

3330 Matthew Outland
Route 1, Box 10
Lakewood 97130

3330

STATUS OF APPLICATION

Change in place of use
Date filed 11-17-75
Date of hearing _____
Place of hearing _____
Date of order 3-2-76 Vol. 26, page 432
Date for application of water 10-1-76
Proof mailed FEB 27 1979
Proof received APR 30 1979
Certificate issued 41 Vol. 41, page 479227

DESCRIPTION OF WATER RIGHT

Name of stream Cottonwood Creek
Trib. of _____ County of Lake
Use irrigation
Quantity of water _____ No. of acres 188
Name of ditch Baldwin - West Side
Date of priority 1875 & 1877
In name of F.M. Miller & F. Zim Baldwin
(Tabulated on page 557)
Trib. terms of House Lake Adjudication, Vol. 6, page 507
App. No. _____ Per. No. _____ Cert. No. 5280
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>11-17-75</u>	<u>37.00</u>	<u>50290</u>
TOTAL . . .		
<u>3-27-79</u>	<u>\$2 Cert. Fee</u>	<u>9901</u>

FEES REFUNDED

Date	Amount	Check No.

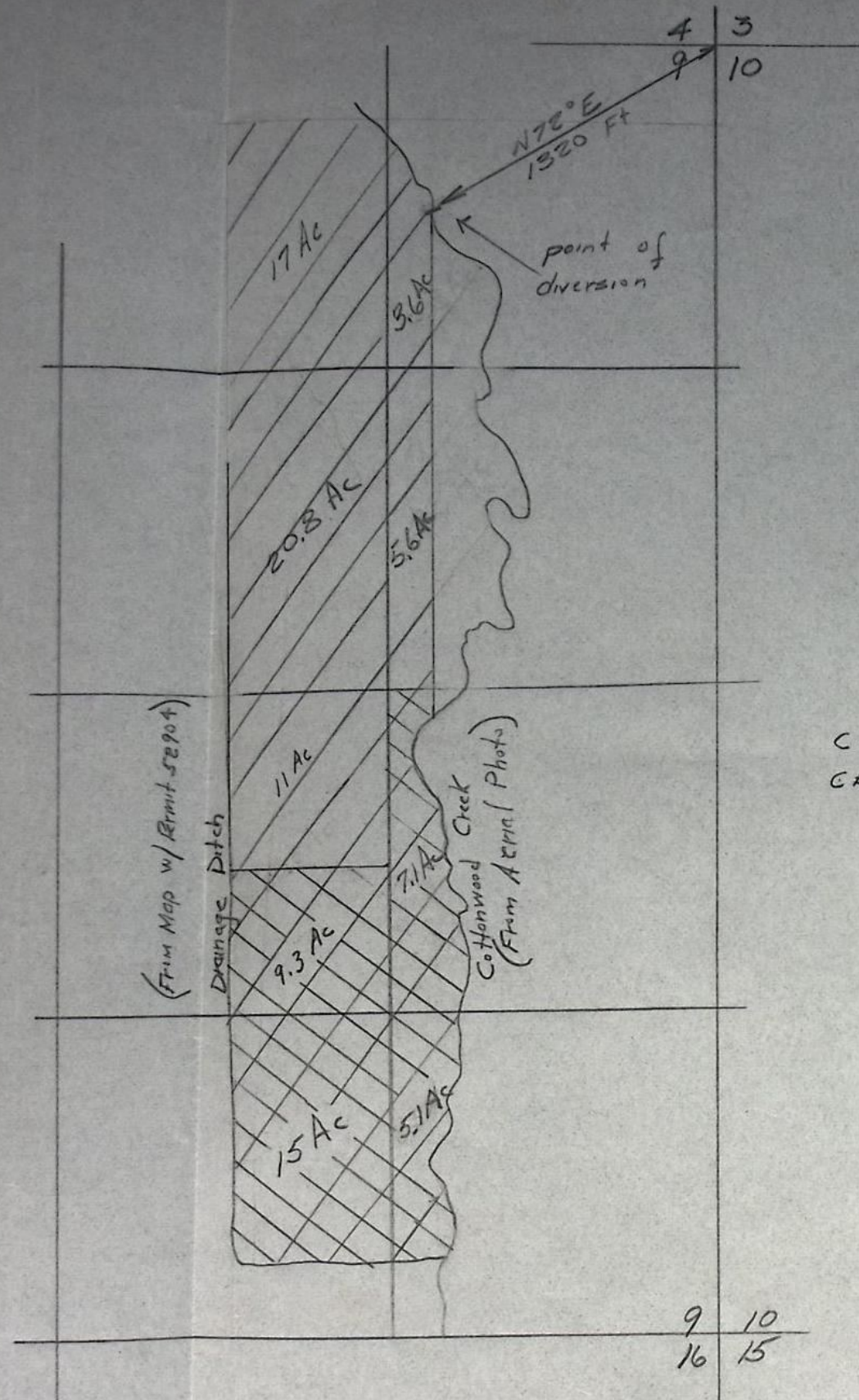
REMARKS

FINIS

See J3331

TO BE ENTERED WHERE CHECKED

INDEX CARDS:	Entered	Checked
☒ WA Name	☒	☐
☒ WA Stream	☒	☐
☒ Pt. of Div.	☒	☐
☒ Calendar	☒	☐
CHECKED TO RECORDS:		
☒ Twp. & Rge.	☒	☐
☒ Decree-vault	☒	☐
☒ Decree-safe	☒	☐
☒ Cert. of W/R	☒	☐
☒ Per. Folder	☒	☐
☒ Claimindex	☒	☐
☒ Cross Ref.	☒	☐
☒ Power Claim	☒	☐
☒ Abstracts	☒	☐



C # 6738

C # 5280



To be irrigated

Area by planimeter

T39S, R19E, W1M
Sec. 9

Traced from Aerial Photo
& Previous Application Map

APPLICATION MAP FOR
MATTHEW L. OUTLAND OF
LAKEVIEW, OREGON FOR
TRANSFER OF WATER
RIGHTS

Nov 13, 1975

MAP No. 2 OF 2

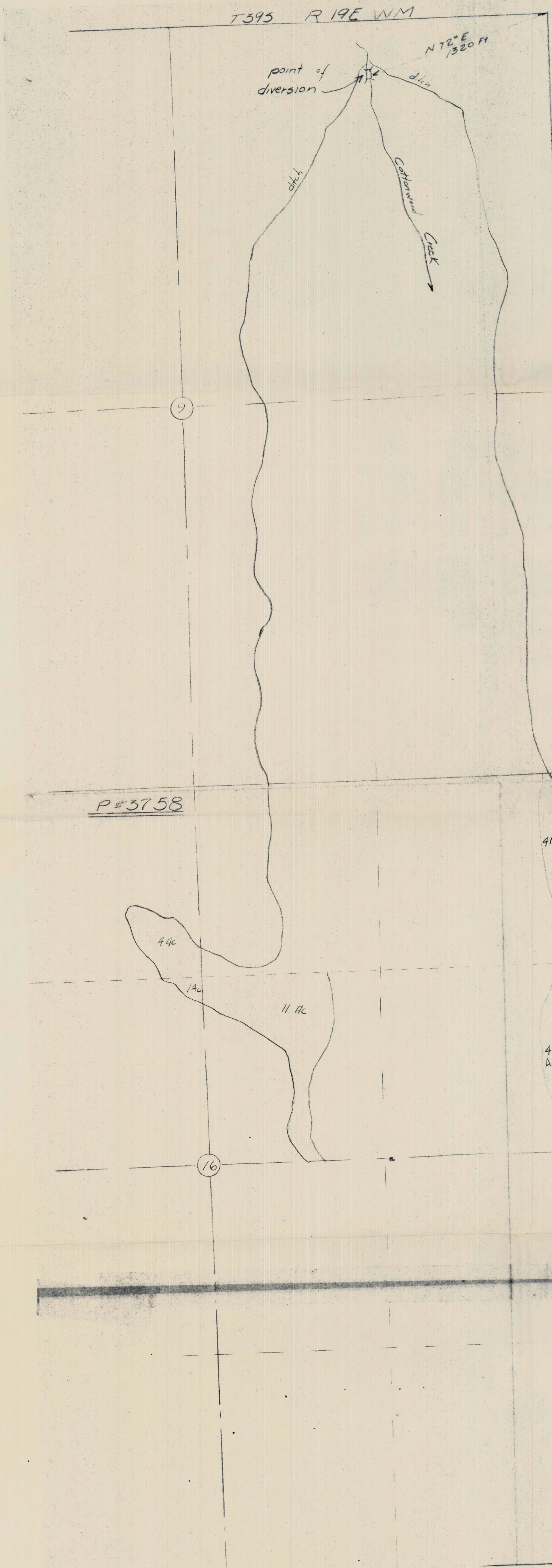
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NOV 17 1975

