

STATE OF OREGON

COUNTY OF KLAMATH

ORDER APPROVING AN EMERGENCY USE DROUGHT  
TEMPORARY CHANGE FOR AN ADDITIONAL POINT OF APPROPRIATION

Pursuant to ORS 536.750 and OAR 690-19-0055, after finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TEMPORARY DROUGHT TRANSFER 8786 submitted by

WARREN HAUGHT  
P.O. BOX 71  
MALIN, OREGON 97632.

The right to be modified, as evidenced by Permit G-12590, has a date of priority of DECEMBER 16, 1992. The right allows the use of A WELL in the LOST RIVER BASIN, for SUPPLEMENTAL IRRIGATION OF 126.7 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.58 cubic feet per second, if available at the authorized point of diversion: NE¼ SE¼, SECTION 30, T 40 S, R 12 E, W.M.; 1330 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER, SECTION 30, or its equivalent in case of rotation, measured at the point of diversion from the source.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

The amount of water used for supplemental irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$	20.6 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	36.1 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	30.0 ACRES

SECTION 29

SW $\frac{1}{4}$ SE $\frac{1}{4}$	14.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	26.0 ACRES

SECTION 30

TOWNSHIP 40 SOUTH, RANGE 12 EAST, W.M.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

The applicant proposes to **TEMPORARILY** add an additional point of appropriation to:

SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 30, T 40 S, R 12 E, W.M.; 30 FEET SOUTH AND 70 FEET WEST FROM THE NE CORNER, SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 30.

THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. This change is temporary. This change shall be effective upon issuance of this order.

2. The proposed additional point of appropriation shall revert to the authorized point of appropriation at the end of the 2001 irrigation season or the end of the Governor's declared drought, whichever occurs first.
3. Water shall be acquired from the same ground water source as the original point of appropriation.
4. The quantity of water diverted at the additional point of appropriation (additional well) together with the quantity of water diverted from the authorized point of appropriation (authorized well), may not exceed the maximum rate and duty per acre as authorized on the original water right.
5. The approval of this temporary transfer may be revoked if injury to existing water rights is shown and cannot be mitigated to the satisfaction of the Director and injured parties.
6. Issuance of this temporary drought transfer order may not protect the person receiving the transfer from liability for improper use of the water under the transfer.
7. The water user **shall** install an in-line flow meter or other suitable device for measuring and recording the quantity of water used on **both wells**. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

WITNESS the signature of the Water Resources

Director, affixed May 23, 2001.

  
Paul R. Cleary, Director