

5191 Jefferson Ave.
8035 Holland Ave. Road 8
Cave Junction, Or. 97523

3197

STATUS OF APPLICATION

Change in point of diversion
Date filed 4-9-75
Date of hearing June 17, 1980
Place of hearing Grants Pass
Date of order 7-21-80 Vol. 33, page 438
Date for application of water complete
Proof mailed _____
Proof received _____
Certificate issued OCT 28 1980 Vol. 43, page 49702
7-26-88 53

57359
57360
57361
57362
57363
57364

Surveyed 5/4/86

Also R-91

REMARKS

— FINIS —

DESCRIPTION OF WATER RIGHT

Name of stream Sucker Creek
Trib. of _____ County of Josephine
Use irrigation
Quantity of water _____ No. of acres _____
Name of ditch _____
Date of priority _____
In name of _____
Adjudication, Vol. _____, page _____
App. No. _____ Per. No. _____ Cert. No. 7161
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
4-9-75	30.00	46128
4-9-75	45.00 p.o.m.	46129
TOTAL . . .		
	Cert. Fee	

Illinois Valley News \$30.33 pd 6/24/80 ck#4268

FEES REFUNDED

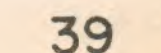
Date	Amount	Check No.
6/24/80	9.67	4269

EX 10-
POD 15-
POIN 30.33
15.33

INDEX CARDS:		Entered	Checked
☒	Name	SRA	
☒	Stream	SRA	
☒	Pt. of Div.	Qcj	
☒	Calendar		
CHECKED TO RECORD			
☒	Wp. & Rge.	SRA	
☒	Decree-vault	SRA	
☒	Decree-safe	SRA	
☒	Cert. of W/R	SRA	
☐	Per. Folder		
☐	Chaindex		
☐	Cross Ref.		
☒	Power Claim	Qcj	
☐	Abstracts		

346

SEYFERTH DISTRICT IMPROVEMENT CO., INC.



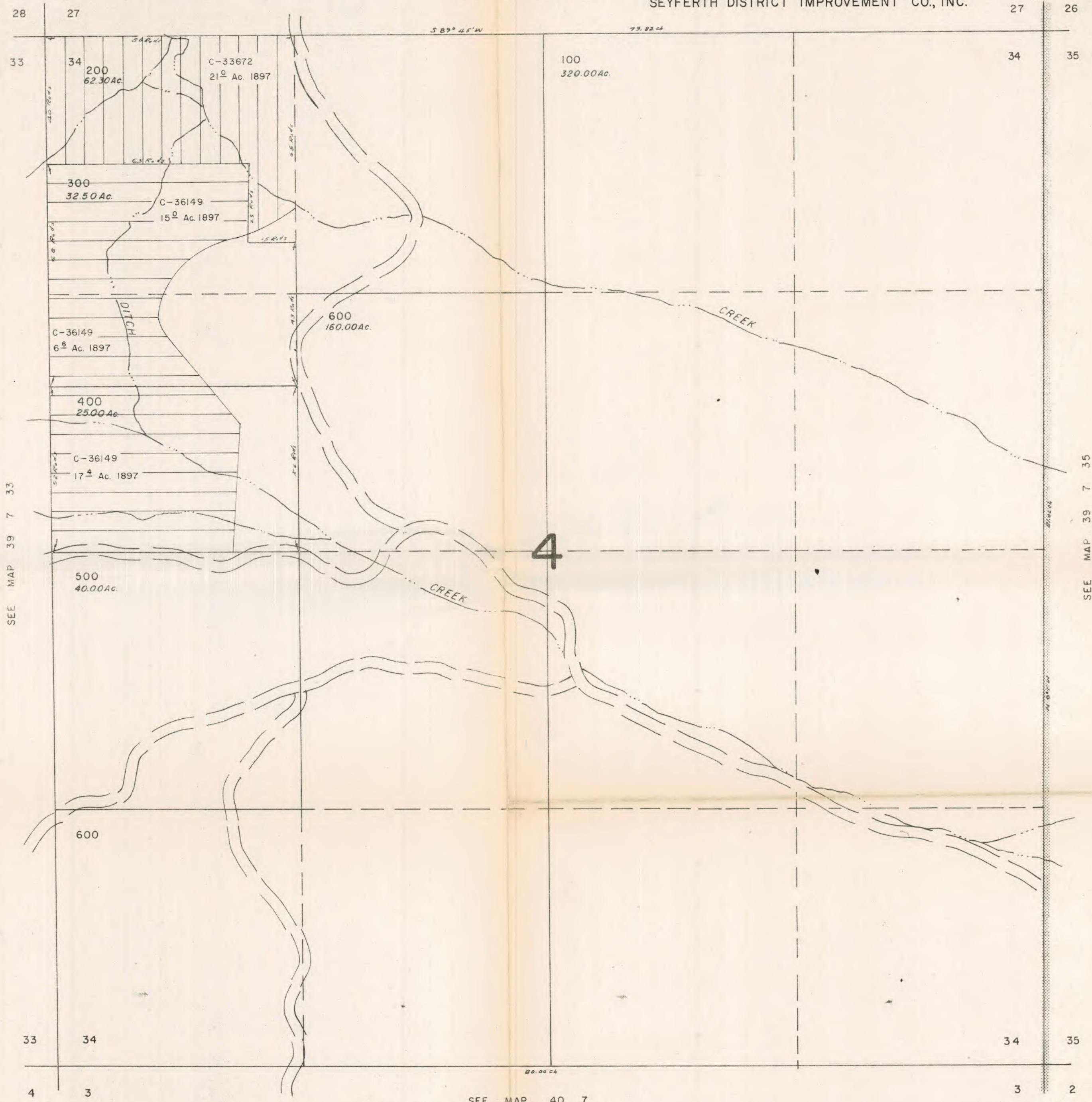
SECTION 34 T.39S. R.7W. W.M.
JOSEPHINE COUNTY

T-3197

1" = 400'

SEE MAP 39 7 27

SEYFERTH DISTRICT IMPROVEMENT CO., INC.

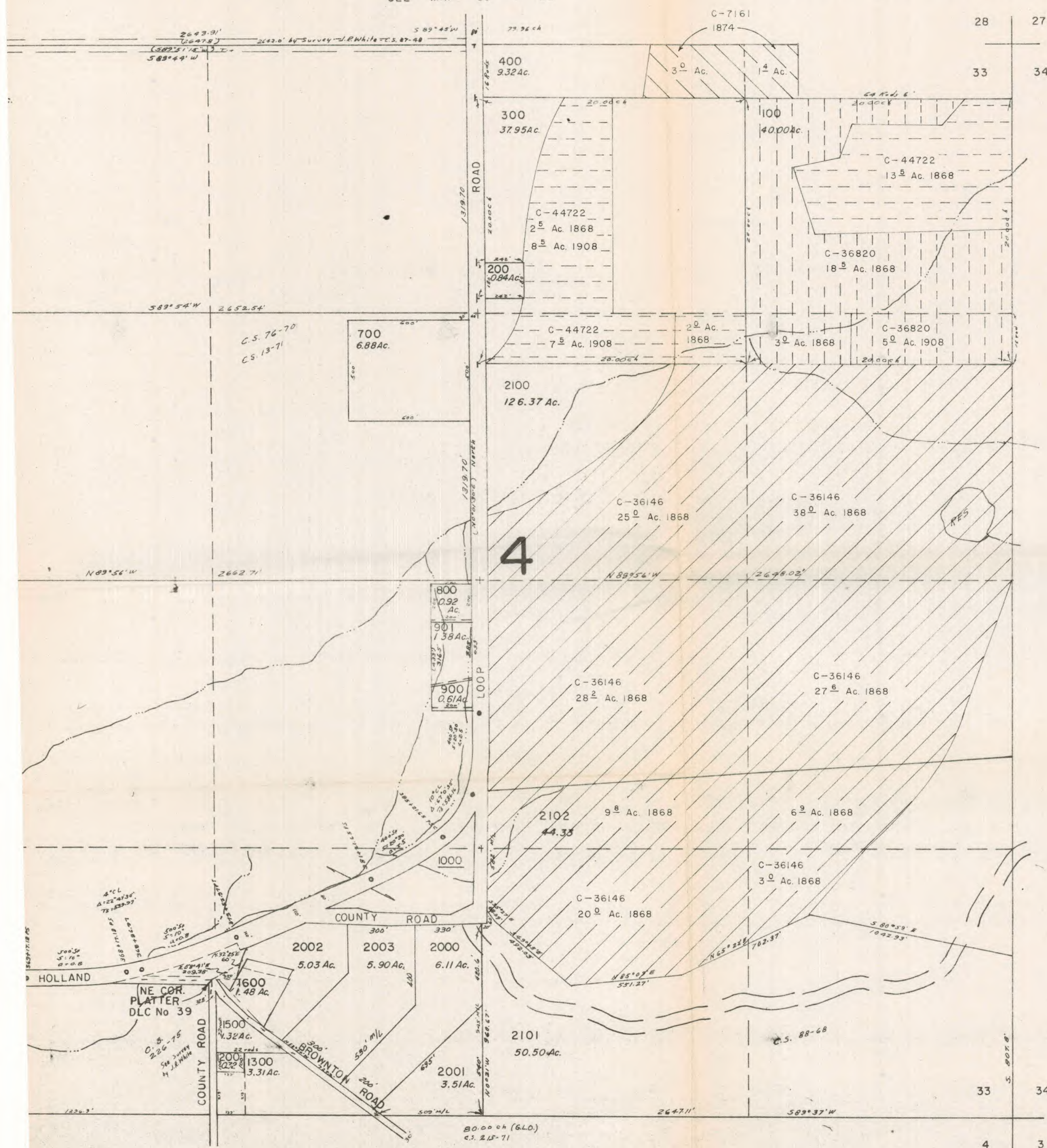


SEE MAP 40 7

$1'' = 400'$

SEYFERTH DISTRICT IMPROVEMENT CO., INC.

SEE MAP 39 7 28



CANCELLED T.L.

