

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

In the Matter of Transfer T-9377, Marion )  
County ) Order amending a Final Order  
)

**Findings of Fact**

1. An order of the Water Resources Director approving Transfer Application 9377, in the name of Miller Forests, Inc., by John Miller, was entered March 10, 2004, at Special Order Volume 59, Page 309.
2. A letter was received from the applicant's agent and Certified Water Right Examiner, Don Knauer, stating that the order incorrectly described the location of one of the proposed points of diversion.
3. The order incorrectly described the proposed Clear Lake diversion point as:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
6	S	3	W	W.M.	27	NW¼ NE¼		69	700 feet South and 1960 feet West from the NW Corner of Smith DLC 69.

4. The correct location is described by:

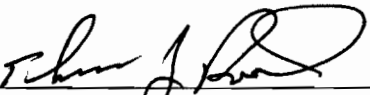
Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
6	S	3	W	W.M.	27	NW¼ NE¼		69	700 feet South and 1960 feet West from the NE Corner of Smith DLC 69.

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.

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

The order of the Water Resources Director approving Transfer Application 9377, in the name of Miller Forests, Inc., by John Miller, entered March 10, 2004, at Special Order Volume 59, Page 309 is AMENDED as described herein. All other terms and conditions of the transfer approval order remain the same.

Dated at Salem, Oregon this 27<sup>th</sup> day of September, 2004.

  
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Phillip C. Ward, Acting Director

Mailing Date: OCT 05 2004