

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

In the Matter of Instream Water Right) CORRECTING ORDER
Certificate 76797, Deschutes County,)
Oregon)

Applicant

Oregon Water Trust (a program of the Fresh Water Trust)
65 SW Yamhill Street, Suite 200
Portland, Oregon 97204


Findings of Fact

1. The Department issued an order approving T-8520 on February 27, 2001. The order was recorded at Special Order Volume 55, Pages 149 to 153. A new instream water right certificate was also issued as evidenced by Certificate 76797.
2. Certificate 76797 contains a scrivener's error. Certificate 76797 incorrectly identifies the instream rate under the 1884 priority date as 0.34 Cubic Foot per Second (CFS). The correct instream rate for the 1884 priority date is 0.3 CFS, consistent with Condition #3 on page 4 of Special Order Volume 55, Page 149.
3. Certificate 76797 also identifies the source of water for the instream use as Squaw Creek. Since this certificate was issued, the name of Squaw Creek has changed to Whychus Creek.

Now, therefore, it is ORDERED:

1. Certificate 76797 is cancelled.
2. Instream Water Right Certificate 85521 is issued to supersede Certificate 76797 and to correctly describe instream rate under the 1884 priority date, and identifies that Squaw Creek is now known as Whychus Creek.

Dated at Salem, Oregon this 11th day of May, 2009.


Phillip C. Ward *Pz*
Director

Mailing date: MAY 18 2009

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.