

Name John Bootsma
 By _____
 Address 2337 2nd
Baker, OR 97814

Change in POU
 Date filed 11-17-77
 Date of hearing _____
 Place of hearing _____
 Date of order 3-19-79 Vol. 31, page 695
 Date for application of water 10-1-80
 Proof mailed DEC 10 1982
 Proof received 1-24-83
 Certificate issued 2-24-83 Vol. 46, page 51925

3840

DESCRIPTION OF WATER RIGHT

Name of stream Powder River
 Trib. of _____ County of Baker
 Use _____
 Quantity of water _____ No. of acres _____
 Name of ditch _____
 Date of priority March 1905
 In name of _____
Powder River Adjudication, Vol. 14, page 390
 App. No. _____ Per. No. _____ Cert. No. 9167
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>11-17-77</u>	<u>56.50</u>	<u>65100</u>
<u>5-25-78</u>	<u>-.25</u>	<u>3153</u>
TOTAL . . .		
<u>5-25-78</u>	<u>2 Cert. Fee</u>	<u>3153</u>

FEES REFUNDED

Date	Amount	Check No.
Exam	20	
POU	36.75	
Cert	2.00	
	<u>58.75</u>	

REMARKS

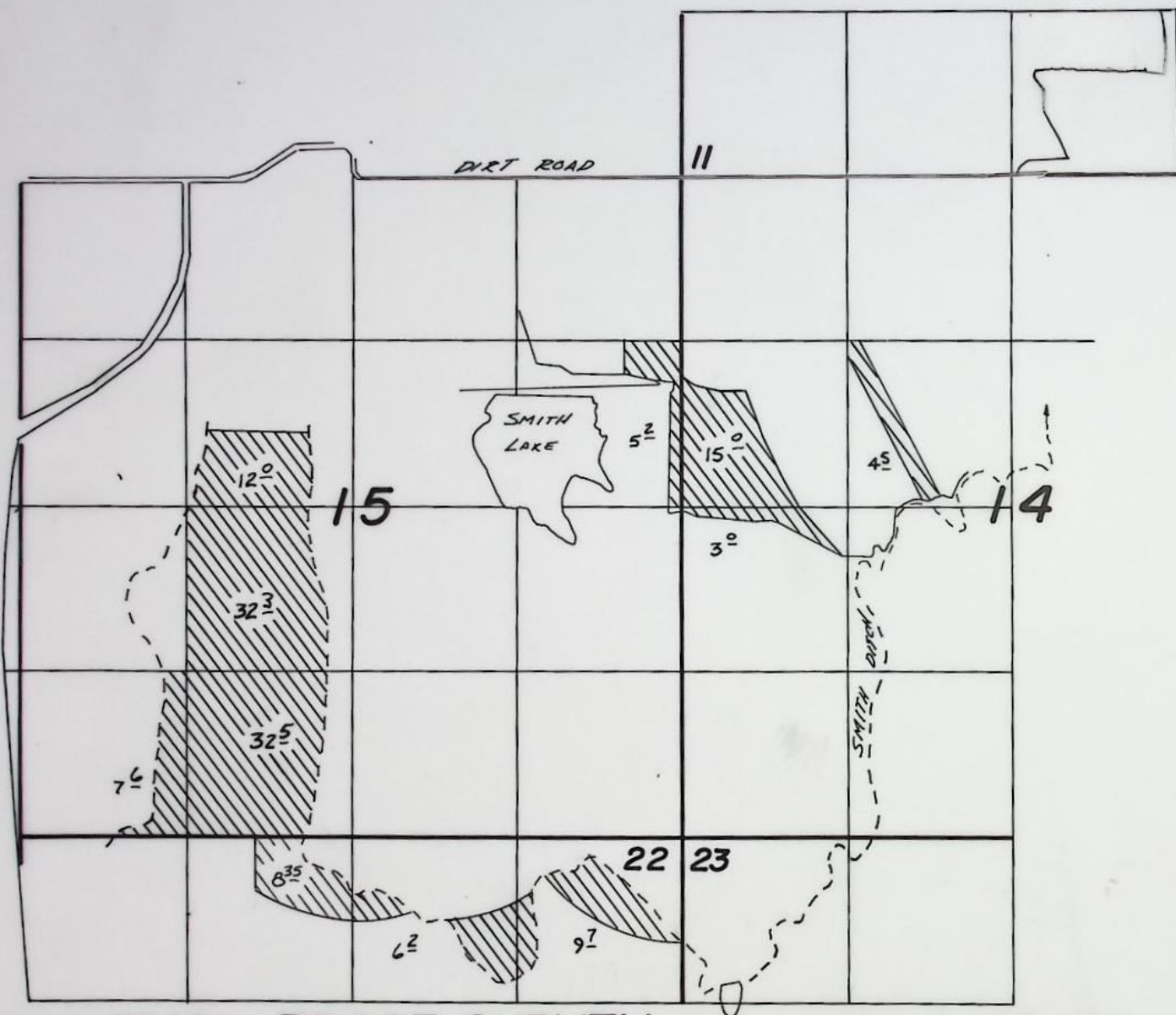
* A+G-8835 awaiting approval of this Transfer
 DO NOT ISSUE RR CERT; ISSUE CONFIRMING CERT AFTER SURVEY
 OF T-3840 & T-4480 FOR LANDS FOUND IN SURVEY. C-9167 IS INCORRECT
 ORIGINAL ACREAGE SHOULD BE 2135.1 ACRES. CONFIRM IN THE NAME OF
 BAKER VALLEY IRRIGATION DISTRICT.