1400
1900
1700
1800
1090
990
991
890

SEE	MAP	39	7	34
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SEE MAP 40 7 4

SECTION 27 T.39S. R.7W. W.M.
JOSEPHINE COUNTY

1"=400'

T-3197

39

SEE MAP 39 7 22

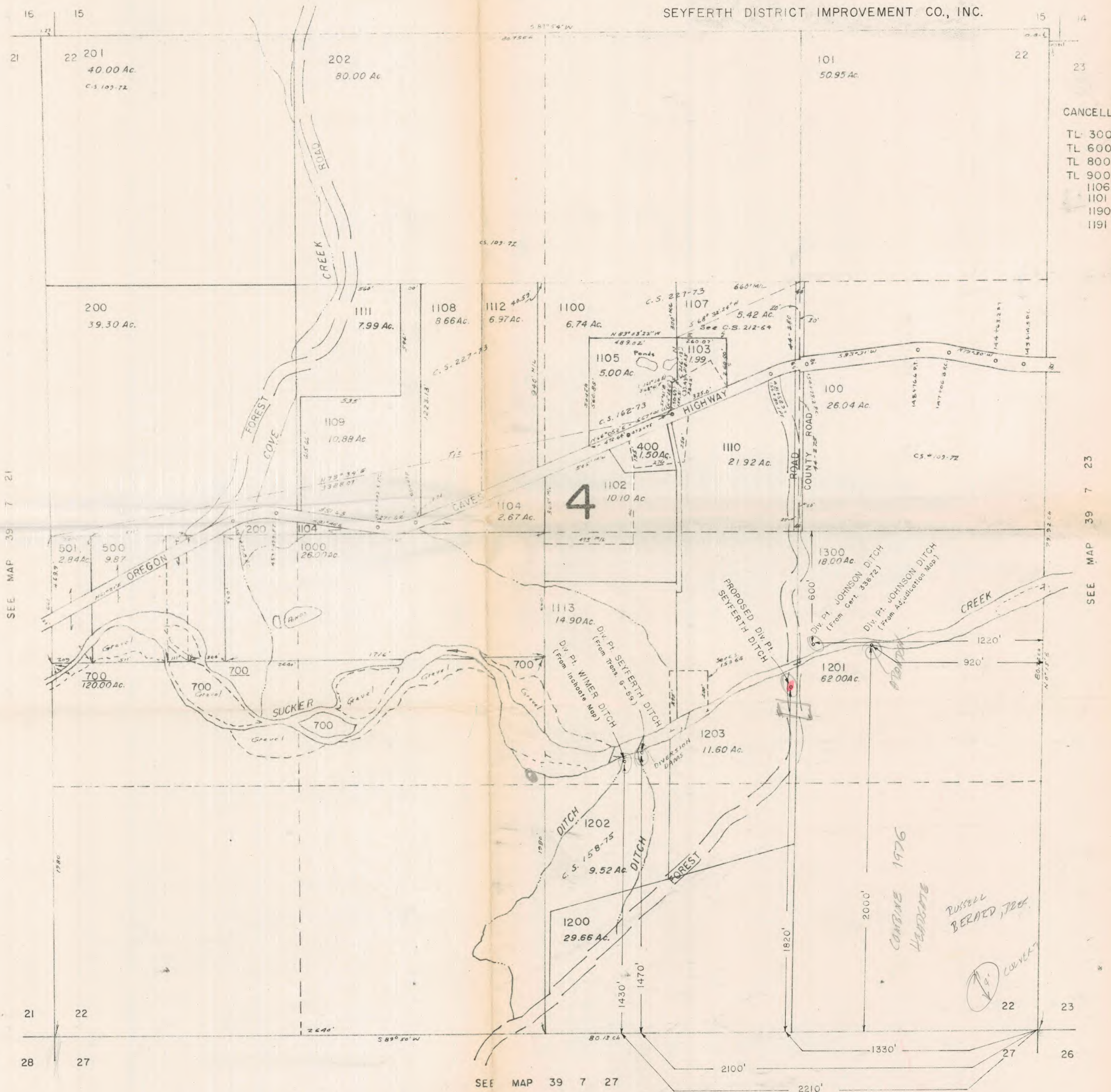
SEYFERTH DISTRICT IMPROVEMENT CO., INC.



SEE MAP 39 7 28

SEE MAP 39 7 26

SEE MAP 39 7 34



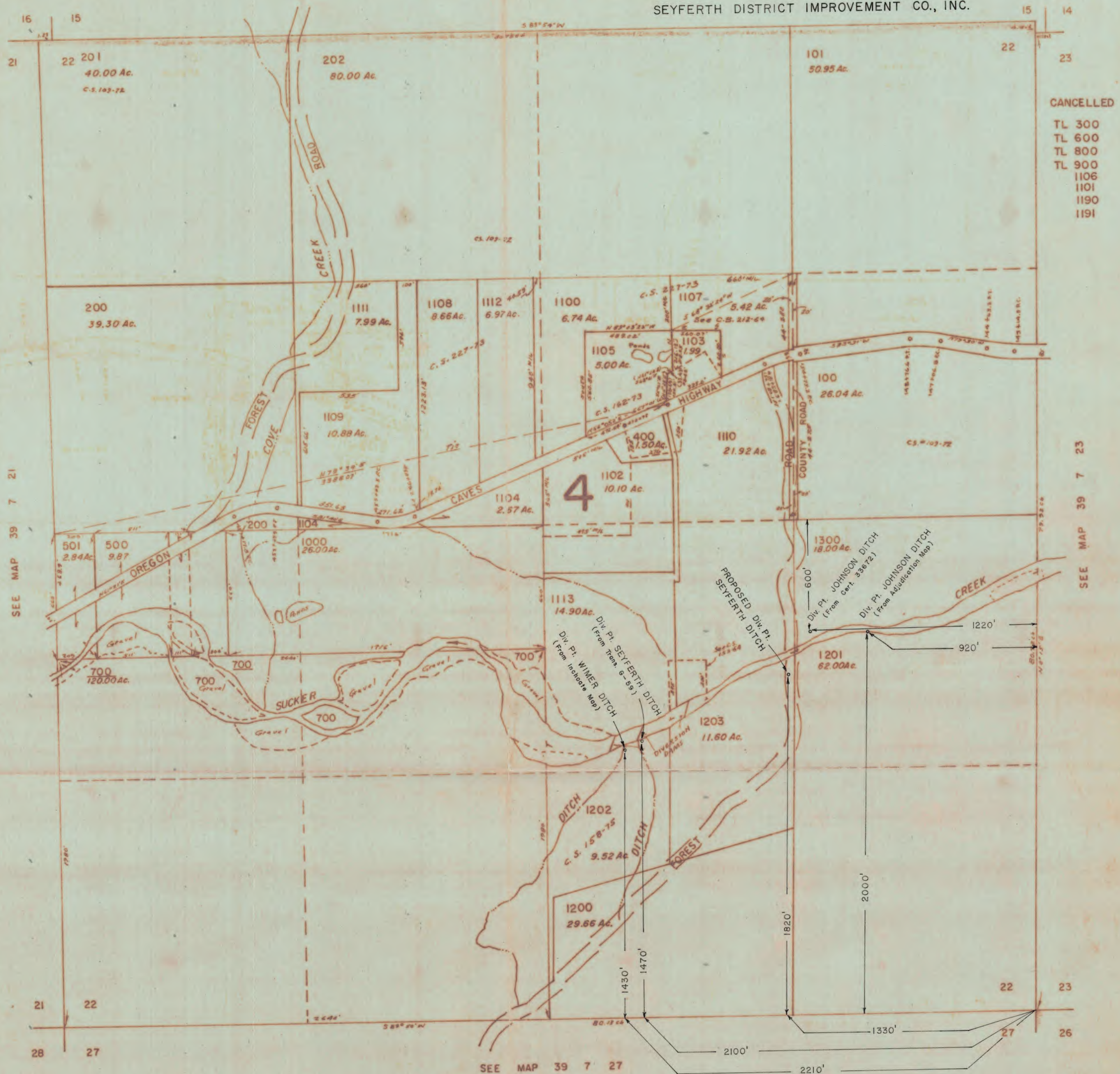
CANCELL
TL 300
TL 600
TL 800
TL 900
1106
1101
1190
1191

SEE MAP 39 7 23

T-3197

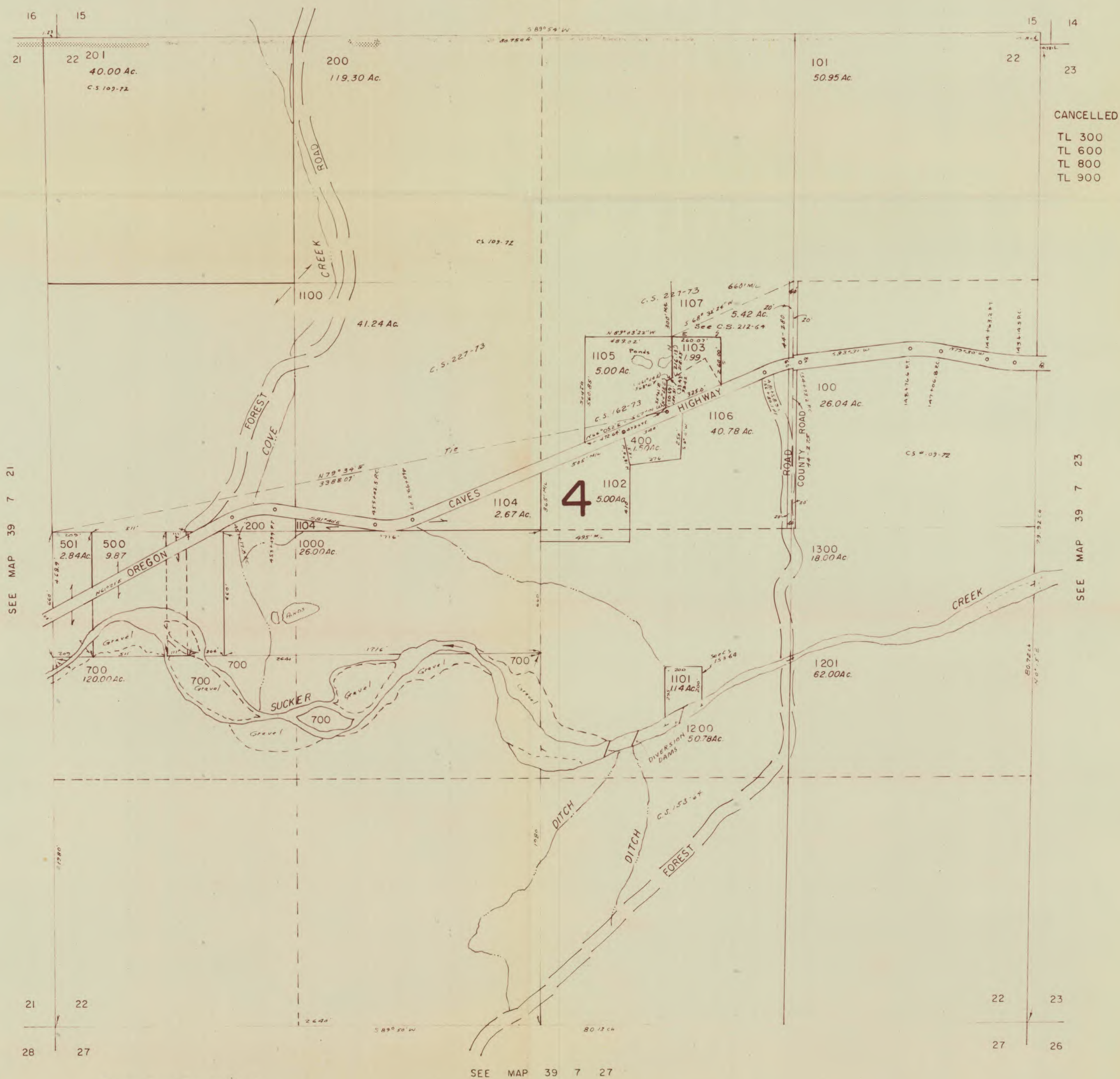
SEE MAP 39 7 15

SEYFERTH DISTRICT IMPROVEMENT CO., INC.



$1'' = 400'$

SEE MAP 39 7 15



Rec'd from Bob Steimer



T-3197

1"=400'

SEE MAP 39 7 22

SEYFERTH DISTRICT IMPROVEMENT CO., INC.



SEE MAP 39 7 34

1" = 400'

F-3197

SEE MAP 39 7 27

SEYFERTH DISTRICT IMPROVEMENT CO., INC.



