

Name William + Wendy Martin

By _____

Address Route 6, Box 580
Lakeview, OR 97630Change in POUDate filed July 31, 1979

Date of hearing _____

Place of hearing _____

Date of order 9-26-79 Vol. 32, page 413Date for application of water 10-1-81

Proof mailed _____

Proof received _____

Certificate issued 12/20/17 Vol. _____, page 9349
RR 75426

4265

DESCRIPTION OF WATER RIGHT

Name of stream Drews Cr. + Drews Res.Trib. of _____ County of LakeUse irrigationQuantity of water _____ No. of acres 9.5

Name of ditch _____

Date of priority Jan 21, 1907In name of Lakeview Water UsersSee Sp. OR V 31, PG 15
Adjudication, Vol. _____, page _____App. No. _____ Per. No. _____ Cert. No. 47469

Certificate cancelled _____

Notation made on record by _____

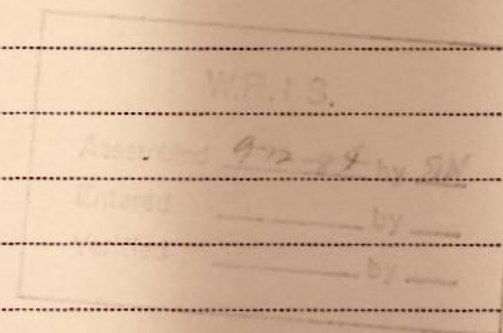
FEES PAID

Date	Amount	Receipt No.
<u>7-31-79</u>	<u>30-</u>	<u>13117</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

FINISto survey 12/79

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
☒ Name	<u>lgj</u>	_____
☒ Stream	<u>lgj</u>	_____
☒ Pl. of Div.	<u>lgj</u>	_____
☒ Calendar	<u>lgj</u>	_____
CHECKED TO RECORDS:		
☒ Twp. & Rge.	<u>504</u>	_____
☒ Decree-vault	<u>lgj</u>	_____
☒ Decree-safe	<u>lgj</u>	_____
☒ Cert. of W/R	<u>lgj</u>	_____
☒ Chainindex	<u>lgj</u>	_____
☒ Cross Ref.	_____	_____
☒ Power Claim	_____	_____
☒ Abstracts	<u>lgj</u>	_____

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

LAKE COUNTY

IN THE MATTER OF THE APPLICATION OF)
WILLIAM & WENDY MARTIN (LAKEVIEW)
WATER USERS, INC.) FOR APPROVAL OF)
A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4265

On July 31, 1979, an application was filed in the office of the Water Resources Director by William and Wendy Martin for approval of a change in place of use of water from Drews Creek and Drews Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

As modified in accord with the provisions of the order of the Water Resources Director entered February 2, 1979, approving transfer application No. 3885, the water right previously allowed by Decree of Circuit Court of the State of Oregon for Lake County, entered on October 3, 1961, In the Matter of the Determination of the Extent of Completion of the Inchoate Water Rights Allowed by Decree of the Court in the Matter of the Determination of the Relative Rights to the Use of the Waters of Drews Creek, Antelope Creek, Cottonwood Creek, Thomas Creek and Cogswell Creek, and Their Tributaries, Tributaries of Goose Lake, now exists for the use of 62,500 acre feet of water stored in Drews Reservoir and not to exceed 223 cubic feet per second of water from Drews Creek under a priority date of January 21, 1907, and 4,400 acre feet of stored water from Cottonwood Reservoir and not to exceed 200 cubic feet per second of water from Cottonwood Creek under a priority date of July 31, 1908, for irrigation of, among other lands, a certain 5.75 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 3.75 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 40 South, Range 19 East, W.M., as described by the certificate issued to Lakeview Water Users, Inc., recorded at page 47469, Volume 40, State Record of Water Right Certificates. Said lands are irrigated by means of the Lakeview Water Users, Inc., canal system.

The applicants herein, owners of the lands above described, propose to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 4.25 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 5.25 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 40 South, Range 19 East, W.M.

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

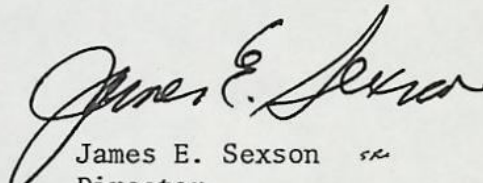
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1981.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order the certificate recorded at page 47469, Volume 40, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right be issued to Lakeview Water Users, Inc.

Dated at Salem, Oregon this 26th day of September, 1979.



