

Name Frederick C. Herring
 By Route 3, Box 80
 Address Newberg, Oregon

Application No. 26386
 Permit No. 20999
 Certificate No. ~~23280~~ ~~28750~~ 50408
76448

Stream Index, Page No. 2-76-A-4
 See also No. R-26385

FEEES PAID

Date	Amount	Receipt No.
9/6/51	26.05	12824
	B. P. Fee	
3-22-57	\$1 Cert. Fee	11007

FEEES REFUNDED

Date	Amount	Check No.

Date filed August 31, 1951
 Priority August 31, 1951 *OK Post*
 Action suspended until _____

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

Returned to applicant _____
 Date of approval June 30, 1952

CONSTRUCTION

Date for beginning June 30, 1953
 Date for completion October 1, 1954
 Extended to _____
 Date for application of water October 1, 1955
 Extended to _____

REMARKS

1.385 cfs from Williamson Creek & Res. (Chetalem Cr.) for irrig. of 110.8 a.
SEE T-4859 A POV 9^o SL

PROSECUTION OF WORK

Form "A" filed See App. No. R-26385
 Form "B" filed _____
 Form "C" filed August 18, 1953

FINAL PROOF

Blank mailed January 14, 1957
 Proof received _____
 Date certificate issued ~~NOV 20 1957~~

JUNE 9 1951

IMPORTANT—This form is a notice to the State Engineer that permittee is ready to make **final proof** to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the **final proof** inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the State Engineer until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.
Fill out, detach, and mail to the State Engineer, Salem, Oregon, when all of the water has been applied.

Application No. 26986

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

Judith C Fleming, the holder of Permit No. 20999
to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 1 day of July, 1957.

Remarks: _____

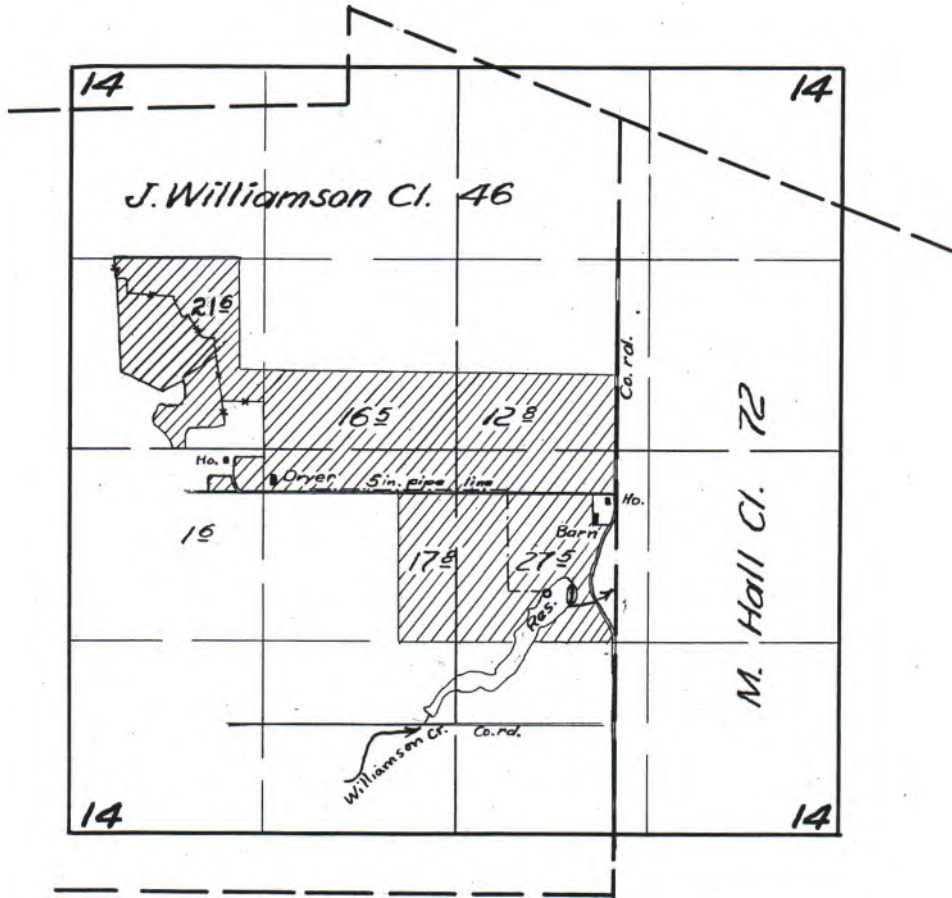
IN WITNESS WHEREOF, I have hereunto set my hand this 18 day of August, 1957

Judith C Fleming
(Signature of Applicant)

Box 773 Numbury
(Address)