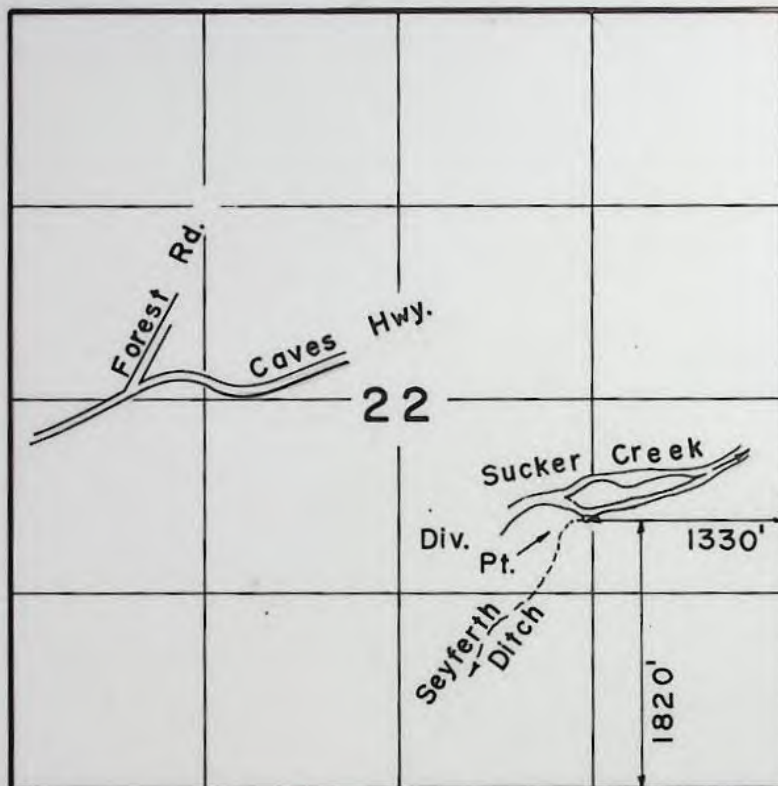
SEYFERTH DISTRICT IMPROVEMENT CO., INC



SEE MAP 39 7 33

I-3197

T. 39 S., R. 7 W., W. M.



Scale: 1" = 1320'

FINAL PROOF SURVEY UNDER

TRANSFER NO. 3197

Application No. Permit No.
IN NAME OF

SEYFERTH DISTRICT IMPROVEMENT CO., INC.

Surveyed MAY 14, 1986, by B. S. JAMES.

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that SEYFERTH DISTRICT IMPROVEMENT CO., INC., of 7821 HOLLAND LOOP ROAD, CAVE JUNCTION, OREGON 97523, has a right to the use of the waters of SUCKER CREEK, TRIBUTARY OF ILLINOIS RIVER, for the purpose of IRRIGATION OF 26.5 ACRES.

The right has been 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 1 & 5, at page 253 & 397. The dates of priority are 1868 FOR TRACT NO. 1; 1908 FOR TRACT NO. 2.

The right is limited to not more than 0.43 CUBIC FOOT PER SECOND FOR TRACT NO. 1 AND 0.06 CUBIC FOOT PER SECOND FOR TRACT NO. 2. THE USE FOR IRRIGATION PURPOSES SHALL BE CONFINED TO THE SEASON APRIL 1 TO OCTOBER 31 OF EACH YEAR.

The point of diversion is located as follows:

NW1/4 SE1/4, SECTION 22, T39S, R7W, WM; 1820
FEET NORTH AND 1330 FEET WEST FROM SE CORNER, SECTION 22

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

TRACT NO. 1

NE1/4 NE1/4	18.5	ACRES
SE1/4 NE1/4	3.0	ACRES
SECTION 33		
TOWNSHIP 39 SOUTH, RANGE 7 WEST, WM		

TRACT NO. 2

SE1/4 NE1/4	5.0	ACRES
SECTION 33		
TOWNSHIP 39 SOUTH, RANGE 7 WEST, WM		

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JULY 21, 1980, and supersedes certificate 36820, 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 and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed this date JULY 26, 1988.

/S/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57364

T-3197

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that SEYFERTH DISTRICT IMPROVEMENT CO., INC., of 7821 HOLLAND LOOP ROAD, CAVE JUNCTION, OREGON 97523, has a right to the use of the waters of SUCKER CREEK, TRIBUTARY OF ILLINOIS RIVER, for the purpose of IRRIGATION OF 158.5 ACRES.

The right has been 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 1, at page 253. The date of priority is 1868.

The right is limited to not more than 3.17 CUBIC ~~FOOT~~ PER SECOND. THE USE OF WATER FOR IRRIGATION PURPOSES SHALL BE CONFINED TO THE SEASON APRIL 1 TO OCTOBER 31 OF EACH YEAR.

The point of diversion is located as follows:

NW1/4 SE1/4, SECTION 22, T39S, R7W, WM; 1820
FEET NORTH AND 1330 FEET WEST FROM SE CORNER, SECTION 22

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

SW1/4 NE1/4	25.0	ACRES
SE1/4 NE1/4	38.0	ACRES
NE1/4 SE1/4	34.5	ACRES
NW1/4 SE1/4	38.0	ACRES
SW1/4 SE1/4	20.0	ACRES
SE1/4 SE1/4	3.0	ACRES
SECTION 33		
TOWNSHIP 39 SOUTH, RANGE 7 WEST, WM		

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JULY 21, 1980, and supersedes certificate 36146, 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 and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed this date JULY 26, 1988.

Water Resources Director

CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that SEYFERTH DISTRICT IMPROVEMENT CO., INC., of 7821 HOLLAND LOOP ROAD, CAVE JUNCTION, OREGON 97523, has a right to the use of the waters of SUCKER CREEK, TRIBUTARY OF ILLINOIS RIVER, for the purpose of IRRIGATION OF 26.5 ACRES.

The right has been 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 1 & 5, at page 253 & 397. The dates of priority are 1868 FOR TRACT NO. 1; 1908 FOR TRACT NO. 2.

The right is limited to not more than 0.43 CUBIC FOOT PER SECOND FOR TRACT NO. 1 AND 0.06 CUBIC FOOT PER SECOND FOR TRACT NO. 2. THE USE FOR IRRIGATION PURPOSES SHALL BE CONFINED TO THE SEASON APRIL 1 TO OCTOBER 31 OF EACH YEAR.

The point of diversion is located as follows:

NW1/4 SE1/4, SECTION 22, T39S, R7W, WM; 1820 FEET NORTH AND 1330 FEET WEST FROM SE CORNER, SECTION 22

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

TRACT NO. 1

NE1/4 NE1/4	18.5	ACRES
SE1/4 NE1/4	3.0	ACRES

SECTION 33
TOWNSHIP 39 SOUTH, RANGE 7 WEST, WM

TRACT NO. 2

SE1/4 NE1/4 5.0 ACRES

SECTION 33
TOWNSHIP 39 SOUTH, RANGE 7 WEST, WM

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JULY 21, 1980, and supersedes certificate 36820, 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 and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director,
affixed this date JULY 26, 1988.

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57364

T-3197

7156

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that SEYFERTH DISTRICT IMPROVEMENT CO., INC., of 7821 HOLLAND LOOP ROAD, CAVE JUNCTION, OREGON 97523, has a right to the use of the waters of SUCKER CREEK, TRIBUTARY OF ILLINOIS RIVER, for the purpose of IRRIGATION OF 34.0 ACRES.

The right has been 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 1 & 5, at page 253 & 399. The dates of priority are 1868 FOR TRACT NO. 1; 1908 FOR TRACT NO. 2.

The right is limited to not more than 0.36 CUBIC FOOT PER SECOND FOR TRACT NO. 1 AND 0.20 CUBIC FOOT PER SECOND FOR TRACT NO. 2. THE USE FOR IRRIGATION PURPOSES SHALL BE CONFINED TO THE SEASON APRIL 1 TO OCTOBER 31 OF EACH YEAR.

The point of diversion is located as follows:

NW1/4 SE1/4, SECTION 22, T39S, R7W, WM; 1820 FEET NORTH AND 1330 FEET WEST FROM SE CORNER, SECTION 22

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

TRACT NO. 1

NE1/4 NE1/4	13.5	ACRES
NW1/4 NE1/4	2.5	ACRES
SW1/4 NE1/4	2.0	ACRES

TRACT NO. 2

NW1/4 NE1/4	8.5	ACRES
SW1/4 NE1/4	7.5	ACRES

SECTION 33

TOWNSHIP 39 SOUTH, RANGE 7 WEST, WM

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JULY 21, 1980, and supersedes certificate 44722, 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 and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed this date JULY 26, 1988.

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57365

T-3197

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that SEYFERTH DISTRICT IMPROVEMENT CO., INC., of 7821 HOLLAND LOOP ROAD, CAVE JUNCTION, OREGON 97523, has a right to the use of the waters of SUCKER CREEK, TRIBUTARY OF ILLINOIS RIVER, for the purpose of IRRIGATION OF 39.0 ACRES.

The right has been 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 1, at page 252. The date of priority is 1897.

The right is limited to not more than 0.78 CUBIC FOOT PER SECOND OF WATER. THE USE FOR IRRIGATION PURPOSES SHALL BE CONFINED TO THE SEASON APRIL 1 TO OCTOBER 31 OF EACH YEAR.

The point of diversion is located as follows:

NW1/4 SE1/4, SECTION 22, T39S, R7W, WM; 1820
FEET NORTH AND 1330 FEET WEST FROM SE CORNER, SECTION 22

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

NW1/4	NW1/4	15.0	ACRES
SW1/4	NW1/4	24.0	ACRES
SECTION 34			
TOWNSHIP 39 SOUTH, RANGE 7 WEST, WM			

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JULY 21, 1980, and supersedes certificate 36149, 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 and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director,
affixed this date JULY 26, 1988.

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57363

T-3197

7130
STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that SEYFERTH DISTRICT IMPROVEMENT CO., INC., of 7821 HOLLAND LOOP ROAD, CAVE JUNCTION, OREGON 97523, has a right to the use of the waters of SUCKER CREEK, TRIBUTARY OF ILLINOIS RIVER, for the purpose of IRRIGATION OF 21.0 ACRES.

The right has been 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 1, at page 252. The date of priority is 1897.

The right is limited to not more than 0.42 CUBIC FOOT PER SECOND. THE USE OF WATER FOR IRRIGATION PURPOSES SHALL BE CONFINED TO THE SEASON APRIL 1 TO OCTOBER 31 OF EACH YEAR.

The point of diversion is located as follows:

NW1/4 SE1/4, SECTION 22, T39S, R7W, WM; 1820
FEET NORTH AND 1330 FEET WEST FROM SE CORNER, SECTION 22

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

NW1/4 NW1/4 21.0 ACRES
 SECTION 34
TOWNSHIP 39 SOUTH, RANGE 7 WEST, WM

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JULY 21, 1980, and supersedes certificate 33672, 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 and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed this date JULY 26, 1988.

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57362

T-3197

Ver

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that J. D. WIMER,
of HOLLAND, OREGON, has a right to the use of the waters of SUCKER
CREEK, TRIBUTARY OF EAST FORK ILLINOIS RIVER, for the purpose of
IRRIGATION OF 4.15 ACRES.

The right has been 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 5, at page 399. The date of priority is 1908.

The right is limited to not more than 0.05 CUBIC FOOT PER SECOND. THE USE OF WATER FOR IRRIGATION PURPOSES SHALL BE CONFINED TO THE SEASON APRIL 1 TO OCTOBER 31 OF EACH YEAR.

The point of diversion is located as follows:

NW1/4 SE1/4, SECTION 22, T39S, R7W, WM; WIMER
DITCH - 1430 FEET NORTH AND 2210 FEET WEST FROM SE CORNER, SECTION 22

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

NE1/4 SE1/4 4.15 ACRES
SECTION 28
TOWNSHIP 39 SOUTH, RANGE 7 WEST, WM

Certificate 49702 described that portion of a water right not modified by an order of the Water Resources Director approving transfer 3197. Certificate 49702 incorrectly described the quantity of water to be 0.08 cubic foot per second. This certificate is issued to correctly describe the quantity of water for the water right not modified by said order and supersedes certificate 49702, 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 shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director,
affixed this date JULY 26, 1988.

