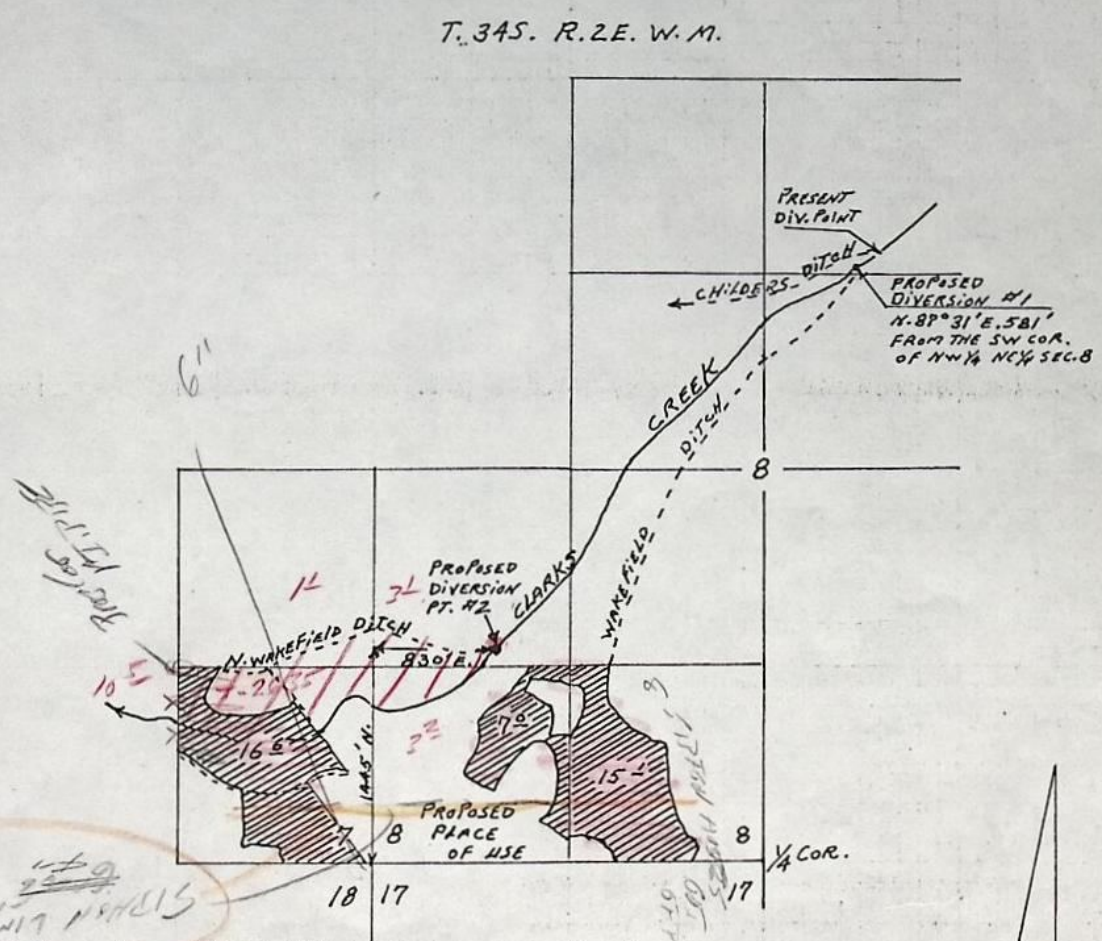
LIFT: FALL: 200' FROM DIV #1
100' FROM DIV # 2

TIE: 40129-279-1657 & MONT.

B Sue Jones F.I.
6-29-89



RECEIVED
AUG 12 1975
WATER RESOURCES DEPT.
SALEM, OREGON



MAP TO ACCOMPANY APPLICATION OF MEDFORD CORP. BY KEN PICKENS FOR CHANGE IN POINT OF DIVERSION AND CHANGE IN PLACE OF USE.

