

2394 T.S. Stansbie &  
H.J. Hughes  
Rt. 1, Box 381, Scappoose,

2394

STATUS OF APPLICATION

Change in Point of Diversion  
Date filed June 8, 1970  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order 2-5-71 Vol. 20, page 388  
Date for application of water 10-1-71  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued FEB 26 1971 Vol. 29, page 37402  
MAR 5 1975 33 41764  
To Survey 4/19/71

DESCRIPTION OF WATER RIGHT

Name of stream S. Fk Scappoose Creek  
Trib. of - County of Columbia  
Use Irrigation  
Quantity of water 0.02 cfs No. of acres 1.96  
Name of ditch -  
Date of priority September 23, 1949  
In name of T.R. McConnell  
\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 24154 Per. No. 19004 Cert. No. 22748  
Certificate cancelled \_\_\_\_\_  
Notation made on record by slw

FEES PAID

Date	Amount	Receipt No.
<u>6/8/70</u>	<u>25.00</u>	<u>19100</u>
TOTAL . . .		
<u>6/14/70</u> <u>2/11/75</u>	<u>\$2 Cert. Fee</u> <u>.50</u>	<u>19420</u> <u>45200</u>

FEES REFUNDED

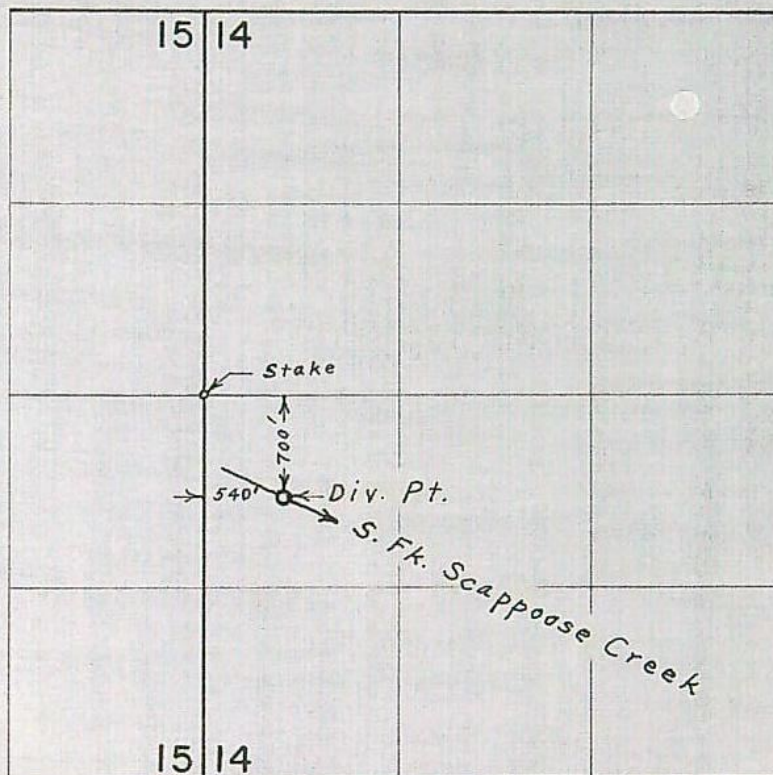
Date	Amount	Check No.

REMARKS

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
<input checked="" type="checkbox"/>	Name		<u>slw</u>	
<input checked="" type="checkbox"/>	Stream		<u>slw</u>	
<input checked="" type="checkbox"/>	Pt. of Div.		<u>slw</u>	
<input checked="" type="checkbox"/>	Calendar		<u>slw</u>	
<input checked="" type="checkbox"/>	CHECKED TO RECORDS:			
<input checked="" type="checkbox"/>	Twp. & Rge.		<u>20</u>	
<input checked="" type="checkbox"/>	Decree-vault			
<input checked="" type="checkbox"/>	Decree-safe		<u>slw</u>	
<input checked="" type="checkbox"/>	Cert. of W/R		<u>slw</u>	
<input checked="" type="checkbox"/>	Per. Folder		<u>slw</u>	
<input checked="" type="checkbox"/>	Chainindex			
<input checked="" type="checkbox"/>	Cross Ref.			
<input checked="" type="checkbox"/>	Power Claim			
<input checked="" type="checkbox"/>	Abstracts			



T.3 N. R.2 W. W.M.



