

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

KLAMATH COUNTY

IN THE MATTER OF THE APPLICATION OF )  
WOLFSEN MC RANCH FOR APPROVAL OF ) ORDER APPROVING  
AN ADDITIONAL POINT OF APPROPRIATION ) TRANSFER 5742  
OF WATER )

On December 26, 1985, an application was filed in the office of the Water Resources Director by Wolfesen MC Ranch for approval of an additional point of appropriation of water from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 47917, Volume 41, State Record of Water Right Certificates, in the name of 7C Ranch, Inc., describes a right which includes the use of not to exceed 2.00 cubic foot per second from ground water for supplemental irrigation of 20.8 acres in SW 1/4 NE 1/4, 0.3 acre in SE 1/4 NE 1/4, 23.2 acres in NE 1/4 SE 1/4, 40.0 acres in NW 1/4 SE 1/4, 33.0 acres in SW 1/4 SE 1/4, 40.0 acres in SE 1/4 SE 1/4, Section 36, Township 36 South, Range 14 East, WM, and 3.0 acres in NE 1/4 NE 1/4, Section 1, Township 37 South, Range 14 East, WM, with a date of priority of November 30, 1973.

The authorized point of appropriation is located 1470 feet South and 80 feet West from the Northeast Corner of Section 1, being within the SE 1/4 NE 1/4 of Section 1, Township 37 South, Range 14 East, WM (Well 2).

The applicant herein, owner of the lands above described, proposes to add a second well at a point located 10 feet North and 130 feet West from the Southeast Corner of Section 36, being within the SE 1/4 SE 1/4 of Section 36, Township 36 South, Range 14 East, WM (Well 3).

Notice of the application, pursuant to ORS 540.520(2), was published in the Herald and News, a newspaper having general circulation in the area in which the water right is located, for a period of three weeks in the issues of February 21, 28 and March 7, 1986.

Del Sparks, Watermaster, has filed a statement to the effect that the proposed additional point of appropriation may be made without injury to existing rights.

R.A. Back, Hydrogeologist, has filed a statement to the effect that the proposed additional point of appropriation may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the proposed additional point of appropriation is approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water appropriated at the new well, together with that appropriated at the old well, shall not exceed the quantity of water available at the old well under the subject right, and shall not exceed 2.00 cubic feet per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install measuring devices:


That the pump system shall include an in-line flow meter or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the measuring device be installed under the general supervision of said Watermaster.

It is FURTHER ORDERED that the construction work shall be completed and the additional point of appropriation of water used on or before October 1, 1987.

It is FURTHER ORDERED that the certificate recorded at page 47917, Volume 41, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 8th day of May, 1986.

  
WILLIAM H. YOUNG, <sup>201</sup>  
Director

NOTE: Approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

A party may file objections and exceptions to the Proposed Order with the Water Resources Commission. Such objections and exceptions must be filed within 45 days from the date of service (date of mailing) of the Proposed Order on the party. The Commission will provide opportunity for oral argument in support of written objections and exceptions. If no objections and exceptions are filed within the time allowed, the Proposed Order will automatically become the Final Order of the Commission.

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