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57359

T-3197

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
 OF SEYFERTH DISTRICT IMPROVEMENT)
 COMPANY, INC. FOR APPROVAL OF A)
 CHANGE IN POINT OF DIVERSION OF)
 WATER)

ORDER APPROVING
 TRANSFER NO. 3197

On April 9, 1975, an application was filed in the office of the Water Resources Director by Seyferth District Improvement Company, Inc. for approval of a change in point of diversion from Sucker Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificates recorded at page 7161, Volume 7; page 33672, Volume 25; pages 36146, 36149 and 36820, Volume 28; and page 44722, Volume 36, State Record of Water Right Certificates, describe rights which include the use of not to exceed 3.96 cubic feet per second with a priority date of 1868, 1.7 cubic feet per second with a priority date of 1874, 1.20 cubic feet per second with a priority date of 1897 and 0.39 cubic foot per second with a priority date of 1908, from Sucker Creek, for irrigation of:

<u>Certificate Number</u>	<u>Priority Date</u>	<u>Quarter/ Quarter</u>	<u>Section</u>	<u>Acres</u>	<u>Ditch</u>
7161	1874	NW 1/4 SW 1/4	27	27.00	Wimer
7161	1908	NW 1/4 SW 1/4	27	1.60	Wimer, Johnson, Leonard
7161	1874	SW 1/4 SW 1/4	27	3.00	Wimer
7161	1908	SW 1/4 SW 1/4	27	2.08	Wimer, Johnson, Leonard
7161	1874	NE 1/4 SE 1/4	28	9.00	Wimer
7161	1908	NE 1/4 SE 1/4	28	4.50	Wimer, Johnson, Leonard
7161	1874	SE 1/4 SE 1/4	28	28.00	Wimer
7161	1908	SE 1/4 SE 1/4	28	1.65	Wimer, Johnson, Leonard
7161	1874	SE 1/4 SE 1/4	28	8.00	Wimer
7161	1908	SE 1/4 SE 1/4	28	1.65	Wimer, Johnson, Leonard
7161	1874	NE 1/4 NE 1/4	33	5.60	Wimer
7161	1908	NE 1/4 NE 1/4	33	1.00	Wimer, Johnson, Leonard
7161	1874	NE 1/4 NE 1/4	33	1.40	Wimer
7161	1874	NW 1/4 NE 1/4	33	3.00	Wimer
33672	1897	NW 1/4 NW 1/4	34	21.00	Johnson
36146	1868	SW 1/4 NE 1/4	33	25.00	Seyferth
36146	1868	SE 1/4 NE 1/4	33	38.00	Seyferth
36146	1868	NE 1/4 SE 1/4	33	27.60	Seyferth
36146	1868	NE 1/4 SE 1/4	33	6.90	Seyferth
36146	1868	NW 1/4 SE 1/4	33	28.20	Seyferth

<u>Certificate Number</u>	<u>Priority Date</u>	<u>Quarter/ Quarter</u>	<u>Section</u>	<u>Acres</u>	<u>Ditch</u>
36146	1868	NW 1/4 SE 1/4	33	9.80	Seyferth
36146	1868	SW 1/4 SE 1/4	33	20.00	Seyferth
36146	1868	SE 1/4 SE 1/4	33	3.00	Seyferth
36149	1897	NW 1/4 NW 1/4	34	15.00	Seyferth
36149	1897	SW 1/4 NW 1/4	34	6.60	Seyferth
36149	1897	SW 1/4 NW 1/4	34	17.40	Seyferth
36820	1868	NE 1/4 NE 1/4	33	18.50	Seyferth
36820	1868	SE 1/4 NE 1/4	33	3.00	Seyferth
36820	1908	SE 1/4 NE 1/4	33	5.00	Seyferth
44722	1868	NE 1/4 NE 1/4	33	13.50	Seyferth
44722	1868	NW 1/4 NE 1/4	33	2.50	Seyferth
44722	1908	NW 1/4 NE 1/4	33	8.50	Seyferth
44722	1868	SW 1/4 NE 1/4	33	2.00	Seyferth
44722	1908	SW 1/4 NE 1/4	33	7.50	Seyferth

Township 39 South, Range 7 West, W.M.

The authorized points of diversion are: (1) Wimer Ditch, 1430 feet North and 2210 feet West from Southeast Corner of Section 22, being within NW 1/4 SE 1/4, Section 22; (2) Seyferth Ditch, 1470 feet North and 2100 feet West from Southeast Corner of Section 22, being within the NW 1/4 SE 1/4, Section 22; and (3) Johnson Ditch, 600 feet South and 1220 feet West from East Quarter Corner of Section 22, being within the NE 1/4 SE 1/4, Section 22, all within Township 39 South, Range 7 West, W.M.

The applicant proposes to change the point of diversion therefrom to one point located 1820 feet North and 1330 feet West from Southeast Corner of Section 22, being with NW 1/4 SE 1/4, Section 22, Township 39 South, Range 7 West, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Illinois Valley News, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of April 24, May 1 and 8, 1980.

Mr. Robert B. Steimer, Watermaster, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in point of diversion, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old points of diversion under the subject right, and shall not exceed 7.25 cubic feet per second.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed:

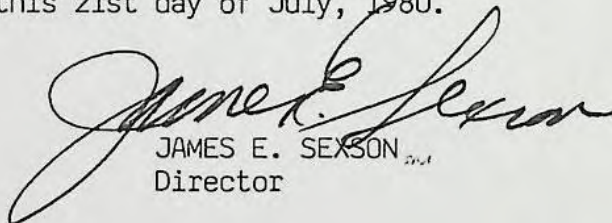
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

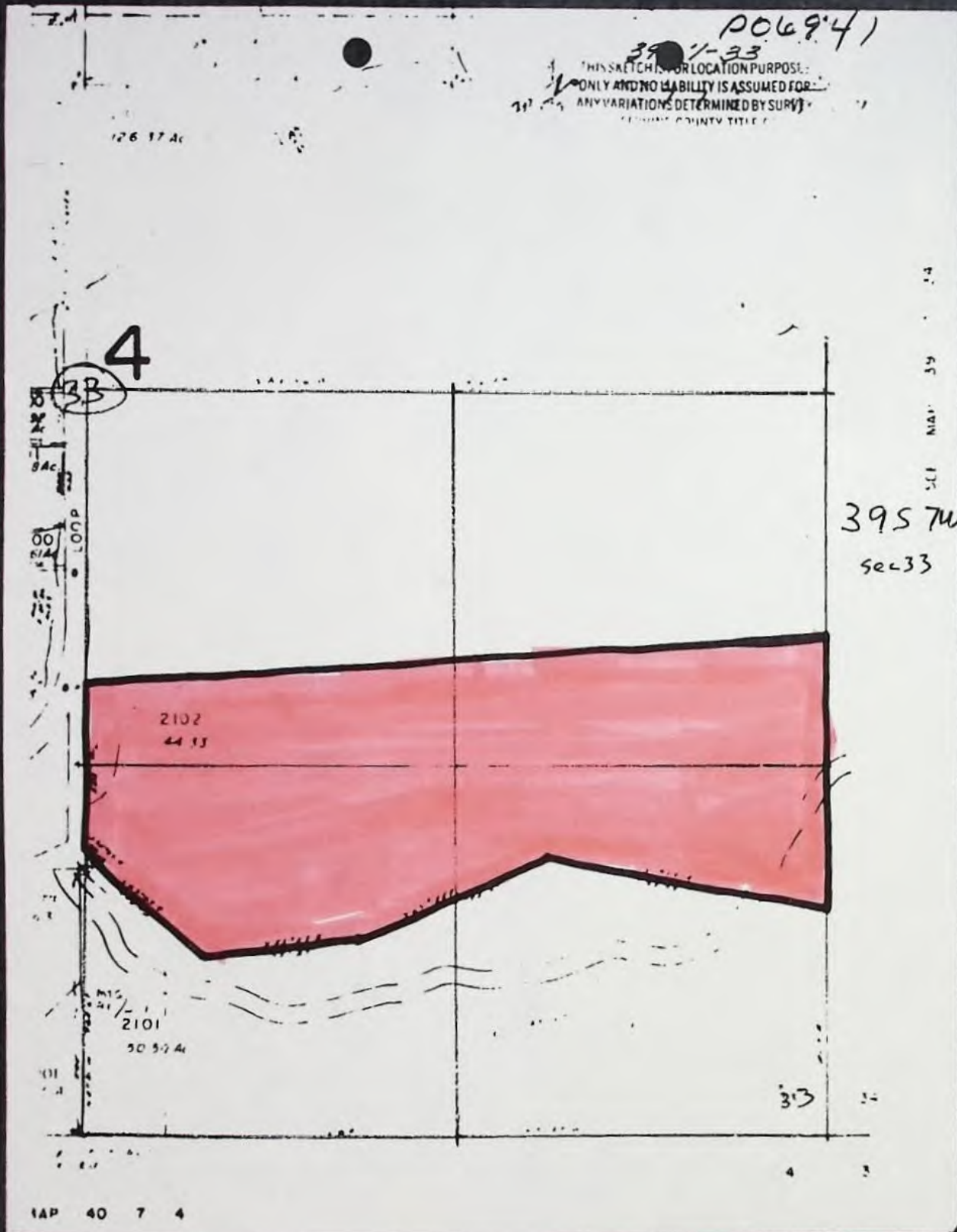
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that NO time need be fixed for completion as the change in point of diversion is completed.

It is FURTHER ORDERED that the aforesaid certificates be canceled; and in lieu thereof a new certificate be issued covering the balance of the right allowed by certificate number 7161 NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, confirming certificates of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 21st day of July, 1980.


JAMES E. SEXSON
Director



JOSEPHINE

OCT 21 1985

NOTICE OF INTEREST IN WATER RIGHT

RECEIVED

To: Director of Water Resources
555 13th Street, N.E.
Salem, Oregon 97310

OCT 21 1985
WATER RESOURCES DEPT.
SALEM, OREGON

This is to notify you of an interest in the following described water right:

Loan Number P06941
Borrower's Name _____
Mailing Address _____

Property being served by the water:

Township <u>39 S</u>	Township _____	Township _____
Range <u>7 W</u>	Range _____	Range _____
Section <u>33</u>	Section _____	Section _____
Tract _____	Tract _____	Tract _____

Water Right Numbers:

T 3127

Permit Number(s) _____

Certificate Number(s) 36146

Irrigation District Sey Smith Dist. Imp Co.
39.7Ac

The State of Oregon, by and through the Director of Veterans' Affairs, has a security interest in the above described property and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon, 97310.

Attention: Butch Gehley, Appraisal Coordinator

Attachments:

- ☒ Legal Descriptions
- ☒ Tax Lot Maps
- ☐ Please return copy to ODVA



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: April 16, 1980FROM: **
Robert B. Steimer, Watermaster, District #14SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 3197
IN THE NAME OF Seyferth District Improvement Co.RECEIVED
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WATER RESOURCES DEPT
SALEM, OREGON

In my opinion the proposed change in Point of Diversion
may be made without injury ~~would result in injury*~~ to existing water rights.

Headgate notices have ~~been~~ been issued for diversions from the source
which serves this right.

If for change in point of diversion, is there any intervening point of diversion
between the authorized and the proposed points of diversion? yes
(yes or no)

In my opinion the order approving the subject transfer application should include
the following in regard to the appropriator installing suitable measuring devices
in the diversion works:

- ☒ (1) PRIOR to the diverting of water at the new point of diversion...
☐ (2) When in the judgement of the watermaster it becomes necessary...

* The approval of this transfer application would result in injury to other
water rights because _____

**

Robert B. Steimer
Watermaster's signature or initials

: POD
POU
USE
Add '1 POD

1776

County Josephine

1. Name Seyferth District Improvement Co., Inc.

Address 5871 Holland Loop Road. Cave Junction, OR 97523

3. Use irrigation

4. Amount of Water _____ Priority Date s / 1868, 1874, 1897, 1908

5. Proposed Point of Diversion (1 point for all) 1820'N & 1330'W from SE Corner, Sec 22,
within NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 22, T 39S, R7W, WM

6. Completion Date COMPLETE

7. Place of Use:

[illegible]

INFO: TALKED WITH PRESIDENT OF SEYFERTH DISTRICT CO. INC.,
RUSSELL BERARD OF 7821 HOLLAND LOOP RD., C.J.
MR. BERARD EXPLAINED SYSTEM & SHOWED US DIVERSION.