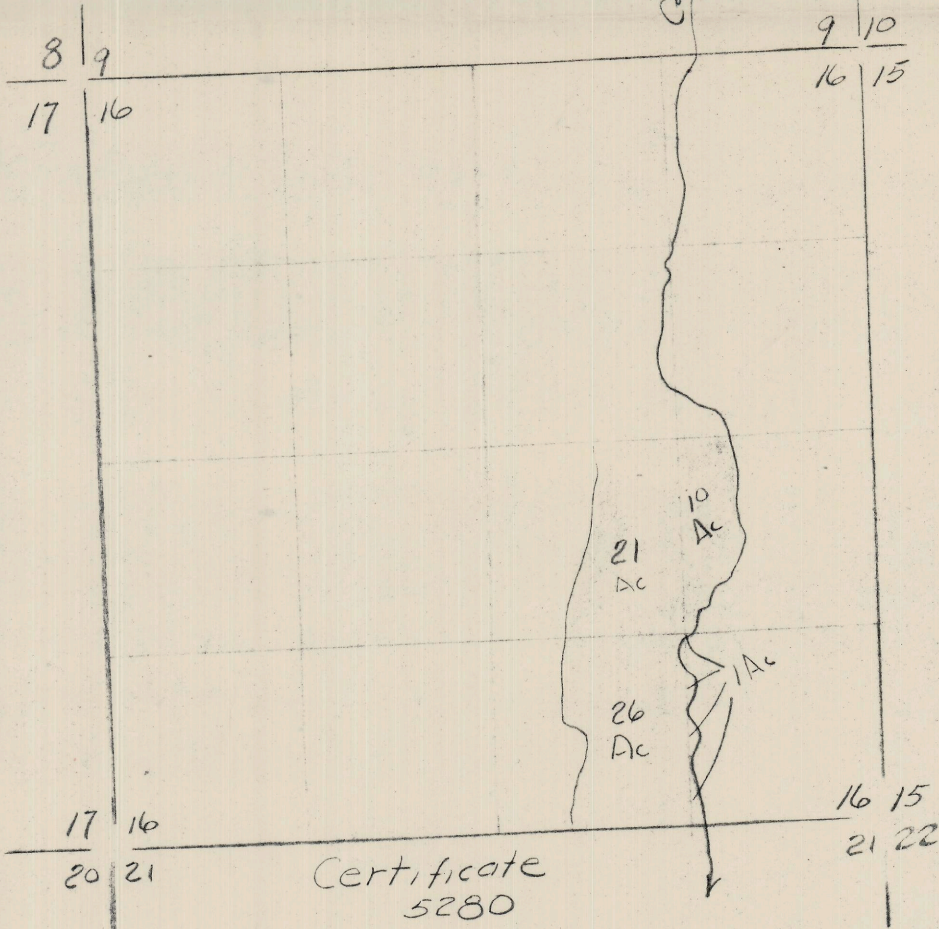
WATER RESOURCES DEPT.
SALEM, OREGON



T3330/1



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NOV 17 1975
WATER RESOURCES DEPT.
SALEM, OREGON



