

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 TRANSFER 6083 submitted by

BENNER EUGENE COX  
HC 60, BOX 320  
LAKEVIEW, OREGON 97630

(LAKEVIEW WATER USERS, INC.  
HC 60, BOX 2980  
LAKEVIEW, OREGON 97630)

to use the waters of DREWS CREEK, DREWS RESERVOIR, COTTONWOOD CREEK, AND COTTONWOOD RESERVOIR, a tributary of GOOSE LAKE, for the purpose of IRRIGATING 23.0 ACRES.

The right to be transferred was confirmed by decree of the Circuit Court of the State of Oregon for LAKE County as evidenced by certificate 47469 and subsequently changed and reconfirmed under transfer 4385. The decree is recorded in the Order Record of the WATER RESOURCES DIRECTOR in Volume 16, at page 478. The date of priority is JANUARY 21, 1907 for DREWS CREEK and JULY 31, 1908 for COTTONWOOD CREEK.

This right is limited to 0.445 cubic foot per second from DREWS CREEK and 0.400 CFS from COTTONWOOD CREEK, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SW 1/4 SE 1/4, SECTION 5, SE 1/4 NW 1/4, SECTION 11, T 40 S, R 18 E, W.M.; NW 1/4 SW 1/4, SECTION 29, T 38 S, R 19 E, W.M.; AND NE 1/4 NE 1/4, SECTION 16, T 39 S, R 19 E, W.M..

The amount of water used for irrigation under this right is limited to a diversion of 3.9 acre-feet for each acre irrigated during the irrigation season of each year.

A description of the new place of use is as follows:

NE 1/4 SE 1/4 5.0 ACRES  
SE 1/4 SE 1/4 18.0 ACRES  
SECTION 11  
TOWNSHIP 39 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.

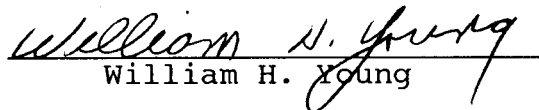
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1991.
2. The water user shall continue to maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of any change to the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
3. The following former place of use shall no longer be irrigated as a part of this water right:

NE 1/4 SE 1/4 7.67 ACRES  
SE 1/4 SE 1/4 15.33 ACRES  
SECTION 10  
TOWNSHIP 39 SOUTH, RANGE 19 EAST, W.M.

When satisfactory proof of the completed change is received, certificate 47469 shall be cancelled, and a new certificate confirming this change and other changes within Lakeview Water Users, Inc., will be issued.

WITNESS the signature of the Water Resources Director, affixed May 18, 1990.

  
William H. Young

Recorded in Special Order Records at Volume 44, Page 247.

T-6083.BE