SOURCE: SUCKER CREEK

SYSTEM: HEADGATE @ SUCKER CREEK HAS 4' CULVERT GOES
100', THEN EARTHEN CANAL CARRIES WATER TO
WATER USES AS SHOWN ON APPL. MAPS.
MR. BERARD VERIFIED USAGE AS ON APPL. MAPS.
ALL WATER IS BEING USED AS SHOWN.

~~THE~~ WATER FLOW ALL BY GRAVITY DOWN MAIN DITCH
INTO LATERALS. ALL PROPERTIES FLOOD IRRIGATE.

DIVERSION: GRAVEL BAR FORMED EACH YEAR TO STEER WATER
INTO HEAD GATE.

P's/m: NONE

EQUIPMENT: NONE

LIFT: N/A

USE: PASTURES, GARDENS & HAY & LANES.

TIE: 41033-179-177L MONT. $\frac{21}{28} \frac{22}{27}$ JO.CO.

Blue Jamon WRE 5-14-86

REMARKS: JO.CO. H₂O MASTERS RECORDS SHOW MEASURES
AT FLUME 7.25 cfs.

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SALEM, OREGON

Ref to: 3197

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Seyferth District Improvement Company, Inc.
(Name of applicant)
of 5871 Holland Loop Road, Cave Junction
(Mailing address) (City)
State of Oregon, 97523, (503)592-2746, do hereby make application for change
(Zip Code) (Phone number)
in point of diversion
(In point of diversion; place of use; use heretofore made of the water)

- No, I am the Chairman of the Seyferth District Improvement Co., Inc.
1. Is the water right recorded in your name? (If not, give name)
2. Was your water right determined by Decree of Court? YES If so, give title of proceedings
(Yes or No) Sucker Creek Decree number of certificate 33672, 36820, 36149,
36146, 44722, 7161
3. Was your water right acquired by Water Right Permit? No If so, give number
(Yes or No)
of permit _____ Number of certificate _____

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is Sucker Creek
5. What is the date of priority of your water right? 1868, 1874, 1897, 1908
6. The authorized point of diversion is located See Attached list ft. _____ from the _____
(N. or S.) (E. or W.)
corner of _____ being within the _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ of Section _____ Tp. _____ R. _____ W. M.,
(No. N. or S.) (No. E. or W.)
in the county of _____ The name of the ditch used is Wisecarver, Johnson, Seyferth.

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located 1820 ft. N and 1330 ft. W from the S.E.
(N. or S.) (E. or W.)
corner of Sec. 22 being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22 Tp. 39S R. 7W W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Josephine The name of the ditch to be used is Seyferth Ditch

8. The use to which the water is applied is Irrigation
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
	SEE ATTACHED SHEET			376.48 = 1.565

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? No, see attached sheets and affidavits
(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? No
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

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

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

SEYFORTH DISTRICT IMPROVEMENT CO. — by Certificate

Township 39 S., Range 7 W., W. M.

Cert. #	Priority	$\frac{1}{4}$ $\frac{1}{4}$	Sec.	Acres	Ditch	Owner
7161	1874	NW $\frac{1}{4}$ SW $\frac{1}{4}$	27	27.00	Wimer	S. & F.
"	1908	" "	"	1.60	Wimer, Johnson, Leonard	"
"	1874	SW $\frac{1}{4}$ SW $\frac{1}{4}$	"	3.00	Wimer	"
"	1908	SW $\frac{1}{4}$ SW $\frac{1}{4}$	"	2.08	Wimer, Johnson, Leonard	"
"	1874	NE $\frac{1}{4}$ SE $\frac{1}{4}$	28	9.00	Wimer	"
"	1908	" "	"	4.50	Wimer, Johnson, Leonard	"
"	1874	SE $\frac{1}{4}$ SE $\frac{1}{4}$	"	28.00	Wimer	"
"	1908	" "	"	1.65	Wimer, Johnson, Leonard	"
"	1874	" "	"	8.00	Wimer	Hanner
"	1908	" "	"	1.65	Wimer, Johnson, Leonard	"
"	1874	NE $\frac{1}{4}$ NE $\frac{1}{4}$	33	5.60	Wimer	"
"	1908	" "	"	1.00	Wimer, Johnson, Leonard	"
"	1874	" "	"	1.40	Wimer	S. & F.
"	"	NW $\frac{1}{4}$ NE $\frac{1}{4}$	"	3.00	Wimer	"

Total for Certificate 7161 = 97.48 acres

33672	1897	NW $\frac{1}{4}$ NW $\frac{1}{4}$	34	21.00	Johnson	Hanner
-------	------	-----------------------------------	----	-------	---------	--------

Total for Certificate 33672 = 21.00 acres

36146	1868	SW $\frac{1}{4}$ NE $\frac{1}{4}$	33	25.00	Seyforth	Berrard
"	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	"	38.00	"	"
"	"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	"	27.60	"	"
"	"	" "	"	6.90	"	Gilliam
"	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	28.20	"	Berrard
"	"	" "	"	9.80	"	Gilliam
"	"	SW $\frac{1}{4}$ SE $\frac{1}{4}$	"	20.00	"	"
"	"	SE $\frac{1}{4}$ SE $\frac{1}{4}$	"	3.00	"	"

Total for Certificate 36146 = 158.50 acres

36149	1897	NW $\frac{1}{4}$ NW $\frac{1}{4}$	34	15.00	Seyforth	Berrard
"	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$	"	6.60	"	"
"	"	" "	"	17.40	"	"

Total for Certificate 36149 = 39.00 acres

36820	1868	NE $\frac{1}{4}$ NE $\frac{1}{4}$	33	18.50	Seyforth	Nicholson
"	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	"	3.00	"	"
"	1908	" "	"	5.00	"	"

Total for Certificate 36820 = 26.50 acres

44722	1868	NE $\frac{1}{4}$ NE $\frac{1}{4}$	33	13.50	Seyforth	Nicholson
"	"	NW $\frac{1}{4}$ NE $\frac{1}{4}$	"	2.50	"	"
"	1908	" "	"	8.50	"	"
"	1868	SW $\frac{1}{4}$ NE $\frac{1}{4}$	"	2.00	"	"
"	1908	" "	"	7.50	"	"

Total for Certificate 44722 = 34.00 acres

Township 39 S., Range 7 W., W. M.

Berard:

25.00 acres	1868	SW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 33	C. 36146
38.00 "	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	"	"
27.60 "	"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"
28.20 "	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"
15.00 "	1897	NW $\frac{1}{4}$ NW $\frac{1}{4}$	34	36149
6.60 "	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$	"	"
17.40 "	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$	"	"

157.80 acres Total

Gilliam:

6.90 acres	1868	NE $\frac{1}{4}$ SE $\frac{1}{4}$	33	36146
9.80 "	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"
20.00 "	"	SW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"
3.00 "	"	SE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"

39.70 acres Total

Nicholson:

18.50 acres	1868	NE $\frac{1}{4}$ NE $\frac{1}{4}$	33	36820
3.00 "	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	"	"
5.00 "	1908	" "	"	"
13.50 "	1868	NE $\frac{1}{4}$ NE $\frac{1}{4}$	"	44722
2.50 "	"	NW $\frac{1}{4}$ NE $\frac{1}{4}$	"	"
2.00 "	"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	"	"
8.50 "	1908	NW $\frac{1}{4}$ NE $\frac{1}{4}$	"	"
7.50 "	"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	"	"

60.50 acres Total

Hanner:

8.00 acres	1874	SE $\frac{1}{4}$ SE $\frac{1}{4}$	28	7161
5.60 "	"	NE $\frac{1}{4}$ NE $\frac{1}{4}$	33	"
1.00 "	1908	" "	"	"
21.00 "	1897	NW $\frac{1}{4}$ NW $\frac{1}{4}$	34	33672
1.65 "	1908	SE $\frac{1}{4}$ SE $\frac{1}{4}$	28	7161

37.25 acres Total

S. & F. Enterprises:

27.00 acres	1874	NW $\frac{1}{4}$ SW $\frac{1}{4}$	27	7161
3.00 "	"	SW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"
9.00 "	"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	28	"
4.50 "	1908	" "	"	"
28.00 "	1874	SE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"
1.60 "	1908	NW $\frac{1}{4}$ SW $\frac{1}{4}$	27	"
2.08 "	"	SW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"
1.65 "	"	SE $\frac{1}{4}$ SE $\frac{1}{4}$	28	"
1.40 "	1874	NE $\frac{1}{4}$ NE $\frac{1}{4}$	33	"
3.00 "	1874	NW $\frac{1}{4}$ NE $\frac{1}{4}$	"	"

81.23 acres Total

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SEYFERTH DISTRICT IMPROVEMENT COMPANY --- DIVERSIONS

Authorized diversions:

Wimer Ditch (from Inchoate map) - 1430' N and 2210' W from
SE corner of Section 22, being within NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 22, Twp. 39 S., R. 7 W., W. M. *SE $\frac{1}{4}$*

Seyferth Ditch (from Trans. G-59) - 1470' N and 2100' W from
SE corner of Section 22, being within NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 22, Twp. 39 S., R. 7 W., W. M. *SE $\frac{1}{4}$*

Johnson Ditch (from Cert. 33672) - 600' S and 1220' W from
E $\frac{1}{4}$ corner of Section 22, being within NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 22, Twp. 39 S., R. 7 W., W. M.

Johnson Ditch (from Adjudication map) - 2000' N and 920' W
from SE corner of Section 22, being within NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 22, Twp. 39 S., R. 7 W., W. M.

Proposed diversion:

1820' N and 1330' W from SE corner Section 22,
being within NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Twp. 39 S., R. 7 W., W. M.

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Wesley R. Nicholson

Exhibit A

Alan H. Hanner & Martha L. Hanner

Exhibit B

Russell P. Berard & Ann Berard

Exhibit C

S & F Enterprises, Inc. (Schaul)

Exhibit D

Chester J. & Anna La Verne Gilliam

Exhibit E

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EXHIBIT "A"

1. Commencing at a point on the east line of Section Thirty-three (33) Township Thirty-nine (39) South, Range Seven (7) West of the Willamette Meridian, four chains south of the northeast corner of said section; thence West Twenty (20) chains; thence South twenty (20) chains; thence East twenty (20) chains to a point on the east line of said section twenty chains south of the starting point; thence North on the section line twenty (20) chains to the point of beginning, containing forty (40) acres, more or less; together with all ditch and ditch rights, water and water rights appurtenant to the said land.

2. Beginning four (4) chains South and twenty (20) chains West of the North East Corner of Section 33 Township 39 S Range 7 West of the Willamette Meridian; thence running West Twenty (20) Chains; thence South Twenty (20) Chains; thence East Twenty (20) Chains; thence North Twenty (20) Chains to place of beginning, less One (1) Acre deeded to the School District; also one-sixth (1/6th) Interest in the Sucker Creek Ditch.