**FINAL PROOF SURVEY**  
UNDER

Application No. \_\_\_\_\_ Transfer No. 2394  
Permit No. \_\_\_\_\_

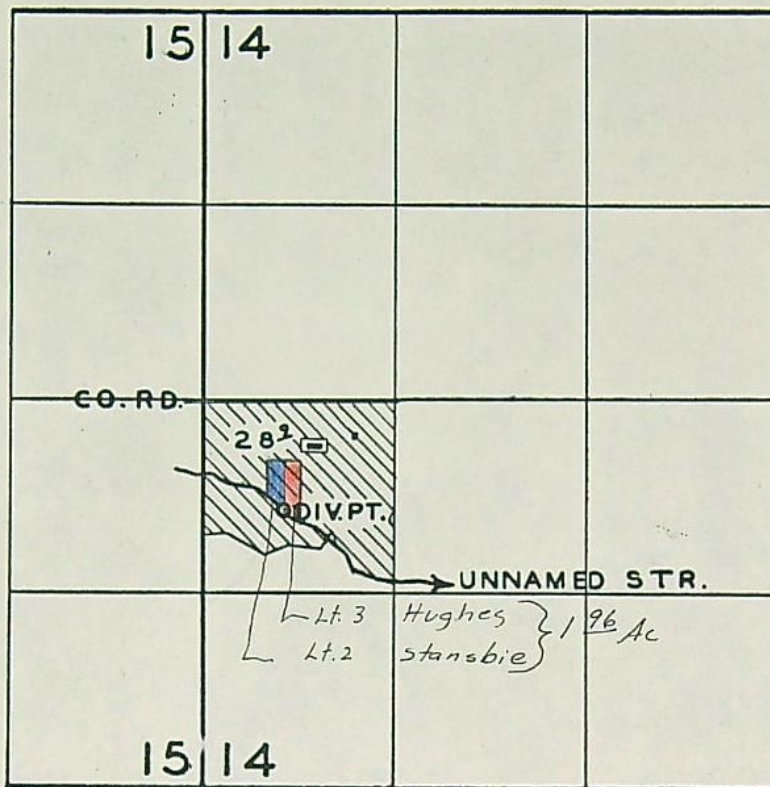
IN NAME OF

**T. STANSBIE & H. HUGHES**

Surveyed June 26, 1974, by L. E. Gould



T. 3N R 2W W.M.



**FINAL PROOF SURVEY**  
UNDER

Application No. 2415.4 Permit No. 1900.4.  
IN NAME OF

T. R. MCCONNELL

Surveyed AUG. 1 1956 by R. H. WHITBY



STATE OF OREGON  
COUNTY OF COLUMBIA  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That** THEODORE S. STANSBIE & HENRY J. HUGHES  
97056  
of Route 1, Box 381, Scappoose, State of Oregon, has made proof  
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of  
South Scappoose Creek

a tributary of Scappoose Creek for the purpose of  
irrigation of 1.96 acres

under Permit No. 19004 of the State Engineer, and that said right to the use of said waters  
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby  
confirmed dates from September 23, 1949

that the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed  
0.02 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.  
The point of diversion is located in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 14, T. 3 N., R. 2 W., W. M.,  
700 feet South and 540 feet East from W $\frac{1}{2}$  Corner, Section 14.

The amount of water used for irrigation, together with the amount secured under any other  
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second  
per acre, or its equivalent for each acre irrigated and shall be further limited to  
a diversion of not to exceed 2 $\frac{1}{2}$  acre feet per acre for each acre irrigated during  
the irrigation season of each year;

and shall  
conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is  
appurtenant, is as follows:

1.96 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
Section 14  
T. 3 N., R. 2 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by  
an order of the State Engineer entered February 5, 1971, and together with the  
certificate of water right recorded at page 37402, Volume 29, supersedes certificate  
of water right issued to T. R. McConnell and recorded at page 22748, Volume 16,  
State Record of Water Right Certificates.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of  
use herein described.

