

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

LAKE COUNTY

IN THE MATTER OF THE APPLICATION OF)
THE ESTATE OF KENNETH O. LAIRD) ORDER APPROVING
FOR APPROVAL OF A CHANGE IN POINT) TRANSFER 6248
OF APPROPRIATION OF WATER)

The estate of Kenneth O. Laird filed an application in the office of the Water Resources Director for approval of a change in point of appropriation of water from a well, pursuant to the provisions of ORS 537.705.

Certificate 27427, State Record of Water Right Certificates, in the name of Charles C. Miles, describes a right to use not to exceed 0.64 cubic foot per second from wells 1 and 2 for irrigation of a certain 12.8 acres NW 1/4 NW 1/4, and 38.2 acres SW 1/4 NW 1/4 Section 2, Township 27 South, Range 15 East, W.M. The date of priority is July, 3, 1952.

Certificate 27430, State Record of Water Right Certificates, in the name of Charles C. Miles, describes a right to use not to exceed 0.38 cubic foot per second from well 2 for irrigation of a certain 20.0 acres NW 1/4 NW 1/4, and 10.0 acres SE 1/4 NW 1/4 Section 2, Township 27 South, Range 15 East, W.M. The date of priority is January, 17, 1955.

Certificate 31369, State Record of Water Right Certificates, in the name of Charles C. Miles, describes a right to use not to exceed 0.32 cubic foot per second from wells 1 and 2 for irrigation of a certain 7.0 acres NW 1/4 NW 1/4 and 10.0 acres SE 1/4 NW 1/4 and for supplemental irrigation of 8.9 acres SW 1/4 NW 1/4 all in Section 2, Township 27 South, Range 15 East, W.M. The date of priority is April 10, 1956.

The authorized points of appropriation for wells 1 and 2 are located 2073 feet South and 89 feet East, and 1734 feet South and 70 feet East, both from the NW corner of Section 2, being within the SW 1/4 NW 1/4 of Section 2, Township 27 South, Range 15 East, W.M.

The applicants herein, owners of the lands above described, propose to change the points of appropriation therefrom to a point located 1342 feet South and 2646 feet West from the NE corner of section 2, being within the NE 1/4 NW 1/4, Section 2, Township 27 South, Range 15 East, W.M.

It appears there will be no injury to existing rights, therefore the proposed change in points of appropriation should be approved.

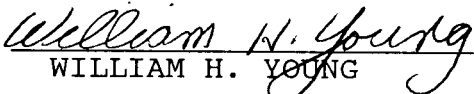
NOW, THEREFORE, it is hereby ORDERED that the proposed change in point of appropriation is approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water appropriated at the new well, shall not exceed 1.34 cubic feet per second and shall be constructed so as to produce water only from the same aquifer as the original well and shall include an access port for measuring the water level.

It is FURTHER ORDERED that the right to appropriate water from the Wells described in Certificates 27427, 27430 and 31369 is hereby canceled, and water shall be appropriated from the new well on or before October 1, 1991.

It is FURTHER ORDERED that certificates 27427, 27430 and 31369 are canceled. 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, confirming certificates of water right shall be issued to the applicant herein.

Witness the signature of the Water Resources Director, affixed December 12, 1989.


WILLIAM H. YOUNG

NOTE: Approval of the 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.

Recorded in Special Order Records at Volume 43, page 480

T-6248.BE