RECEIVED
AUG 18 1953
STATE ENGINEER
SALEM, OREGON

T. 3 S. R. 3 W. W.M.



FINAL PROOF SURVEY

UNDER

R-26385

R-1309

Application No. 26386 Permit No. 20999

IN NAME OF

Frederick C. Herring

Surveyed *Mar. 23* 1956, by *M. Besh*

corrected by 25 126 (cont) 25230

Permit No. 20999

Application No. 26386

County Yamhill

Proof of Appropriation of Water

1. Name Frederick C. Herring 2. Address Rt. 3, Box 80 - Newberg, Oregon
3. Source of supply Williamson Creek & reservoir constructed under Application No. R-26385, Permit No. R-1309
- Tributary of Chehalem Creek
4. Amount of water 0.8 ~~6.08~~ cfs 5. Priority date August 31, 1951
6. Use irrigation 1/80th and 2 1/2 a.f. - from direct flow and storage from reservoir constructed under Permit No. R-1309

7. Location of point of diversion in Williamson DLC #46 NW 1/4 SE 1/4 / Sec. 14 Tp. 3 S Rg. 3 W, W. M.
(Legal Subdivision)

8. The description of land given below corresponds to that shown in the permit covering land to be irrigated, or, if for other purposes, the place of use.

Township	Range	Section	Legal Subdivision	No. Acres Actually Irrigated
3 S	3 W	14	SW 1/4 NE 1/4 As projected within Williamson DLC #46	12.8
			SW 1/4 NW 1/4 " " " "	21.6
			SE 1/4 NW 1/4 " " " "	16.5
			NE 1/4 SW 1/4 " " " "	17.8
			NW 1/4 SW 1/4 " " " "	1.6
			NW 1/4 SE 1/4 " " " "	27.5

97.8

Land on which water is to be used is part of the property described as follows:

DESCRIPTION OF WORKS

- 9. (a) If a dam has been constructed, give description: Height, ft.; length on top, ft.; length on bottom, ft.; material used and character of construction,
- (b) Give description of headgate: Width, ft.; depth, ft.; material used and character of construction,
- (c) Size of canal: Width on top (at waterline), ft.; width on bottom, ft.; depth of water, ft.; grade, ft. fall per 1,000 ft. Actual capacity, sec.-ft. Give general description:

- (d) Pipe line: Description of intake, Length of pipe, ft.; size at intake, in.; size at ft. from intake, in.; size at place of use, in. Difference in elevation between intake and place of use, ft. Is grade uniform? Actual capacity of pipe line, sec.-ft. Give general description:
(Material: Steel, wrought, cast iron, wood stave, etc.)

- (e) Pumping plant: Give size and type of pump, *2 1/2" centrifugal* Suction lift, ft.; discharge lift, ft. Type of motor used *3 Ph - 3500 RPM* Horsepower rating, H. P. Actual capacity of pump, sec.-ft.

- 10. During what months is water beneficially used?
- 11. State character of soil Kind of crops raised
- 12. Does the accompanying map, filed with your application, show correctly the point of diversion, area of land irrigated, or place of use?
- 13. If not, wherein is such map in error?
- 14. Domestic use: Give number of families actually using water at this time
- 15. If for power, mining, municipal, manufacturing, storage or any other purpose than irrigation, give extent and method of such use

57310

AFFIDAVIT OF APPROPRIATOR

STATE OF OREGON,

County of

} ss.

I, being first duly sworn, depose and say that I have read the above and foregoing proof of appropriation of water; that I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this day

of, 19.....

Paul C. Hessing
7/11/57

Paul C. Hessing

Subscribed and sworn to before me this day of, 19.....

Notary Public for Oregon

[Notarial Seal]

My commission expires

AFFIDAVIT OF WITNESSES

STATE OF OREGON,

County of

} ss.

We,, and

of, being first duly sworn, depose and say that

we are well acquainted with the facts and conditions set forth in the foregoing statement relative to proof of appropriation of water under Permit No., that we and each of us have been over and upon each tract described in said proof, and from such personal inspection have knowledge that all necessary ditches, dams and other diversion and distributing works have been constructed, and water used as stated therein; that we have carefully read such proof of appropriation, and that each and every statement contained therein is true to the best of our knowledge and belief.

Subscribed and sworn to before me this day of, 19.....

Notary Public for Oregon

[Notarial Seal]

My commission expires

REPORT OF PERSON MAKING INSPECTION

(For use by Representative of State Engineer)

I,, do hereby certify that I have made an inspection of the works described herein and in Permit No., on the day of, 19....., and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of
(Quantity of water in second-feet or acre-feet)
and I recommend the issuance of water right certificate for this amount.

NOTICE TO INSPECTORS

If conditions do not justify the above report by you, please return the proof without your signature, with a full report by letter.

.....
(Name)

.....
(Title)

Witness my hand and seal of office this 19th day of December, 1957.
Jack Beeler
 County Clerk

Witness my hand and seal of office this 19th day of December, 1957.
 State Printing

Witness my hand and seal of office this 19th day of December, 1957.
 State Printing

Witness my hand and seal of office this 19th day of December, 1957.
 State Printing

Witness my hand and seal of office this 19th day of December, 1957.
 State Printing

CERTIFICATE OF WATER RIGHT

STATE OF OREGON

to

STATE OF OREGON,
 County of Jamhill

ss.

I CERTIFY, that the within was received
 and duly recorded by me in Volume
 of Record of Water Right Certificates, at
 page on the 19th day
 of December, 1957.

