

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

GERALD E. AND JANICE A. SOMMERS
240 GARNER ROAD
CAVE JUNCTION, OREGON 97523

confirms the right to use the waters of SUCKER CREEK, a tributary of ILLINOIS RIVER, for IRRIGATION OF 5.0 ACRES.

This right was perfected under Permit 4048. The date of priority is APRIL 11, 1919. This right is limited to 0.06 CUBIC FOOT PER SECOND, if available at the original point of diversion, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SECTION 29, T 39 S, R 7 W, WM, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 31, T 39 S, R 7 W, WM; 249 FEET NORTH AND 263 FEET WEST FROM THE C $\frac{1}{4}$, SECTION 31.

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 for each acre irrigated.

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 $\frac{1}{4}$ NW $\frac{1}{4}$ 5.0 ACRES
SECTION 31
TOWNSHIP 39 SOUTH, RANGE 7 WEST, W.M.

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the original point of diversion.

The water user shall maintain a headgate, in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

Water shall be acquired from the same surface water source as the original point of diversion.

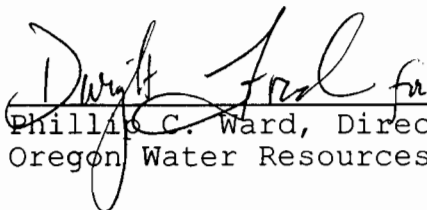
The water user shall maintain an approved fish screen or by-pass device.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered OCTOBER 16, 2001, approving Transfer Application 8619, and together with Certificate 77048, supersedes Certificate 7768, 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.

WITNESS the signature of the Water Resources Director, affixed

JUL 27 2007



Phillip C. Ward, Director
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates numbered 83455.

T-8619-cf-7768.LHN