

STATE OF OREGON

COUNTY OF LAKE

ORDER APPROVING A CHANGE IN PLACE OF USE

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 6499 submitted by

OTIS & JOYCE MOBLEY
C/O LAKEVIEW WATER USERS INC.
HC 60 BOX 3250
LAKEVIEW, OREGON 97630

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for LAKE County as evidenced by a PORTION of Certificate 47469. The decree is recorded in the Order Record of the Water Resources Director in Volume 16, at Page 478. The dates of priority are JANUARY 21, 1907, DREWS CREEK & DREWS RESERVOIR; JULY 31, 1908, COTTONWOOD CREEK & COTTONWOOD RESERVOIR.

The right allows the use of DREWS CREEK, DREWS RESERVOIR, COTTONWOOD CREEK & COTTONWOOD RESERVOIR, tributaries of GOOSE LAKE, for IRRIGATING 73.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.84 cubic feet per second, if available at the authorized points of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 29, T. 38 S., R. 19 E., W.M.; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 16, T. 39 S., R. 19 E., W.M.; SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 5, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 11, T. 40 S., R. 18 E., W.M. DREWS CREEK DIVERSION POINTS LOCATED: RESERVOIR - 120 FEET NORTH AND 1820 FEET WEST FROM THE SE CORNER, SECTION 5; CREEK - 1850 FEET SOUTH AND 3400 FEET WEST FROM THE NE CORNER, SECTION 11, T. 40 S., R. 18 E., W.M. COTTONWOOD DIVERSION POINTS LOCATED: RESERVOIR - 580 FEET SOUTH AND 900 FEET EAST FROM THE W $\frac{1}{4}$ CORNER, SECTION 29, T. 38 S., R. 19 E., W.M.; CREEK - 860 FEET SOUTH AND 1120 FEET WEST FROM THE NE CORNER, SECTION 16, T. 39 S., R. 19 E., W.M. or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

SW¹/₄ SW¹/₄ 38.7 ACRES

SE¹/₄ SW¹/₄ 33.3 ACRES

SECTION 19

NW¹/₄ NE¹/₄ 1.5 ACRES

SECTION 30

TOWNSHIP 40 SOUTH, RANGE 19 EAST W.M.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

The applicant proposes to change the place of use to:

SW¹/₄ SE¹/₄ 3.2 ACRES

SE¹/₄ SE¹/₄ 5.1 ACRES

SECTION 19

SW¹/₄ SW¹/₄ 7.7 ACRES

SECTION 20

SW¹/₄ NE¹/₄ 24.6 ACRES

SE¹/₄ NE¹/₄ 32.9 ACRES

SECTION 30

TOWNSHIP 40 SOUTH, RANGE 19 EAST, W.M.

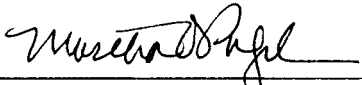
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1999.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. When required by the Department, the water user or irrigation district shall operate and maintain the headgate and measuring device, as needed. The water user or irrigation district shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

4. Water shall be acquired from the same surface water source as the original point of diversion.
5. The former place of use shall no longer be irrigated as a part of this water right.

Certificate 47469 is canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources Director, affixed DEC 22 1997



Martha O. Pagel, Director