

2361 School Dist. No 9
P.O. Box 509
Coos Bay, Ore 97420

2361

STATUS OF APPLICATION

Change in Point of Diversion & Place of Use
Date filed April 17, 1970
Date of hearing March 9, 1971
Place of hearing Ceguelle, Ore.
Date of order 3-12-71 Vol. 20, page 458
Date for application of water 10-1-71
Proof mailed _____
Proof received _____
Certificate issued SEP 21 1973 Vol. 31, page 39351
To Survey 8/16/71

DESCRIPTION OF WATER RIGHT

Name of stream Unnamed
Trib. of — County of Coos
Use Domestic
Quantity of water 0.06 cfs No. of acres —
Name of ditch —
Date of priority October 16, 1929
In name of School Dist. No. 36
_____ Adjudication, Vol. _____, page _____
App. No. 13075 Per. No. 9319 Cert. No. 21693
Certificate cancelled _____
Notation made on record by slu

FEES PAID

Date	Amount	Receipt No.
<u>4/17/70</u>	<u>25.00</u>	<u>18314</u>
<u>4/8/70</u>	<u>30.00 PON</u>	<u>19892</u>
TOTAL . . .		
<u>3-4-71</u>	<u>\$1 Cert. Fee</u>	<u>From Pub. J. Not.</u>

FEES REFUNDED

Date	Amount	Check No.
<u>3-4-71</u>	<u>\$4.06 Pub. J. Not.</u>	<u>4078</u>

REMARKS

See also App. 46714

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
<input checked="" type="checkbox"/>	Name		<u>slu</u>	<u>—</u>
<input checked="" type="checkbox"/>	Stream		<u>slu</u>	<u>—</u>
<input checked="" type="checkbox"/>	Pt. of Div.		<u>slu</u>	<u>—</u>
<input checked="" type="checkbox"/>	Calendar		<u>slu</u>	<u>—</u>
CHECKED TO RECORDS:				
<input checked="" type="checkbox"/>	Twp. & Rge.		<u>slu</u>	<u>—</u>
<input checked="" type="checkbox"/>	Decree-vault		<u>—</u>	<u>—</u>
<input checked="" type="checkbox"/>	Decree-safe		<u>slu</u>	<u>—</u>
<input checked="" type="checkbox"/>	Cert. of W/R		<u>slu</u>	<u>—</u>
<input checked="" type="checkbox"/>	Per. Folder		<u>—</u>	<u>—</u>
<input checked="" type="checkbox"/>	Chaindex		<u>—</u>	<u>—</u>
<input checked="" type="checkbox"/>	Cross Ref.		<u>—</u>	<u>—</u>
<input checked="" type="checkbox"/>	Power Claim		<u>—</u>	<u>—</u>
<input checked="" type="checkbox"/>	Abstracts		<u>—</u>	<u>—</u>

DR
R.C.M.

~~267-2726~~
267-6895

[illegible]

Info:

