

BEFORE THE STATE ENGINEER OF THE STATE OF UTAH

IN THE MATTER OF EXCHANGE APPLI-)
CATION NUMBER 1523 (35 Area))

MEMORANDUM DECISION

Exchange Application Number 1523 (35 Area) filed by The Real Estate Company, Inc., Ogden, Utah seeks the right to exchange a maximum of 1.0 acre-feet of water obtained by Application Number 27608 U.S. Bureau of Reclamation and contract with Weber Basin Water Conservancy District, which has storage rights in Pineview Reservoir. The 1.0 acre-feet of water will be released from Pineview Reservoir into the Ogden River and, in lieu thereof, 1.0 acre-feet of water will be diverted from a 6-inch well, 50 to 400 feet deep at a point West 1019.50 feet and South 461.38 feet from the Northeast Corner, Section 21, T6N, R2E, SLB&M.

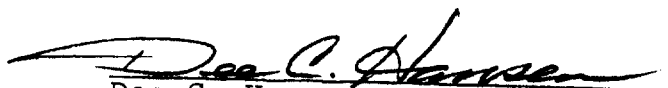
It appears that this exchange can be made provided certain precautions are taken.

It is, therefore, **ORDERED** and Exchange Application Number 1523 (35 Area) is hereby **APPROVED** subject to prior rights and the following conditions:

1. No more water may be diverted from the well each year than the applicant is entitled to under the contract with Weber Basin Water Conservancy District.
2. The applicant shall install a permanent totalizing water meter to measure the water obtained and the meter shall be available for inspection by the river commissioner at all reasonable times as may be required by the river commissioner in regulating this exchange.
3. The water being exchanged shall be released into the Ogden River as called for by the river commissioner.

This decision is subject to the provisions of Section 73-3-14, Utah Code Annotated, 1953, which provides for plenary review by the filing of a civil action in the appropriate District Court within sixty days from the date hereof.

Dated this 26th day of October, 1979.


Dee C. Hansen, State Engineer

DCH:RAL/pmh