

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

Order of Proper Proof of Changes in Place of)
Use, Point of Diversion and Partial Cancellation)
of Water Right Under Transfer T-8446

Final Order

THIS ORDER ISSUED TO:

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

confirms the right of record to use the waters of POWDER RIVER, tributary of SNAKE RIVER, for PRIMARY IRRIGATION of 149.1 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for BAKER County. The decree is of record at Salem, in the Order Record of the Water Resources Director, in Volume 6, at Page 291. The dates of priority are 1865, 1888, 1893, 1903 and 1908.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.72 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	40 E	WM	28	SE NW	POINT 29 (TAGGART WEST) - 2650 FEET NORTH AND 1650 FEET EAST FROM SW CORNER, SECTION 28
8 S	40 E	WM	33	NW SW	POINT 26 (POWERS EAST 2, AKA GEDDES SNAVELEY) - 2640 FEET NORTH AND 850 FEET EAST FROM SW CORNER, SECTION 33
9 S	40 E	WM	8	NE NE	POINT 18 (ESTES WEST) - 110 FEET SOUTH AND 600 FEET WEST FROM NE CORNER, SECTION 8

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-FORTIETH of one cubic foot per second for each acre irrigated, unless otherwise stated in each tract, during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Priority	Acres	POD #	Tax Lot
8 S	40 E	WM	7	SW NW	1893	10.0	Point 29	1300
8 S	40 E	WM	7	NW SW	1908	16.8	Point 29	1300
8 S	40 E	WM	22	NE NW	1903	20.0	Point 26	300
8 S	40 E	WM	22	SE NW	1903	20.0	Point 26	300
8 S	40 E	WM	26	SW NW	1888	40.0	Point 26	4100
8 S	40 E	WM	27	NE NE	1888	26.4	Point 18	4100
8 S	40 E	WM	30	NE SE	1865	2.0	Point 18	5000

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.

Twp	Rng	Mer	Sec	Q-Q	Priority	Acres	POD #	Tax Lot
8 S	40 E	WM	30	SE SE	1865	2.0	Point 18	5000
9 S	40 E	WM	2	SE NW	1865	11.9	(POU ONLY)	900

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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.

The right to the use of the water is restricted to beneficial use at the place of use described, and subject to all other conditions and limitations contained in the decree.

This order is issued to confirm a change in PLACE OF USE, POINT OF DIVERSION AND PARTIAL CANCELLATION OF A WATER RIGHT approved by an order of the Water Resources Director entered May 24, 2007, at Special Order Volume 72, Page 138, approving Transfer Application 8446, affecting a portion of Certificate 73405, 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 17 2017



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