WITNESS the signature of the State Engineer, affixed

this date. March 5, 1975

Chris L. Wheeler

State Engineer

Recorded in State Record of Water Right Certificates, Volume 33, page 41764



STATE OF OREGON  
COUNTY OF COLUMBIA

# CERTIFICATE OF WATER RIGHT

This Is to Certify, That T. R. McCONNELL

of Route 1, Box 121, Scappoose, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of South Scappoose Creek

a tributary of Scappoose Creek for the purpose of irrigation of 26.94 acres

under Permit No. 19004 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from September 23, 1949

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.25 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 14, T. 3 N., R. 2 W., W. M. Diversion point located: 750 feet South and 550 feet East from NW $\frac{1}{4}$  Corner, Section 14.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$  acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

26.94 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
Section 14  
T. 3 N., R. 2 W., W. M.

Certificate of water right issued to T. R. McConnell and recorded at page 22748, Volume 16, State Record of Water Right Certificates, confirms the right to the use of water for irrigation of 28.9 acres. A change in the right to the use of water appurtenant to 1.96 acres was approved by order of the State Engineer entered February 5, 1971. This certificate is issued to confirm the remaining right to the use of water for irrigation and supersedes the certificate heretofore issued to T. R. McConnell.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. February 26, 1971

CHRIS L. WHEELER

State Engineer



Superseded by 41764  
 Cert. No. 37402  
 Tr. Se. Or. V. 23, p. 388  
 Tr. No. 2394

STATE OF OREGON  
 COUNTY OF COLUMBIA

# CERTIFICATE OF WATER RIGHT

This Is to Certify, That T. R. McCONNELL

of Route 1, Box 121, Scappoose, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of South Scappoose Creek a tributary of Scappoose Creek for the purpose of irrigation

under Permit No. 19004 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from September 23, 1949

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.27 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 14, Township 3 North, Range 2 West, W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$  acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

28.9 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$   
 Section 14  
 Township 3 North, Range 2 West, W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 12th day of June, 1957.

LEWIS A. STANLEY

State Engineer



- date 10/1/71

REPORT ON INSPECTION UNDER  
TRANSFER OF WATER RIGHT FOR

County Columbia

1. Name T. Stansbie & H. Hughes Address Rt. 1, Box 381, Scappoose, Ore. -97056
2. Source of Supply S. Fk. Scappoose Creek, Trib. of ---
3. Amount of Water 0.02 cfs Priority Date September 23, 1949
4. Use Irrigation
5. Proposed Point of Diversion <sup>700</sup>  
~~730~~ ft. S & 540 ft. E from the NW corner of Sec. 14  
being within the NW 1/4 SW 1/4 of Sec. 14, T. 3 N., R.  
2 W., W.M.
6. Place of Use ---

[illegible]



Info: Mr. Stansbie

Div. Pt.: Deep hole in S. Fk. Scappoose Creek

Pump: A.O. Smith 1 H.P., 1 ph, 3450 R.P.M.

Dir. Dr., Sears/10 Convertible, Cent.,  $1" \times 1\frac{1}{2}"$

Pipe: 20'  $1\frac{1}{2}"$  Plastic

250' 1" Galv. Iron

16 - 50' lengths garden hose

Heads: 4 oscillating sprinklers

9 R.B. #20 -  $\frac{5}{32}$

4 of either type op. at 1 time max.

Lift: Suction 4' Disch. 0' - 4'

Crop: Lawn & garden.

