

BEFORE THE STATE ENGINEER OF OREGON

Washington County

IN THE MATTER OF THE APPLICATION)
OF STIMSON LUMBER COMPANY FOR THE)
APPROVAL OF A CHANGE IN USE OF)
WATER FROM SCOGGINS CREEK)

ORDER APPROVING
TRANSFER NO. S-211

On November 6, 1968, Stimson Lumber Company filed an application in the office of the State Engineer for the approval of a change in use of water from Scoggins Creek pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Stimson Lumber Company and recorded at page 11376, Volume 10, State Record of Water Right Certificates, confirms a right to the use of not to exceed 8.0 cubic feet per second of the waters of Scoggins Creek for lumber manufacturing within the SW¼ and SW¼ SE¼ of Section 21, Township 1 South, Range 4 West, W.M., with a date of priority of April 1, 1932.

The applicant herein, owner of the lands above described, proposes to change the use heretofore made of water for lumber manufacturing to use of 0.5 cubic foot per second of water in a hand-board manufacturing plant located within NE¼ SW¼ and SE¼ SW¼ of Section 21, Township 1 South, Range 4 West, W.M. An affidavit submitted in support of and made a part of the application specifies the quantity of water used for hardboard plant purposes as being 0.5 cubic foot per second.

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 Hillsboro, Oregon, on May 8, 1969, at 9:30 a.m. The notice was published in the Hillsboro Argus, a newspaper printed and having general circulation in Washington County,

Oregon, for a period of three weeks in the issues of March 13, 20, and 27, 1969. 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 of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in use heretofore made of water is approved and the water right hereinbefore described for the use of 0.5 cubic foot of water per second for lumber manufacturing appurtenant to lands within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 1 South, Range 4 West, W.M., with a date of priority of April 1, 1932, be severed therefrom and simultaneously and without loss of priority transferred to use in the hardboard manufacturing plant located within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 1 South, Range 4 West, W.M.

It is FURTHER ORDERED that no time need be fixed for completion as the change in point of diversion is constructed and in operation.

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.

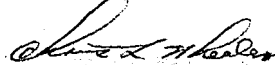
That the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled.

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.

State Engineer's Office

It is FURTHER ORDERED that certificate of water right heretofore issued to Stimson Lumber Company and recorded at page 11376, Volume 10, State Record of Water Right Certificates, is canceled, and upon receipt of proof satisfactory to the State Engineer of completion of the change in use heretofore made of water authorized herein, a certificate of water right shall be issued to Stimson Lumber Company, a corporation, confirming said change.

Dated at Salem, Oregon, this 12th day of June, 1969.



CHRIS L. WHEELER
State Engineer