

BEFORE THE STATE ENGINEER OF OREGON

Lake County

IN THE MATTER OF THE APPLICATION OF )  
TAYLOR RANCH, INC. FOR THE APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM HART LAKE )  
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ORDER APPROVING  
TRANSFER NO. T-73

On March 6, 1967, Taylor Ranch, Inc. filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Hart Lake, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Con Taylor and recorded at page 19429, Volume 14, State Record of Water Right Certificates, confirms a right to the use of not to exceed 5.4 cubic feet per second with a date of priority of February 21, 1944, and 2.0 cubic feet per second with a date of priority of April 11, 1949, for the irrigation of 40.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 38.5 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 40.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , 40.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 11; 10.7 acres in Lot 7 (SW $\frac{1}{4}$  NW $\frac{1}{4}$ ), Section 13; and 40.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 40.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 40.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 0.1 acre in Lot 1 (NE $\frac{1}{4}$  SE $\frac{1}{4}$ ), and 6.7 acres in Lot 2 (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ), Section 14, Township 36 South, Range 24 East, W.M. These lands are irrigated from a point of diversion located 3050 feet south and 495 feet west from the N $\frac{1}{4}$  corner of Section 14, being within Lot 3 of Section 14, Township 36 South, Range 24 East, W.M.

The applicant herein, owner of the land above described, proposes to change the point of diversion to a point to be located 2554 feet north and 2610 feet east from the SW corner of Section 14, being within Lot 2 (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 14, Township 36 South, Range 24 East, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no intervening diversions.

Mr. Glenn E. Tyler, Watermaster of District No. 12, has filed a report to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion of water from Hart Lake, to-wit:

From a point located 3050 feet south and 495 feet west from the NE corner of Section 14, being within the Lot 3, Section 14, Township 36 South, Range 24 East, W.M.

To a point to be located 2554 feet north and 2610 feet east from the SW corner of Section 14, being within Lot 2 (NW SE) of Section 14, Township 36 South, Range 24 East, W.M.

for the use of 5.4 cubic feet per second with a date of priority of February 21, 1944, and 2.0 cubic feet per second with a date of priority of April 11, 1949, for the irrigation of 40.0 acres in NE SW, 38.5 acres in NW SW, 40.0 acres in NW SE, 40.0 acres in SW SE, Section 11; 10.7 acres in Lot 7 (SW NW), Section 13; and 40.0 acres in NW NE, 40.0 acres in SW NE, 40.0 acres in SE NE, 0.1 acre in Lot 1 (NE SE), and 6.7 acres in Lot 2 (NW SE), Section 14, Township 36 South, Range 24 East, W.M., is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1968.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion, and shall not exceed 7.4 cubic feet per second.

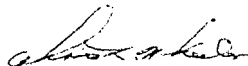
It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

That the diversion works shall include a weir or other suitable device for measuring the water to which the applicant is entitled.

That the plans of the weir or other suitable device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that certificate of water right heretofore issued to Con Taylor and recorded at page 19429, Volume 14, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion of water, a certificate of water right shall be issued to Taylor Ranch, Inc. confirming the change in point of diversion of water.

Dated at Salem, Oregon, this 1st day of June, 1967.



CHRIS L. WHEELER  
State Engineer