

## Lake County

IN THE MATTER OF THE APPLICATION }  
 OF VIEW POINT RANCHES FOR THE }  
 APPROVAL OF A CHANGE IN PLACE OF }  
 USE OF WATER FROM A WELL }  
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ORDER APPROVING  
TRANSFER NO. 2989

On March 5, 1974, View Point Ranches, by Robert A. Baesler, Manager, filed an application in the office of the State Engineer for the approval of a change in place of use of water from View Point Well #1, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to West Sacramento Enterprises, Inc. and recorded at page 34174, Volume 26, State Record of Water Right Certificates, confirms a right to the use of not to exceed 1.48 cubic feet per second of water from Viewpoint Well #1 for the irrigation of, among other lands, 3.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , 3.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 18, 0.5 acre in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 19.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , and 9.5 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 19, Township 27 South, Range 19 East, W.M., with a date of priority of November 24, 1961. These lands are irrigated from Viewpoint Well #1 located 3260 feet North and 80 feet East from the West  $\frac{1}{4}$  corner of Section 19, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 18, Township 27 South, Range 19 East, W.M.

The applicant herein, owner of the land above described, proposes to transfer the water right therefrom, without loss of priority to 16.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 14.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 1.0 acre in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , 2.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and 2.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 18, Township 27 South, Range 19 East, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

Mr. Howard Daggett, Watermaster of District No. 12, has filed a statement to the effect that the proposed change in place of use of water 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 change in place of use of water is approved and the water right hereinbefore described as appurtenant to 3.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{2}$ , 3.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 18, 0.5 acre in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 19.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , and 9.5 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 19, Township 27 South, Range 19 East, W.M., with a date of priority of November 24, 1961, be severed therefrom and simultaneously and without loss of priority transferred to 16.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 14.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 1.0 acre in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , 2.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and 2.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 18, Township 27 South, Range 19 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1975.

It is FURTHER ORDERED that certificate of water right heretofore issued to West Sacramento Enterprises, Inc., and recorded at page 34174, Volume 26, State Record of Water Right Certificates, is canceled, and upon receipt of proof satisfactory to the State Engineer of application of water to beneficial use, a certificate of water right shall be issued to View Point Ranches confirming the extent to which the water has been applied beneficially and including balance of the lands not involved in this proceeding.

Dated at Salem, Oregon, this 26th day of April, 1974.

  
CHRIS L. WHEELER  
State Engineer