

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

In the Matter of Special Order) CORRECTING FINAL ORDER
Volume 114, Pages 256-257)

Applicant

HOTCHKISS CO., LLC
30552 HOTCHKISS LAND
BURNS, OR 97720-9406

Findings of Fact

1. On October 28, 2019, the Department issued an order withdrawing Historic Point of Diversion Application T-13115. The order was recorded at Special Order Volume 114, Pages 256-257.
2. The order did not include comments received by the Department during the initial public comment period for Transfer Application T-13115.
3. Pursuant to OAR 690-380-4000, the following comments were filed in response to the notice:
 - a) On February 5, 2019, a comment was received regarding adverse effects to existing water rights on People's Ditch and injury to senior water rights below the proposed diversion.
 - b) On February 11, 2019, a comment was received regarding additional water having never been diverted at People's Ditch POD, insufficient ditch capacity, and the acres proposed by Historic Point of Diversion Application T-13115, are to be irrigated by the Mace-Hanley-Hotchkiss Ditch, which is now commonly referred to as the Supreme Cut, according to the Silvies Decree 1926.
4. Other comments were received by the Department, however they were not received within the 30 day comment period.

Now, therefore, it is ORDERED:

1. The order approving Transfer Application T-13115, recorded at Special Order Volume 114, Pages 256-257 is corrected to include a comment summary of the comments received during the initial comment period for Historic Point of Diversion Transfer Application T-13115.

<p>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 and OAR 690-01-0005 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.</p>

2. All other provisions of Special Order Volume 114, Pages 256-257 remain in effect.

FEB 11 2020

Dated at Salem, Oregon this _____



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing Date: FEB 12 2020 _____