

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

In the Matter of Water Right Certificate) CORRECTING ORDER
81918, Umatilla County, Oregon)

Applicant

HERMISTON IRRIGATION DISTRICT
366 E. HURLBURT AVE.
HERMISTON, OR 97838

User

L. J. and ALICE MARKS
ROUTE 3, BOX 3730
HERMISTON, OREGON 97838

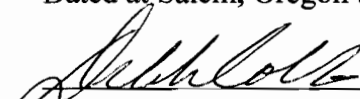
Findings of Fact

1. The Department issued an order approving transfer application T-9598 on January 21, 2004. The order was recorded at Special Order Volume 59, Pages 70 to 74. The Department also issued an order approving T-10037 on March 28, 2006. The order was recorded at Special Order Volume 68, Pages 176 to 179.
2. Both Final Orders diminished a portion of the water rights evidenced by Certificate 52828, State Record of Water Right Certificates.
3. As a result of the order approving T-10037, water right Certificate 81918 was issued by the Department to confirm the diminution from irrigation to supplemental irrigation of 17.21 acres of water rights.
4. The order approving the previous transfer, T-9598, also authorized the diminution of water rights. However, the Department did not cancel water right certificate 52828 or order the issuance of a new certificate to confirm those changes.
5. Certificate 81918 failed to describe the diminishment from irrigation to supplemental irrigation of 49.5 acres of water rights authorized by T-9598.

Now, therefore, it is ORDERED:

1. Certificate 81918 is cancelled.
2. Water Right Certificate 83885 is issued to supersede Certificate 81918 and to correctly describe the total acres of water rights that were diminished to supplemental irrigation as a result of the final orders approving both T-9598 and T-10037.

Dated at Salem, Oregon this 14th day of February, 2008.


Phillip C. Ward, Director

Mailing date: FEB 20 2008

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.