

**BEFORE THE WATER RESOURCES DEPARTMENT
FOR THE
STATE OF OREGON**

Order of Proper Proof of Changes in)
Place of Use Under Transfer T-7791) Final Order

THIS ORDER ISSUED TO:

BAKER VALLEY IRRIGATION DISTRICT
3895 10TH ST
BAKER CITY OR 97814

PEYRON RANCH INC.
42659 SUNNYSLOPE RD
BAKER CITY OR 97814

This order confirms the right of record to use the waters of POWDER RIVER AND STORAGE FROM PHILLIPS LAKE RESERVOIR CONSTRUCTED UNDER PERMIT R-5083, a tributary of the SNAKE RIVER, for IRRIGATION of 12.2 ACRES AND SUPPLEMENTAL IRRIGATION OF 175.5 ACRES.

This right was confirmed under Permit S-32932. The date of priority is JUNE 19, 1958. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.30 CUBIC FOOT PER SECOND, if available at the authorized point of diversion: SMITH DITCH – NW1/4 NE1/4, SECTION 19, T 10 S, R 40 E, W.M.; 945 FEET SOUTH AND 1865 FEET WEST FROM THE NE CORNER OF SECTION 19, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	40 E	WM	9	SW NW	CORRELL DITCH – 50 FEET NORTH AND 2560 FEET WEST FROM C1/4 CORNER, SECTION 9

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 1/2 acre-feet for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-5083, provided further that the right allowed herein shall be limited to the use of stored water only on the lands described as supplemental (storage only).

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					
Twp	Rng	Mer	Sec	Q-Q	Acres
8 S	40 E	WM	36	SW SE	5.9
8 S	40 E	WM	36	SE SE	2.0
8 S	41 E	WM	31	NE SW	4.3

NOTICE OF RIGHT TO PETITION FOR 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.

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
8 S	40 E	WM	36	NE SE		40.0
8 S	40 E	WM	36	SE SE		34.0
8 S	41 E	WM	31	SW NW	2	10.6
8 S	41 E	WM	31	NE SW		17.7
8 S	41 E	WM	31	NW SW	3	40.0
8 S	41 E	WM	31	SW SW	4	29.1
8 S	41 E	WM	31	SE SW		4.1

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 water source as the original point of diversion.

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.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered November 25, 2003, at Special Order Volume 58, Page 205, approving Transfer Application 7791, supercedes Certificate 76310, State record of Water Right Certificates.

The Department will issue a superseding certificate describing the right when it determines that it is necessary for record keeping.

Issued MAR 04 2016


 Dwight French
 Water Right Services Division Administrator, for
 Thomas M. Byler, Director
 Oregon Water Resources Department