

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

In the Matter of Allocation of Conserved) CORRECTING ORDER
Water Application CW-129, Wallowa)
County

Applicants

Rocking M Cattle Company
70208 Warnock Rd
Wallowa, OR 97885

Findings of Fact

1. On March 1, 2023, the Department issued a Final Order of Approval of Allocation of Conserved Water Application CW-129, involving Certificate 3162. The order was recorded at Special Order Volume 127, Page 921.
2. On November 2, 2023, the Department issued a Final Order on Completion and Finalization of Allocation of Conserved Water Application CW-129, involving Certificate 3162. The order was recorded at Special Order Volume 129, Page 305. The Department also issued a confirming instream Certificate 97432 on November 2, 2023.
3. On January 22, 2024, the Department identified a scrivener's error, in the location of the point of diversion where protection of the instream water right will begin under Certificate 97432:

LOSTINE RIVER, a tributary of Wallowa River

Instream Point No. 1: At the POD (as described below)

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 N	43 E	WM	28	SE NW	Latitude: 45.499396 Longitude: -117.442333

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.

- The location of the point of diversion where protection of the instream water right will begin, is modified to read as follows:

LOSTINE RIVER, a tributary of Wallowa River

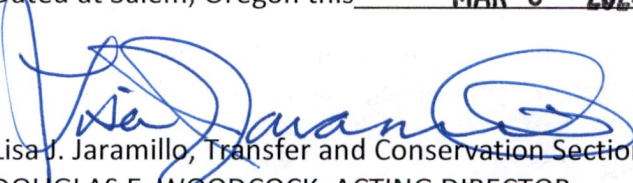
Instream Point No. 1: At the POD (as described below)

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 S	43 E	WM	9	NE NE	FITZPATRICK DITCH: Latitude: 45.499396 Longitude: -117.442333

Now, therefore, it is ORDERED:

- The order, as issued on November 2, 2023, is modified to correctly describe location of the point of diversion where protection of the instream water right will begin.
- Water Right Certificate 97432 is cancelled and of no further force or effect.
- Water Right Certificate 97610 is issued to correctly describe the location of the point of diversion where protection of the instream water right will begin, and to supersede Certificate 97432.
- All other provisions of Special Order Volume 129, Page 305 remain in effect.

Dated at Salem, Oregon this MAR 6 - 2024.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

Mailing Date: MAR 7 - 2024