BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the matter of the request of

CITY OF KLAMATH FALLS

38149

CONDITIONAL USE PERMIT NO. CUP 63-91 INTERIM ORDER

This matter came before Neil D. Smith, Hearings Officer for Klamath County, Oregon on 22 November 1991 in the County Commissioners' Meeting Room in Klamath Falls Oregon. The Klamath County Planning Department was represented by Mr. Kim Lundahl the recording secretary was Karen Burg. The Klamath County Planning Department file and all the exhibits and other contents therein is incorporated by this reference into this matter.

The Hearing was held pursuant to notice given in conformity with the Klamath County Land Development Code and related Statutes and Ordinances.

The counsel for the residences of the area in which this well is to be located if the conditional use permit is granted maintains that the testing of the well to determine the draw down if any of the use of the well must have a conditional use permit. It is the finding of the hearings officer that in order to determine the effect of the use of the well such a test is necessary and will be of great value in the determination of the appropriateness of the use of the well and hence a very important factor in determining if the permit should be granted. Therefore, the hearings officer FINDS THAT SUCH A PERMIT FOR THE TEST IS NOT REQUIRED.

ORDER

Based upon the findings and exhibits herein and the testimony recieved the requirement for a conditional use permit for a pump test is non existant.

DATED this 27th day of November 1991

Neil D. Smith, Hearings Officer

KLAMATH COUNTY LAND DEVELOPMENT CODE SECTION 24.027 PROVIDES:

" An Order of the Hearings Officer shall be final unless appealed within seven (7) days of its mailing by a party having standing in accordance with the procedures set forth in Chapter 3, Article 33 of this Code"

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed 1	for record at reque		lamath County	<u></u>	the	3rd	dav
of	Dec.	A.D., 19 <u>91</u>	at3:52	o'clockPM., and	d duly recorded in	Vol. M91	
		of	Deeds	on Page			
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Return: Commissioners Journal