

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

In the Matter of Water Right Certificate) CORRECTING ORDER
91762, Jackson County)

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, 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.

Applicant

MUDDY CREEKS IRRIGATION DISTRICT
PO BOX 228
HARRISBURG, OR 97446

Receiving Landowners

PAUL AND MARY ZEHR TRUST
52747 COUNTY ROAD
MILTON-FREEWATER, OR 97862

Receiving Landowners

JASON AND RUTH SCHROCK TRUST
26890 POWERLINE ROAD
HALSEY, OR 97348

Findings of Fact

1. On September 9, 2016, the Department issued an order approving Transfer Application T-12194. The order was recorded at Special Order Volume 101, Pages 777-780. Certificate 91762 was issued to confirm the diminution of a water right described by Certificate 90947.
2. Water Right Certificate 91762 erroneously described the place of use of the supplemental irrigation as:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	4 W	WM	11	SW NE	0.5
14 S	4 W	WM	11	SE NE	12.4
Total					12.9

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 137-004-0080 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.

3. The correct description of the supplemental irrigation place of use is as follows:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	4 W	WM	11	NW NE	0.5
14 S	4 W	WM	11	SW NE	12.4
Total					12.9

Now, therefore, it is ORDERED:

1. Water Right Certificate 91762 is cancelled. Certificate 92062 will be issued to describe the correct location of the supplemental place of use. The new Certificate shall supersede Certificate 91762.

Dated at Salem, Oregon this 14 day of November, 2016.



Dwight French, Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department