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EXHIBIT "B"

PARCEL I: Commencing at a point on the Section line 16 rods South of the Section corner common to Sections 27, 28, 33 and 34, Township 39 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon; thence West 64 rods and 6 feet; thence North 40 rods; thence East 64 rods and 6 feet to the Section line between Sections 27 and 28 aforesaid; thence East on the same course 80 rods, more or less to the East line of the Southwest Quarter of the Southwest Quarter of Section 27, Township and Range aforesaid; thence South to the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section aforesaid; thence West on the South line of said Section 27 to the Southwest corner thereof; thence South 16 rods to the place of beginning. ALSO Commencing at the Northeast corner of the tract above described on the East line of the Southwest Quarter of the Southwest Quarter of said Section 27, and run thence West on the North line of the tract above described, 7 rods and 5 feet; thence North 18 rods and 3 feet; thence East 7 rods and 5 feet to the East line of the Southwest Quarter of the Southwest Quarter of said Section 27; thence South 18 rods and 3 feet to the point of beginning.

PARCEL II: Beginning at a point on the West line of the Northwest Quarter of Section 34, Township 39 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon 120 rods North of the Southwest corner of the Northwest Quarter of said Section; thence East 65 rods; thence South 25 rods; thence East 15 rods; thence North 65 rods, more or less, to the North line of said Section 34; thence West 80 rods to the Northwest corner of said Section; thence South 40 rods more or less to the point of beginning.

PARCEL III: The South 42 rods and 3 feet of the East Half of the West Half of Section 27, Township 39 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon less and except that tract deeded to Josephine County for road purposes by deed recorded October 17, 1958 in Volume 196, Page 364.

PARCEL IV: The Northeast Quarter of the Northwest Quarter of Section 34, Township 39 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon.

TOGETHER WITH THE DITCHES, DITCH RIGHTS, and water rights appurtenant to said premises and every part thereof under Parcels 1, 2 and 3 above described.

RESERVING from Parcels 1, 2 and 3 above described, unto the Grantor herein for a period of two years (or until the indebtedness from Alan H. Hanner, et ux, to George A. Mansfield, et ux, evidenced by a mortgage covering above described property, dated July 15, 1971, and recorded concurrently herewith has been paid in full) all oil, gas, petroleum and other minerals and water rights within or under said land.

EXHIBIT "B"

LAW OFFICES OF
BROWN, HUGHES & BIRD
409 N.E. SIXTH STREET
GRANTS PASS, OREGON 97526

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Exhibit "C"

PARCEL I: Beginning at the Southwest corner of the Northwest Quarter of Section 34, Township 39 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon and running thence North along the West line of said Section, 120 rods; thence East 65 rods; thence South 25 rods; thence East 15 rods to the East line of the West Half of the Northwest Quarter of said Section 34; thence South 95 rods; thence West 80 rods, more or less, to the point of beginning.

PARCEL II: The East Half of Section 33, Township 39 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon. LESS AND EXCEPT the North Half of the Northeast Quarter of said Section 33. ALSO LESS AND EXCEPT a parcel of land described as follows: Beginning at the Southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 33, and running thence South 4 chains; thence West 40 chains; thence North 4 chains; thence East 40 chains to the point of beginning. ALSO LESS AND EXCEPT a tract of land in the South Half of the Southeast Quarter of Section 33, Township 39 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon described as follows: Beginning at the Southeast corner of said Section 33; thence South $89^{\circ} 37'$ West, 2647.11 feet along the South line of said Section 33 to the Southwest corner of the Southeast Quarter of said Section 33; thence North $0^{\circ} 21'$ West 960.67 feet along the West line of the Southeast Quarter of said Section 33 to an iron rod; thence North $83^{\circ} 25'$ East, 20.00 feet; thence North $0^{\circ} 16'$ East, 60.00 feet to an iron rod; thence South $35^{\circ} 27'$ East, 68.04 feet to an iron rod; thence South $49^{\circ} 45'$ East, 492.03 feet to an iron rod; thence North $85^{\circ} 09'$ East, 551.27 feet to an iron rod; thence North $65^{\circ} 22'$ East, 702.37 feet to an iron rod; thence South $80^{\circ} 59'$ East, 1042.93 feet to the East line of said Section 33; thence South 807.80 feet along the East line of said Section 33 to the point of beginning. EXCEPTING THEREFROM commencing at the Southeast corner of Section 33, Township 39 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon; thence North along the East line of said Section, 807.80 feet to the true point of beginning; thence North $80^{\circ} 59'$ West 1042.93 feet to an iron rod; thence South $65^{\circ} 22'$ West 702.37 feet to an iron rod; thence South $85^{\circ} 09'$ West 551.27 feet to an iron rod; thence North $49^{\circ} 45'$ West 492.03 feet to an iron rod; thence North $35^{\circ} 27'$ West 68.04 feet to an iron rod; thence North along the East line of the County Road, 582 feet, more or less, to an existing fence; thence Easterly along said fence line to the East line of said Section 33; thence South along said East line to the true point of beginning.

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EXHIBIT "8"

The West Half of the Southwest Quarter of Section 27, and the East Half of the Southeast Quarter of Section 28, Township 39 South, Range 7 West of the Willamette Meridian, Oregon, and a strip commencing at the Northeast corner of Section 33, and running thence South 16 rods; thence West a half mile; thence North 16 rods; thence East to beginning, all in Township 39 South, Range 7 West of the Willamette Meridian, Oregon.

ALSO, the East Half of the West Half of Section 27, Township 39 South, Range 7 West of the Willamette Meridian, in Josephine County, Oregon; LESS and EXCEPT a strip of land off the Southerly end of said tract, and extending Easterly and Westerly across the same 42 rods and 3 feet in width heretofore reserved in the line of title by Jefferson Austin Wimer and his wife.

ALSO LESS AND EXCEPTING the following described parcels of land, to-wit: Commencing at a point 16 rods South of the Section corner common to Sections 27, 28, 33 and 34, Township 39 South, Range 7 West of the Willamette Meridian, and running thence West 64 rods and 6 feet; thence North 40 rods; thence East 144 rods, 6 feet, more or less, to the East line of the Southwest Quarter of the Southwest Quarter of Section 27, Township and Range aforesaid; thence South to the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section 27; thence West on the South line of said Section 27 to the Southwest corner thereof; thence 16 rods South to the place of beginning.

ALSO LESS AND EXCEPTING: Commencing at the Northeast corner of the tract last above described on the East line of the Southwest Quarter of the Southwest Quarter of said Section 27 and running thence West 7 rods, 5 feet; thence North 18 rods, 3 feet; thence East 7 rods, 5 feet; thence South 18 rods, 3 feet, to the place of beginning.

ALSO LESS AND EXCEPTING: A tract of land located in the Northeast Quarter of the Southeast Quarter of Section 28, Township 39 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon, comprising 11.46 acres, more or less, and more particularly described as follows: Beginning at the Northwest corner of the Northeast Quarter of the Southeast Quarter of said Section 28; thence East 729.97 feet along the North line of the Northeast Quarter of the Southeast Quarter of said Section 28; thence South and at a right angle to preceding course 713.82 feet to an iron pipe; thence West and parallel to the North line of the Northeast Quarter of the Southeast Quarter of said Section 28 a distance of 729.97 feet, more or less, to the West line of the Northeast Quarter of the Southeast Quarter of said Section 28; thence North 713.82 feet to the point of beginning. LESS AND EXCEPT that portion lying within the boundaries of the County Road.

EXHIBIT "9"

Exhibit "E"

Commencing at the Southeast corner of Section 33, Township 39 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon; thence North along the East line of said Section, 807.80 feet to the true point of beginning; thence North $80^{\circ} 59'$ West 1042.93 feet to an iron rod; thence South $65^{\circ} 22'$ West 702.37 feet to an iron rod; thence South $85^{\circ} 09'$ West 551.27 feet to an iron rod; thence North $49^{\circ} 45'$ West 492.03 feet to an iron rod; thence North $35^{\circ} 27'$ West 68.04 feet to an iron rod; thence North along the East line of the County Road, 582 feet, more or less, to an existing fence; thence Easterly along said fence line to the East line of said Section 33; thence South along said East line to the true point of beginning.

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STATE OF OREGON)
County of Josephine) SS

We, Wesley R. Nicholson

being first duly sworn, depose and say that as owners of the lands
tabulated in the name of Fred A. & Betty Stransky (Seyferth Ditch)
in the proposed transfer application #3197, declare that we are in
agreement with the tabulation and request the transfer be approved.

IN WITNESS WHEREOF, We have hereunto set our hands this 8
day of February, 1980.

Wesley R. Nicholson

Subscribed and sworn to before me this 12 day
of February, 1980.

Norman H. Henningson
Notary Public of Oregon

My commission expires July 28, 1980.

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SALEM, OREGON

STATE OF OREGON)
County of Josephine) SS

We, Alan H. Hanner & Martha L. Hanner

being first duly sworn, depose and say that as owners of the lands
tabulated in the name of Johnson Ditch (Alan H. Hanner)
in the proposed transfer application #3197, declare that we are in
agreement with the tabulation and request the transfer be approved.

IN WITNESS WHEREOF, We have hereunto set our hands this 8
day of February, 1980.

Alan H. Hanner

Martha L. Hanner

Subscribed and sworn to before me this 3th day
of February, 1980.

Jeaneette Lee
Notary Public of Oregon

My commission expires FEB 17, 1980.

RECEIVED
AUG 12 1980
WATER RESOURCES DEPT
SALEM, OREGON

AFFIDAVIT

STATE OF OREGON

County of Josephine

SS

We, Russell P. and Ann Berard

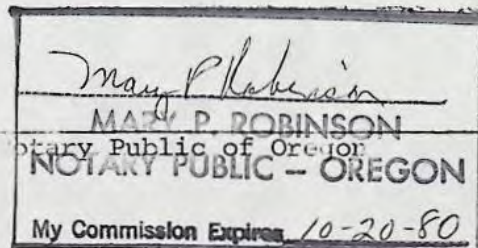
being first duly sworn, depose and say that as owners of the lands tabulated in the name of Dale A. and Ruby R. Adams (Seyferth Ditch) in the proposed transfer application #3197, declare that we are in agreement with the tabulation and request the transfer be approved.

IN WITNESS WHEREOF, We have hereunto set our hands this 8 day of February, 1980.

Russell P. Berard

Ann Berard

Subscribed and sworn to before me this 8th day of February, 1980.



My commission expires _____.

M.A.I.

MASTER of THE
APPRAISAL INS-1

T. TO TE

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APR 10 1980
WATER RESOURCES DEPT
SALEM, OREGON

AFFIDAVIT

STATE OF OREGON)
)
County of Josephine) SS

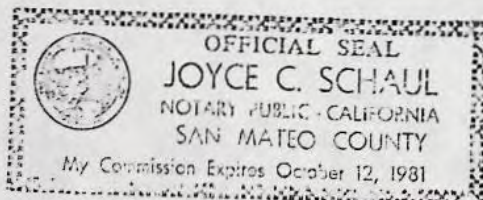
We, S. & F Enterprises Inc.

being first duly sworn, depose and say that as owners of the lands
tabulated in the name of Ivan Lewis (Seyferth)
or Kenneth S. De Vol
in the proposed transfer application #3197, declare that we are in
agreement with the tabulation and request the transfer be approved.

IN WITNESS WHEREOF, We have hereunto set our hands this 12th
day of February, 1980.

Victor J. Schaul Pres.
Joyce C. Schaul Sec.

Subscribed and sworn to before me this 12th day
of February, 1980.



Joyce C. Schaul
Notary Public of California

My commission expires *Oct. 12, 1981*.

AFFIDAVIT

STATE OF OREGON)
County of Josephine)

SS

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APR 12 1980
WATER RESOURCES DEPT
SALEM, OREGON

We, Chester J. & Anna La Verne Gilliam

being first duly sworn, depose and say that as owners of the lands tabulated in the name of Dale A. Adams & Ruby R. Adams (Seyferth Ditch) in the proposed transfer application #3197, declare that we are in agreement with the tabulation and request the transfer be approved.

IN WITNESS WHEREOF, We have hereunto set our hands this 8 day of Feb., 1980.