To Be Transferred
MAPS Traced from Previous
Application MAPS

APPLICATION MAP FOR
MATTHEW L. OUTLAND
OF LAKEVIEW, OREGON

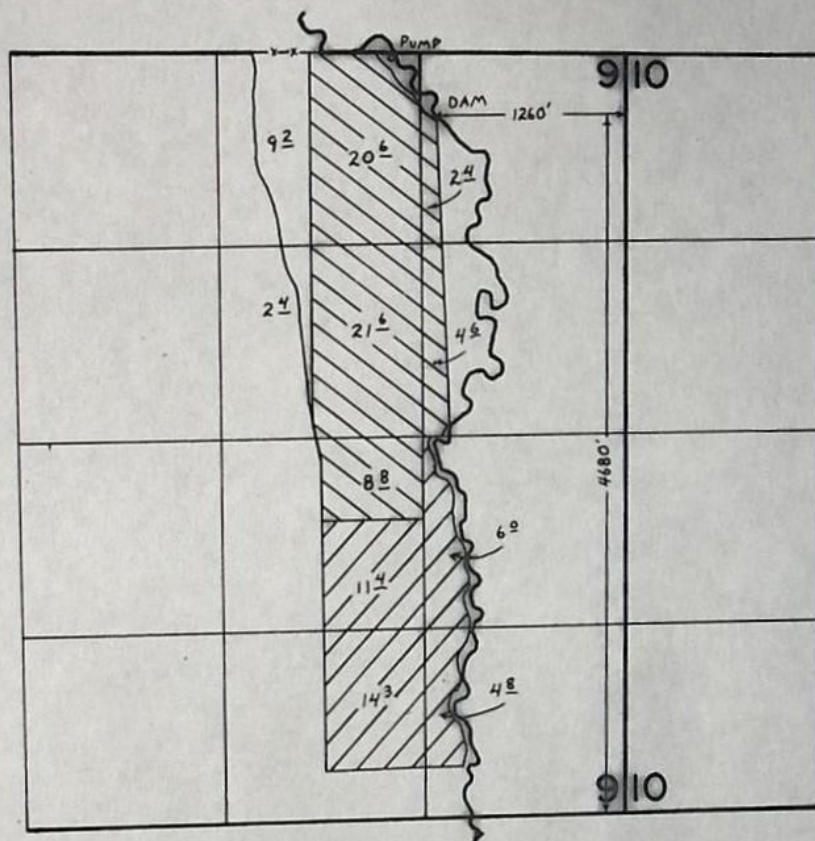
FOR TRANSFER OF
WATER RIGHTS

Nov 13, 1975

MAP NO 1 OF 2

T-3330/1

T39S. R19E. WM.



**FINAL PROOF SURVEY
UNDER**

Transfer No. T-3330 
 Application No. T-3331 
 Permit No. _____
 IN NAME OF

MATTHEW L. OUTLAND

Surveyed JUNE 23 1978, by C. L. HUGHES

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Lake County

IN THE MATTER OF THE APPLICATION OF)
MATTHEW OUTLAND FOR THE APPROVAL OF)
A CHANGE IN PLACE OF USE OF WATER)
FROM COTTONWOOD CREEK)

ORDER APPROVING
TRANSFER NO. 3330

On November 17, 1975, Matthew Outland filed an application in the office of the Water Resources Director for the approval of a change in place of use of water from Cottonwood Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to F.M. Miller and F. Zim Baldwin and recorded at Page 5280, Volume 6, State Record of Water Right Certificates, confirms a right to the use of water from Cottonwood Creek for the irrigation of, among other lands, 10.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 21.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 26.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 1.0 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, Township 39 South, Range 19 East, W.M., with a date of priority of 1875. These lands are irrigated by means of the Baldwin West Side Ditch from a point of diversion located South 72 degrees West 1320 feet from the Northeast corner of Section 9, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, Township 39 South, Range 19 East, W.M.

