

September 27, 1956

Bedingfield, Grant and Bedingfield
Attorneys At Law
P. O. Box 126
Coos Bay, Oregon

Attention: Mr. J. B. Bedingfield

Gentlemen:

The correction certificates mentioned in previous correspondence are being prepared and will be forwarded to you directly by the County Clerk of Coos County after being recorded in this office.

The use of water as shown on the certificates is, "domestic supply for schoolhouse, janitors residence and teachers residence." This is in accordance with the application and proof forms and we believe that this covers all normal uses of water in a school or school facilities in addition to the domestic use in the two houses. Our receipts Nos. 8456, 8457, and 8458 for \$3 submitted in payment of the recording fees for the correction certificates are enclosed.

I believe this will straighten out the school districts filings with the exception of Permit No. 14798. This permit apparently was made to increase the amount of water to the full extent of the system that has been installed under the terms of Permit No. 9319 for which a certificate was issued. According to the affidavit submitted to obtain certificate 9010 and the field engineer's report attached to Permit No. 14798 the capacity of the system would not deliver the total amount described in both applications, therefore a confirming certificate under Permit No. 14798 could not be issued. This is covered in the third paragraph of our letter of June 15, 1956.

In view of this, we would appreciate it if the school district would authorize the cancellation of Permit No. 14798 so we may clear our records.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Trevor Jones, Assistant

TJ:ld
enc. cancellation form
receipts

8593
8068
13075
19024
30861

July 10, 1956

Mr. J. B. Bedingfield
Attorney at Law
Hall Building
Coos Bay, Oregon

Dear Mr. Bedingfield:

With reference to your letter of June 14th concerning the certificates which are recorded on Pages 3717 and 7367, State Record of Water Rights Certificates, I believe that the answer to your question concerning use of water under the heading of domestic as listed in the certificates is best answered by referring to the concept of the water law.

A right completed under a State Engineer's permit is limited to the extent and purpose that it was put to beneficial use under the terms of the permit at the time of making final proof thereunder. The files would indicate that the two above certificates were for the individual domestic water supplies of the people in whose names they were issued. Unless the water was actually used for additional school uses at the time of making final proof I would doubt that it would cover any such enlargement.

In any event the present application which has been filed and given File No. 30861 would cover this use. The application appears to be in satisfactory form and has been placed in line for approval by issuance of a permit with the next group. Enclosed is our Receipt No. 7417 covering the statutory fees which you submitted in the amount of \$20.

With reference to your letter of June 26th, correction certificates can be issued on the three named rights which are recorded on Pages 5367, 5374 and 9010, State Record of Water Rights Certificates. Since the issuance of new certificates will require that they again be recorded in the county records the statutory fees in the amount of \$3 must be paid. Under the law that fee is collected by the State Engineer who in turn transmits it to the county clerk.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By

CLW:ah

Chris L. Wheeler, Assistant

BEDINGFIELD, GRANT AND BEDINGFIELD

J. B. BEDINGFIELD
D. J. GRANT
J. B. BEDINGFIELD, JR.

ATTORNEYS AT LAW
HALL BUILDING
COOS BAY, OREGON

P. O. BOX 126
TELEPHONE CONGRESS 7-2181

June 26, 1956

RECEIVED
JUN 27 1956
STATE ENGINEER
SALEM, OREGON

Mr. Lewis A. Stanley
State Engineer
Water Resources Board
Salem, Oregon

Re: Your file 13075
Our file School District 9-C
Coos River School water rights

Attention: Mr. Trevor Jones, Assistant Engineer

Gentlemen:

We thank you for your letter of June 25th suggesting correction certificate for Certificate 9010.

As we understand it, this correction certificate will carry a priority date of October 16, 1929, being the same as in the original certificate number 9010 issued in 1931.

If this will not change the priority date nor otherwise impair rights of School District 9-C, then we feel that the School District records would be more complete by having the correction certificate. Accordingly, we request that you issue the new certificate covering the uses designated in your letter, namely, "domestic use in school, gymnasium, teachers' and janitor's residences".

