

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 JOSEPHINE  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CLEMENT SAUER  
KERBY, OREGON

confirms the right to use the waters of the EAST FORK ILLINOIS RIVER, a tributary of the ILLINOIS RIVER, for IRRIGATION OF 20.1 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for JOSEPHINE COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 13 at page 70. The date of priority is MAY 1887.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE CUBIC FOOT PER SECOND FOR EACH 50 ACRES OF LAND IRRIGATED DURING THE IRRIGATION SEASON FROM APRIL 1 TO NOVEMBER 1 OF EACH YEAR, if available at the ORIGINAL POINT OF DIVERSION the KERBYVILLE MILLING AND IRRIGATION COMPANY DITCH, SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 27, T 39 S, R 8 W, WM; 1650 FEET SOUTH AND 1800 FEET EAST FROM THE NW CORNER, SECTION 27.

The point of diversion is located as follows:

NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 33, T 38 S, R 8 W, WM; 300 FEET SOUTH AND 3200 FEET WEST FROM THE E $\frac{1}{4}$  CORNER, SECTION 33.

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

SW¼ NE¼            12.5 ACRES  
NW¼ SE¼            7.6 ACRES  
SECTION 33  
TOWNSHIP 38 SOUTH, RANGE 8 WEST, W.M.

NOTE: The use of water for irrigation purposes from East Fork Illinois River and Reeves Creek is restricted to the quantity of water herein fixed.

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

The pumping plant and related works shall include a weir or other suitable device for measuring the water to which the applicant is entitled.

The plans of the weir or other suitable device be approved by the Watermaster of Josephine County, Oregon, before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the original point of diversion.

This certificate is issued to describe a change in POINT OF DIVERSION approved by an order of the State Engineer entered April 9, 1957, approving Transfer Application S-109 NOT modified by orders of the Water Resources Director entered November 17, 2006, approving Transfer Applications 9218 and 9229, and supersedes Certificate 13912, State Record of Water Right Certificates.

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

**SEP 28 2007**

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Phillip C. Ward, Director  
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates numbered 82749.

S-109B.LHN