The applicant herein, owner of an undivided interest in the land above described, proposes to transfer the water right therefrom, without loss of priority to 3.6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 17.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 20.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 5.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 11.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, Township 39 South, Range 19 East, W.M.

Lawrence W. and Ida Outland, other owners of the property described above, have given written approval of the change.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

Mr. Howard Daggett, Watermaster of District number 12, has filed a statement to the effect that the proposed change in place of use of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the change in place of use of water is approved and the water right hereinbefore described as appurtenant to 10.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 21.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 26.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 1.0 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, Township 39 South, Range 19 East, W.M., with a date of priority of 1875, be severed therefrom and simultaneously and without loss of priority transferred to 3.6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 17.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 20.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 5.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, and 11.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, Township 39 South, Range 19 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1976.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the Water Resources Director of beneficial use of water as herein provided, the certificate of water right heretofore issued to F.M. Miller and F. Zim Baldwin recorded at Page ⁵²⁸⁰6738, Volume ⁶7, State Record of Water Right Certificates, is

canceled and in lieu thereof a new certificate be issued confirming the right to the extent to which water has been applied beneficially including the balance of the right not involved in this proceeding.

Dated at Salem, Oregon, this 2nd day of March, 1976.

/s/ JAMES E. SEXSON
Director

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NOV 17 1975

WATER RESOURCES DEPT.
SALEM, OREGON

T-3330

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Matthew Outland
(Name of applicant)

of Rt 1 Box 10 Lakeview, County of Lake
(Postoffice)

State of Oregon, do hereby make application for change in place
of use
(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is Cottonwood Creek
(Name of stream)

2. The use to which the water is applied is Irrigation
(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is Baldwin Ditch West Side

4. The point of diversion is located 572°W 1320 ft. and _____ ft. from the NE
(N. or S.) (E. or W.)

corner of Section 9 being within the NE 1/4 NE 1/4
(Section or subdivision)

of Section 9 Tp. 39S R. 19E W. M., in the County of Lake
(No. N. or S.) (No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
<u>39S</u>	<u>19E</u>	<u>16</u>													<u>10</u>	<u>21</u>	<u>26</u>	<u>1</u>

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? Lawrence W. & Ida
(If not owner, explain your interest)
Outland Matthew L. Outland

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? yes

8. What is the date of priority of your water right? 1875

9. Was your water right acquired by State Engineer's Permit? No If so, give number
(Yes or No)

of permit _____

10. Do you hold a water right certificate? yes If so, give number of certificate 5280
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

yes If so, give title of proceedings Tributories of Goose Lake
(Yes or No)

12. Is the water right recorded in your name? FM Miller & F. Zim Baldwin
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
39S	19E	9	3.6	17	20.8	5.6										11		

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
corner of being within the of Section Tp. R. W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of The name of the ditch to be used is

15. Are you the owner of the land on which the proposed point of diversion is to be located?

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

17. Are there any diversions between your present point of diversion and the proposed point of diversion?

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? yes
(Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are Beneficial use - flood irrigation
to sprinkler

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Lake

SS.

2.

I, Matthew Outland, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 14 day of November, 1975.

Matthew L. Outland
(Name of applicant)

Subscribed and sworn to before me this 14 day of November, 1975.

[Notarial Seal]

Howard Daggett
NOTARY PUBLIC FOR OREGON

My commission expires December 10, 1977.

Remarks

THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.