Howard Paige
Rt 1, Box 378-A
Coos Bay, Oregon

} CUSTODIAN

~~Mr. Paige~~

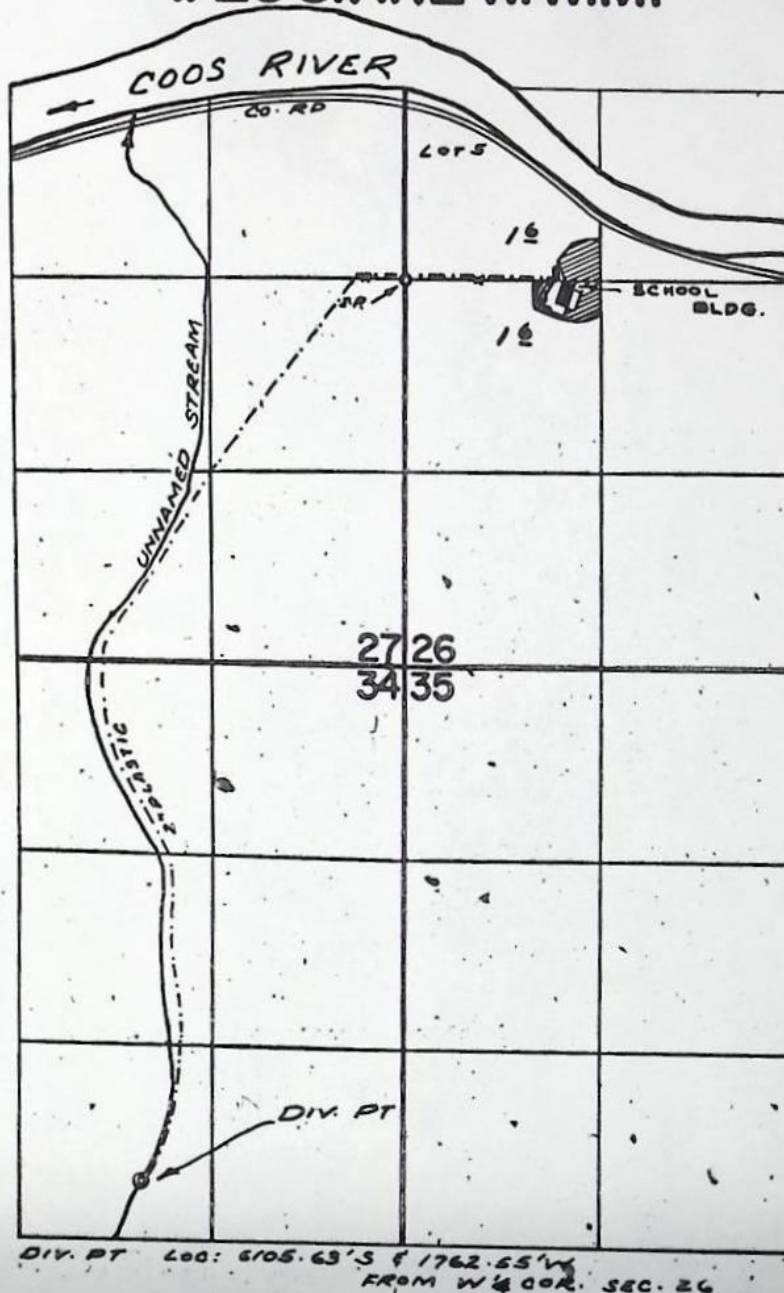
See Report on app. 46714

8-3-72

F.E.

R. S. Muckner

T. 25S.R. 12W.W.M.



FINAL PROOF SURVEY
UNDER

TRANSFER NO. 2361
Application No. 46714 Permit No. 34986
IN NAME OF

SCHOOL DISTRICT #9

Surveyed AUG. 3, 1972, by R. MUCKEN

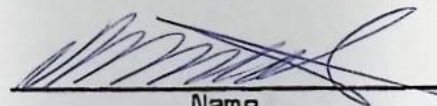
RECEIVED
APR 8 1971
STATE ENGINEER
SALEM, OREGON

Transfer No. 2361

NOTICE OF COMPLETION OF CONSTRUCTION

I, Don Matson, hereby certify
that the construction work has been completed and the change in
point of diversion of water made as set forth in the order of
the State Engineer dated March 12, 1971, approving an appli-
cation for a change in point of diversion of water from _____
an unnamed creek.

April 5, 1971
Date


Name
Chairman, District No. 9
School Board

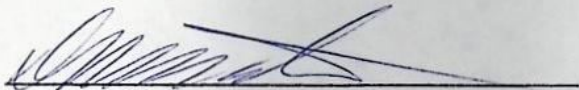
NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

RECEIVED
APR 8 1971
STATE ENGINEER
SALEM, OREGON

Transfer No. 2361

I, Don Matson hereby certify that
on March 13, 1971, the water has been applied to the lands to
which the water right was transferred by an order of the State Engineer
dates March 12, 1971, approving an application for a change in place
of use of water from an unnamed creek.

