

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

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

Final Order

THIS ORDER ISSUED TO:

UNITED STATE OF AMERICA
3895 10TH ST
BAKER CITY OR 97814

confirms the right of record to use the waters of POWDER RIVER AND STORAGE FROM PHILIPS LAKE RESERVOIR CONSTRUCTED UNDER PERMIT R-5083, tributary of SNAKE RIVER, for SUPPLEMENTAL IRRIGATION OF 87.9 ACRES.

This right was perfected under Permit 32932. The date of priority is June 19, 1958. The right is limited to 0.08 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
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	5	SE NE	POINT 23 (COMPANY WEST DITCH): 1600 FEET SOUTH AND 320 FEET WEST FROM NE CORNER, SECTION 5
9 S	40 E	WM	8	NE NE	POINT 18 (ESTES WEST): 110 FEET SOUTH AND 600 FEET WEST FROM NE CORNER, SECTION 8
9 S	40 E	WM	9	SW NW	POINT 17 (CORRAL): 50 FEET NORTH AND 2720 FEET EAST FROM C1/4, SECTION 8
9 S	40 E	WM	21	NW SW	POINT 11 (SETTLERS SLOUGH): 2160 FEET NORTH AND 30 FEET EAST FROM SW CORNER, SECTION 21

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 per acre, or its equivalent from direct flow, and 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from both direct flow and stored water, provided further that the right allowed herein shall be limited to the use of stored water only on the lands described as Supplemental Irrigation from storage.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres	POD #	Tax Lot
8 S	40 E	WM	22	SE NW	37.6	Point 26	300
8 S	40 E	WM	29	SE NW	2.5	Point 23	4700
8 S	40 E	WM	29	SE SW	3.0	Point 23	4700
8 S	40 E	WM	30	SE NW	23.4	Point 18	3700

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	Acres	POD #	Tax Lot
8 S	40 E	WM	30	NE SE	9.5	Point 18	5000
9 S	40 E	WM	2	SE NW	11.9	Point 17,11	900

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

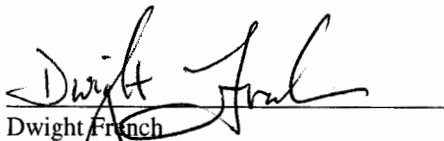
The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

The right to the use of the water is restricted to beneficial use at the place of use described.

This order is issued to confirm a change in PLACE OF USE, POINT OF DIVERSION AND DIMINUTION 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 73599, 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