CH2-56K-163
56K-193

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FOR

CHANGE IN PLACE OF USE FROM COTTONWOOD CREEK

CH2-56K-163
6/23/78 CL4

Transfer No. 3330 County LAKE

1. Name Matthew Outland Address Rt 1, Box 10, Lakeview 97630

2. Source of Supply Cottonwood Creek, Trib. of _____

3. Amount of Water _____ Priority Date 1875

4. Use irrigation

5. Proposed Point of Diversion _____

6. Place of Use

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	
39 S	19E	9	NE NE	3.6	
			NW NE	17.0	
			SW NE	20.8	
			SE NE	5.6	
			NW SE	11.0	

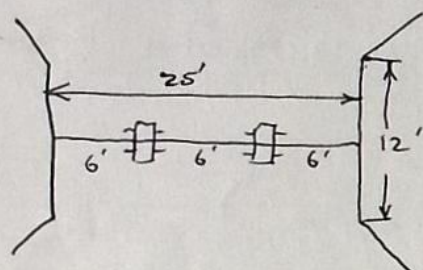
52904

Dagett

Info: Mr. Outland. He says land is irrigated as applied.

Source: Cottonwood Cr. A dam (concrete) was put in.

It has wooden flashboards which can be lifted out to let water through.



Dam - 25' wide

12' fr wing to wing

4' water level but which
more flashboards added
can go as high as 8'

3-6 ft flashboards across dam
(4'x8')

Pump located upstream - diversion is direct

Tractor - 6 cyl Intl. diesel - (UD-282)

Pacific pump D.D. 8"x6"

Use: Irrigation of grain

Equip: pipe - 1 mi of 8" main

1200' of 5" main

1600' of 4" lateral

4 - $\frac{1}{4}$ mi 5" wheel-lines

and $\frac{1}{4}$ " draglines every 40 ft.

heads - Buckner 180s $\frac{7}{64} \times \frac{3}{32}$ (66 max)

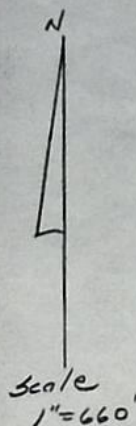
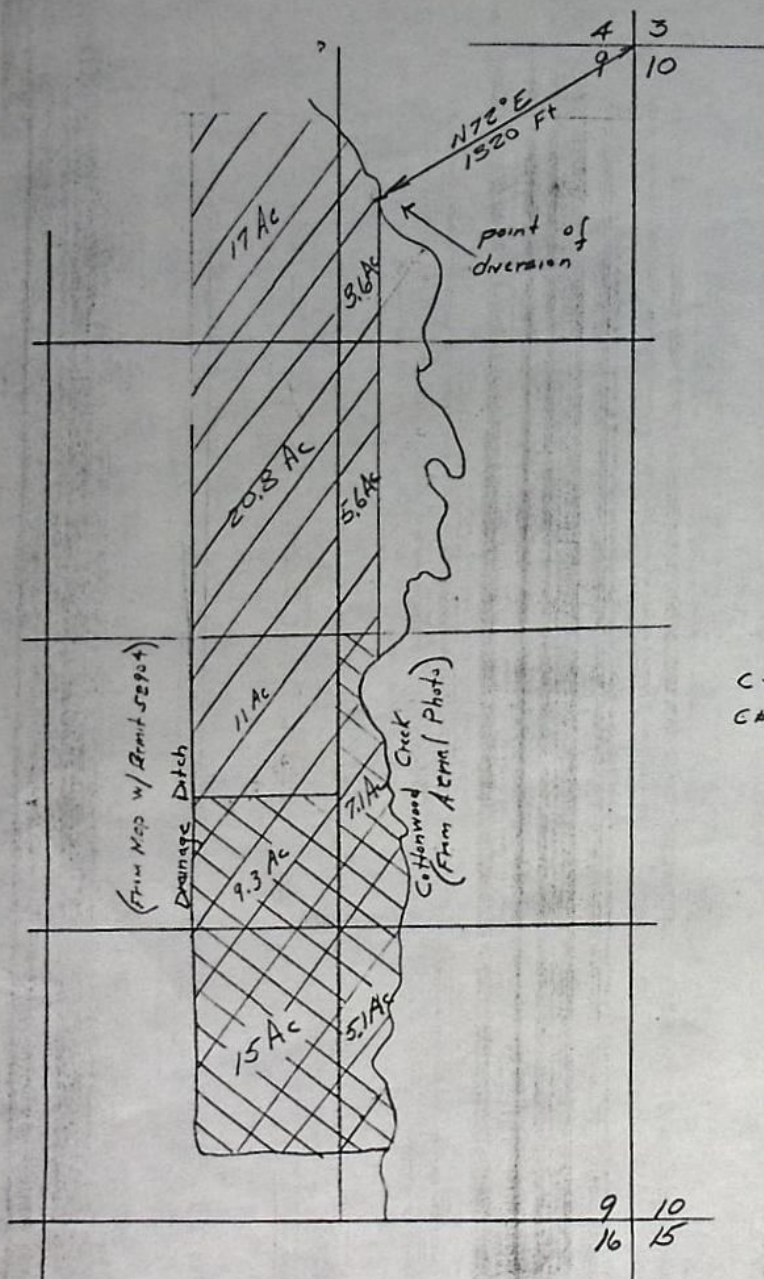
Lift: zero