James E. Sexson
Director

5KK-190

POD
POU
USE
Add'l POD

County Lake

John Conroy (new owner) Rt. 6 Box 572

1. Name William & Wendy Martin / Lakeview Water Users, Inc.
Address Route 6, Box 580, Lakeview, OR 97630
2. Source of Supply Drews Cr. & Drews Res⁵⁷², Trib of _____
3. Use irrigation of 9⁵ Ac.
4. Amount of Water _____ Priority Date Jan. 21, 1907
5. Proposed Point of Diversion -

John Canoe

6. Completion Date Oct 1, 1979 Radius - 1380"
900 GPM
 7. Place of Use: 6" buried main

6" buried main
from Ditch to C.P.

[illegible]

CHZ-SKK-190
PTS-1980-J
6/10/80 CLK

Info: Mr. Conroy. Land is irr. as applied

Source: A ditch from Drews crk. $\frac{1}{2}$ Drews Res.

Div. is a head gate on ditch (concrete box 8' wide x 4' long x 8' deep
5' x 4' deep flood gate w/ 2x6 flashboards) diverts water into
Conroys ditch. A 6" main goes from end of ditch to C.P.

pump @ C.P. - Century Gould 40HP @ 3520 RPM

Jacuzzi CDD 5x9

pumps - 900 GPM. to C.P.

Use: Irr. of alfalfa.

Equip: C.P.-R. = 1283 Irr to R = 1383. Not beneficial past fence lines

Lift: +20

Tie: PTS-1980-J tied to CHZ-SKK-190. (fence line and rd)

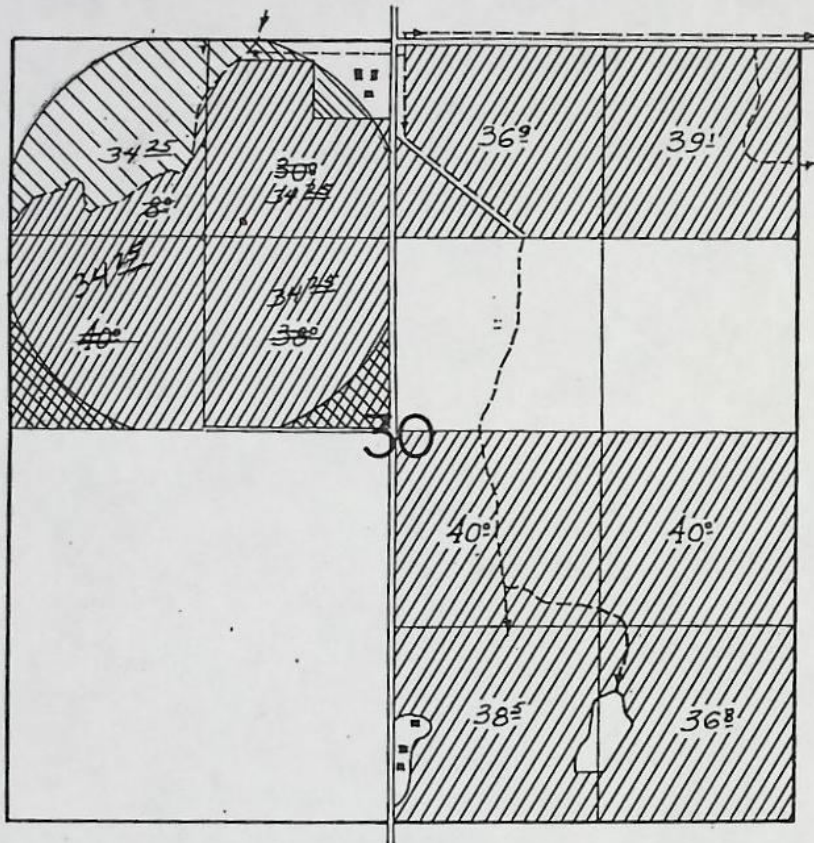
Chris Hughes

FE

6/10/80

JUL 18 1979

T 40 S, R 19 E, W.M.



