



STATE OF OREGON

INTEROFFICE MEMO

TO: Memo to Application File 34410

DATE: November 20, 1985

FROM: Bruce A. Estes, Supervisor

SUBJECT:

Application No. 34410 had no mention of being for supplemental use when received in the State Engineers office. The application map did not identify primary and supplemental acreages either. Correspondence did not include any reference to supplemental limitations although letters were involved regarding other items which needed correcting. A staff individual entered notation on the application that it supplemented rights of record per 2186 and Certificates Numbered 5214 and 5217.

A valid primary did exist for 110.5 acres under Certificate No. 5214 with an 1881 priority. The rest of the acres listed as supplemental had a primary right of record under Permit No. 2186. That permit was never developed by Lakeview Water Users so was cancelled on March 2, 1984. The land in question here was never a part of L.W.U. and should not have had Permit No. 27515 entered as supplemental to the L.W.U. permit.

Permit No. 27515 was issued for irrigation and supplemental irrigation to any valid rights. Since Permit No. 2186 was not valid, proof to the satisfaction of the State Engineer was made with the knowledge that only the stored water had been used on all but the 110.5 acres. Therefore certificate No. 40765 should be considered as primary to the lands which formerly were listed in Permit No. 2186.

A reference to this memo has been entered on the vault copy of Certificate Number 40765.

BAE/jw

cc: Dennis Glender, Watermaster, District #12