

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

In the Matter of Special Order Volume 77,) CORRECTING ORDER
Page 561 approving District Permanent)
Transfer T-10762 and Remaining Right)
Certificate 85501, Umatilla County

Applicant

WESTLAND IRRIGATION DISTRICT
PO BOX 944
HERMISTON, OR 97838

Findings of Fact

1. The Department issued an order approving District Permanent Transfer Application T-10762 on April 28, 2009. The order was recorded at Special Order Volume 77, Page 561. A new remaining right certificate was also issued as evidenced by Certificate 85501.
2. Remaining right Certificate 85501 contains a scrivener's error in the table that describes the place of use to which the water right is appurtenant. The remaining right certificate allows the use of 0.016 cfs of water for supplemental irrigation of 1.3 acres, however, the table describing the place of use incorrectly shows 1.6 acres of supplemental irrigation.
3. Remaining right Certificate 85501 also contains a scrivener's error in the identification of the current owners of the land to which the remaining right certificate is appurtenant. While remaining right Certificate 85501 lists John L. King, the current owners of the land to which the remaining right certificate is appurtenant are actually Charles W. and Jodi F. Ferguson.

Now, therefore, it is ORDERED:

1. Water right Certificate 85501 is cancelled.

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.

2. Water right Certificate 85522 is issued to supersede Certificate 85501 and to correctly describe the actual number of acres authorized to receive water for supplemental irrigation purposes as being 1.3 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, Township 4 North, Range 28 East, W.M., in Umatilla County, Oregon, and to identify the current owners of the land to which remaining right Certificate 85522 is appurtenant as Charles W. and Jodi F. Ferguson.

Dated at Salem, Oregon this 13th day of May, 2009.


Phillip C. Ward, Director *PCW*

Mailing date: MAY 18 2009