

2467 N.C. & H.O. Tribbett  
Star Rt., Box 95  
St. Paul, Ore. 97137

2467

# STATUS OF APPLICATION

# DESCRIPTION OF WATER RIGHT

# FEES PAID

Change in Point of Diversion  
Date filed December 14, 1970  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order 4-20-71 Vol. 21, page 24  
Date for application of water 10-1-71  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued Sept. 3, 1974 Vol. 32, page 10853  
10865  
To Survey 5/7/71

Name of stream a well  
Trib. of - County of Marion  
Use Irrigation  
Quantity of water 0.31 + 0.67 No. of acres 192<sup>20</sup>  
Name of ditch Tribbett Well No. 1  
30620 - July 22, 1960  
Date of priority 36298 - June 28, 1963  
In name of Nelson C & Howard O. Tribbett  
Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. G-1806 Per. No. G-1651 Cert. No. 30620  
G-2648 G-2448 36298  
Certificate cancelled \_\_\_\_\_  
Notation made on record by du

Date	Amount	Receipt No.
12-14-70	50.00	21950
TOTAL . . .		
12-31-73	1.00 \$1 Cert. Fee	38057
3-8-74	2.00	38977

# FEES REFUNDED

Date	Amount	Check No.
9-12-79	1.50	3720

# REMARKS

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



## STATE OF OREGON

COUNTY OF MARION

## CERTIFICATE OF WATER RIGHT

This Is To Certify, That

NELSON C. and HOWARD O. TRIBBETT

~~dba TRIBBETT and SON~~

of Star Route, Box 95, St. Paul, State of Oregon 97137, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Wells No. 1 and 2

a tributary of Mission Creek

for the purpose of

irrigation of ~~105.7~~ acres and supplemental irrigation of 137.0 acres

under Permit No. G-2448

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 June 28, 1963

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 2.68 cubic feet per second, being 0.67 c.f.s. from Well No. 1 and 2.01 c.f.s. from Well No. 2

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$ , both as projected within Plant DLC 66, Section 8, T. 4 S., R. 2 W., W. M. Wells located: No. 1 - 26 chains North and 10 chains East; No. 2 - 2320 feet North and 1310 feet West; both from NE Corner, Hickey DLC 67.

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;

① 1260 ft. N. & 3040 ft. E. from the NE Cor Murphy DLC 97

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:

## Well No. 1

## Primary

5.4 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$  as projected within Plant DLC 66  
 4.1 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$  as projected within Plant DLC 66  
 2.0 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$  as projected within Plant DLC 66  
 1.2 acres Lot 6 (NE $\frac{1}{4}$  SE $\frac{1}{4}$ )  
 11.4 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$  as projected within Plant DLC 66  
 29.4 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$  as projected within Plant DLC 66  
 Section 8  
 T. 4 S., R. 2 W., W. M.

## Well No. 1 &amp; 2

## Primary

0.1 acre NE $\frac{1}{4}$  NW $\frac{1}{4}$  as projected within Minard DLC 74  
 0.4 acre SE $\frac{1}{4}$  NW $\frac{1}{4}$  as projected within Plant DLC 66  
 Section 8  
 T. 4 S., R. 2 W., W. M.

amended  
by Tribbett.  
he says no in.  
SE of road



Well No. 2

Supplemental

Primary

4.9 acres

13.6 acres

SW $\frac{1}{4}$  SW $\frac{1}{4}$  as projected within Minard DLC 74  
Section 5

0.8 acre  
22.0 acres

NE $\frac{1}{4}$  SE $\frac{1}{4}$  as projected within Minard DLC 74  
SE $\frac{1}{4}$  SE $\frac{1}{4}$  as projected within Minard DLC 74  
Section 6

0.3 acre

12.6 acres

NE $\frac{1}{4}$  NE $\frac{1}{4}$  as projected within Minard DLC 74  
Section 7

1.2 acres  
21.8 acres  
0.4 acre  
24.2 acres  
33.6 acres  
1.4 acres  
12.0 acres  
32.2 acres  
3.0 acres  
2.0 acres

2.6 acres  
0.1 acre

NW $\frac{1}{4}$  NE $\frac{1}{4}$  as projected within Minard DLC 74  
SW $\frac{1}{4}$  NE $\frac{1}{4}$  as projected within Plant DLC 66  
NE $\frac{1}{4}$  NW $\frac{1}{4}$  as projected within Plant DLC 66  
NE $\frac{1}{4}$  NW $\frac{1}{4}$  as projected within Minard DLC 74  
NW $\frac{1}{4}$  NW $\frac{1}{4}$  as projected within Minard DLC 74  
NW $\frac{1}{4}$  NW $\frac{1}{4}$  as projected within Plant DLC 66  
SW $\frac{1}{4}$  NW $\frac{1}{4}$  as projected within Plant DLC 66  
SE $\frac{1}{4}$  NW $\frac{1}{4}$  as projected within Plant DLC 66  
NE $\frac{1}{4}$  SW $\frac{1}{4}$  as projected within Plant DLC 66  
NW $\frac{1}{4}$  SE $\frac{1}{4}$  as projected within Plant DLC 66

Section 8

T. 4 S., R. 2 W., W. M.

This certificate is issued to confirm a change in St. of Div. <sup>See</sup> ~~AL~~ approved by an order of the State Engineer entered April 20, 1971, and supersedes certificate of water right heretofore issued to Nelson C & Howard O Tribbett, and recorded at page 36298, Volume 28, 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 9 day of September, 1969.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 28, page 36298



