

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

In the Matter of Instream Water Right) CORRECTING ORDER
Certificate 85843, Lane County, Oregon) REDESCRIBING A WATER RIGHT

Land Owners

Richard Hunsaker
P.O. Box 444
Waltersville, OR 97489

McKenzie River Trust, c/o Ryan Ruggiero
1245 Pearl Street
Eugene, OR 97401


Findings of Fact

1. The Department issued an order approving T-10439 on November 24, 2009, which transferred 10.0 acres of the water right under Certificate 28874. The order was recorded at Special Order Volume 79, Pages 194 to 198. Certificate 85843 was also issued to describe the 30.6 acre portion of the right not modified by the transfer.
2. On January 22, 2010, Shane J. Hughes, CWRE for T-10439, submitted an updated water right map for the remaining lands. The number of acres remaining is confirmed to be 30.6, and the shape and location of the remaining water right has not changed on the ground. However, the new map describes the division of acreage within each quarter quarter section in the DLC and Government Lot differently from earlier maps, based on a current understanding of how the public land survey lines overlie the property.
3. A new remaining right certificate that is consistent with the revised map should be issued to describe the remaining portion of the right not transferred by T-10439.

Now, therefore, it is ORDERED:

1. Certificate 85843 is cancelled.
2. Water Right Certificate 86677 is issued to supersede Certificate 85843 and to consistently describe the portion of the right not modified by Transfer T-10439 and shown on the updated water right map.

Dated at Salem, Oregon this 25 day of October, 2010.



Dwight French for
PHILLIP C. WARD, DIRECTOR

Mailing date: OCT 27 2010

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either 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.