Form 130 sent JAN 10 1983

W.R.I.S.
 Assembled 6-7-83 by SM
 Entered _____ by _____
 Verified _____ by _____

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
<input checked="" type="checkbox"/>	Name	<u>leg</u>	_____
<input checked="" type="checkbox"/>	Stream	<u>leg</u>	_____
<input checked="" type="checkbox"/>	Pt. of Div.	<u>leg</u>	_____
<input checked="" type="checkbox"/>	Calendar	<u>leg</u>	_____
<input checked="" type="checkbox"/>	Twp. & Rge.	<u>leg</u>	_____
<input checked="" type="checkbox"/>	Decree-vault	<u>leg</u>	_____
<input checked="" type="checkbox"/>	Decree-safe	<u>leg</u>	_____
<input checked="" type="checkbox"/>	Cert. of W R	<u>leg</u>	_____
<input checked="" type="checkbox"/>	Per. Folder	<u>leg</u>	_____
<input checked="" type="checkbox"/>	Chaindex	<u>leg</u>	_____
<input checked="" type="checkbox"/>	Cross Ref.	<u>leg</u>	_____
<input checked="" type="checkbox"/>	Power Claim	<u>leg</u>	_____
<input checked="" type="checkbox"/>	Abstracts	<u>leg</u>	_____

T. 9S., R. 40E., W.M.



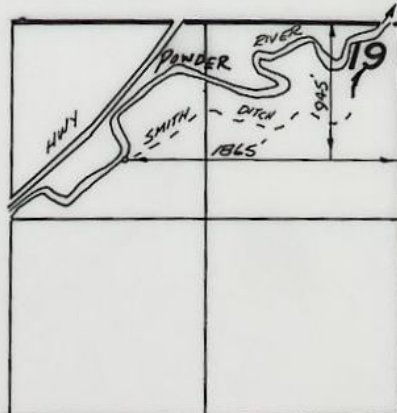
FINAL PROOF SURVEY
UNDER

TRANSFER 3840
IN NAME OF

JOHN BOOTSMA

SURVEYED Aug. 5 1981, BY J.L. Church

T. 10S., R. 40E., W.M.



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BAKER COUNTY

IN THE MATTER OF THE APPLICATION)
OF JOHN BOOTSMA FOR APPROVAL OF)
A CHANGE IN PLACE OF USE OF)
WATER FROM POWDER RIVER)

ORDER APPROVING
TRANSFER NO. 3840

On November 17, 1977, an application was filed in the office of the Water Resources Director by John Bootsma for approval of a change in place of use of water from Powder River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 9167, Volume 9, State Record of Water Right Certificates, in the name of the Pacific Loan and Investment Company, Limited, describes a right which includes the use of water from Powder River for irrigation of 40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 33.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 23.15 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 9 South, Range 40 East, W. M., with a date of priority of March, 1905.

Water for the said right is diverted, through the Smith Ditch, from a point located 945 feet South and 1865 feet West from the Southeast Corner of Section 18, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 10 South, Range 40 East, W. M.

