

STATE OF OREGON
 COUNTY OF JOSEPHINE
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DANIEL Q. SOMERS
 PO BOX 1335
 CAVE JUNCTION OR 97523

confirms the right to use the waters of SUCKER CREEK, tributary to EAST FORK ILLINOIS RIVER for IRRIGATION OF 5.2 ACRES, DOMESTIC, AND STOCK FOR TRACT #1, and IRRIGATION OF 1.45 ACRES FOR TRACT #4.

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 Volumes 1 and 5, at Pages 252 and 397. The date of priority is 1857 FOR TRACT #1 AND 1908 FOR TRACT #4.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.121 CUBIC FOOT PER SECOND (CFS), FURTHER LIMITED TO 0.104 CFS FOR TRACT #1 AND 0.017 CFS FOR TRACT #4, or its equivalent in case of rotation, measured at the point of diversion, and that the use of said water for IRRIGATION purposes shall be confined to the irrigation season APRIL 1 TO OCTOBER 31 OF EACH YEAR.

The point of diversion is located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|-----|-----|-----|-------|---|
| 39 S | 7 W | WM | 29 | NE SE | 600 FEET SOUTH AND 590 FEET WEST FROM E1/4 CORNER, SECTION 29 |

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 is as follows:

| IRRIGATION, DOMESTIC, AND STOCK | | | | | | |
|---------------------------------|-----|-----|-----|-------|-------|----------|
| Twp | Rng | Mer | Sec | Q-Q | Acres | TRACT |
| 39 S | 7 W | WM | 28 | NW SW | 0.20 | TRACT #1 |
| 39 S | 7 W | WM | 29 | NE SE | 5.00 | TRACT #1 |

| IRRIGATION | | | | | | |
|------------|-----|-----|-----|-------|-------|----------|
| Twp | Rng | Mer | Sec | Q-Q | Acres | TRACT |
| 39 S | 7 W | WM | 28 | NW SW | 0.55 | TRACT #4 |
| 39 S | 7 W | WM | 29 | NE SE | 0.90 | TRACT #4 |

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

The quantity of water diverted at the new point(s) of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available from the original point of diversion described as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|-----|-----|-----|-------|---|
| 39 S | 7 W | WM | 32 | NE NW | 250 FEET SOUTH AND 100 FEET WEST FROM N¼ CORNER, SECTION 32 |

The water user shall maintain a headgate, an 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 source as the original point of diversion.

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

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 APRIL 18, 2003, at Special Order Volume 57, Page 456, approving Transfer Application 8918, and together with Certificate 79996, supercedes a portion of Certificate 7139, 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.

Issued JUN 03 2013


Dwight M. French
Water Right Services Administrator, for
Phillip C. Ward, Director