

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

KLAMATH COUNTY

IN THE MATTER OF THE APPLICATION OF)
LOVENESS FARMS FOR APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 5849

On September 8, 1986, an application was filed in the office of the Water Resources Director by Loveness Farms for approval of a change in place of use of water from Drainage from Snow Sheds and Simms Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

The certificates recorded at pages 20234 and 20232, Volume 14, State Record of Water Right Certificates, in the name of Loveness Lumber Company, describe rights which include the use of not to exceed 0.27 cubic foot per second from Drainage from Snow Sheds and Simms Reservoir, for irrigation and supplemental irrigation of 3.6 acres in NE 1/4 NW 1/4, 11.7 acres in Lot 1 (NW 1/4 NW 1/4), 0.4 acre in Lot 2 (SW 1/4 NW 1/4), 2.6 acres in SE 1/4 NW 1/4 and 3.2 acres in NE 1/4 SW 1/4, Section 18, Township 41 South, Range 13 East, WM with dates of priority of September 27, 1911 and May 24, 1915.

Water for the said rights is diverted from a point located North 77 degrees 04 minutes East, 1708.9 feet from the Northwest Corner of Section 18, being within the SE 1/4 SW 1/4 of Section 7, Township 41 South, Range 13 East, WM.

The applicant herein, owner of the lands above described, proposes to transfer the rights therefrom to a certain 0.9 acre in NE 1/4 NW 1/4, 4.5 acres in Lot 1 (NW 1/4 NW 1/4), 13.5 acres in Lot 2 (SW 1/4 NW 1/4) and 2.6 acres in SE 1/4 NW 1/4 of said Section 18. The change in place of use is reported to be completed.

Del 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 proposed change in place of use is approved, without loss of priority.

It is FURTHER ORDERED that the subject water rights are hereby severed from the place of use described in Certificates 20234 and 20232.

It is FURTHER ORDERED that 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.

Dated at Salem, Oregon, this 25th day of November, 1986.

William H. Young
WILLIAM H. YOUNG, ₅₀₅
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.