

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BAKER COUNTY

IN THE MATTER OF CANCELLATION )  
OF A PORTION OF A WATER RIGHT ) O R D E R  
IN THE NAME OF F.A. PHILLIPS )

An affidavit was received from PHILLIPS RANCH, INC. BY FRED A. PHILLIPS, the owner of certain land and the water right appurtenant to it. The water right has been abandoned and is requested to be canceled.

The abandoned water right is a portion of the right described by Certificate 8753, State Record of Water Right Certificates. The abandoned water right is for the use of 4.0 cubic foot per second from WASTE, SPRING AND/OR SEEPAGE WATER, a tributary of POWDER RIVER. The date of priority is OCTOBER 7, 1929. The abandoned water right is for IRRIGATION AND STOCK.

A description of the place of use of the abandoned right is as follows:

NE $\frac{1}{4}$  SW $\frac{1}{4}$  40.0 ACRES  
SW $\frac{1}{4}$  SW $\frac{1}{4}$  27.0 ACRES  
SE $\frac{1}{4}$  SW $\frac{1}{4}$  21.0 ACRES  
NE $\frac{1}{4}$  SE $\frac{1}{4}$  5.0 ACRES  
NW $\frac{1}{4}$  SE $\frac{1}{4}$  40.0 ACRES  
SW $\frac{1}{4}$  SE $\frac{1}{4}$  32.0 ACRES  
SE $\frac{1}{4}$  SE $\frac{1}{4}$  27.0 ACRES

SECTION 25

TOWNSHIP 8 SOUTH, RANGE 42 EAST, W.M.

NW $\frac{1}{4}$  NE $\frac{1}{4}$  38.0 ACRES  
SW $\frac{1}{4}$  NE $\frac{1}{4}$  21.0 ACRES  
SE $\frac{1}{4}$  NE $\frac{1}{4}$  29.0 ACRES  
NE $\frac{1}{4}$  NW $\frac{1}{4}$  35.0 ACRES  
NW $\frac{1}{4}$  NW $\frac{1}{4}$  31.0 ACRES  
SE $\frac{1}{4}$  NW $\frac{1}{4}$  6.0 ACRES

SECTION 31

TOWNSHIP 8 SOUTH, RANGE 43 EAST, W.M.

ORS 540.621 provides: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the commission shall enter an order canceling the water right."

NOW, THEREFORE, it is ORDERED that the portion of the water right described herein is canceled. It is FURTHER ORDERED that Certificate 8753 is canceled and a new certificate be issued for that portion of the water right NOT involved in this proceeding.

WITNESS the signature of the Water Resources Director,  
affixed January 27, 1995.

Martha O. Pagel  
Martha O. Pagel

Recorded in Special Order Volume 49, Page 6.