April 5, 1971
Date


Signature
Chairman, District No. 9 School Board

AFFIDAVIT OF PUBLICATION

STATE OF OREGON }
COUNTY OF COOS }

SS

I, Carole Smeds, being
first duly sworn, depose and say that I am the

Clerk of the Editor

of The World, a newspaper of general circulation, as defined
by Section 1-609 and 1-610, Oregon Compiled Laws Anno-
tated, as amended, printed and published at Coos Bay and in
the aforesaid county and state: that the

Notice of Filing

a printed copy of which is hereto annexed, was published in
the entire issue of said newspaper for 3
successive and consecutive weeks in the following issues:

January 15, 1971

January 22, 1971

January 29, 1971

Carole Smeds

Signature

Subscribed and sworn to before me this 29th

day of January, 1971

Constance Johnson

Notary Public for Oregon

My commission expires, May 11, 1974

NOTICE OF FILING APPLICATION FOR A CHANGE IN POINT OF DIVERSION AND PLACE OF USE OF WATER

Notice is given hereby that
School District No. 9 has filed an
application for the approval of a
change in point of diversion and
place of use of water from an un-
named stream.

Certificate of water right is-
sued to School District No. 36 and
recorded at page 21693, Volume
16, State Record of Water Right
Certificates, confirms a right to
the use of 0.06 cubic foot per sec-
ond from an unnamed creek for
domestic supply for a schoolhouse,
janitors residence, and teachers
residence in SW¼ NW¼ and
NW¼ SW¼, Section 26, T. 25 S.,
R. 12 W., W.M., with a date of
priority of October 16, 1929. Water
for this use is diverted from a
point located 1140 ft. N and 380
ft. E from the S¼ corner of Sec.
34 being within the SW¼ SE¼ of
Sec. 34, T. 25 S., R. 12 W., W.M.

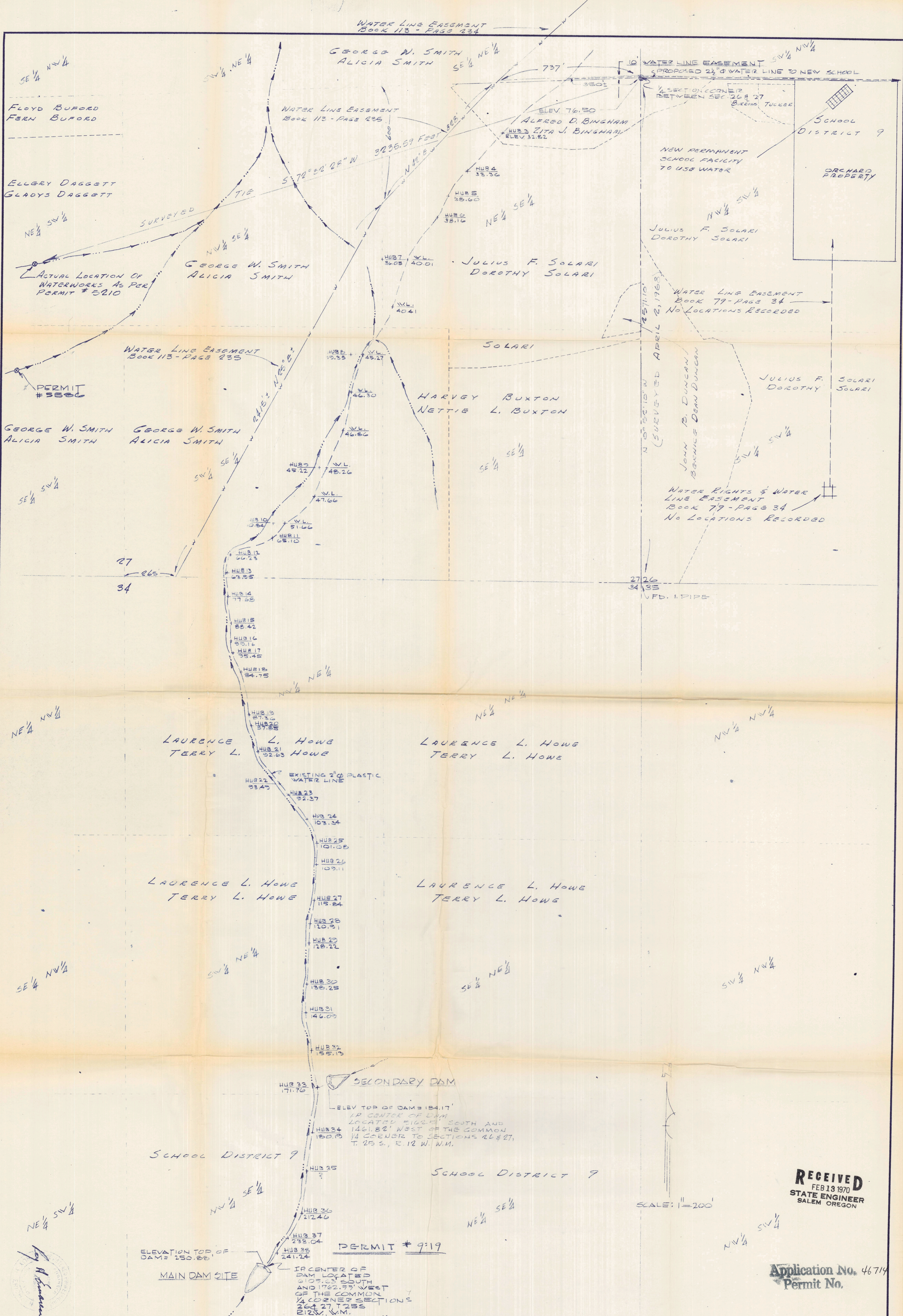
The applicant herein, owner of
the lands above described, pro-
poses to divert the water from a
point to be located 6105.63 ft. S
and 1762.55 ft. W from the E¼
corner of Sec. 27 being within
the NW¼ SE¼ of Sec. 34, T. 25
S., R. 12 W., W.M. and change
the place of use of 0.02 cubic foot
per second from the school and
0.001 cubic foot per second from
the janitors residence to the new
school building in the SW¼NW¼
and NW¼SW¼, Sec. 26, T. 25 S.,
R. 12 W., W.M.

