

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

In the Matter of Certificates 81778, 81779     )  
and 81780   )  
   )     FINAL ORDER CORRECTING  
   )     SCRIVENER'S ERRORS IN WATER  
   )     RIGHT CERTIFICATES

**Water Right Certificate Holders:**

A.S. Boyd and Company 3640 H Street Baker City, OR 97814	A.S. Boyd 3640 H Street Baker City, OR 97814	Carl A. and Fred Warner Route 2 Box 135 Baker City, OR 97814
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**Findings of Fact**

1. Certificate 81778 was issued May 24, 2007 to describe the portion of the water right confirmed by Certificate 58967, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered May 24, 2007, recorded at Special Order Volume 72, Pages 138 - 148 approving Transfer Application T-8446.
2. Certificate 81779 was issued May 24, 2007 to describe the portion of the water right confirmed by Certificate 22855, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered May 24, 2007, recorded at Special Order Volume 72, Pages 138 - 148 approving Transfer Application T-8446.
3. Certificate 81780 was issued May 24, 2007 to describe the portion of the water right confirmed by Certificate 73522, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered May 24, 2007, recorded at Special Order Volume 72, Pages 138 - 148 approving Transfer Application T-8446.
4. Certificates 81778, 81779 and 81780 contained scrivener's errors (nonsensical characters in place of the "¼" symbol) in the location descriptions of the points of appropriation/diversion and places of use, though all other information in the certificates was accurate.
5. Certificate 81779 also contained an error in the annual per-acre duty for the right. The correct duty is 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

This is a final order in other than a 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 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. Certificates 81778, 81779 and 81780 are cancelled and Water Right Certificates 84910, 84911 and 84912 are issued to supersede Certificates 81778, 81779 and 81780, respectively, to correctly describe the water rights NOT modified by the provisions of the order of the Water Resource Director approving Transfer Application T-8446 entered May 24, 2007, recorded in Special Order Volume 72, Pages 138 - 148.

Dated at Salem, Oregon this 21<sup>st</sup> day of October, 2008.



Phillip C. Ward, Director

Mailing date: NOV 14 2008