BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application)	CORRECTING
T-10517, Umatilla County)	FINAL ORDER

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

Ditchen Land Company, LLC c/o Darrin Ditchen 7385 Howell Prairie Rd NE Silverton, OR 97381

Findings of Fact

Background

- 1. On January 4, 2008, Golden Valley Farms, LLC filed an application to change the place of use and add a point of appropriation under Certificates 76367, 76368, and 76369. The Department assigned the application number T-10517.
- 2. On June 26, 2008, transfer application T-10517 was assigned to Ditchen Land Company, LLC.
- 3. On July 8, 2008, the Department issued a Final Order for the transfer, recorded at Special Order Volume 75, Pages 304-309.
- 4. Following issuance of the order the Department recognized a scrivener's error on Certificate 76368 and the order. Certificate 76368 was issued for a non-completed change in point of appropriation approved by Special Order Volume 51, Page 338, and superseded Certificate 53187. The rate for Certificate 53187 was 0.68 cubic foot per second. There was a scrivener's error when Certificate 76368 was issued, listing the rate as 3.0 cubic feet per second. The rate on both Certificate 76368 and the order should be 0.68 cubic foot per second.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or 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.

Now, therefore, it is ORDERED:

- 1. The order approving T-10517 as recorded in Special Order Volume 75, Pages 304-309 is corrected to describe the correct rate for Certificate 76368.
- 2. All other provisions of Special Order Volume 75, Pages 304-309 remain in effect.

Dated at Salem, Oregon this 30 day of September 2010.	
Dwight Franc	
Dwight W. French	
Administrator, Water Rights and Adjudications, for	

Mailing date: OCT 0 4 2010

Phillip C. Ward, Director