

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

In the Matter of Special Order Volume 113,) CORRECTING FINAL ORDER
Pages 1108-1112)

Applicant

RD FARMS INC.
C/O STEVE DAVIDSON
4608 DAVIDSON RD NE
ST. PAUL, OR 97137

Findings of Fact

1. On September 10, 2019, the Department issued an order approving Transfer Application T-12540. The order was recorded at Special Order Volume 113, Pages 1108-1112.
2. The order contained a scrivener's error in the number of acres and rate affected by the transfer in Certificate 40215. The errors are shown in bold below:

Certificate: 40215 in the name of RAYMOND T. DAVIDSON (perfected under Permit G-4085)
Use: IRRIGATION of **48.85 ACRES** and SUPPLEMENTAL IRRIGATION of 100.4 ACRES
Priority Date: APRIL 16, 1968
Rate: **1.325 CUBIC FEET PER SECOND (CFS)**
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed here and shall conform to such reasonable rotation system as may be ordered by the proper state officer.
Source: A WELL a tributary of WILLAMETTE RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	29	SW NW	94	WELL 2 - 3450 FEET NORTH AND 470 FEET EAST FROM THE NW CORNER OF DLC 56

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.

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	NE NW	94	8.8
4 S	2 W	WM	29	NW NW	94	10.0
4 S	2 W	WM	29	SW NW	94	10.0
4 S	2 W	WM	29	SE NW	94	7.95
4 S	2 W	WM	30	NE NE	94	9.8
4 S	2 W	WM	30	SE NE	94	2.3
Total						48.85

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	SW NW	94	14.5
4 S	2 W	WM	29	NW SW	94	8.1
4 S	2 W	WM	29	NW SW	80	12.4
4 S	2 W	WM	29	SW SW	80	20.0
4 S	2 W	WM	30	SE NE	94	10.2
4 S	2 W	WM	30	NE SE	94	4.3
4 S	2 W	WM	30	NE SE	80	5.7
4 S	2 W	WM	30	SE SE	80	14.4
4 S	2 W	WM	31	NE NE	80	5.2
4 S	2 W	WM	32	NW NW	80	5.6
Total						100.4

3. The correct number of acres and rate (in bold) being transferred are as follows:

- Certificate:** 40215 in the name of RAYMOND T. DAVIDSON (perfected under Permit G-4085)
- Use:** IRRIGATION of **47.9 ACRES** and SUPPLEMENTAL IRRIGATION of 100.4 ACRES
- Priority Date:** APRIL 16, 1968
- Rate:** **1.305 CUBIC FEET PER SECOND (CFS)**
- Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed here and shall conform to such reasonable rotation system as may be ordered by the proper state officer.
- Source:** A WELL a tributary of WILLAMETTE RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	29	SW NW	94	WELL 2 - 3450 FEET NORTH AND 470 FEET EAST FROM THE NW CORNER OF DLC 56
4 S	2 W	WM	32	NW NW	80	WELL 3 - 425 FEET SOUTH AND 180 FEET EAST FROM THE NW CORNER OF SECTION 32
4 S	2 W	WM	30	NE SE	80	WELL 4 - 1565 FEET NORTH AND 400 FEET WEST FROM THE SE CORNER OF SECTION 30

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	NE NW	94	7.9
4 S	2 W	WM	29	NW NW	94	10.0
4 S	2 W	WM	29	SW NW	94	10.0
4 S	2 W	WM	29	SE NW	94	7.9
4 S	2 W	WM	30	NE NE	94	9.8
4 S	2 W	WM	30	SE NE	94	2.3
Total						47.9

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	SW NW	94	14.5
4 S	2 W	WM	29	NW SW	94	8.1
4 S	2 W	WM	29	NW SW	80	12.4
4 S	2 W	WM	29	SW SW	80	20.0
4 S	2 W	WM	30	SE NE	94	10.2
4 S	2 W	WM	30	NE SE	94	4.3
4 S	2 W	WM	30	NE SE	80	5.7
4 S	2 W	WM	30	SE SE	80	14.4
4 S	2 W	WM	31	NE NE	80	5.2
4 S	2 W	WM	32	NW NW	80	5.6
Total						100.4

4. The order identified a change in place of use which was a part of the original Transfer Application T-12540 submitted to the Department on December 20, 2016, however on December 8, 2018, the Department received a request from the agent for the applicant to remove the change in place of use. The agent for the applicant sent amended pages and maps reflecting this change.

Now, therefore, it is ORDERED:

1. The order approving Transfer Application T-12540, recorded at Special Order Volume 113, pages 1108-1112 is corrected to remove the change in place of use.
2. A new certificate will be issued describing that portion of the right not affected by this transfer.
3. All other provisions of Special Order Volume 113, Pages 1108-1112 remain in effect.

Dated at Salem, Oregon this NOV 26 2019

Lisa J Jaramillo, Transfer and Conservation Section Manager, for
 Thomas M. Byler, Director
 Oregon Water Resources Department

Mailing Date: NOV 26 2019