## STATE OF OREGON

COUNTY OF MARION

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** Nelson C. and Howard O. Tribbett,  
~~a co-partnership,~~  
~~TRIBETT and SON~~ 97137  
 of ~~116 Wynowski Street, Newberg,~~ <sup>Star Route Box 95 St. Paul</sup>, 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  
 a well

a tributary of Mission Creek (Willamette River)

for the purpose of

irrigation of 138.2 acres

under Permit No. G-1651 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 July 22, 1960,

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

0.31 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 SW $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected within Plant DLC 66, Sec.  
 8, T. 4 S., R. 2 W., W. M. Well located 26 chains North and 10 chains East from  
 NE corner, Hickey DLC 67. <sup>Murphy DLC 97 1360 ft</sup> <sup>3040 ft</sup>

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:

4.9 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$  as projected within Minard DLC 74  
 Section 5

0.3 acre NE $\frac{1}{4}$  NE $\frac{1}{4}$  as projected within Minard DLC 74  
 Section 7

1.2 acres NW $\frac{1}{4}$  NE $\frac{1}{4}$  as projected within Minard DLC 74

23.0 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$  as projected within Plant DLC 66

24.2 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$  as projected within Minard DLC 74

0.4 acre NE $\frac{1}{4}$  NW $\frac{1}{4}$  as projected within Plant DLC 66

1.4 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$  " " " "

33.6 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$  as projected within Minard DLC 74

12.0 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$  as projected within Plant DLC 66

32.2 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$  " " " "

3.0 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$  " " " "

2.0 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$  " " " "

Section 8

T. 4 S., R. 2 W., W. M.

This certificate is issued to confirm a change in Pt of Div. approved by an order  
 of the State Engineer entered April 29, 1971, and supersedes certificate of water  
 right heretofore issued to Nelson C & Howard O Tribbett, and recorded at page 30620, Volume  
22, State Record of Water Right Certificates.



BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION )  
OF NELSON C. AND HOWARD O. TRIBBETT )  
FOR THE APPROVAL OF A CHANGE IN )  
POINT OF DIVERSION OF WATER FROM A )  
WELL )  
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ORDER APPROVING  
TRANSFER NO. 2467

On December 14, 1970, Nelson C. and Howard O. Tribbett filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from a well, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Nelson C. and Howard O. Tribbett and recorded at page 30620, Volume 22, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.31 cubic foot per second of water from a well for the irrigation of 4.9 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 5, 0.3 acre in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 7, 1.2 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 23.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 24.6 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 35.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 12.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 32.2 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 3.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and 2.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8, Township 4 South, Range 2 West, W.M., with a date of priority of July 22, 1960.

Certificate of water right issued to Nelson C. and Howard O. Tribbett and recorded at page 36298, Volume 28, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.67 cubic foot per second of water from a well for the irrigation of, among other lands, 5.4 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 4.1 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 0.1 acre in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 0.4 acre in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 2.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 12.6 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , and 29.4 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8, Township 4 South, Range 2 West, W.M., with a date of priority of June 28, 1963.

These lands are irrigated from Tribbett Well No. 1 located



26 chains north and 10 chains east from the NE corner of Hickey  
DLC 67 being within the SW¼ NE¼ of Section 8, Township 4 South,  
Range 2 West, W.M.

The applicants herein, owners of the lands above described,  
propose to irrigate these lands from a well to be located N 67° 27'  
E 3340 feet from the NE corner of DLC 97 being within the SW¼ NE¼ of  
Section 8, Township 4 South, 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. William B. McCall, Geologist for this department, has  
filed a report to the effect that the proposed change in point of  
diversion of water may be made without injury to existing rights if  
the new well will be developing water from the same ground water  
reservoir.

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 to the proposed change in point of diversion  
having been filed and it appearing that the proposed change may be  
made without injury to existing rights, the application should be ap-  
proved.

NOW, THEREFORE, it hereby is ORDERED that the proposed  
change in point of diversion of water from a well, to-wit:

From Tribbett Well No. 1 located 26 chains north  
and 10 chains east from the NE corner of Hickey  
DLC 67 being within the SW¼ NE¼ of Section 8,  
Township 4 South, Range 2 West, W.M.

To a well to be located N 67° 27' E 3340 feet  
from the NE corner of DLC 97 being within the



SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 8, Township 4 South, Range  
2 West, W.M.

for the irrigation of 4.9 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 5, 0.3 acre in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 7, 1.2 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 23.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 24.6 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 35.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 12.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 32.2 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 3.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and 2.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8, Township 4 South, Range 2 West, W.M., with a date of priority of July 22, 1960, 5.4 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 4.1 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 0.1 acre in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 0.4 acre in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 2.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 12.6 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , and 29.4 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8, Township 4 South, Range 2 West, W.M., with a date of priority of June 28, 1963, 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 new well shall be so constructed that water will be withdrawn only from the ground water reservoir which supplied the old well.

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 0.31 cubic foot per second with a date of priority of July 22, 1960, and 0.67 cubic foot per second with a date of priority of June 28, 1963.

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 certificates of water right heretofore issued to Nelson C. and Howard O. Tribbett and recorded at page 30620, Volume 22, and page 36298, Volume 28, State Record of Water Right Certificates, are canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, certificates of water right shall be issued to Nelson C. and Howard O. Tribbett confirming the change in point of diversion and covering the balance of the lands not involved in this proceeding.

Dated at Salem, Oregon, this 20th day of April, 1971.

/s/ CHRIS L. WHEELER  
State Engineer



OLD COUNCIL TREE  
ONIONSKIN  
100% COTTON FIBER