 Transfer from To 40-19-30
 Transfer to from 40-19-30 (and 40-19-20

T₀ NW'4 NW'4 5²⁵ via T-4265
T₀ " " 21⁹ via T-4209

DREWS CR

WRJT-0982-01

*** OREGON WATER RESOURCES DEPARTMENT ***
 *** WATER RIGHTS DIVISION ***

PAGE 1
 RUN ON: 3/20/81 AT: 9:08

*** WATER RIGHT DATA INPUT FORM ***

WATER RIGHT NO. 50000

PERMIT NO. 016478 CERTIF. NO. 0047469

NAME: WM & WENDY MARTIN

ORIG. NO. 5000034851

PREV. NO. C000474691 SUPER. NO. —

ADDRESS: LVWU, RTE, Box 2980

CITY/STATE/ZIP/COUNTY: LAKEVIEW OR 97630

STREAM-ID 13 0040 0550

RIV. MI. 0.0

WM. DIST. 12 W.R. TYPE S C STATUS V

CANCEL YEAR---->

CONSTR. COMPLT--> 10 07 1979

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 01 21 1907

PUT TO USE-----> 10 07 1979

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION--> 07 31 1979

SURVEYED----->

EXAM. FEE-----> 20.00

RECORDING FEE-----> 10.00

PERMIT ISSUE--> 09 26 1979

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> 09 26 1979

CERTIFIED-----> 02 28 1979

CORRES. INIT.----->

CORRES. DATE----->

POINT-OF-DIVERSION DATA:
 TWP/SP RNGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS

S OR P

** REMARKS; - - - - -
 ** DATED-->

4005 180E 11 B D 13 0040 0550

0.0

0.349

V

P

** LITIGIS PD PART OF LVWU RIGHT.

0.0

0.000

** C-47469 NOT CANCELED. ORIGINAL

0.0

0.000

** DECREE V. 7, P. 277. FINAL DECREE

PLACE-OF-USE DATA:

TWP/SP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES

STATUS

S OR P

** V. 16, P. 478, 10-3-1961. SOURCE: DREWS

4005 190E 30 B A 19 1R 100.00 4.25

V

P

** CREATES COTTONWOOD CR & RES. SUPP

BB

.00

5.25

** P-43956 FM COTTONWOOD RES WITH

.00

** PRIORITY OF 9-5-1961. 0.0367 CFS/AL.

POD: 1850'S & 3400'W FM NE COR S 11.

223 CFS DREWS CR

200 CFS COT RES

C-47468 STORAGE

WRIS

Approved 9-12-84 by SDB

Eng'd _____ by _____

Printed _____ by _____

COTTONWOOD CR

WRDT-0982-01

*** OREGON WATER RESOURCES DEPARTMENT ***
 *** WATER RIGHTS DIVISION ***
 *** WATER RIGHT DATA INPUT FORM ***

 PAGE 1
 RUN ON: 3/20/81 AT: 9:08

 WATER RIGHT NO. T0000 42652 PERMIT NO. 016 478 CERTIF. NO. 0047469 NAME: WM & WENDY MARTIN

 ORIG. NO. T0000 38851 PREV. NO. C00047469 SUPER. NO. ---

 ADDRESS: LVWU, RT 6, BOX 2980

 CITY/STATE/ZIP/COUNTY: LAKEVIEW OR 97630 19

 STREAM-ID 13 0040 0020 0030 RIV.MI. 0.0 WM.DIST. 12 W.R.TYPE 5C STATUS V

CANCEL YEAR----	CONSTR.COMPLT--> <u>10 07 1979</u>	YR.LAST USED----->	NEXT ACTION DUE-->
PRIORITY-----> <u>07 31 1908</u>	PUT TO USE-----> <u>10 07 1979</u>	LAST TRANS.DATE-->	LAST TRANS.TYPE-->
APPLICATION---> <u>07 31 1979</u>	SURVEYED----->	EXAM.FEE-----> <u>20.00</u>	RECORDING FEE----> <u>10.00</u>
PERMIT ISSUE--> <u>09 26 1979</u>	CONCURRENCE----->	CYCLE STATUS----->	REPORTED FLAG----->
CONSTR.STRT.--> <u>09 26 1979</u>	CERTIFIED-----> <u>02 26 1979</u>	CORRES.INIT.----->	CORRES.DATE----->

 POINT-OF-DIVERSION DATA;
 TWNSP RNGE SECT QTR/QTR STREAM-ID

RIV.MI.	RATE	STATUS	S OR P
0.0	0.349	V	P
0.0	0.000		
0.0	0.000		

 ** REMARKS; - - - - -
 ** DATED-->

 ** CHANGES POV PART OF LVWU RIGHT.

 ** C-47469 NOT CANCELED. ORIGINAL

 ** DECREE V3, P277. FINAL DECREE

 ** V16, P478, 10-3-1961. SOURCES: DREWS

 ** CR & RES COTTONWOOD CR & RES.

 ** SUPP P-43956 FM COTTONWOOD RES

 ** WITH PRIORITY OF 9-5-1961.
00367 CFS/AC. POD: 860'S
1120'W FM NE COR S 16.

PLACE-OF-USE DATA:										
TWNSP	RNGE	SECT	QTR/QTR	CNTY	USE	%	CNSMTV	ACRES	STATUS	S OR P
4005	190E	30	B	A	19	1R	100.00	4.25	V	P
5	1	1	B	B	1	1	.00	5.25		
							.00			

W.R.I.S.

