

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

In the Matter of Special Order Volume) CORRECTING ORDER
113, Pages 939 - 946 approving T-13174,)
Yamhill County)

Applicant

ACE HOLDINGS, LLC.
PO BOX 417
GASTON, OR 97119

Findings of Fact

1. On August 27, 2019, the Department issued an order approving Transfer T-13174. The order was recorded at Special Order Volume 113, Pages 939 - 946.
2. The order contained a scrivener's error in Finding of Fact No. 1, which erroneously left out Certificate number 59989. Certificate 59989 should be added to the Order.
3. Finding of Fact No. 1 erroneously stated:
On May 1, 2019, ACE HOLDINGS, LLC., filed an application to temporarily change the place of use and change the point of diversion to serve the proposed place of use under Certificates 19459, 26134, 59987, 59988, 67814 for a period of 5 years. The Department assigned the application number T-13174.
4. Finding of Fact No. 1 should read as follows:
On May 1, 2019, ACE HOLDINGS LLC filed an application to temporarily change the place of use and change the point of diversion to serve the proposed place of use under Certificates 19459, 26134, 59987, 59988, 59989 and 67814 for a period of 5 years. The Department assigned the application number T-13174.
5. The order contained a scrivener's error in Finding of Fact No. 15, which erroneously listed incorrect acres. The acres for irrigation should be 17.8 acres, not 23.3 acres.
6. Finding of Fact No. 15 erroneously stated:
Certificate: 94435 in the name of HARRY H. WILLIAMS (perfected under Permit S-22244)
Use: IRRIGATION of 23.3 ACRES
Priority Date: APRIL 9, 1953
Rate: 0.22 CUBIC FOOT PER SECOND

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, 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.

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: NORTH YAMHILL RIVER, tributary of YAMHILL AND WILLAMETTE RIVERS

7. Finding of Fact No. 15 should read as follows:

Certificate: 94435 in the name of HARRY H. WILLIAMS (perfected under Permit S-22244)

Use: IRRIGATION of 17.8 ACRES

Priority Date: APRIL 9, 1953

Rate: 0.22 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: NORTH YAMHILL RIVER, tributary of YAMHILL AND WILLAMETTE RIVERS

8. Finding of Fact No. 22 erroneously listed better description information for the authorized point of diversion. No.22 should not be in the Order.

9. Finding of Fact No. 22 stated:

The Department received information from the applicant that better describes the location of the authorized point of diversion for Certificate 26134 as follows:

10. The Findings of Fact in the Order should go no further than No. 21.

11. Condition No. 11 cites several Certificates with remaining water rights. The only Certificates that should be listed are 19459, 94435 and 94436.

12. Condition No. 11 erroneously stated:

The use of the remaining water right(s) described by Certificates 19459, 59987, 59988, 67814, 94435 and 94436 shall continue to be in accordance with the terms and conditions of Certificates 19459, 59987, 59988, 67814, 94435 and 94436.

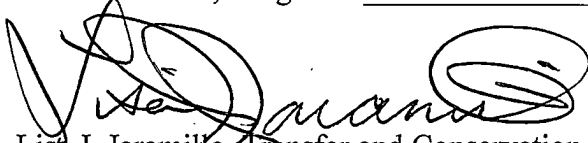
13. Condition No. 11 should read as follows:

The use of the remaining water rights described by Certificates 19459, 94435 and 94436 shall continue to be in accordance with the terms and conditions of Certificates 19459, 94435 and 94436.

Now, therefore, it is ORDERED:

1. The order approving T-13174, as recorded in Special Order Volume 113, Pages 939 - 946 is corrected.
2. All other provisions of Special Order Volume 113, Pages 939 - 946 remain in effect.

Dated in Salem, Oregon on DEC 16 2019



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing Date: DEC 18 2019