



IRRIGATION CO. (137 OR.480) WHICH SHALL BE LIMITED TO THE DUTY OF WATER AS SET OUT IN SAID DECREE. IN NO EVENT SHALL THE QUANTITY OF WATER DIVERTED FROM JORDAN CREEK FOR THE NORTHSIDE AND SOUTHSIDE UNITS AT THE NORTHSIDE AND SOUTHSIDE DIVERSION DAM FROM DIRECT FLOW AND/OR STORAGE FROM ANTELOPE RESERVOIR AND FOR USE ON THE ANTELOPE UNIT FROM DIRECT FLOW THROUGH THE FEEDER CANAL AND/OR STORAGE FROM ANTELOPE RESERVOIR EXCEED ONE ACRE-FOOT PER ACRE PER MONTH DURING THE IRRIGATION SEASON MEASURED AT THE FARM HEADGATE OR ITS EQUIVALENT FOR EACH ACRE IRRIGATED.

**Source:** JORDAN CREEK and ANTELOPE RESERVOIR CONSTRUCTED under PERMIT R-664, tributaries to OWYHEE RIVER

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
30 S	43 E	WM	36	NW NW	AROCK DIVERSION DAM: 560 FEET SOUTH AND 1060 FEET EAST FROM THE NW CORNER OF SECTION 36
30 S	45 E	WM	32	NW SE	ANTELOPE DAM: 2260 FEET NORTH AND 690 FEET EAST FROM THE SOUTH 1/4 CORNER OF SECTION 32
30 S	46 E	WM	18	NE NE	DIVERSION DAM: 330 FEET SOUTH AND 660 FEET WEST FROM THE NE CORNER OF SECTION 18

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
31 S	42 E	WM	1	SE SW	28.5
31 S	42 E	WM	1	SW SE	12.3
<b>TOTAL:</b>					<b>40.8</b>

4. Application T-10472 proposes to permanently change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
31 S	42 E	WM	12	NE SE	2.0
31 S	42 E	WM	12	NW SE	30.0
31 S	42 E	WM	12	SW SE	7.8
31 S	42 E	WM	12	SE SE	1.0
<b>TOTAL:</b>					<b>40.8</b>

**Transfer Review Criteria [OAR 690-385-4000]**

- The district permanent transfer application satisfies the criteria of OAR 690-385-4000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.
- The water right is subject to transfer as defined in OAR 690-385-0100(17).
- The proposed change in place of use would not result in enlargement of the right.

8. The proposed change in place of use would not result in injury to other water rights.
9. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10472.

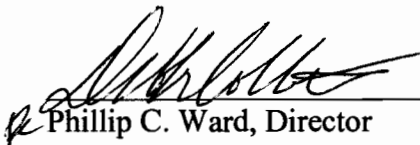
### **Conclusions of Law**

The permanent change in place of use proposed in application T-10472 satisfies the requirements of ORS 540.574(3) and 540.580.

### **Now, therefore, it is ORDERED:**

1. The permanent change in place of use proposed in application T-10472 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 75583 and any related decree.
3. The former place of use of the transferred right shall no longer receive water under the right.
4. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
5. The water user shall maintain the existing headgate and shall make such improvements as may be required by the Department.
6. The approved change shall be completed on or before **October 1, 2009**.
7. A Claim of Beneficial Use and Final Proof Map shall be submitted by Jordan Valley Irrigation District to the Department by October 1, 2010.
8. Water right Certificate 75583 is modified. The Department will issue a superseding certificate describing the right when it determines that is necessary for record keeping.

Dated at Salem, Oregon this 3 day of January 2008.

  
Phillip C. Ward, Director

Mailing date: JAN 07 2008

