

BEFORE THE STATE ENGINEER OF OREGON

Polk County

IN THE MATTER OF THE APPLICATION )  
OF BETHEL COLLEGE BOARD FOR THE )  
APPROVAL OF A CHANGE IN USE OF )  
WATER FROM AN UNNAMED SPRING )  
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ORDER APPROVING  
TRANSFER NO. B-165

On September 8, 1966, Bethel College Board filed an application in the office of the State Engineer for the approval of a change in use of water from an unnamed spring, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Bethel School District #17 and recorded at page 11177, Volume 10, State Record of Water Right Certificates, confirms a right to the use of the waters of an unnamed spring for school supply in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 21, Township 6 South, Range 4 West, with a date of priority of October 30, 1934.

The applicant herein, owner of the land above described, proposes to transfer the water right, without loss of priority, from school supply to the use of a community center in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 21, Township 6 South, Range 4 West, W.M.

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 of water, if any there were, namely: at the county courthouse in Dallas, Oregon, on December 21, 1966, at 9:30 a.m. The notice was published in the Polk County Itemizer-Observer, a newspaper printed and having general circulation in Polk County, Oregon, for a period of three weeks in the issues of October 27, November 3 and 10, 1966. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Clayton J. Gardner, Watermaster of District No. 1, has filed a report to the effect that the proposed change in use of water may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the change in use of water is approved and the water right hereinbefore described as appurtenant to school supply in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 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 the use of a community center in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 21, Township 6 South, Range 4 West, W.M.

It is FURTHER ORDERED that no time need be fixed for completion as the point of diversion is completed and water is being applied to the land described.

It is FURTHER ORDERED that the quantity of water diverted at the point of diversion shall be limited to 0.05 cubic foot per second measured at the point of diversion.

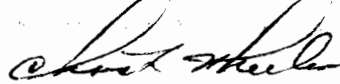
It is FURTHER ORDERED that the following provision shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

That the diversion works shall include a weir or other suitable device for measuring the water to which the applicant is entitled.

That the plans of the weir or other suitable 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 School District #17 and recorded at page 11177, Volume 10, State Record of Water Right Certificates, is canceled, and upon receipt of proof satisfactory to the State Engineer of application of water to beneficial use, a certificate of water right shall be issued to Bethel College Board confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon this 29th day of December, 1966.



CHRIS L. WHEELER  
State Engineer