

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

KLAMATH COUNTY

IN THE MATTER OF THE APPLICATION)
OF MOUNTAIN LAKES BIBLE CAMP)
FOR APPROVAL OF A CHANGE IN)
USE HERETOFORE MADE OF WATER)

ORDER APPROVING
TRANSFER 5205

On February 18, 1983, an application was filed in the office of the Water Resources Director by Mountain Lakes Bible Camp for approval of a change in use heretofore made of water from Varney Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 31067, Volume 23, State Record of Water Right Certificates, in the name of United States of America, Forest Service, describes a right for the use of not to exceed 0.07 cubic foot per second from Varney Creek, for domestic use in a church camp located in SE 1/4 SW 1/4 and SW 1/4 SE 1/4 of Section 21, Township 36 South, Range 6 East, WM, with a date of priority of February 7, 1961.

Water for the said right is diverted from a point located 680 feet South and 40 feet East from the North Quarter Corner of Section 28, being within the NW 1/4 NE 1/4 of Section 28, Township 36 South, Range 6 East, WM.

The applicant herein, permit user of the lands above described, proposes to change the use heretofore made therefrom, without loss of priority, to fire protection and swimming pool use within the said SE 1/4 SW 1/4 and SW 1/4 SE 1/4.

Notice of the application, pursuant to ORS 540.520(2), was published in the Herald and News, a newspaper printed and having general circulation in Klamath County, Oregon, for a period of three weeks in the issues of March 1, 8 and 15, 1983.

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

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

NOW, THEREFORE, it hereby is ORDERED that the requested change in use heretofore made, as described herein, without loss of priority, is approved, WITH THE FOLLOWING CONDITIONS.

The quantity of water used for the proposed purposes shall not exceed 0.07 cubic foot per second.

The following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

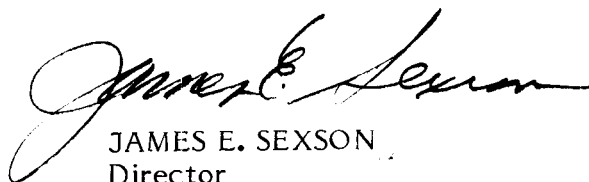
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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

NO time need be fixed for completion as the change in use heretofore made is completed.

It is FURTHER ORDERED that the certificate recorded at page 31067, Volume 23, State Record of Water Right Certificates, is canceled; 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 United States of America, Forest Service.

Dated at Salem, Oregon this 27th day of April, 1983.


JAMES E. SEXSON,
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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