



State of Oregon
Water Resources Department
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Memorandum

February 8, 2011

TO: File T-7503
 FROM: *Greg*
 Greg Nelson, Field Services Division
 SUBJECT: Determination of Satisfactory Proof

Upon reviewing the claim of beneficial use and final proof survey map submitted by Powder Valley Water Control District for T-7503, I detected a scrivener error for the authorized place of use listing for certificate 4171 in the final order approving the transfer (SpOrVol 77 p788).

The order identified the authorized POU as follows:

Certificate: 4171 in the name of G. M. GILKISON (confirmed by Powder River decree)
Use: IRRIGATION of 174.5 ACRES
Priority Date: 1894
Limit/Duty: ONE-FORTIETH cfs per acre
Source: WOLF CREEK, tributary to POWDER RIVER

Authorized Place of Use:

| IRRIGATION | | | | | |
|------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 6 S | 38 E | WM | 13 | SW SE | 38.0 |
| 6 S | 38 E | WM | 13 | SE SE | 36.0 |
| 6 S | 38 E | WM | 24 | NW NE | 40.0 |
| 6 S | 39 E | WM | 18 | SW SW | 27.5 |
| 6 S | 39 E | WM | 19 | NW NW | 32.0 |

The scrivener errors, shaded in gray below, identifying 38.0 acres is incorrect. Similarly, the total in the water right summary identifying the right subject to transfer and the authorized POU listing are inconsistent.

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| IRRIGATION | | | | | |
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| 6 S | 39 E | WM | 19 | NW NW | 32.0 |
| TOTAL: | | | | | 173.5 |

Certificate 4171 authorizes 40.0 acres in T6S, R38E, 13, SW SE. The final order, at page 7 of 9, cancels 1.0 acre in the SW SE. That leaves a remainder of 39.0 acres subject to transfer.

The CBU and FPS map both identify 39.0 acres in T6S, R38E, 13, SW SE where water was beneficially applied consistent with the terms and conditions of the order.

Based upon a review of the data, I conclude the 38.0 acres listed in T6S, R38E, 13, SW SE is an error, and the 39.0 acres identified in the CBU and on the FPS map is correct.