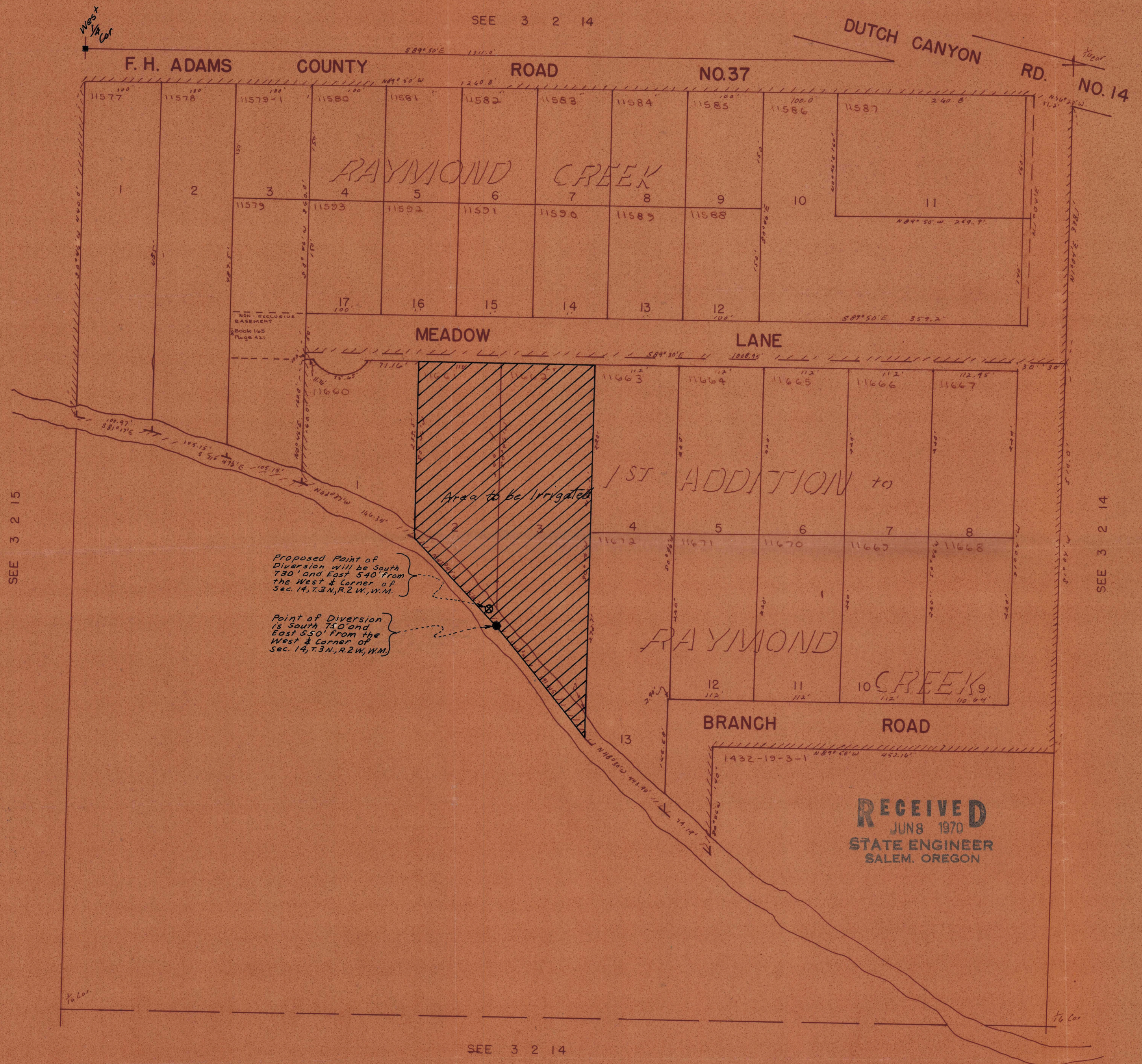
Tie: To the W.  $\frac{1}{4}$  Cor. Sec. 14

June 26, 1974, R. E. Gould  
Field Engineer



SCALE 1" = 100'

MAP FOR TRANSFER OF WATER RIGHT  
FOR THEODORE STANSBIE





BEFORE THE STATE ENGINEER OF OREGON

Columbia County

IN THE MATTER OF THE APPLICATION )  
OF THEODORE S. STANSBIE AND HENRY )  
J. HUGHES FOR THE APPROVAL OF A )  
CHANGE IN POINT OF DIVERSION OF )  
WATER FROM SOUTH FORK SCAPPOOSE )  
CREEK )  
-----

ORDER APPROVING  
TRANSFER NO. 2394

On June 8, 1970, Theodore S. Stansbie and Henry J. Hughes filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from South Fork Scappoose Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to T. R. McConnell and recorded at page 22748, Volume 16, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.27 cubic foot per second of water from South Fork Scappoose Creek for the irrigation of, among other lands, 1.96 acres in NW¼ SW¼, Section 14, Township 3 North, Range 2 West, W.M., with a date of priority of September 23, 1949. These lands are irrigated from a point of diversion located 750 feet south and 550 feet east from the NW¼ corner of Section 14 being within the NW¼ SW¼ of Section 14, Township 3 North, Range 2 West, W.M.

