

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 8313 submitted by

LAKEVIEW WATER USERS, INC.  
ROBERT AND SHARON WARNER  
HC 60, BOX 4640  
LAKEVIEW, OREGON 97630

The first 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 76187. 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, FOR DREWS CREEK AND DREWS RESERVOIR, AND JULY 31, 1908, FOR COTTONWOOD CREEK AND COTTONWOOD RESERVOIR.

The right allows the use of DREWS CREEK, DREWS RESERVOIR, COTTONWOOD CREEK, AND COTTONWOOD RESERVOIR, tributaries of GOOSE LAKE, for IRRIGATION OF 4.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.17 CUBIC FOOT PER SECOND (CFS), BEING 0.09 CFS FROM DREWS CREEK AND DREWS RESERVOIR, AND 0.08 CFS FROM COTTONWOOD CREEK AND COTTONWOOD RESERVOIR, if

**This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).**

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

available at the authorized points of diversion: SW¼ SE¼, SECTION 5, SE¼ NW¼, SECTION 11, T 40 S, R 18 E, W.M.; NW¼ SW¼, SECTION 29, T 38 S, R 19 E, W.M.; NE¼ NE¼, SECTION 16, T 39 S, R 19 E, W.M.; DREWS RESERVOIR - 120 FEET NORTH AND 1820 FEET WEST FROM THE SE CORNER OF SECTION 5; DREWS CREEK - 1850 FEET SOUTH AND 3400 FEET WEST FROM THE NE CORNER OF SECTION 11; COTTONWOOD RESERVOIR - 580 FEET SOUTH AND 900 FEET EAST FROM THE W¼ CORNER OF SECTION 29; COTTONWOOD CREEK - 860 FEET SOUTH AND 1120 FEET WEST FROM THE NE CORNER OF SECTION 16, or its equivalent in case of rotation, measured at the points of diversion from the sources.

The second 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 Special Order Volume 33, Page 134, entered April 10, 1980, approving Transfer Application 4401. 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, FOR DREWS CREEK AND DREWS RESERVOIR, AND JULY 31, 1908, FOR COTTONWOOD CREEK AND COTTONWOOD RESERVOIR.

The right allows the use of DREWS CREEK, DREWS RESERVOIR, COTTONWOOD CREEK and COTTONWOOD RESERVOIR, tributaries of GOOSE LAKE, for IRRIGATION OF 3.1 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.08 cubic foot per second if available at the authorized points of diversion: SW¼ SE¼, SECTION 5, SE¼ NW¼, SECTION 11, T 40 S, R 18 E, W.M.; NW¼ SW¼, SECTION 29, T 38 S, R 19 E, W.M.; NE¼ NE¼, SECTION 16, T 39 S, R 19 E, W.M.; DREWS RESERVOIR - 120 FEET NORTH AND 1820 FEET WEST FROM THE SE CORNER OF SECTION 5; DREWS CREEK - 1850 FEET SOUTH AND 3400 FEET WEST FROM THE NE CORNER OF SECTION 11; COTTONWOOD RESERVOIR - 580 FEET SOUTH AND 900 FEET EAST FROM THE W¼ CORNER OF SECTION 29; COTTONWOOD CREEK - 860 FEET SOUTH AND 1120 FEET WEST FROM THE NE CORNER OF SECTION 16, or its equivalent in case of rotation, measured at the points of diversion from the sources.

The authorized places of use are located as follows:

CERTIFICATE 76187

NW¼ SW¼ 4.5 ACRES  
SECTION 9

TRANSFER APPLICATION 4401

SW¼ SW¼ 3.1 ACRES  
SECTION 9

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

For decreed lands, 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:

CERTIFICATE 76187

NE¼ SW¼ 4.5 ACRES  
SECTION 9

TRANSFER 4401

NE¼ SW¼ 3.1 ACRES  
SECTION 9

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

THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:


1. The proposed changes shall be completed on or before October 1, 2003.
2. The former places of use shall no longer be irrigated as a part of these water rights.

Satisfactory proof of completion of a portion of the changes approved by the order of the Water Resources Director entered April 10, 1980, at Special Order Volume 33, Page 134 approving Transfer 4401, is confirmed as described above.

Except as modified herein, all other conditions and restrictions on Certificate 76187 and Special Order Volume 33, Page 134, approving Transfer 4401 remain in effect.

When the Director determines that it is necessary, or to facilitate records keeping, new certificates will be issued to confirm all completed changes for which satisfactory proof has been made and to confirm that portion of the right not modified by this or any other order.

WITNESS the signature of the Water Resources Director,  
affixed DEC 28 2001.

  
for Paul R. Cleary, Director