The applicant herein proposes to change the place of use from the lands above described, and without loss of priority, to irrigate in lieu thereof a certain 10.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11; 3.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 9.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12; 13.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 4.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 20.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14; 15.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 17.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 9.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15; and 12.75 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, and 21.4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Township 9 South, Range 40 East, W. M.

The lands involved herein are within the boundaries of the Baker Valley Irrigation District and said District approved the proposed change in place of use of water.

These lands also have a supplemental right under permit No. 32932 providing for the use of water stored in Mason Reservoir with a date of priority of June 19, 1958.

Mr. V. Kent Searles, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

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

1/31/78

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

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1980.

It is FURTHER ORDERED that 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 the certificate of water right heretofore issued to The Pacific Loan and Investment Company, Limited and recorded at page 9167, Volume 9, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right be issued to Baker Valley Irrigation District.

Dated at Salem, Oregon this 19th day of March, 1979.

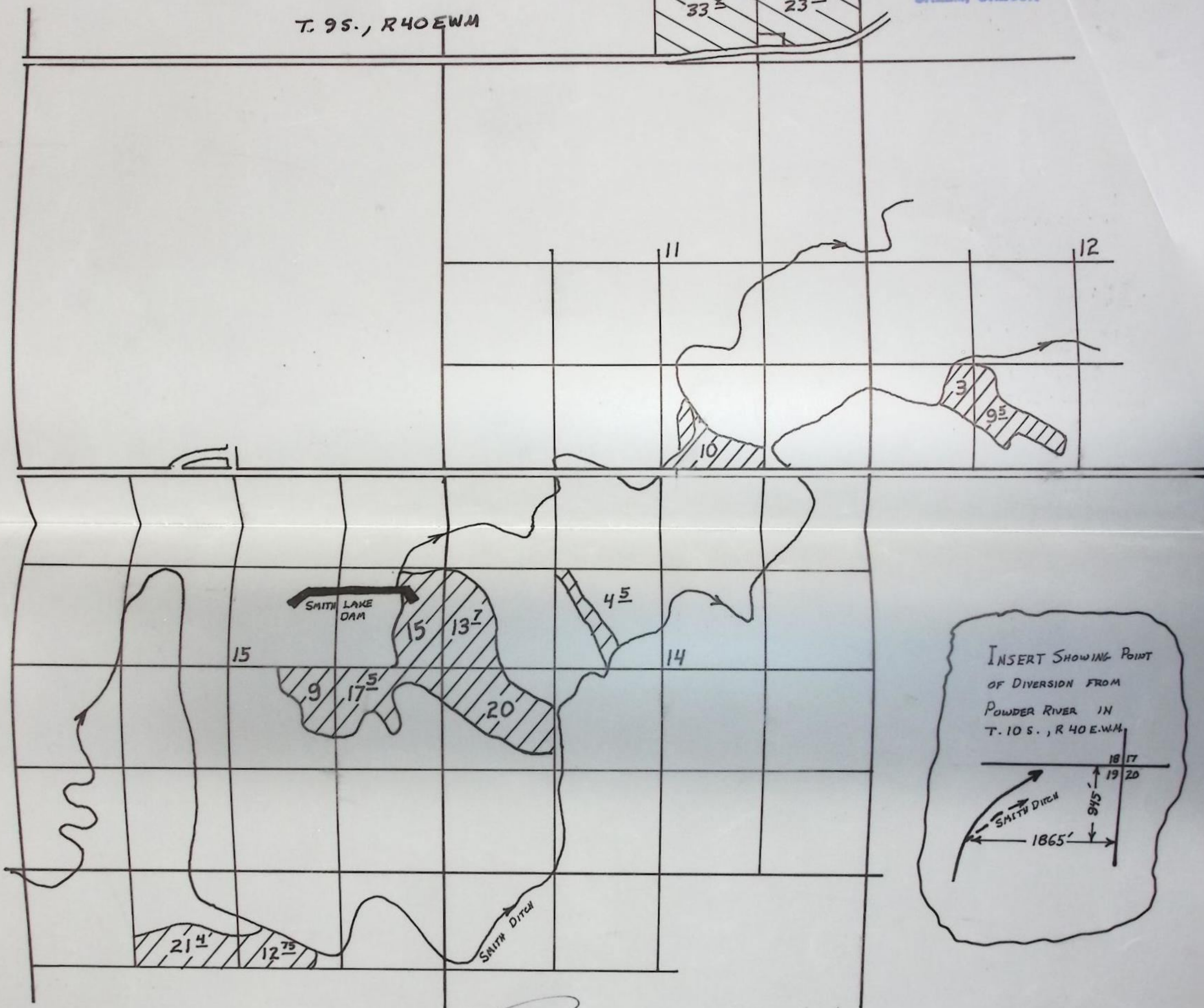
James E. Sexson
Director

By *Chris L. Wheeler*
Deputy

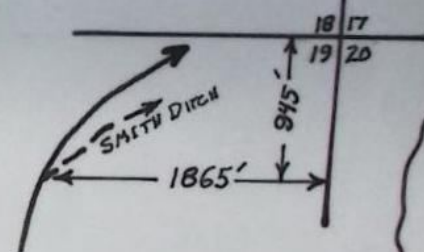
A hand-drawn diagram of a rectangle divided into four quadrants by a vertical line and a horizontal line. The top-left quadrant is labeled '40' and the top-right quadrant is labeled '40'. The bottom-left quadrant is labeled '33 \frac{2}{3}' and the bottom-right quadrant is labeled '23 \frac{15}{16}'. The vertical line is labeled '12' at the top and '1' at the bottom. The horizontal line is labeled '1' at the left and '1' at the right. A small square symbol is drawn in the bottom-right quadrant.