The applicants herein, owners of the lands above described, propose to irrigate these lands from a point of diversion to be located 730 feet south and 540 feet east from the NW¼ corner of Section 14 being within the NW¼ SW¼ of Section 14, Township 3 North, Range 2 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no intervening diversions.

Mr. Clayton J. Gardner, Watermaster of District No. 1, has



filed a report to the effect that the proposed change in point of diversion may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion of water from South Fork Scappoose Creek, to-wit:

From a point located 750 feet south and 550 feet east from the NW $\frac{1}{4}$  corner of Section 14 being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 14, Township 3 North, Range 2 West, W.M.

To a point to be located 730 feet south and 540 feet east from the NW $\frac{1}{4}$  corner of Section 14 being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 14, Township 3 North, Range 2 West, W.M.

for the irrigation of 1.96 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 14, Township 3 North, Range 2 West, W.M., with a date of priority of September 23, 1949, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water 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 available at the old point of diversion and shall not exceed 0.02 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 T. R. McConnell and recorded at page 22748, Volume 16, State Record of Water Right Certificates, is canceled and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Theodore S. Stansbie and Henry J. Hughes confirming the change in point of diversion.

Dated at Salem, Oregon, this 5th day of February, 1971.

/s/ CHRIS L. WHEELER  
State Engineer



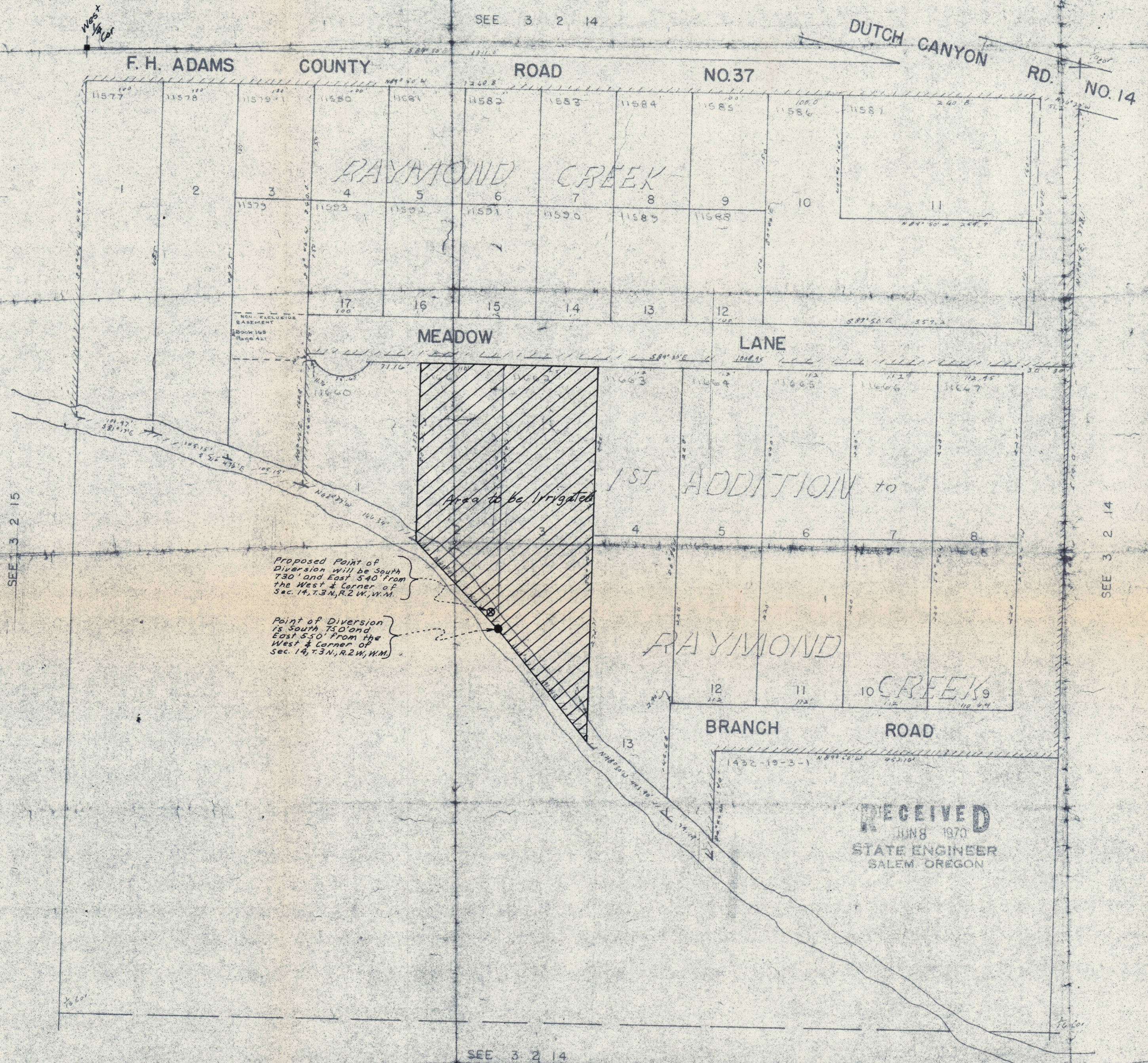


NW 1/4 SW 1/4 SEC. 14 T3N R2W W.M.  
COLUMBIA COUNTY

3 2 14 3 2

SCALE 1" = 100'