All persons interested are noti-
fied hereby that a hearing will be
held at the county courthouse at
Coquille, Oregon, on March 9,
1971, at 9:30 a.m. All objections
to the proposed change, if any
there are, will be heard at said
time and place. Any and all ob-
jections shall be prepared in
writing, one copy to be served on
School District No. 9, P. O. Box
509, Coos Bay, Oregon, and one
copy filed with the State Engi-
neer, Salem, Oregon, together
with a \$5 filing fee at least 10
days prior to the date set for
hearing. If no objections are filed,
the application may be approved
by the State Engineer without a
hearing.

Dated at Salem, Oregon, this
11th day of January, 1971.

Chris L. Wheeler,
State Engineer

Pub: Jan. 15, 22, 29, 1971.



RECEIVED
FEB 13 1970
STATE ENGINEER
SALEM OREGON

Application No. 46719
Permit No.

WATER LINE LOCATION
COOS RIVER SCHOOL

A HARLAN GESSFORD
ARCHITECTS
COMMUNITY
5TH & HIGHLAND
ERICHSEN
ENGINEER
PLANNERS
COOS BAY, OREGON

BEFORE THE STATE ENGINEER OF OREGON

Coos County

IN THE MATTER OF THE APPLICATION)
OF SCHOOL DISTRICT NO. 9 FOR THE)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION AND PLACE OF USE OF)
WATER FROM AN UNNAMED CREEK)

ORDER APPROVING
TRANSFER NO. 2361

On April 17, 1970, School District No. 9 filed an application in the office of the State Engineer for the approval of a change in point of diversion and place of use of water from an unnamed creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to School District No. 36 and recorded at page 21693, Volume 16, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.06 cubic foot per second of water from an unnamed creek for domestic supply for a schoolhouse, janitors residence and teachers residence in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, Township 25 South, Range 12 West, W.M., with a date of priority of October 16, 1929. Water for this use is diverted from a point located 1140 feet north and 380 feet east from the S $\frac{1}{4}$ corner of Section 34 being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, Township 25 South, Range 12 West, W.M.

The applicant herein, owner of the lands above described, proposes to divert the water from a point to be located 6105.63 feet south and 1762.55 feet west from the E $\frac{1}{4}$ corner of Section 27 being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, Township 25 South, Range 12 West, W.M. and change the place of use of 0.02 cubic foot per second from the school and 0.001 cubic foot per second from the janitors residence to the new school building in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, Township 25 South, Range 12 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 place of use and point of diversion of water, if any there were, namely: at the county courthouse in Coquille, Oregon, on March 9, 1971, at 9:30 a.m. The notice was published in The World, a newspaper printed and having general circulation in Coos County, Oregon, for a period of three weeks in the issues of January 15, 22, and 29, 1971. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. M. John Youngquist, Watermaster of District No. 15, has filed a report to the effect that the proposed change in place of use and point of diversion 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 and point of diversion 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 being for the appropriation of 0.02 cubic foot per second for domestic supply for a schoolhouse and 0.001 cubic foot per second for a janitors residence in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, Township 25 South, Range 12 West, W.M. from an unnamed creek with a date of priority of October 16, 1929, be severed therefrom and simultaneously and without loss of priority transferred to the use of 0.021 cubic foot per second of water from an unnamed creek in a school building in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, Township 25 South, Range 12 West, W.M.