WATER RESOURCES DEPT.
SALEM, OREGON

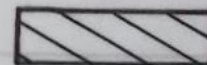
T. 95., R40EWM



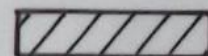
INSERT SHOWING POINT
OF DIVERSION FROM
POWDER RIVER IN
T. 10 S., R 40 E. W. 1



TRANS FROM



TRANS TO



22

23

STATE OF OREGON

COUNTY OF **BAKER**

CERTIFICATE OF WATER RIGHT

This is to Certify, That **Baker Valley Irrigation District**
 (successor in interest to Baker Irrigation Company)
 of **Liverpool, England** ^{State of} **PO Box 127** has a right to the use of
 the waters of **Baker OR 97814**

for the purpose of **Powder River, a tributary of Snake River**
 the irrigation of **2,130.1** acres and storage of **350** acre feet of water
 in **Baker Reservoir**
 and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Baker County, and the said decree entered of record at Salem, in the Order
 Record of the STATE ENGINEER, in Volume **6**, at page **291**; that the priority
 of the right thereby confirmed dates from **March, 1905**

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 **one-fortieth of one**
cubic foot per second per acre; and shall be subject to all other conditions and
limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant
 (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Smith Ditch
 15.0 acres in SW¹/₄ NW¹/₄
 17.7 acres in NE¹/₄ SW¹/₄
 40.0 acres in NW¹/₄ SW¹/₄
 29.3 acres in SW¹/₄ SW¹/₄
 4.1 acres in SE¹/₄ SW¹/₄,
 Section 31,
 T. 8 S., R. 41 E. W. M.

40.0 acres in NE¹/₄ SE¹/₄
 22.0 acres in SE¹/₄ SE¹/₄,
 Section 36,
 T. 8 S. R. 40 E. W. M.

40.0 acres in NW¹/₄ NE¹/₄
 20.0 acres in NE¹/₄ NW¹/₄
 20.0 acres in SW¹/₄ NW¹/₄
 34.7 acres in NW¹/₄ SW¹/₄
 18.0 acres in SW¹/₄ SW¹/₄,
 Section 1;

40.0 acres in NE¹/₄ NE¹/₄
 40.0 acres in NW¹/₄ NE¹/₄
 40.0 acres in SW¹/₄ NE¹/₄
 40.0 acres in SE¹/₄ NE¹/₄; T-3840
 36.2 acres in SE¹/₄ SW¹/₄;
 40.0 acres in NE¹/₄ SE¹/₄ - 40°

40.0 acres in NW¹/₄ SE¹/₄ - 40°
 2° 55.2 acres in SW¹/₄ SE¹/₄ - 33°
 985 35.0 acres in SE¹/₄ SE¹/₄ - 23 15
 Section 2;