Chester J. Gilliam

Anna La Verne Gilliam

Subscribed and sworn to before me this 11th day of February, 1980.

Raymond M. Bahr
Notary Public of Oregon

My commission expires May 4, 1980.

14. Reasons for the proposed changes are Consolidation of 3 Ditches

15. Construction work will be completed on or before July 1975

16. The water will be completely applied to the proposed use on or before July 1975

Remarks This is a reapplication of transfer of diversion point. The original
transfer was filed April 8th, 1975, and was received by your office on April 9, 1975.
The landowners have used this water since 1975.

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

AFFIDAVIT OF APPLICANT

I, Russell P. Berard, 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.

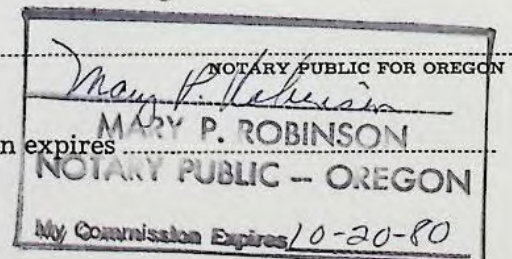
In Witness Whereof, I have hereunto set my hand this 13th day of February, 1980.

Russell P. Berard
(Name of applicant)

Subscribed and sworn to before me this 13th day of February, 1980.

[Notarial Seal]

My commission expires



PUBLIC NOTICE
NOTICE OF WATER RIGHT
TRANSFER APPLICATION

NO. 3197

The Water Resources Director of Oregon has received and filed an application by Seyferth District Improvement Co., Inc., for approval, without loss of priority, of changes in points of diversion under certain water rights.

The affected water rights are described by water right certificates No. 7161, 33672, 36146, 36149, 36820 & 44722 and are for use of water from Sucker Creek, under priority dates of 1868, 1874, 1897 & 1908, for irrigation of 33.68 ac in Sec 27, 52.8 ac in Sec 28, 230 ac in Sec 33 & 60 ac in Sec 34, T 39S, R 7W, WM.

The authorized points of diversion are: 1. Wimer Ditch, 1430 ft N & 2210 ft W from SE Corner of Sec 22, being within NW 1/4 SE 1/4, Sec 22; 2. Seyferth Ditch, 1470 ft N & 2100 ft W from SE Corner of Sec 22, being within the NW 1/4 SE 1/4, Sec 22; and 3. Johnson Ditch, 600 ft S & 1220 ft W from E 1/4 Corner of Sec 22, being within the NE 1/4 SE 1/4 of Sec 22, all T 39S, R 7W, WM.

The applicant proposes to change the point of diversion therefrom to one point located 1820 ft N & 1330 ft W from SE Corner of Sec 22, being within NW 1/4 SE 1/4, Sec 22, T 39S, T 7 W, WM.

Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Tuesday, June 17, 1980, at the Josephine County Courthouse, Grants Pass, Oregon. Any objection to the proposed changes must be prepared in writing: one copy to be served on the applicant at 5871 Holland Loop Rd, Cave Junction, OR 97523; and one copy filed in the office of the Water Resources Director, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. Rules for filing objections will be furnished upon request.

IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING.

Dated at Salem, Oregon this 18th day of April, 1980.

James E. Sexson, Director
Publish: April 24, May 1, 8, 1980

Affidavit of Publication

RECEIVED

JUN 6 1980

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON,
County of Josephine

} ss.

I, Virginia L Gilliam, being first duly sworn, depose and say I am the publisher of the Illinois Valley News, a newspaper of general circulation printed and published at Cave Junction in the aforesaid county and state, as defined in Section 58 Oregon Laws, that Notice of Water Right Transfer Application No. 3197 a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for three successive and consecutive three issues on the following dates: April 24, May 1, 8, 1980

Virginia L Gilliam

Subscribed and sworn to before me this 30 day of May, 1980

Walter McLean
Notary Public for Oregon

(My Commission expires June 16, 1982)

RECEIVED
APR 17 1980
WATER RESOURCES DEPT
SALEM, OREGON

I Hereby authorize the Water Resources Department to change
my Transfer Application 3197 to correct the authorized diversion
point for the Seyferth and Wimer Ditches to: NW Quarter, SE Quarter,
Section 22, Township 39S, Range 7, WWM.

Russell P. Berard Pres.

Russell P. Berard, President
Seyferth District Improvement Co., Inc.

4/16/80
Date



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

September 12, 1979

Russell P. Berard
5871 Holland Loop Road
Cave Junction, Oregon 97523

RE: File No. T-3197

Dear Mr. Berard:

On April 9, 1975, water right transfer application No. 3197 in the name of Seyferth District Improvement Company, was filed in the office of the Water Resources Director for approval of changes in point of diversion of water from Sucker Creek for several different water rights which were established of record by the decree of the Court in the Sucker Creek adjudication. Lands irrigated under the several rights involved in the proposed changes had, in past years, received water through the Wisecarver Ditch, the Wimer Ditch, the Johnson Ditch, the Seyferth Ditch, or the Holland Ditch. The pending application No. 3197 proposes that the five ditches be consolidated into the Seyferth Ditch and that the point of diversion for the Seyferth Ditch be changed to the head of the old Johnson Ditch.

A tabulation of the lands involved in the proposed changes in points of diversion, showing the lands by ownership, was submitted as a part of the application, and a copy of that tabulation is enclosed.

In April of 1977, affidavits by the owners were received in connection with all of the lands except for the Dean Mayfield property and the Grover Dale Mayfield property. On October 27, 1976, we received a letter from Michael S. Killoran, Attorney at Law, in behalf of Mr. and Mrs. Grover Dale Mayfield, withdrawing their lands from being a part of the pending application. On March 28, 1979, we received a letter from Don W. Dalley stating that he had purchased a portion of the Richard L. Oliver property and that he was withdrawing his lands from being a part of the application. Copies of both of the said letters are enclosed.

What is the intended status of the application at this time?

I intended to contact you by telephone to discuss this matter, but could not find a number listed for you in the telephone book. If you would like to discuss this by telephone, dial the toll-free number 1-800-452-7813 and ask for extension 3739, then ask for me by name and the girl will take your name and number for me to call back within a few minutes on our leased line system. Please refer to transfer No. 3197.

Sincerely,

James W. Carver, Jr.
Engineer

JWC:lcj
cc: Robert B. Steimer, Watermaster

T# 3197

BALDERREE, KILLORAN & NELSON
ATTORNEYS AT LAW

W. W. BALDERREE
MICHAEL S. KILLORAN
PHILIP L. NELSON

October 25, 1976

P. O. BOX 578
130 N.W. D STREET
GRANTS PASS, OREGON 97526
TELEPHONE (503) 476-6677

Water Resources Director
1178 Chemeketa Street N.E.
Salem, OR 97310

RECEIVED

OCT 27 1976

WATER RESOURCES DEPT
SALEM, OREGON

Re: Holland Ditch, 1300' N and 10' E from center of
Section 22, Township 39 South, Range 7 West, W.M.

Dear Sir:

In regard to the above, this office represents Mr. and Mrs.
Grover Dale Mayfield, who hold property as indicated in the
appended material, with a life estate reserved to Bertha M.
Mayfield.

It appears that an attempt is being made to form a Seyferth
District Improvement Company, Inc., as indicated in the
attached documents.

Until very recently, our clients have had rights in the
Holland Ditch and they desire to be removed from the transfer
to the Seyferth Ditch and allowed to remain in the Holland
Ditch.

If something other than this letter is required to accomplish
that, please advise.

It is our understanding that unless the ditch rights are for-
feited for a period in excess of five years, which they have
not been (in the Holland Ditch), that our clients can preserve
their rights in the Holland Ditch.

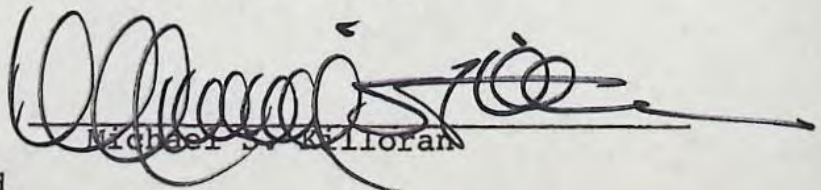
Our clients advise that there is a neighbor, John Amberg, who
has filled the Holland Ditch on his property, preventing water
from the ditch from reaching the property of our clients and
I assume action can be taken by your office to rectify that
situation.

I will send a copy of this letter to Bob Steimer, the Water-
master here in Grants Pass, so he will be aware of it.

As time permits we would appreciate being advised as to these
matters.

Thank you in advance for your attention to this matter.

Yours very truly,


Michael S. Killoran

MSK:ml/Encls.
Cert. RRR
cc: Mr. & Mrs. Mayfield
Bob Steimer



WATER RESOURCES DEPARTMENT

714 N.W. "A" STREET • GRANTS PASS, OR • 97526 • Phone 476-8201, Ext. 247

August 11, 1976

ROBERT W. STRAUB
GOVERNOR

JAMES E. SEXSON
Director

WATER POLICY REVIEW
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Portland

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Portland

JAMES HILL
Arch Cape

JEAN FROST
Portland

Water Resources Department
1178 Chemeketa St., N. E.,
Salem, Oregon 97310

Att: J. W. Carver

Dear Jim:

I am enclosing a copy of the Assessor's map for Section 22, Township 39 South, Range 7 West as well as an aerial photo on which I have noted the point of diversion of the Seyferth Ditch as it is today. Hope this will give you the information you need.

Very truly yours,

Robert B. Steimer
Watermaster, Dist. #14

RBS:dc
Enclosures

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AUG 12 1976
WATER RESOURCES DEPT
SALEM, OREGON

T-3197

Sacramento, Calif.
January 21, 1975

RECEIVED

APR 9 1975

STATE ENGINEER
SALEM, OREGON

John W. Rossiter
8035 Holland Loop Road
Cave Junction, Oregon 97523

Dear Mr. Rossiter :

I am responding to your letter dated December 31, 1974.

The Probate proceeding on the Sucker Creek property is still in progress although it appears that the closure may be expected very shortly now.

I would like to register my philosophy in regard to the entire matter concerning us: -

Many, many years ago the land owners in the Holland area obtained "water rights" to divert water from the Sucker Creek to irrigate their lands. Right-of-way agreements to build and maintain the diversion structures and ditches required to convey this water to their lands were obtained and kept inviolate through the years. At the start of these irrigation projects, the access road for maintenance was a public road to the upper Sucker Creek ranches and used a bridge across Sucker Creek near the ditch water diversion structures. When the present Oregon Caves Highway No. 46 was opened in 1922 it displaced the public road afore-mentioned and said road reverted to the access and maintenance road for the irrigation ditch projects and the land on the south bank of Sucker Creek.

On the basis of this understanding, I will as owner of land parcel No. 1200 located in the SW 1/4 of SE 1/4 of Section 22, Twp 39 S. R. 7 W., grant an easement of right-of-way agreement for the reconstruction and maintenance of the Holland, Seyferth-Wimer and Johnson Ditches across my land to be contingent upon and in return for an irrevocable right-of-way for my use of the public road presently used as the access road to my property and the maintenance of your irrigation ditches.

I do not wish to hold up or impede in any way the improvement and maintenance of your ditches across my property and I hope that reciprocal agreements can be made.

I will communicate further in this regard as soon as the probate court awards to me the title to this land.

My best regards to you and your family.