SCALE 4" = 1 MILE

8-5-75

T-3291

RECEIVED
AUG 12 1975
WATER RESOURCES DEPT.
SALEM, OREGON

T-3291

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Medford Corporation by Ken Pickens
(Name of applicant)

of P. O. Box 550, Medford, (Postoffice), County of Jackson,

State of Oregon 97501, do hereby make application for change in point of diversion and place of use.
(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is Clarks Creek. (Name of stream)

2. The use to which the water is applied is irrigation. (Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is Childers Ditch.

4. The point of diversion is located approximately in center of the NE¼ of Section 8 / ft. (N. or S.) and ft. (E. or W.) from the ~~xxxxxxxx~~ (Section or subdivision) being within the SE¼ NE¼

of Section 8 Tp. 34 S. (No. N. or S.) R. 2 E. (No. E. or W.) W. M., in the County of Jackson.

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
34 S.	1 E.	12					12.7		5.2	20.8								

part 0.98cfs

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? Yes. (If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? Yes.

8. What is the date of priority of your water right? July 18, 1923.

9. Was your water right acquired by State Engineer's Permit? Yes. (Yes or No) If so, give number of permit 5971.

Form 113—2M—8-63

10. Do you hold a water right certificate? ....Yes.... If so, give number of certificate ....40374....
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

....No.... If so, give title of proceedings .....
(Yes or No)

12. Is the water right recorded in your name? ....Yes....
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
34 S.	2 E	7																16.6
		8											7.0	151				

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

#1 ---------- N. 87° 31' E. 581 feet from the SW
#2 --- 14. The proposed point of diversion is located ....1445.... ft. ....N.... (N. or S.) and ....830.... ft. ....E.... (E. or W.) from the ....SW....
corner of {NW¼ NE¼ Sec. 8 / Sec. 8 / NW¼ NE¼ 8 / 34 S. 2 E.} being within the ....NW¼ SW¼.... (Smallest legal subdivision) of Section ....8.... Tp. ....34 S.... (No. N. or S.) R. ....2 E.... (No. E. or W.) W. M.,
in the county of ....Jackson.... The name of the ditch to be used is ....North Wakefield Ditch / Wakefield Ditch....

15. Are you the owner of the land on which the proposed point of diversion is to be located? ....Yes....

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

.....

.....

.....

17. Are there any diversions between your present point of diversion and the proposed point of diversion? ....No....

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? ....Yes....
(Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are ....we no longer need water for the tree seedlings and desire to fill the Childers Ditch as it interferes with our logging operations.....

.....

AFFIDAVIT OF APPLICANT

STATE OF OREGON,
County of Jackson } ss.

I, Medford Corporation, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 4th day of August, 1975

Medford Corporation
K. E. Beckers - Treas
(Name of applicant)

Subscribed and sworn to before me this 4th day of August, 1975

[Notarial Seal]

H. A. Richardson
NOTARY PUBLIC FOR OREGON

My commission expires MY COMMISSION EXPIRES MARCH 30, 1979

Remarks

THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.

RECEIVED
OCT 11 1978
WATER RESOURCES DEPT.
SALEM, OREGON

File No. 3291

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:

I, Medford Corporation by Lawrie Rutherford,

of 5844 Cobleigh Road, Eagle Point, Oregon 97524,
(Mailing Address) (City)

County of Jackson, State of Oregon,

do hereby make application for an extension of time within which to complete

( ) a change in point of diversion

(x) a change in place of use

( ) a change in the use theretofore made

under the terms of an order of the State Engineer dated 8-10-76,

approving water right transfer application No. 3291 in the name of Medford Corporation * which time expires 10-1-78.

The following has been accomplished toward completion of the change within the time allowed: Have completed the diversion change and have laid 1800 feet of 4" plastic pipe to new place of use. Have ~~irrigated approx. 8 to 10 acres and~~ raised grass crop beneficially with the water. With the advice of State ~~Forester, Joe Music, have left some select trees for future harvest,~~ and they are being irrigated along with cleared areas to make them grow. Have ~~hired a D-6 Cat to clear brush and level rest of ground. He's~~ at least 70% through the job for his part. I will finish with a C-500 Inter~~national Dozer on the lighter part of the clearing. Jim Light~~ surveyed the ditch, and have constructed most of ditch. Purchased seed recommended by county extension service.