32.0 acres in SW¹/₄ NE¹/₄,
 40.0 acres in SE¹/₄ NE¹/₄
 40.0 acres in NE¹/₄ SE¹/₄
 40.0 acres in NW¹/₄ SE¹/₄
 38.2 acres in SW¹/₄ SE¹/₄
 40.0 acres in SE¹/₄ SE¹/₄,
 Section 10;

40.0 acres in NE¹/₄ NE¹/₄
 40.0 acres in NW¹/₄ NE¹/₄
 40.0 acres in SW¹/₄ NE¹/₄
 40.0 acres in SE¹/₄ NE¹/₄,
 40.0 acres in NE¹/₄ NW¹/₄
 40.0 acres in SW¹/₄ NW¹/₄
 40.0 acres in SE¹/₄ NW¹/₄,
 40.0 acres in NE¹/₄ SW¹/₄
 40.0 acres in NW¹/₄ SW¹/₄
 40.0 acres in SW¹/₄ SW¹/₄
 40.0 acres in SE¹/₄ SW¹/₄,
 35.0 acres in NE¹/₄ SE¹/₄
 34.2 acres in NW¹/₄ SE¹/₄
 7.0 acres in SW¹/₄ SE¹/₄
 5.0 acres in SE¹/₄ SE¹/₄,
 Section 11;

22.0 acres in NW¹/₄ NW¹/₄
 40.0 acres in SW¹/₄ NW¹/₄
 24.0 acres in SE¹/₄ NW¹/₄,
 35.0 acres in NE¹/₄ SW¹/₄
 38.0 acres in NW¹/₄ SW¹/₄
 9.5 acres in SW¹/₄ SW¹/₄,
 8.0 acres in NE¹/₄ SE¹/₄
 30.0 acres in NW¹/₄ SE¹/₄,
 Section 12;

19.5 acres in NW¹/₄ NE¹/₄
 15.0 acres in SW¹/₄ NE¹/₄,
 40.0 acres in NE¹/₄ NW¹/₄
 40.0 acres in NW¹/₄ NW¹/₄
 40.0 25.0 acres in SW¹/₄ NW¹/₄ #152
 35.5 31.0 acres in SE¹/₄ NW¹/₄ #42
 3.5 acres in NE¹/₄ SW¹/₄
 23.0 20.0 acres in NW¹/₄ SW¹/₄ #32
 40.0 acres in SW¹/₄ SW¹/₄
 6.5 acres in SE¹/₄ SW¹/₄,
 Section 14;

48342

FEB 24 1983

51425

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
 6.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
 5.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
 9 $\frac{3}{4}$ 4.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, + 5 $\frac{3}{4}$
 17 $\frac{1}{2}$ 5.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, + 12 $\frac{1}{2}$
 38 $\frac{3}{4}$ 6.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, + 32 $\frac{3}{4}$
 7.6 40.0 7.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, + 32 $\frac{1}{2}$ \rightarrow SW $\frac{1}{4}$ SW $\frac{1}{4}$ 7 $\frac{1}{2}$
 22.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
 31.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
 40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
 40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$,
 Section 15;

21.2 11.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, + 9 $\frac{1}{2}$
 23.2 17.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, + 6 $\frac{1}{2}$
 10.35 2.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, + 8 $\frac{3}{4}$
 Section 22;

20.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$,
 Section 23;
 All T. 9 S., R. 40 E. W. M.

McKittick Pump

10.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$,
 Section 8;

22.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$,
 Section 17,
 T. 10 S. R. 40 E. W. M.

2101.9

This certificate describes

THIS CERTIFICATE DESCRIBES THAT PORTION OF THE WATER RIGHT CONFIRMED BY THE PRIOR CERTIFICATE RECORDED AT PAGE 9167, VOLUME 9 SPWRC, NOT MODIFIED BY THE PROVISIONS OF ~~THE~~ ORDERS OF THE WRD ENTERED 3-19-79 AND 7-9-80 APPROVING TRANSFER APPLICATIONS 3840 AND ~~419~~ 4480 AND IS ISSUED TO CONFIRM A CHANGE IN PLACE OF USE AND POINT OF DIVERSION APPROVED BY THE SAME ORDERS AND SUPERSEDES CERTIFICATE 9167, THE ISSUANCE ETC.

affixed this 5th day
 of October, 19~~7~~ 81

CHAS. E. STRICKLIN
 State Engineer.

Recorded in State Record of Water Right Certificates, Volume 9, page 9167.

T#3840