

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

KLAMATH COUNTY

IN THE MATTER OF THE APPLICATION OF)
NEVIN CATTLE COMPANY FOR APPROVAL)
OF A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 4842

On August 4, 1981, an application was filed in the office of the Water Resources Director by V. E. Nevin, President, Nevin Cattle Company, for approval of a change in place of use of water from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 38245, Volume 30, State Record of Water Right Certificates, in the name of Nevin Cattle Company, describes a right which includes the use of not to exceed 0.37 cubic foot per second from ground water for irrigation of 0.1 acre in NW 1/4 NE 1/4, 2.8 acres in SW 1/4 NE 1/4, 1.0 acre in NE 1/4 NW 1/4, 15.5 acres in SE 1/4 NW 1/4 and 10.0 acres in SW 1/4 SE 1/4, Section 24, Township 38 South, Range 10 East, WM, with a date of priority of November 6, 1968.

The authorized point of appropriation is located 780 feet North and 5 feet East from the Southeast Corner of Section 24, being within Lot 3 (NW 1/4 NW 1/4) of Section 30, Township 38 South, Range 11 1/2 East, WM (Mitchell Well).

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof 4.0 acres in SE 1/4 SW 1/4, Section 24; 16.4 acres in NE 1/4 NW 1/4 and 9.0 acres in SE 1/4 NW 1/4, Section 25, Township 38 South, Range 10 East, WM.

Delbert Sparks, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1983.

It is FURTHER ORDERED that the certificate recorded at page 38245, Volume 30, 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 26th day of October, 1981.



JAMES E. SEXSON_{3/24}
Director

NOTE: The 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.

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