

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

In the Matter of the Allocation of Conserved)
Water, Certificate 52400, Polk County,)
Oregon)

CORRECTING FINAL
ORDER

The Dundee Wine Company submitted an application for allocation of conserved water on December 3, 1997. The Department issued an order approving the allocation on January 23, 1998. The order was filed at Special Order Volume 52, page 40 to 42.

Subsequent to issuance of the order, the Department has identified a scrivener's error in assignment of the priority dates of the rights established under the order. Pursuant to ORS 537.470 (6), the priority date of the originating right is retained for the lands to be irrigated at a reduced rate and duty under that right. The assignment of a priority date of one minute after the priority of the originating right applies only to the rights to the use of the conserved water.

The order previously issued by the Department provided that, on notice of completion of the conservation project, the Department shall issue:


"1. A superseding Certificate as provided in the order for allocation of conserved water. The priority date of this right is June 10, 1970 plus one minute."

The corrected language is as follows:

"1. A superseding Certificate as provided in the order for allocation of conserved water. The priority date of this right is June 10, 1970."

Therefore, it is ORDERED that Special Order Volume 42, Pages 40 to 42 is modified to reflect the correction described above. All other provisions of the original order are retained.

Dated at Salem, Oregon this 1st day of June, 2000.



for Martha O. Pagel
Director

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 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.