We find that School District 9-C, as successor to School District No. 36 also holds certificate recorded in Volume 5, page 5367, and Certificate recorded in Volume 6, page 5374. Both of these certificates likewise read "domestic supply". We are wondering if you could also reissue those certificates with use of water designated therein the same as above requested for the correction certificate 9010?

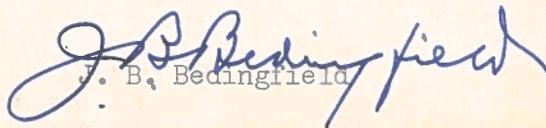
The reason we are particularly anxious to preserve whatever rights the School District has in this water is as follows: The District is having to replace the dam and pipeline at considerable expense.

Heretofore quite a number of residents in the area have diverted water from the old pipeline. We do not know by what right they claim to take that water. Neither do we know whether they have filed any claims to water which they have been diverting.

The new pipeline according to present plans of the School Board will not be available for use by any others than the School District.

Very truly yours,

BEDINGFIELD, GRANT & BEDINGFIELD


J. B. Bedingfield

JBB:JI

June 25, 1956

Bedingfield, Grant and Bedingfield
Attorneys at Law
Box 126
Coos Bay, Oregon

Attn: Mr. J. B. Bedingfield

Gentlemen:

In response to your letter of June 19th, if you feel that it would be of value in completing the records of School District 9-C, we will issue a correction certificate for certificate No. 9010 and will include in the new certificate the uses as described in the application and again in the final proof forms. We do not believe it would be necessary to list all of the uses for which water may be needed within the school itself, however, the certificate could contain "domestic use in school, gymnasium, teacher's and janitor's residences."

Apparently the application forms which we previously mailed were misdirected so additional copies have been mailed under separate cover.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Trevor Jones, Assistant

TJ:VC

BEDINGFIELD, GRANT AND BEDINGFIELD

J. B. BEDINGFIELD
D. J. GRANT
J. B. BEDINGFIELD, JR.

ATTORNEYS AT LAW
HALL BUILDING
COOS BAY, OREGON

P. O. BOX 126
TELEPHONE CONGRESS 7-2181

June 19, 1956

27651-2
RECEIVED
JUN 21 1956
STATE ENGINEER
SALEM, OREGON

Mr. Lewis A. Stanley
State Engineer
Water Resources Department
Salem, Oregon

Re: Certificate of Water Right 9010

Attention: Mr. Trevor Jones, Assistant Engineer

Gentlemen:

The above numbered certificate recorded in State Record of Water Right, being Certificate 9010, does not contain any description of use to which the water may be put.

Your letter of June 8, 1956, states that the application for which this certificate was eventually issued describes the use of water as being for "domestic use in school, gymnasium, teachers' and Janitors' residences".

In connection with another permit issued to School District 9-C, No. 21940, you wrote on June 7th that in that case proof could not be made for school use on the basis of domestic use.

The water rights of this School District under certificate 9010 and any other permits issued for use from that same source of water is of very great value and importance to the district and we would like to be certain that the designation of use contained in the application for which Certificate 9010 was issued is sufficient to permit the use of that water for all school purposes, whether it is designated as domestic or not. This would include the use of water in lavatories, toilets, drinking water and any other general purposes for school, either in the school buildings, the gymnasium or in teachers' or janitors residences.

Will you please advise us, if, in your opinion, and under the practices of your office, designation as stated by you in your letter of June 8th, "domestic use in school, gymnasium, teachers' and janitors' residences" entitle school District 9-C to use the water described in Certificate 9010 for all school purposes?

We trust that you will give us this additional information by return mail.

