

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

LAKE COUNTY

IN THE MATTER OF THE APPLICATION OF)
OREGON DEPARTMENT OF FISH AND)
WILDLIFE FOR APPROVAL OF A CHANGE)
IN USE HERETOFORE MADE OF WATER)

ORDER APPROVING
TRANSFER 5845

On August 25, 1986, an application was filed in the office of the Water Resources Director by Oregon Department of Fish and Wildlife for approval of a change in use heretofore made of water from Ana River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 52562, Volume 47, State Record of Water Right Certificates, in the name of Summer Lake Irrigation District, describes a right which includes the use of not to exceed 10.52 cubic feet per second from Ana River, for irrigation of:

0.7 acre NE 1/4 SE 1/4
20.8 acres NW 1/4 SE 1/4
8.5 acres SW 1/4 SE 1/4
Section 7
Township 30 South, Range 17 East, WM

11.7 acres NE 1/4 NW 1/4
27.6 acres SE 1/4 NW 1/4
9.6 acres SW 1/4 SW 1/4
Section 13

6.9 acres SE 1/4 SE 1/4
Section 14

17.4 acres SE 1/4 NE 1/4
5.1 acres NE 1/4 SE 1/4
Section 23

1.8 acres NW 1/4 NW 1/4
Section 24

10.1 acres NE 1/4 SE 1/4
17.1 acres NW 1/4 SE 1/4
6.1 acres SW 1/4 SE 1/4
Section 26

1.1 acres SW 1/4 NE 1/4
32.3 acres SE 1/4 NE 1/4
40.0 acres NE 1/4 SE 1/4
15.5 acres NW 1/4 SE 1/4
23.5 acres SW 1/4 SE 1/4
40.0 acres SE 1/4 SE 1/4
Section 34

15.9 acres SW 1/4 NW 1/4
3.1 acres SE 1/4 NW 1/4
0.5 acre SE 1/4 NW 1/4
8.8 acres NE 1/4 SW 1/4
2.9 acres NE 1/4 SW 1/4
40.0 acres NW 1/4 SW 1/4
39.0 acres SW 1/4 SW 1/4
13.5 acres SE 1/4 SW 1/4
1.5 acres SE 1/4 SW 1/4
Section 35

Township 30 South, Range 16 East, WM

with a date of priority of October 11, 1915.

Water for the said right is diverted, through the Ana Canal, from a point located 1200 feet South and 2250 feet West from the Southeast Corner of Section 6, being within the NW 1/4 SE 1/4 of Section 6, Township 30 South, Range 17 East, WM.

The applicant herein, owner of the lands above described, proposes to change the use heretofore made therefrom, to wildlife enhancement on the same lands. The change in use heretofore made is reported to be completed.

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 September 25, October 2 and 9, 1986.

Dennis R. Glender, 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 proposed change in use heretofore made is approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water used for the proposed purpose shall not exceed 10.52 cubic feet per second, and shall be used only during the irrigation season of each year.

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

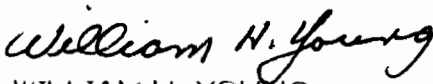
That the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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.

It is FURTHER ORDERED that the subject water right is hereby severed from the use and place of use described in Certificate 52562, and shall be beneficially used as authorized by this order on or before October 1, 1988.

It is FURTHER ORDERED that the certificate recorded at page 52562, Volume 47, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; 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 25th day of November, 1986


WILLIAM H. YOUNG₅₁₂₁
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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