MAP FOR TRANSFER OF WATER RIGHT  
FOR THEODORE STANSBIE

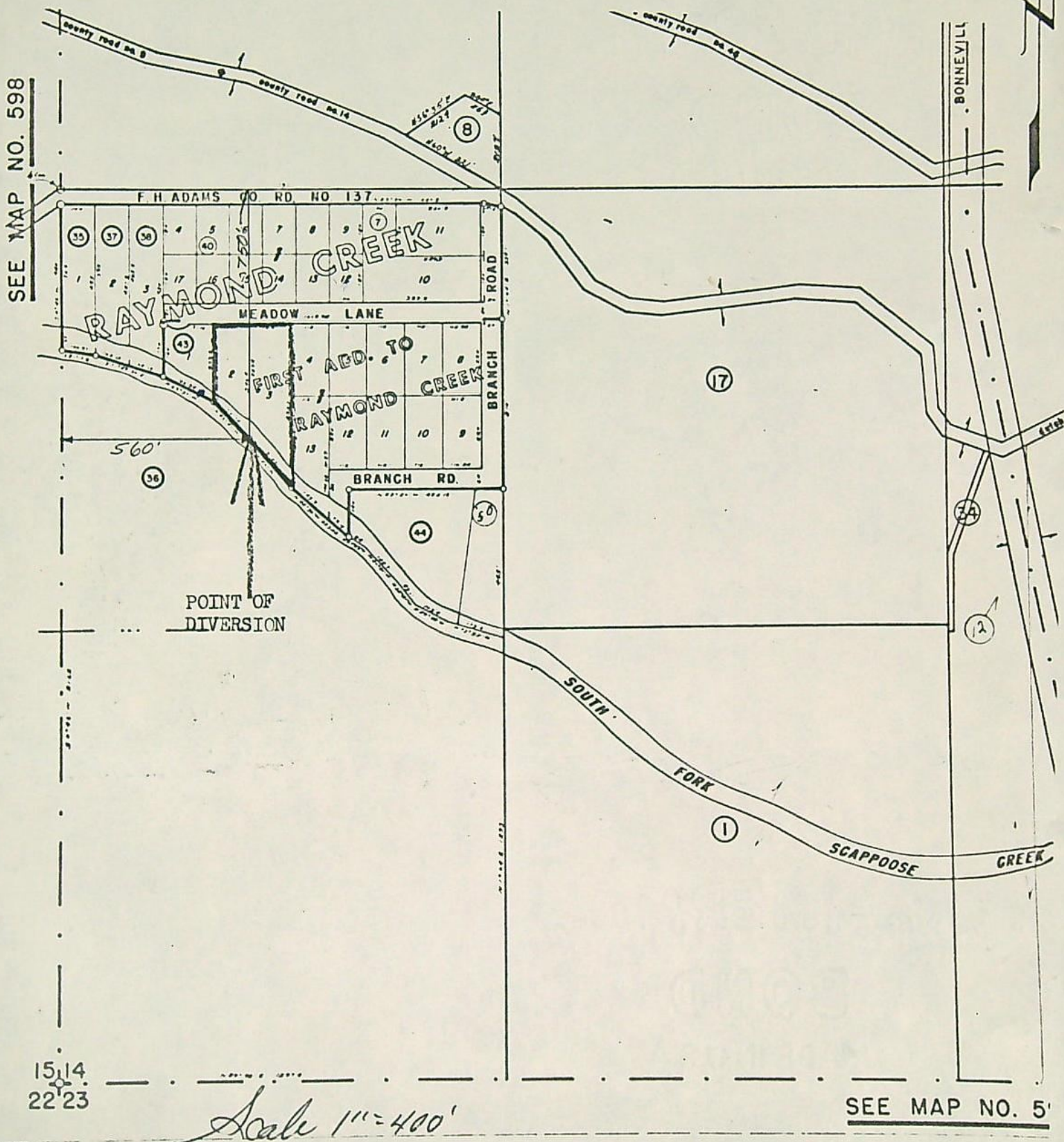




The sketch below is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

Pioneer National Title Insurance Company  
Title and Trust Division

**RECEIVED**  
MAR 9 1970  
STATE ENGINEER  
SALEM OREGON





Transfer No. 2394

NOTICE OF COMPLETION OF CONSTRUCTION

I, Henry J. Hughes, 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 February 5, 1971, approving an appli-  
cation for a change in point of diversion of water from \_\_\_\_\_  
South Fork Scappoose Creek

4/15/71  
Date

Henry J. Hughes  
Name



RECEIVED  
MAR 9 1970  
STATE ENGINEER  
SALEM, OREGON

RECEIVED  
JUN 8 1970  
STATE ENGINEER  
SALEM, OREGON

## Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Theodore S. Stansbie & Henry J. Hughes  
(Name of applicant)

of Rt. 1, Box 381 Scappoose, Oregon, County of Columbia  
(Postoffice)

State of Oregon, do hereby make application for change Point of Diversion

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

1. The source of present water right is South Fork of Scappoose Creek  
(Name of stream)

2. The use to which the water is applied is Irrigation  
(Irrigation; Mining; Power; Manufacturing; etc.)

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

4. The point of diversion is located 750 ft. South and 550 ft. East from the West Quarter  
(N. or S.) (E. or W.)

corner of Section 14 being within the Northwest of Southwest Quarter  
(Section or subdivision)

of Section 14 Tp. 3 North R. 2 West W. M., in the County of Columbia  
(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 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
3 N	2 W	14									1.96							