Tie: CHZ-56K-163

Chris Hughes

FE

6/23/78



C# 6738
C# 5280



To be irrigated

Area by planimeter

T395, R19E, W1M
Sec. 9

APPLICATION MAP FOR
MATTHEW L. OUTLAND OF
LAKEVIEW, OREGON FOR
TRANSFER OF WATER
RIGHTS

Nov 13, 1975

MAP No. 2 OF 2

RECEIVED

NOV 17 1975

WATER RESOURCES DEPT.
SALEM, OREGON



Traced from Aerial Photo
& Previous Application Map

T3330/1

Permit No. _____

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MAR 27 1979

Transfer No. 3330

WATER RESOURCES DEPT. County Lake
SALEM, OREGON

PROOF OF APPROPRIATION OF WATER

1. Name Matthew L. Outland 2. Address Rt. 1, Box 10, Lakeview, OR 97630
3. Source of Supply Cottonwood Creek
Tributary of Goose Lake
4. Amount of water three fourths acre foot per* 5. Priority date 1875
6. Use irrigation of 58.0 acres
7. Location of point of diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, T. 39 S., R. 19 E., W. M.,
Baldwin Ditch-4680 feet North and 1260 feet West from the SE Corner, Section 9
8. The description of land given below and as shown on the attached map corresponds to that found to be irrigated:

2.4 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
20.6 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
21.6 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
4.6 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
8.8 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 9
T. 39 S., R. 19 E., W. M.

The certificate will be issued to confirm a change in place of use approved by an order of the Water Resources Director entered March 2, 1976 and to describe that portion of the water right confirmed by the prior certificate recorded at page 5280, Volume 6, State Record of Water Right Certificates, NOT modified by the provisions of the same order.

The issuance of this superseding certificate will not confirm the status of the water right in reference to ORS 540.610.

* acre during any 30 day period prior to June 1st and one-half acre foot per acre during any 30 day period after June 1st, of each year, and two and one-half acre feet per acre during any irrigation season; to be diverted under a head of not to exceed one fortieth of a second foot per acre.

IN WITNESS WHEREOF, I have hereunto set my hand this 15 day of MARCH
19 79.

Matthew L. Outland
Legal Owner of the above described lands

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OCT 13 1977

WATER RESOURCES DEPT.
SALEM, OREGON

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

Transfer No. 3330

I, Matthew Outland hereby certify that
on August 8, 1976, the water has been applied to the
lands to which the water right was transferred by an order of the State ^{Water Resources Director}
~~Engineer~~ dated 2nd day March 1976, approving an application for a
change in place of use of water from Cottonwood Creek.

