

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

In the Matter of Special Order Volume 91,) CORRECTING ORDER FOR
Pages 1026-1028 Approving T-11712,) TRANSFER APPLICATION
Malheur County) T-11712

Applicant

OWYHEE IRRIGATION DISTRICT
17 SOUTH FIRST ST.
NYSSA, OR 97913

Findings of Fact

1. On March 25, 2014, the Department signed a final order, which was mailed on April 4, 2014, and recorded at Special Order Volume 91, Pages 1026-1028, approving Transfer Application T-11712 involving Certificate 75691 (Final Order).
2. This order is issued to correct an error in the Final Order. The applicant requested, and the Department approved to transfer 4.1 acres from lands thought to be authorized under Certificate 75691 for irrigation as depicted on an application map. It was discovered that these 4.1 acres at the location depicted on the map are *not* an authorized place of use under Certificate 75691, but rather are authorized under Permit S-54398 in the name of the U.S. Bureau of Reclamation. Thus these 4.1 acres were not available as authorized lands for transfer under T-11712 and must be eliminated from the transfer as approved the Final Order. The Tables in Findings of Fact #4 and #5 in the Final Order are modified with the deletion of these 4.1 acres from Transfer T-11712 as shown below:

Authorized Places of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	User Name	Notice
19S	46E	WM	23	NE-NW	4.10	500	Kesler	13-36200

Proposed Places of Use

Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	User Name	Notice
19S	46E	WM	14	SW-NE	4.10	500	Kesler	13-37101

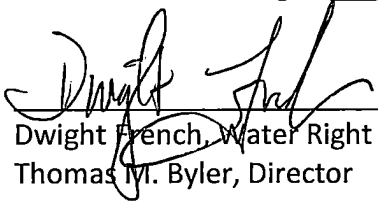
3. The number of acres on Certificate 75691 involved in Transfer T-11712 has been corrected from a total of 20.67 acres to a total of 16.57 acres.

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.

Now, therefore, it is ORDERED:

1. The final order approving T-11712, as recorded in Special Order Volume 91, Pages 1026-1028 is hereby corrected to eliminate 4.1 acres from Transfer T-11712 as shown in Finding of Fact #2, above, and to correct the total acres involved in the transfer to 16.57 acres as shown in Finding of Fact #3, above.
2. All other provisions of Special Order Volume 91, Pages 1026-1028 remain in effect.

Dated at Salem, Oregon NOV 19 2018



Dwight French, Water Right Services Administrator, for
Thomas W. Byler, Director
Oregon Water Resources Department

Mailing Date: NOV 20 2018