

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Polk County

IN THE MATTER OF THE APPLICATION
OF BETHEL COLLEGE BOARD, HELEN
EDMUNDSON, SECRETARY, FOR THE
APPROVAL OF A CHANGE IN USE AND
PLACE OF USE OF WATER FROM A SPRING)

ORDER APPROVING
TRANSFER NO. 3340

On December 24, 1975, Bethel College Board, Helen Edmundson, Secretary, filed an application in the office of the Water Resources Director for the approval of a change in use and place of use of water from a spring, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Bethel College Board and recorded at Page 39238, Volume 31, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.05 cubic foot per second of water from a spring for use at a community center in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, Township 6 South, Range 4 West, W.M., with a date of priority of October 30, 1934. Water for this use is diverted from the spring located 140 feet North and 710 feet East from the Northeast corner of Harvey D.L.C. No 44, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 6 South, Range 4 West, W.M. The applicant herein, owner of the said water right and the community center to which it is appurtenant, proposes to transfer the said water right therefrom, changing the use and place of use to thereafter make beneficial use of the water for stock water within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, and domestic supply for one family, stock water and irrigation of 1.0 acre within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, all within Township 6 South, Range 4 West, W.M., Polk County, Oregon.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed

change in use and place of use of water, if any there were, namely: at the county courthouse in Dallas, Oregon, on July 6, 1976, at 9:30 a.m. The notice was published in the Sun-Enterprise, a newspaper printed and having general circulation in Polk County, Oregon, for a period of three weeks in the issues of May 12, 19 and 26, 1976. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Ben Monroe, Watermaster of District No. 18, has filed a report to the effect that the proposed change in use and place of use of water may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the change in use and place of use of water is approved and the water right hereinbefore described as appurtenant to a community center in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, Township 6 South, Range 4 West, W.M., with a date of priority of October 30, 1934, be severed therefrom and simultaneously and without loss of priority transferred to stock watering in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, and stock watering, domestic supply for one family, and irrigation of 1.0 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 6 South, Range 4 West, W.M.

It is FURTHER ORDERED that the quantity of water diverted from the spring shall not exceed 0.01 cubic foot per second for stock watering, 0.005 cubic foot per second for domestic use, and 0.013 cubic foot per second for irrigation.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1977.

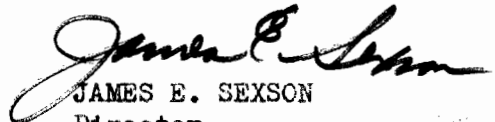
It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled.

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that certificate of water right heretofore issued to Bethel College Board, c/o Helen Edmundson, and recorded at Page 39239, Volume 31, State Record of Water Right Certificates, is canceled, and upon receipt of proof satisfactory to the Water Resources Director of application of water to beneficial use, a certificate of water right shall be issued to Philip R. Olson, Mark W. Olson, and Donald S. Powell confirming the extent to which water has been applied beneficially.

Dated at Salem, Oregon, this 19th day of July, 1976.


JAMES E. SEXSON
Director