

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

In the Matter of Special Order Volume 70, )     CORRECTING FINAL ORDER  
Pages 202-208 and Water Right Certificate )  
81922 )

**Applicant**

GLEN WALTERS NURSERY, INC.  
P.O. BOX 280  
BANKS, OR 97106

**Findings of Fact**

***Background***

1. On September 14, 2006, the Department issued an order approving Transfer Application T-8919. The order was recorded at Special Order Volume 70, Pages 202-208.
2. On September 14, 2006, the Department issued Water Right Certificate 81922 describing that portion of Certificate 26173 not affected by the order approving Transfer Application T-8919.
3. The order contains a scrivener's error in Finding of Fact No. 7, page 203. The finding describes the rate of the portion of Certificate 26173 being transferred as being:  
**Rate:** 0.19 cubic foot per second (cfs), being 0.004 cfs for irrigation and 0.186 cfs for supplemental irrigation.  
The correct description of the rate should be:  
**Rate:** 0.19 cubic foot per second (cfs), being 0.004 cfs from direct flow for primary irrigation and 0.186 cfs from storage only for supplemental irrigation.
4. Water Right Certificate 81922 contains a scrivener's error in the description of the amount of water authorized to be diverted. Certificate 81922 describes an authorized rate of diversion of 0.65 cubic foot per second. The correct rate of diversion is 0.646 cubic feet per second.

This is an order in other than a 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 183.482(2). Pursuant to ORS 536.075 and OAR 137-004-0080, 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 Transfer Application T-8919, recorded at Special Order Volume 70, Pages 202-208 is amended to correct Finding of Fact No. 7.
2. All other provisions of the order are unchanged.
3. Water Right Certificate 81922 is cancelled. A new certificate will be issued to correct the scrivener's error in the description of the authorized rate and will supersede Certificate 81922.

Dated at Salem, Oregon this 30 day of July 2012.

  
Dwight French, Water Right Services Administrator, for  
PHILLIP C WARD, DIRECTOR

Mailing Date: AUG 06 2012