10-7-77

Date

Matthew L. Outland
Signature

OK JWC

KNOW ALL MEN BY THESE PRESENTS, That LAWRENCE W. OUTLAND and IDA OUTLAND, husband and wife, hereinafter called grantor,
for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto MATTHEW L. OUTLAND

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Lake, State of Oregon, described as follows, to-wit:

An undivided one-fourth interest in and to:
Township 39 South, Range 19 East of the Willamette Meridian
Section 9: All, except $N\frac{1}{2}S\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$
Section 15: $W\frac{1}{2}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$
Section 16: All
Section 21: $S\frac{1}{2}N\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}N\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}N\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$

RECEIVED

JAN 26 1976

WATER RESOURCES DEPT.
SALEM, OREGON

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 1.00

① However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which).①

In construing this deed the singular includes the plural as the circumstances may require.

Witness grantor's hand this 16th day of July, 19 71.

Lawrence W. Outland
Ida Outland

STATE OF OREGON, County of Lake, ss. July 16 19 71

Personally appeared the above named Lawrence W. Outland and Ida Outland
husband and wife,

and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY
(OFFICIAL SEAL)

Before me: *Barbara Suer*
Notary Public for Oregon
My commission expires 9/10/74

NOTE—The sentence between the symbols ①, if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

Bargain and Sale Deed

12945

TO

(DON'T USE THIS SPACE) RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

AFTER RECORDING RETURN TO

CERTIFIED TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL
KANE GRAY, COUNTY CLERK

Fairy Hammersley DEPUTY

STATE OF OREGON, } ss.
County of Lake

I certify that the within instrument was received for record on the 22nd day of July, 1971, at 10:00 o'clock A.M., and recorded in book 115 on page 500.
Record of Deeds of said County.

Witness my hand and seal of County affixed.

James Gray
County Clerk Title.

By James Gray Deputy.

LAWRENCE W. OUTLAND
13932 TELEGRAPH ROAD
SANTA PAULA, CALIFORNIA 93060
PHONE (805) 525-6774

November 8, 1975

WATER RESOURCES DEPARTMENT
1178 Chemeketa
Salem, Oregon

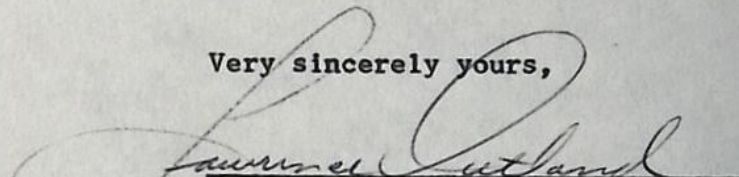
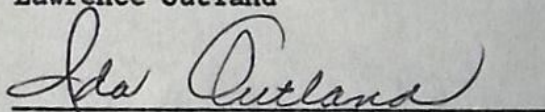
3330
Attention: Mr. Wayne Overcash - Water Transfers #~~3330~~ & 3331

Dear Mr. Overcash,

Our son, Matthew L. Outland, has applied for a transfer of
water on our Lakeview ranch under Permits Nos. 3330 and 3331.

We have discussed this transfer of water, and are in
full agreement.

Very sincerely yours,


Lawrence Outland

Ida Outland

*Matthew has 1/4 undivided interest
Lawrence & Ida have 3/4 undivided interest*

RECEIVED

DEC 12 1975

WATER RESOURCES DEPT.
SALEM, OREGON



STATE OF OREGON

INTEROFFICE MEMO

TO: Wayne Overcash

DATE: November 13, 1975

FROM: Howard Daggett, Watermaster Dist. # 12

SUBJECT: Outland Transfer

I have investigated the Outland Transfers and they can be done without injury to existing rights.

Provision #1 should be incorporated in the order.

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NOV 14 1975
WATER RESOURCES DEPT.
SALEM, OREGON