

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

In the Matter of Special Order Volume 98,) CORRECTING FINAL ORDER
Pages 627-630 and Water Right Certificate)
91077, 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.

Applicants

Francisco Raigosa & Patti King
8700 Highway 140
Eagle Point, Oregon 97524

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8758 Highway 140
Eagle Point, Oregon 97524

Findings of Fact

1. On January 21, 2016, the Department issued an order approving Transfer Application T-11998. The order was recorded at Special Order Volume 98, Pages 627-630.
2. The order and the confirming right Certificate 91077 contained a scrivener's error in the description of the source of the water right associated with the transfer.
3. The order and the confirming right certificate described the source as being **Lake Creek, tributary of Little Butte Creek.**
4. The correct source is **Little Butte Creek, tributary of Butte Creek.**


Now, therefore, it is ORDERED:

1. The order approving Transfer Application T-11998, recorded at Special Order Volume 98, Pages 627-630 is amended to correctly describe the source being transferred as described in Finding of Fact #4.

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.

2. Confirming water right Certificate 91077 is cancelled. Certificate 91191 will be issued to describe the correct source and the change in points of diversion for the right included in T-11998. The new Certificate shall supersede Certificate 91077.
3. All other provisions of the order are unchanged.

Dated at Salem, Oregon this 29 day of January, 2016.



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