(If for irrigation, state total number of acres now irrigated under the change)

To fully complete the change, it will be necessary to accomplish the following: To complete the rest of the heavy clearing with the D-6C Cat, and my dozer work on the light clearing, and to seed the land, after it is levelled. Will finish constructing the open ditch line. Buried 4" plastic line is all completed.

(over)

12-11-78
#66664

*If you are not the applicant named above, please explain your interest in this matter. Medford Corporation did not want their water right and transferred same to me on my land. I am completing the transfer as speedily as I can. I am Lawrie Rutherford of the above address, 5844 Cobleigh Road, Eagle Point, Oregon 97524.

RECEIVED
OCT 11 1978
WATER RESOURCES DEPT.
SALEM, OREGON

I am unable to complete the change under the terms of the order, within the time allowed, because not enough time to complete such an extensive job, but I am making every effort to complete the project by next October 1st, 1979.

and request that the time for completion be extended to 10-1-79.

AFFIDAVIT OF APPLICANT

STATE OF Oregon)
) ss.
County of Jackson)

I, Lawrie Rutherford, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of October, 1978.

Lawrie Ann Rutherford

Subscribed and sworn to before me this 10th day of October, 1978.

Phyllis Gilman
Notary Public for Oregon
My commission expires 3-17-81

PHYLLIS GILMAN NOTARY PUBLIC STATE OF OREGON

When completed, this application should be submitted to the State Engineer accompanied by payment of the statutory fee in the amount of ~~$2.00~~. ~~$5.00~~. $10.00

ok Ex to 10-1-79 JWR

File No. 3291

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:

I, Medford Corporation by Lawrie Rutherford,

of 5844 Cobleigh Road, Eagle Point, Oregon 97524,
(Mailing Address) (City)

County of Jackson, State of Oregon,

do hereby make application for an extension of time within which to complete

RECEIVED
OCT 7 1977
WATER RESOURCES DEPT
SALEM, OREGON

( ) a change in point of diversion

(x) a change in place of use

( ) a change in the use theretofore made

under the terms of an order of the State Engineer dated 8-10-76,

approving water right transfer application No. 3291 in the name of

Medford Corporation * which time expires 10-1-77.

The following has been accomplished toward completion of the change within the time allowed: Have completed the diversion change and have laid 1800 feet of 4" plastic pipe to new place of use. Have irrigated approximately 8 to 10 acres and raised grass crop beneficially with the water. Also have left some select trees for future harvest, and they will be irrigated along with cleared areas to make them grow faster.

(If for irrigation, state total number of acres now irrigated under the change)

To fully complete the change, it will be necessary to accomplish the following: Need to complete clearing ground to be irrigated as there is small trees and brush on it, and then the ground will be prepared to irrigate same...with the intent of the land being used for cattle grazing and tree farming.

(over)

*If you are not the applicant named above, please explain your interest in this matter. Medford Corporation did not want their water right and transferred same to me on my land. I am completing the transfer as speedily as I can.

OK Ext to 10-1-78 Jwc

I am unable to complete the change under the terms of the order, within the time allowed, because The brush and trees are dense and it was an extensive job to do and will be a challenge to complete. Have asked the U.S. Forest Service for their advice on the best way to clear and pile the brush. The Soil Conservation Service is helping me to design the system.
and request that the time for completion be extended to October 1, 1978.

AFFIDAVIT OF APPLICANT

STATE OF Oregon)
) ss.
County of Jackson)

I, Lawrie Rutherford, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of October, 1977.

Lawrie Rutherford

Subscribed and sworn to before me this 5th day of October, 1977.

Phyllis Gilman
Notary Public for Oregon
My commission expires 3-17-81

Rec 64355
$10.00

When completed, this application should be submitted to the State Engineer accompanied by payment of the statutory fee in the amount of ~~$2.00~~. ~~$5.00~~. $10.00