

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

In the Matter of Instream Water Right) CORRECTING ORDER
Certificate 81509, Deschutes County,)
Oregon)

Applicant

Central Oregon Irrigation District for various property owners
2598 N. Highway 97
Redmond, OR 97756

Findings of Fact

1. The Department issued an order approving T-9883 on August 23, 2005. The order was recorded at Special Order Volume 66, Pages 131 to 141. A new instream water right certificate was also issued as evidenced by Certificate 81509.
2. Certificate 81509 contains a scrivener's error. Certificate 81509 incorrectly identifies the priority date as being October 31, 1900, and December 2, 1907. The correct priority date is October 31, 1900, consistent with Finding of Fact #15 on page 5 of Special Order Volume 66, Page 131.

Certificate 81509 also incorrectly describes the period during which water is to be protected instream as April 1 through November 1. The correct instream period is April 1 to November 1, consistent with the portion of the certificate describing the quantity of water to be protected instream and Finding of Fact #4 on page 2 of Special Order Volume 66, Page 131. The following conditions of Certificate 81509 should be modified as follows (modifications shown in bold text):

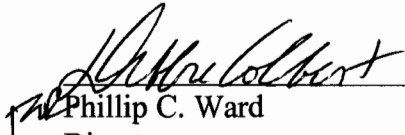
- a. "or its equivalent in case of rotation during the period from April 1 to November 1 of each year."
- b. This instream right shall replace a portion of any instream water right established pursuant to ORS 537.341 or 537.346 and be in addition to existing instream water rights established pursuant to ORS 537.348 or 537.470 during the period April 1 to November 1 of each year unless otherwise specified by a subsequent order establishing a new instream water right under these statutes.

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.

Now, therefore, it is ORDERED:

1. Certificate 81509 is cancelled.
2. Instream Water Right Certificate 82822 is issued to supersede Certificate 81509 and to correctly describe the priority date as October 31, 1900, and the period during which water is protected instream as April 1 to November 1.

Dated at Salem, Oregon this 30th day of October, 2006.


Phillip C. Ward
Director

Mailing date: NOV 06 2006