Most sincerely

Clinton H. French
Clinton H. French
4555 - 63 St.,
Sacramento, Cal 95820



WATER RESOURCES DEPARTMENT

714 N.W. "A" STREET • GRANTS PASS, OR • 97526 • Phone 476-8201, Ext. 247

April 8, 1977

ROBERT W. STRAUB
GOVERNOR

JAMES E. SEXSON
Director

WATER POLICY REVIEW
BOARD

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Portland

JAMES HILL
Arch Cape

JEAN FROST
Portland

Water Resources Department
1178 Chemeketa Street, N. E.
Salem, Oregon 97310

Attention: J. W. Carver

Dear Jim:

Enclosed are affidavits in connection with transfer 3197 on the Seyforth Ditch. The property listed in the name of Rossiter is now owned by Stransky, the property which was Oliver is now Amberg. Botwinis controls the Frank Loosely property. Perhaps we need another affidavit from him.

There are two affiants missing. They are Dean and Grover Mayfield. The Mayfields are brothers and one of them has paid his ditch assessment, while the other, Grover Mayfield, said he was going to go back to his old point of diversion; but the matter is really not clear concerning these two. I am writing to the Seyforth Ditch association, telling them we need to know who is to be included and who is to be excluded so a change in point of diversion can be completed.

Very truly yours,

Robert B. Steimer
Watermaster, District #14

RBS/sj
Enclosures

RECEIVED

APR 11 1977

WATER RESOURCES DEPT
SALEM, OREGON

AFFIDAVIT

STATE OF OREGON

County of Josephine

SS

We, John W Amberg and Betty Lou Amberg

being first duly sworn, depose and say that as owners of the lands tabulated in the name of Richard L Oliver and De Von Oliver in the proposed transfer application #3197, declare that we are in agreement with the tabulation and request the transfer be approved.

IN WITNESS WHEREOF, We have hereunto set our hands this 21st day of February, 1977.

John W. Amberg
Betty Lou Amberg

Subscribed and sworn to before me this 21st day of February, 1977.

Nathaniel J. Frouin
Notary Public of Oregon

My commission expires 10-20-78.

AFFIDAVIT

STATE OF OREGON

County of Josephine

} SS

We, X Kenneth S. De Vol

being first duly sworn, depose and say that as owners of the lands tabulated in the name of X Kenneth S. De Vol in the proposed transfer application #3197, declare that we are in agreement with the tabulation and request the transfer be approved.

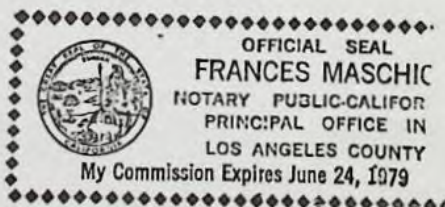
IN WITNESS WHEREOF, We have hereunto set our hands this 18th day of February, 197⁷~~8~~.

x Kenneth S. De Vol

Subscribed and sworn to before me this 18th day of February, 197⁷~~8~~.

Frances Maschic
Notary Public ~~XXXXXXXXXX~~

My commission expires June 24, 1979.



AFFIDAVIT

STATE OF OREGON

County of Josephine

SS

We, Alan H. Hanner & Martha L. Hanner

being first duly sworn, depose and say that as owners of
the lands tabulated in the name of Johnson Ditch (Alan H. Hanner)
in the proposed transfer application #3197, declare that we
are in agreement with the tabulation and request the
transfer be approved.

IN WITNESS WHEREOF, We have hereunto set our hands

this 22 nd day of Feburay, 1978.7

Alan H. Hanner
Martha L. Hanner

Subscribed and sworn to before me this 22 nd day
of February, 1978.7

Janette Green
Notary Public of Oregon

My commission expires Feb 17, 1980.

AFFIDAVIT

STATE OF OREGON

County of Josephine }

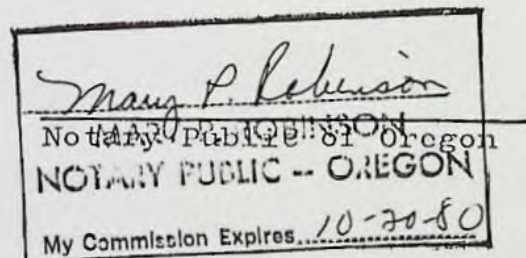
SS

We, Dale A. Adams + Ruby R. Adams
being first duly sworn, depose and say that as owners of
the lands tabulated in the name of Dale A. Adams + Ruby R. Adams
in the proposed transfer application #3197, declare that we
are in agreement with the tabulation and request the
transfer be approved.

IN WITNESS WHEREOF, We have hereunto set our hands
this 10th day of February, 1979.

Dale A. Adams
Ruby R. Adams

Subscribed and sworn to before me this 10th day
of February, 1979.



My commission expires _____.

Recorder

AFFIDAVIT

STATE OF OREGON

County of _____

} SS

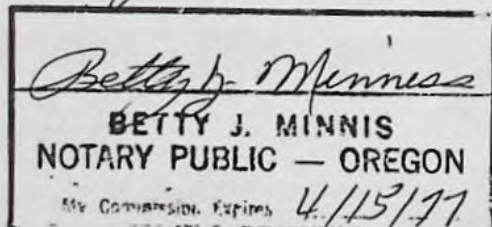
We, Fred A. & Betty Stransky

being first duly sworn, depose and say that as owners of
the lands tabulated in the name of Seyforth Ditch
in the proposed transfer application #3197, declare that we
are in agreement with the tabulation and request the
transfer be approved.

IN WITNESS WHEREOF, We have hereunto set our hands
this 2nd day of April, 1976.7.

Fred Stransky
Betty Stransky

Subscribed and sworn to before me this 2nd day
of April, 1976.



Betty J. Minnis
Notary Public of Oregon

My commission expires 4/15/77.

AFFIDAVIT

STATE OF OREGON

County of

Josephine

SS

We, Anton P. Botman

being first duly sworn, depose and say that as owners of
the lands tabulated in the name of Anthony Botman
Glean Stockly
in the proposed transfer application #3197, declare that we
are in agreement with the tabulation and request the
transfer be approved.

IN WITNESS WHEREOF, we have hereunto set our hands

this 22 day of March, 1977.

Anthony Botman

Subscribed and sworn to before me this 22nd day
of March, 1977.

B. F. Fosmire
Notary Public of Oregon

My commission expires 3/30/78.

SEYFORTH DITCH-----John W. Rossiter
Township 39 S, Range 7 W., W.M.

13.50	Acres	1868	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec.	33	C. - 7157
18.50	"	"	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec.	33	7125
2.50	"	"	NW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec.	33	7157
2.00	"	"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec.	33	"
3.00	"	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec.	33	7125
8.50	"	1908	NW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec.	33	7157
5.00	"	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec.	33	7125
7.50	"	"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec.	33	7157
60.50 Acres Total						

HOLLAND DITCH-----Anthony Botwinis
Township 39 S, Range 7 W., W.M.

36.00	Acres	1856	SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec.	33	C. - 7137
32.00	"	"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec.	32	"
20.00	"	"	SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec.	32	"
88.00 Acres Total						

HOLLAND DITCH-----Frank Looseley
Township 39 S, Range 7 W., W.M.

22.00	Acres	1856	NE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec.	33	C. - 7156
16.00	"	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec.	33	"
16.00	"	"	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec.	33	"
2.00	"	"	SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec.	33	"
2.00	"	1908	NE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec.	33	"
58.00 Acres Total						

HOLLAND DITCH-----Dean Mayfield
Township 39 S, Range 7 W., W.M.

16.50	Acres	1857	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec.	32	C. - 7127
16.50 Acres Total						

HOLLAND DITCH-----Grover Dale Mayfield
Township 39 S, Range 7 W., W.M.

10.00	Acres	1857	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec.	33	C. - 7127
20.00	"	"	SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec.	32	"
4.50	"	"	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec.	32	"
Township 40 S, Range 7 W., W.M.						
20.00	"	"	NW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec.	4	C. - 7127
20.00	"	"	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec.	5	"
74.50 Acres Total						

TOTAL ACRES IN ALL-----757.13 ACRES

WILCOX DITCH-----Richard L. Oliver
Township 39 S, Range 7 W., W.M.

10.00	Acres	1880	SW1SW1	Sec.	22	C. - 7145
19.50	"	1880	NW1NW1	Sec.	27	7162
5.00	"	"	SW1NW1	Sec.	27	"
34.00	"	"	NE1NE1	Sec.	28	"
7.00	"	"	SE1NE1	Sec.	28	"
15.00	"	1908	SW1SW1	Sec.	22	7145
8.10	"	1908	NW1NW1	Sec.	27	7162
14.00	"	"	SW1SW1	Sec.	27	"
31.00	"	"	SE1NW1	Sec.	28	"
143.60	Acres Total					

WIMER DITCH-----Kenneth DeVol
Township 39 S, Range 7 W., W.M.

27.00	Acres	1874	NW1SW1	Sec.	27	C. - 7161
3.00	"	"	SW1SW1	Sec.	27	"
9.00	"	"	NE1SE1	Sec.	28	"
28.00	"	"	SE1SE1	Sec.	28	"
3.00	"	"	NW1NE1	Sec.	33	"
1.40	"	"	NE1NE1	Sec.	33	"
1.60	"	1908	NW1SW1	Sec.	27	"
1.65	"	"	SE1SE1	Sec.	28	"
2.08	"	"	SW1SW1	Sec.	27	"
4.55	"	"	NE1SE1	Sec.	28	"
1.00	"	"	NE1NE1	Sec.	33	"
82.28	Acres Total					

JOHNSON DITCH-----Allan H. Hammer
Township 39 S, Range 7 W., W.M.

5.60	Acres	1874	NE1NE1	Sec.	33	C. - 7161
8.00	"	"	SE1SE1	Sec.	28	"
1.65	"	1908	NE1SE1	Sec.	28	"
21.00	"	1897	NW1NE1	Sec.	34	7138
36.25	Acres Total					

SEYFORTH DITCH-----Sale Acres
Township 39 S, Range 7 W., W.M.

25.00	Acres	1868	NW1NE1	Sec.	33	C. - 7151
38.00	"	"	SE1SE1	Sec.	33	"
34.50	"	"	NE1SE1	Sec.	33	"
38.00	"	"	NW1SE1	Sec.	33	"
20.00	"	"	SW1SE1	Sec.	33	"
3.00	"	"	NE1SE1	Sec.	33	"
24.00	"	1897	SW1NW1	Sec.	34	"
15.00	"	"	NW1NW1	Sec.	34	"
197.50	Acres Total					

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That J. D. WIMER

of Holland, State of Oregon, has
a right to the use of the waters of
Sucker Creek

a tributary of East Fork Illinois River for the purpose of
irrigation of 4.15 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Josephine County, and the said decree entered of record at Salem, in the Order Record of
the WATER RESOURCES DIRECTOR, in Volume 5, at page 399; that the priority of the right
thereby confirmed dates from 1908;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 0.08 cubic foot per
second and that the use of water for irrigation purposes shall be confined to
the season April 1 to October 31 of each year.

The point of diversion is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T. 39 S., R. 7 W., W.M.;
Wimer Ditch - 1430 feet North and 2210 feet West from SE Corner, Section 22.

A description of the place of use under the right, and to which such right is appurtenant, is as
follows:

4.15 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 28
T. 39 S., R. 7 W., W.M.

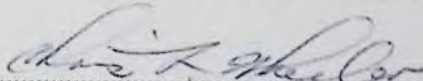
This certificate describes that portion of the water right confirmed by the prior
certificate recorded at page 7161, Volume 7, State Record of Water Right
Certificates, NOT modified by the provisions of an order of the Water Resources
Director entered on July 21, 1980, approving transfer application No. 3197.

The issuance of this superseding certificate does not confirm the status of the
water right in reference to ORS 540.610.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein
described.

WITNESS the signature of the Water Resources Director, affixed

this date October 28, 1980.


Deputy Water Resources Director