

# MISCELLANEOUS RECORD G

## SKAMANIA COUNTY

Johnson-Cox Company, Makers, Tacoma-4327

(Notarial seal affixed)

Lucille M. Wright  
Notary Public. My commission expires  
May. 5, 1941.

Filed for record April 1, 1941 at 2:15 p.m. by Grantee.

Mabel J. Grace  
Skamania County Auditor.

#30169

Edna Burleson to Bank of Stevenson

In consideration of the sum of three hundred and no/100 dollars to me paid, the receipt whereof is confessed, I hereby transfer and assign to Bank of Stevenson, Stevenson, Wash. all salary payable to me for the months of June, July and August 1941, viz the sum of \$300.00, under contract for teaching with the Directors of School District No. 23, Skamania County, Washington, and direct that my voucher be delivered to said assignee, and that warrant thereunder be delivered to said assignee.

Dated this 12th day of April 1941.

Edna Burleson

Accepted this 14 day of April, 1941.

C. C. Cree  
John Franz  
Directors School District No. 23 Skamania County, Washington.

Filed for record April 14, 1941 at 2:40 p.m. by Grantee.

Mabel J. Grace  
Skamania County Auditor.

#30318

State of Washington to Frank Konopski

Certificate Record No. 4, Page No. 1599. State of Washington, County of Skamania. Certificate of Water Right (For rights perfected under original, enlargement or secondary permits.) (In accordance with the provisions of Chapter 117, Laws of Washington for 1917, and the regulations of the State Supervisor of Hydraulics thereunder.)

This is to certify, that Frank Konopski of Washougal, State of Washington, has made proof to the satisfaction of the State Supervisor of Hydraulics of Washington, of a right to the use of the waters of Deadman Creek, a tributary of Columbia River, for the purposes of Fish culture under Appropriation Permit No. 2754 issued by the State Supervisor of Hydraulics, and that said right to the use of said waters has been perfected in accordance with the laws of Washington, and is hereby confirmed by the State Supervisor of Hydraulics of Washington and entered of record in Volume 4, at page 1599, on the 14th day of May, 1941; that the right hereby confirmed dates from May 1, 1939; 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 0.50 cubic foot per second.

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

Place of Use Section Township Range	Legal Subdivision	For irrigation No. acres described in permit	No. acres actually irrigated.
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Location of Power Plant Section Township Range	Legal Subdivision	For power H. P. Described in permit	H. P. Actually Developed.
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Section Township Range	Legal Subdivision	For other uses
10 1 N. 5 E.W.M. NW $\frac{1}{4}$ of NE $\frac{1}{4}$		Fish culture

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Johnson Cox Company, Makers, Tacoma, Wash.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in Section 39, Chapter 117, Session Laws 1917.

Witness the seal and signature of the State Supervisor of Hydraulics affixed this 14th day of May, 1941.

Engineering Data  
O.K. JFPA

Chas. J. Bartholet  
State Supervisor of Hydraulics

Filed for record May 15, 1941 at 9:10 a.m. by State of Washington.

*Malvinae*  
Skamania County Auditor.

#30547

S. R. Birdwell et ux et al to Gunnar Johnson.

THIS AGREEMENT, Made and entered into this 3rd day of July, 1941, by and between R. M. Wright, successor in interest to S. R. Birdwell and Rosella L. Birdwell, party of the first part, and Gunnar Johnson, party of the second part, WITNESSETH:

That whereas the party of the first part, as successor in interest of the said S. R. Birdwell et ux, claim certain rights under and by virtue of certain water rights made by D. W. Mann, claimant, filed for record on November 27th, 1903 and recorded on the same day in the office of the Auditor of Skamania County, Washington, in Book "E" Miscellaneous Records of said County at page 4, and whereas a controversy arose between S. R. Birdwell and Rosella Birdwell, husband and wife, claimants to said water right, and the party of the second part, which was submitted to the office of the State Supervisor of Hydraulics for adjudication, and pursuant thereto said Supervisor of hydraulics made the following findings:

"State of Washington, Department of Conservation and Development, before R. K. Tiffany, Supervisor of Hydraulics.

In the Matter of Arbitration of Rights of S. R. Birdwell and Gunnar Johnson to appropriate and use waters of certain springs located on land lands of said Gunnar Johnson, in Skamania County, Washington.

Findings as to basis for contract division of water.

1. Reference is made to Preliminary Findings in the above mentioned matter, dated July 21st, 1927. It appears that Birdwell has perfected a right to make beneficial use of the spring originally tapped by his system.

2. That Johnson, as riparian owner and under his permit, is entitled to all of the flow of three other springs located on his land and in close proximity to the Spring tapped by Birdwell, and that he may develop a supply of all of these springs and carry the flow thus developed into his water system, but that in such development he shall not interfere with the flow of the larger, or Birdwell Spring.

3. As an alternative, Johnson may continue to divert from the Birdwell Spring in amount not greater than one one hundredth of a cubic foot per second, which is approximately the flow of a one inch pipe under four inch pressure, provided that he divert all water from the other springs so that it, together with the overflow from his tank, shall flow into the Birdwell System.

4. That Birdwell should have access to Johnson's land for the purpose of repairing, maintaining or renewing his pipe line or water system.

Dated at Olympia, Washington, this 26th day of November, 1927.

R. K. Tiffany,  
State Supervisor of Hydraulics."

And whereas it has been found that the conditions contained in paragraphs 1 and 3 of said findings can not be conveniently be complied with; that the parties in interest adopted and have complied with the conditions of paragraph 2 thereof, and that such adoption and compliance should be made a matter of public record. Therefore it is hereby agreed by and