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? Applicant is the owner of Lot 2, Block 1 First Addition to Raymond Creek and is, also, applying for Henry J. Hughes owner of Lot 3, Block 1, First Addition to Raymond Creek.  
(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? September 23, 1949

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

of permit 19004

2-1154



10. Do you hold a water right certificate? yes If so, give number of certificate 22748  
(Yes or No)

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

yes If so, give title of proceedings State Engineers Determination  
(Yes or No)

12. Is the water right recorded in your name? No, T. R. McConnell  
(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 $\frac{1}{4}$
3 N	2 W	14											1.26					

(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 730 ft. South and 540 ft. East from the W. quarter  
(N. or S.) (E. or W.)  
corner of Section 14 being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 14 Tp. 3N. R. 2W. W. M.,  
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)  
in the county of Columbia 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 to establish personal irrigation rights



AFFIDAVIT OF APPLICANT

STATE OF OREGON,  
County of Columbia } ss.

STATE OF OREGON,  
County of Columbia } ss.

FORM NO. 23 — ACKNOWLEDGMENT  
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

BE IT REMEMBERED, That on this 15th day of May, 1970,  
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within  
named Henry J. Hughes

known to me to be the identical individual described in and who executed the within instrument and  
acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed  
my official seal the day and year last above written.

Frederic W. Fletcher  
Notary Public for Oregon.  
My Commission expires 6-17-1972

Remarks

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.