

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

LAKE COUNTY

IN THE MATTER OF THE APPLICATION OF)
LAKE COUNTY CEMETERY DISTRICT FOR) ORDER APPROVING
APPROVAL OF CHANGES IN PLACE OF USE) TRANSFER 6010
AND POINT OF APPROPRIATION OF WATER)

On October 19, 1987, an application was filed in the office of the Water Resources Director by Lake County Cemetery District for approval of changes in place of use and point of appropriation of water from ground water, pursuant to the provisions of ORS 537.705.

The order approving Transfer 5488, dated August 16, 1984, in the name of Emery Livestock Company, describes a right which includes the use of not to exceed 0.03 cubic foot per second from ground water for irrigation of a certain:

2.4 acres SE1/4 NE1/4
Section 22
0.3 acre SW1/4 NW1/4
Section 23
Township 28 South, Range 14 East, WM,

with a date of priority of February 4, 1977.

The authorized point of appropriation is located 150 feet North and 150 feet West from the East Quarter corner of Section 22, being within the SE1/4 NE1/4 of Section 22, Township 28 South, Range 14 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of appropriation therefrom to a point located at the Northwest corner of Section 30, being within the NW1/4 NW1/4 (Lot 1) of Section 30, Township 28 South, Range 15 East, WM, and the place of use therefrom to

0.2 acre NE1/4 SE1/4
0.2 acre NW1/4 SE1/4
0.2 acre SW1/4 SE1/4
Section 24
0.2 acre NW1/4 NE1/4
0.2 acre SW1/4 NE1/4
0.1 acre SE1/4 NE1/4
0.2 acre NE1/4 SE1/4
Section 25
Township 28 South, Range 14 East, WM

0.2 acre NE1/4 SW1/4
0.2 acre NW1/4 SW1/4
0.1 acre SE1/4 SW1/4
0.1 acre SW1/4 SE1/4
Section 19
0.1 acre NW1/4 NE1/4
0.1 acre NE1/4 NW1/4
0.1 acre SW1/4 NW1/4
0.3 acre SE1/4 NW1/4
0.2 acre NW1/4 SW1/4
Section 30

Township 28 South, Range 15 East, WM.

Notice of the application, pursuant to ORS 540.520(2), was published in the Lake County Examiner, a newspaper having general circulation in the area in which the water right is located, for a period of three weeks in the issues of April 7, 14 and 21, 1988.

Dennis Glender, Watermaster, has filed a statement to the effect that the proposed changes in point of appropriation and place of use may be made without injury to existing rights.

Fred Lissner, Hydrogeologist, has filed a statement to the effect that the proposed changes in point of appropriation and place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in point of appropriation and 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 changes in point of appropriation and place of use are approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water appropriated at the new well shall not exceed 0.03 cubic foot per second, and together with that appropriated at the old well, shall not exceed the quantity of water available at the old well under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install measuring devices:

That the pump system shall include an access port for measuring the water level;

That the pump system shall include an in-line flow meter or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device

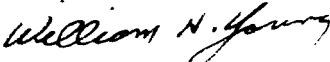
be approved by the Watermaster before the beginning of construction work and that the measuring device be installed under the general supervision of said Watermaster.

It is FURTHER ORDERED that the subject water right is hereby severed from the place of use described in Transfer 5488, and shall be beneficially used as authorized by this order on or before October 1, 1989.

It is FURTHER ORDERED that the right to appropriate water from the Well described in Transfer 5488 is hereby canceled, and shall be appropriated from the new well on or before October 1, 1989.

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, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 13th day of July, 1988.


WILLIAM H. YOUNG
Director

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.