

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

LAKE COUNTY

IN THE MATTER OF THE APPLICATION OF)
THE TOWN OF LAKEVIEW) ORDER APPROVING
FOR APPROVAL OF A CHANGE IN POINT) TRANSFER 6070
OF APPROPRIATION OF WATER)

On February 12, 1988, an application was filed in the office of the Water Resources Director by The Town of Lakeview for approval of a change in point of appropriation of water from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 26520, Volume 18, State Record of Water Right Certificates, in the name of Town of Lakeview, describes a right for the use of not to exceed 0.78 cubic foot per second from ground water for municipal use within the NW1/4, SW1/4NE1/4, Section 10; W1/2NE1/4, NW1/4, W1/2SE1/4, SW1/4, Section 15; NE1/4, E1/2SE1/4, Section 16; NE1/4 NE1/4, Section 21; W1/2NE1/4, NW1/4, Section 22; Township 39 South, Range 20 East, WM., with a date of priority of December 16, 1953.

The authorized point of appropriation is located North 83 degrees 42 minutes West 79.2 feet from the Southeast corner of Lot 1, Block 128, Oregon Valley Land Company Addition, being within the NE1/4NW1/4, Section 16, Township 39 South, Range 20 East, WM.

The applicants herein, a municipal corporation, propose to change the point of appropriation therefrom to a point located 55.22 feet North and 116.36 feet West from the Southeast corner of Block 128, Oregon Valley Land Company Addition, being within the NE1/4 NW1/4 of Section 16, Township 39 South, Range 20 East, WM.

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

Susan Hartford, Hydrogeologist, has filed a statement that the proposed change in point of appropriation may be made without injury to existing rights providing the well at the proposed point of appropriation is completed so as to produce water only from the basalt ground water reservoir.

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

NOW, THEREFORE, it is hereby ORDERED that the proposed change in point of appropriation is approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water appropriated at the new well, shall not exceed 0.78 cubic feet per second, shall not exceed the quantity of water available at the original well under the subject right, and shall produce water only from the basalt aquifer.

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

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

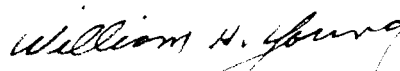
That the pump system shall include an in-line flow meter or other suitable device for measuring the water to which the applicant is entitled;

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 right to appropriate water from the Well described in Certificate 26520 is hereby canceled, and water shall be appropriated from the new well on or before October 1, 1990.

It is FURTHER ORDERED that the certificate recorded at page 26520, Volume 18, 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 the applicant herein.

Dated at Salem, Oregon this 21st day of October, 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.