 Accumulated 9-12-84 by SM

Entered _____ by _____

Verified _____ by _____

RECEIVED

OCT 22 1979

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

place of use of water from Drews Creek & Drews Reservoir

PURSUANT TO TRANSFER APPLICATION NO. 4265

I, W^m MARTIN and Wendy Martin, hereby certify that completion

of works and use of water to the extent intended within the provisions

of the order of the Water Resources Director approving said water

right transfer application was accomplished by 10-1-, 1979

10-7-79
Date

W^m E. Martin and Wendy J. Martin
Signature

(Mail to the Water Resources Department, Salem, Oregon 97310.)

OK
Jix



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: August 10, 1979FROM: ** Howard Daggett

RECEIVED

AUG 13 1979

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. T 4265IN THE NAME OF William & Wendy MartinWATER RESOURCES DEPT
SALEM, OREGON

In my opinion the proposed change in Place of use
MAY BE MADE WITHOUT INJURY ~~WOULD RESULT IN INJURY~~* to an existing water right.

Headgate notices ~~HAVE~~ HAVE NOT been issued for diversion from the sources which serves this right.

If for change in point of diversion, is there any intervening point of diversion between the authorized and the proposed points of diversion? _____

(yes or no)

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- ____ (1) PRIOR to the diverting of water at the new point of diversion . . .
Not applicable
- ____ (2) When in the judgment of the watermaster it becomes necessary . . .

* The approval of this transfer application would result in injury to other water rights because _____

** Howard Daggett
Watermaster's signature or initials

RECEIVED

JUL 18 1979

Application for Transfer of Water Right

WATER RESOURCES DEPT
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, William and Wendy Martin
(Name of applicant)
of Rt 6 Box 580, Lakeview
(Mailing address) (City)
State of Oregon, 97630, _____, do hereby make application for change
(Zip Code) (Phone number)
place of use
(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? No (Lakeview Water Users)
(If not, give name)

2. Was your water right determined by Decree of Court? yes If so, give title of proceedings
(Yes or No)
_____ number of certificate 47469

3. Was your water right acquired by Water Right Permit? _____ If so, give number
(Yes or No)
of permit _____ Number of certificate _____

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is Drews Cr. and Drews Res.

5. What is the date of priority of your water right? January 21, 1907

6. The authorized point of diversion is located _____ ft. _____ and _____ ft. _____ from the _____
(N. or S.) (E. or W.)

corner of _____ being within the _____ 1/4 _____ 1/4 of Section _____ Tp. _____ R. _____ W. M.,
(No. N. or S.) (No. E. or W.)
in the county of _____ The name of the ditch used is _____

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located _____ ft. _____ and _____ ft. _____ from the _____
(N. or S.) (E. or W.)
corner of _____ being within the _____ 1/4 _____ 1/4 of Section _____ Tp. _____ R. _____ W. M.,
(No. N. or S.) (No. E. or W.)
in the county of _____ The name of the ditch to be used is _____

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

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
40 S	19 E	30	SW $\frac{1}{4}$ NW $\frac{1}{4}$	5 ⁷⁵ / ₁₀₀
40 S	19 E	30	SE $\frac{1}{4}$ NW $\frac{1}{4}$	3 ⁷⁵ / ₁₀₀

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? yes
(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? No
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. 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)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Mortgage	Federal Land Bank	\$ 38000

13. The use to which the water is to be applied is Irrigation
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
40 S	19 E	30	NE $\frac{1}{4}$ NW $\frac{1}{4}$	4 ²⁵ / ₁₀₀
40 S	19 E	30	NW $\frac{1}{4}$ NW $\frac{1}{4}$	5 ²⁵ / ₁₀₀

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are changing to circular
irrigation

15. Construction work will be completed on or before

16. The water will be completely applied to the proposed use on or before Oct. 1, 1979

Remarks Approved by the board of directors
Lakeview Water Users.

Jess Roberts

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

AFFIDAVIT OF APPLICANT

I, William & Wendy Martin, 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 12th day of July, 1979

William & Wendy Martin
(Name of applicant)

Subscribed and sworn to before me this 12th day of July, 1979

[Notarial Seal]

Howard Daggett
NOTARY PUBLIC FOR OREGON

My commission expires 12-29-81