

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

In the Matter of Special Order Volume 117,     )     CORRECTING ORDER  
Pages 361-365 approving T-13439, Clackamas    )  
County   )

**Applicant**

HEYERLY BROTHERS c/o JEFF HEYERLY  
31958 S PALMER RD  
MOLALLA, OR 97038

**Findings of Fact**

1. On August 26, 2020, the Department issued an order approving Transfer T-13439. The order was recorded at Special Order Volume 117, Pages 361-365.
2. The order contained a scrivener's error in the change of Place of Use table for certificate 38044.

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 E	WM	13	SW NW	19.6
5 S	1 E	WM	13	NE SW	10.3
5 S	2 E	WM	7	NE NW	87
5 S	2 E	WM	7	NW NW	4.3
Total					42.9

3. The correct change of place of use table for certificate 38044.

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 E	WM	13	SW NW	19.6
5 S	1 E	WM	13	NE SW	10.3
5 S	2 E	WM	7	NE NW	8.7
5 S	2 E	WM	7	NW NW	4.3
Total					42.9

4. The order also contained an incorrect description for the change in point of appropriation Well 2.

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	12	NE SE	WELL 1 - 420 FEET SOUTH AND 690 FEET WEST FROM THE E1/4 CORNER OF SECTION 12
5 S	1 E	WM	12	NW SE	WELL 2 - 1940 FEET NORTH AND 620 FEET WEST FROM THE S1/4 CORNER OF SECTION 12

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.

5. The correct change of Place of Use table

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	12	NE SE	WELL 1 - 420 FEET SOUTH AND 690 FEET WEST FROM THE E1/4 CORNER OF SECTION 12
5 S	1 E	WM	12	NW SE	<b>WELL 2 - 1025 FEET SOUTH AND 2520 FEET WEST FROM THE E1/4 CORNER OF SECTION 12</b>

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

1. The order approving T-13439, as recorded in Special Order Volume 117, Pages 361-365 is corrected to fix the scrivener's error in the change of Place of Use table for Certificate 38044 and incorrect description of the change in Point of Appropriation Well 2
2. All other provisions of Special Order Volume 117, Pages 361-365 remain in effect.

Dated in Salem, Oregon on

SEP 23 2020

  
Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

*Mailing Date:*

SEP 24 2020