Very truly yours,

BEDINGFIELD, GRANT & BEDINGFIELD


J. B. Bedingfield

JBB:JI

BEDINGFIELD, GRANT AND BEDINGFIELD

J. B. BEDINGFIELD
D. J. GRANT
J. B. BEDINGFIELD, JR.

ATTORNEYS AT LAW
HALL BUILDING
COOS BAY, OREGON

P. O. BOX 126
TELEPHONE CONGRESS 7-2181

June 12, 1956

RECEIVED
JUN 13 1956
STATE ENGINEER
SALEM, OREGON

Mr. Stanley A. Lewis
State Engineer
Water Resources Department
Salem, Oregon

School District 9-C
Re: Coos River School
water rights

Attention: Mr. Trevor Jones, Assistant Engineer

Gentlemen:

We thank you for your letter of June 8th in which you refer to your file numbers 8068, 8593, 13075 and 19204. We now have in our possession the following certificates:

- (a) Certificate of School District No. 36, dated March 10, 1925, recorded in your Vol. 6, page 5374, giving that School District 0.1 cubic feet per second for domestic supply.
- (b) Certificate of School District No. 36, dated March 10, 1925, for 1/10th cubic feet per second for domestic supply, recorded in your Vol. 5, page 5367.
- (c) Certificate of School District No. 36, dated February 3, 1931, recorded in your water right certificate volume 2, page 9010 for .06 cubic feet per second for domestic purposes.

Also our records indicate that School District No. 36 filed application for permit on or about March 17, 1941, for 0.04 cubic feet per second for domestic purposes and that permit was granted on May 12, 1941.

We are unable to determine from your letter of June 8th, whether there are additional filings either by School District No. 36, or its successor, although it would appear from your letter and data in our files that there have been some additional filings by these school districts or one of them.

We would like to know what permits and certificates are still in effect, either in the name of School District No. 36, Coos County, Oregon, or in the name of School District 9-C, Coos County, Oregon, and the amounts of water filed upon, the purposes of use indicated, the place of use and the source of the water.

Mr. Stanley A. Lewis
Salem, Oregon

Page 2

June 12, 1956

It is entirely possible that all of these old permits and certificates should be combined and a complete new filing made covering all the rights of the School District in this water and setting out definitely the uses to which it may apply that water.

If you can enlighten us further in respect to the above, we would greatly appreciate it.

We enclose our check in payment of your bill for \$3.20. Kindly receipt the bill and return it.

Very truly yours,

BEDINGFIELD, GRANT & BEDINGFIELD


J. B. Bedingfield

JBB:JI

8068
8593
13075
19204

June 8, 1956

Bedingfield, Grant and Bedingfield
Attorneys at Law
Hall Building
Coos Bay, Oregon

Attention: J. B. Bedingfield

Gentlemen:

Pursuant to your request we have checked the records of this office and do not find a record of any other right to use of water from the source described in permit No. 14798 in the name of School District No. 36.

A further check will be made to determine why the confirming certificate has not yet been issued since the final proof survey was made several years ago and the final proof form was signed and returned. According to this final proof form the permit is limited to 0.04 second-feet of water from an Unnamed Creek for domestic use in school, gymnasium, teachers' and janitors' residences. This application was made to appropriate water from the diversion point described in permit No. 9319, certificate No. 9010, simply to file on the full capacity of the system for fire protection purposes and make the total amount of water applied for to equal 0.1 second-foot. This is indicated under the remarks section of application No. 19204 for which permit No. 14798 was issued.

The first application, for which certificate No. 9010 was eventually issued, describes the use of water as being for domestic use in school, gymnasium, teachers' and Janitors' residences.

School District No. 36 also has certificates Nos. 5367 and 5374 which apparently serve the same places of use from tributaries of the same stream as the above-mentioned certificates.

Enclosed are certified copies of these certificates as you requested and also blueprints of the maps which accompanied the applications. The fees for the certified copies of the certificates enclosed are \$3 and 20 cents for blueprinting of the two maps.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By

Trevor Jones, Assistant

TJ:db

enc: cert copies & 2 b.p.

