

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

In the Matter of Instream Transfer	)	CORRECTING ERRORS IN WATER
Application T-8890, Umatilla County,	)	RIGHT CERTIFICATES
Oregon	)	

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, 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. OAR Chapter 690, Division 077 provides additional criteria for evaluating transfers to instream water rights.

**Applicant**

OREGON WATER TRUST on behalf of CLARK & LYLA LAMPSON  
522 SW FIFTH AVENUE, SUITE 825  
PORTLAND, OREGON 97204

**Findings of Fact**

1. On February 12, 2007, the Department issued a Final Order approving instream transfer application T-8890. The Final Order was recorded at Special Order Volume 71, Pages 183 to 190. The Department also issued an instream water right, Certificate 83126, and Certificate 83131, which describes the portion of the right evidenced by Certificate 12750 not modified by T-8890.
2. Following issuance of the Final Order and certificates, scrivener's errors were identified in Certificate 83126 and Certificate 83131.
3. At the bottom of page 2 of Certificate 83126, the certificate number is incorrectly identified as follows (scrivener's error highlighted in bold):

State Record of Water Right Certificates numbered **82635**.

The correct certificate number should be 83126.

4. Certificate 83131 also contains a scrivener's error in the following certificate condition (scrivener's error highlighted in bold):

This certificate describes that portion of the water right confirmed by Certificate 12750, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered February 12, 2007, approving Transfer Application 8890, and along with Certificate **82636** supersedes Certificate 12750, State Record of Water Right Certificates.


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.

The correct certificate number should be 83126.

**Now, therefore, it is ORDERED:**

1. Certificate 83126 is hereby cancelled and a new instream water right certificate shall be issued correcting the scrivener's error as described herein.
2. Certificate 83131 is hereby cancelled and a new remaining right certificate shall be issued correcting the scrivener's error as described herein.
3. All terms and conditions of the referenced order remain the same.

Dated at Salem, Oregon this 13<sup>th</sup> day of April 2007.

  
Phillip C. Ward, Director

Mailing Date: APR 16 2007