It is FURTHER ORDERED that the proposed change in point of diversion of water from an unnamed creek, to-wit:

From a point located 1140 feet north and 380 feet east from the S $\frac{1}{4}$ corner of Section 34 being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, Township 25 South, Range 12 West, W.M.

To a point to be located 6105.63 feet south and 1762.55 feet west from the E $\frac{1}{4}$ corner of Section 27 being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, Township 25 South, Range 12 West, W.M.

for appropriation of 0.038 cubic foot per second of water for use in the old school building; 0.021 cubic foot per second of water for use in the new school building; and 0.001 cubic foot per second of water for use in the teachers residence in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, Township 25 South, Range 12 West, W.M., with a date of priority of October 16, 1929, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use and the change in point of diversion made on or before October 1, 1971.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water that is available at the old point of diversion and shall be limited to 0.06 cubic foot per second.

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 School District No. 36 and recorded at page 21693, Volume 16, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion and place of use, a certificate of water right shall be issued to School District No. 9

confirming the extent to which the water has been applied beneficially
and the change in point of diversion.

Dated at Salem, Oregon, this 12th day of March, 1971.

/s/ CHRIS L. WHEELER
State Engineer

RECEIVED
APR 17 1970
STATE ENGINEER
SALEM, OREGON

RECEIVED
JAN 4 1970
STATE ENGINEER
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, School District No. 9
(Name of applicant)

of P.O. Box 509 Coos Bay, County of Coos,
(Postoffice)

State of Oregon, do hereby make application for change in point of diversion

and place of use
(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is an unnamed stream
(Name of stream)

2. The use to which the water is applied is domestic supply for schoolhouse, janitors residence and teachers residence
(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is ----

4. The point of diversion is located 1140 ft. N and 380 ft. E from the S $\frac{1}{2}$
(N. or S.) (E. or W.)

corner of Section 34 being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$
(Section or subdivision)

of Section 34 Tp. 25S R. 12W W. M., in the County of Coos
(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 $\frac{1}{4}$	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 $\frac{1}{4}$
25S	12W	26							X			X						

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? Yes (see remarks)
(If not owner, explain your interest)

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? October 16, 1929

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

of permit 9319

10. Do you hold a water right certificate? yes If so, give number of certificate 24693
(Yes or No)

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

no If so, give title of proceedings -----
(Yes or No)

12. Is the water right recorded in your name? No. School District No. 36
(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 $\frac{1}{4}$
25S	12W	26							X			X						

(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 6105.63 ft. S and 1762.55 ft. W from the E $\frac{1}{4}$
(N. or S.) (E. or W.)
corner of Sec. 27 being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34 Tp. 25S R. 12W W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of Coos 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? yes

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? No

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.? -----
(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 New school built in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26.
0.038 continued to be
0.02 cfs will be used in old gym and cafeteria. 0.02 cfs to be transferred to new
one
school. No use made in the houses described in original right. 0.02 to be used for
irrigation of approximately 2.0 acres. 0.01 cfs to remain for teachers residence
40.01 cfs from janitors residence to be used at new school.
Right then will be for use of 0.038 cfs at old buildings (gym & cafeteria)
0.021 at new school & 0.001 cfs at teachers residence total 0.06 cfs

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Coos } ss.

I, School District 9-Coos Bay Oregon, 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 31st day of December, 1970

Equil R. Buckingham Chairman
(Name of applicant)

Subscribed and sworn to before me this 31st day of December, 1970

[Notarial Seal]

Marie Stump
NOTARY PUBLIC FOR OREGON

My commission expires 10-18-74

Remarks Janitors residence sold with reservation of water right and specific right to transfer place of use from property sold. Copy of deed included with this application.

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.