CHAS. E. STRICKLIN, STATE ENGINEER
SECRETARY
STATE RECLAMATION COMMISSION
HYDROELECTRIC COMMISSION OF OREGON

STATE OF OREGON

OFFICE OF THE
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

ADDRESS ALL COMMUNICATIONS
CHAS. E. STRICKLIN, STATE ENGINEER
SALEM, OREGON

January 27, 1941

TO C. F. Bessee

ADDRESS MARSHFIELD, OREGON

For blue print of tracing accompanying Application No. 13075\$0.10

C. F. Bessee

REGISTERED PROFESSIONAL ENGINEER
COOS COUNTY OWNERSHIP MAPS

Marshfield, Oregon.

February 2, 1941.

Mr. Chas E. Stricklin, State Engineer,
Salem, Oregon,

RECEIVED
FEB 4 1941
STATE ENGINEER
SALEM, OREGON

Dear Sir:-

The plat and information regarding the water right filing of School District No. 36 of Coos County has been recieved, and attached hereto is the ten cents for the print of the map.

Thanking you for your prompt reply to my request, I remain,

Yours very truly,

C. F. Bessee.

Feb. 6, 1941

Recd. No. 27107

January 27, 1941

Mr. C. F. Bessee
Registered Professional Engineer
Marshfield, Oregon

Dear Mr. Bessee:

Pursuant to your letter of January 21, I am enclosing herewith a blue print of the tracing accompanying Application No. 13075 in the name of School District No. 36, which application appears to be the latest one submitted by this district.

Certificate No. 9010 in the name of School District No. 36, which certificate was issued confirming the right defined by Permit No. 9319, approving Application No. 13075, grants a right to the use of 0.06 cubic foot per second of water from an unnamed creek, tributary of Coos River, for domestic use 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.

The fee for preparing the enclosed blue print in the amount of 10 cents may be submitted by you at your convenience.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Ed K. Humphrey, Assistant

EKH:BB
encl.

8068
8593
13075

C. F. Bessee

REGISTERED PROFESSIONAL ENGINEER
COOS COUNTY OWNERSHIP MAPS

Marshfield, Oregon.

January 21, 1941.

Mr. Chas. E. Stricklin, State Engineer,
Salem, Oregon.

RECEIVED

JAN 23 1941

STATE ENGINEER
SALEM, OREGON

Dear Sir:-

Will you please send me a print of the map which accompanied the latest water right application, provided there is more than one, which was made in the name of School District No. 36, Coos County, Oregon, known as the Coos River School District, and also advise me as to the amount of water filed upon, in case the map does not show the same. The present school board does not seem to be able to find any record of their water right, and the information is needed in connection with proposed changes and additions at the school.

The charges in connection with this request will be forwarded to your office immediately upon receipt of a statement of the same.

Yours very truly,

C. F. Bessee,

COOS RIVER CONSOLIDATED SCHOOL

H. K. SHIRK, PRINCIPAL

(P. O.) MARSHFIELD, OREGON

DIRECTORS:

J. A. SMITH

FRED BRUNELL

T. F. SMITH

CLERK:

W. R. OXENRIDER

NOV 14 1930

SALEM, OREGON

Nov 12 - 1930

Mr Rhea Fifer

Dear Mr Fifer.

The inclosed notices were overlooked until we received your card so if there is any other information you want let me know.

W. R. Oxenrider

H.K. for Proof

November 15, 1929

School District No. 36,
Marshfield,
Oregon.

Gentlemen:

Herewith you will find Application No. 13075, being
Permit No. 9519, together with print.

The application has been approved and recorded in this
office.

October 18, 1929.

School District No. 36,
Coos County,
Marshfield, Oregon.

Gentlemen:

This will acknowledge receipt of your application for permit to appropriate water from an unnamed creek, tributary of Coos River for domestic supply for school. Receipt is also acknowledged of your remittance of \$10.00 as fees for which receipt No. 10369 is enclosed.

The application which has been filed under No. 13075 appears to be correct form and is being placed in line for approval and issuance of a permit.

Yours very truly,

RHEA LUFER
State Engineer

By
Office Assistant.

LW