Jack Beeler
 County Clerk

By Alice Sherrill, Deputy
 State Printing

100

CERTIFICATE OF WATER RIGHT

MODERNO FO STATA
 COUNTY OF YUMUOC

STATE OF OREGON
COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

This Is to Certify, That FREDERICK C. HERRING

717 Sheridan St
of Route 3, Box 80, Newberg, 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
Williamson Creek & reservoir constructed under Application No. R-26385, Permit No.
R-1309
a tributary of Chehalem Creek for the purpose of
irrigation
under Permit No. 20999 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 August 31, 1951

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
0.08 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 $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Williamson DLC #46,
Section 14, Township 3 South, Range 3 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 from direct flow 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 from direct flow and
storage from reservoir constructed under Permit No. R-1309,

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:

12.8 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$
21.6 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
16.5 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$
17.8 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$
1.6 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$
27.5 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 14

All as projected within Williamson DLC #46
Township 3 South, Range 3 West, W.M.

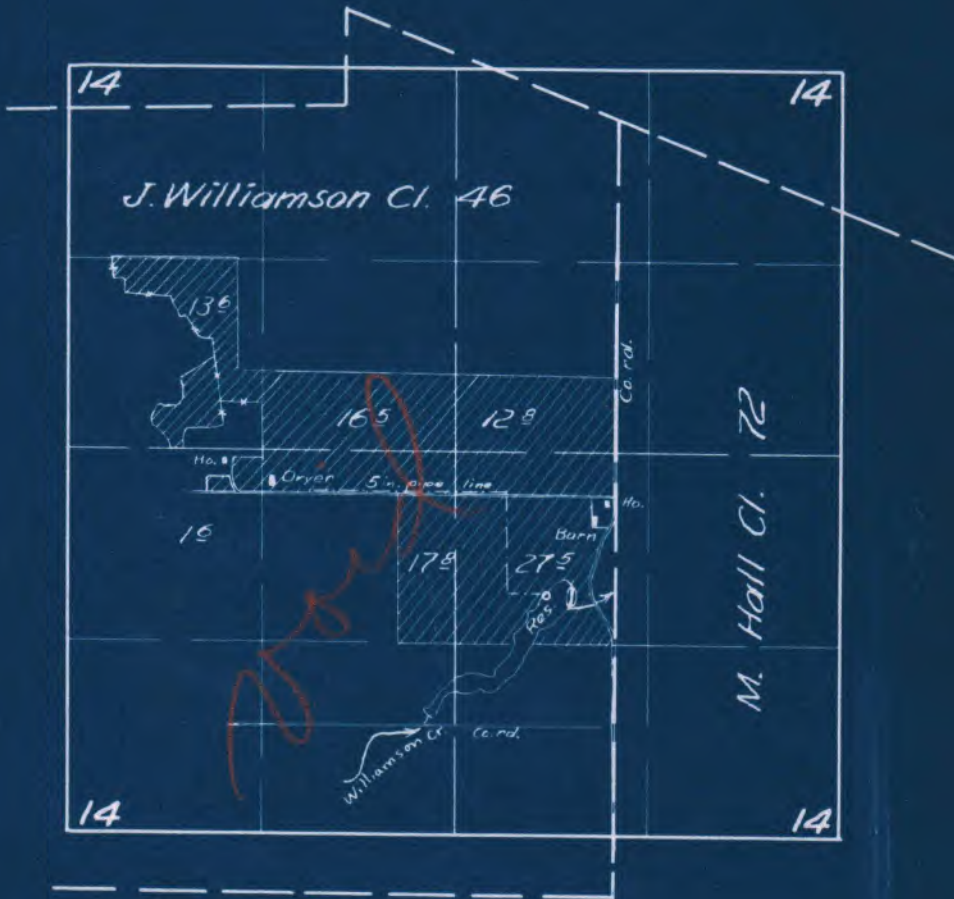
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
use herein described.

WITNESS the signature of the State Engineer, affixed

this 20th day of November, 1957.

Lewis A. Stanley
State Engineer

T. 3 S. R. 3 W. W.M.



FINAL PROOF SURVEY

UNDER

R-26385

R-1309

Application No. 26386 Permit No. 20999

IN NAME OF

Frederick C. Herring

Surveyed Mar. 23 1956, by *M. Bish*

Parcel #1 71-353

Beg. at a point on the E. side line of the John Williamson DLC in Sec. 14, T. 3 S., R. 3 W., W.M. in Yamhill Co., which point is 41.80 chs. N. of the SE cor. of said DLC and running th. N. 22' E. along the said E. line of said DLC 25.03 chs.; th. W. 53.48 chs.; th. S. 25.03 chs.; th. E. 53.48 chs. to the point of beg. Containing 133.86 acres.

Except - Vol. 74-181, Frederick C. to John B. Herring

Beg. at a point on E. line of said Williamson Claim, 934.56 ft. S. of the NE cor. thereof, and running th. southerly along said E. line 826 ft.; th. westerly parallel with N. line of premises hereby conveyed 2637 ft.; th. northerly 826 ft.; th. easterly parallel with S. line 2637 ft. to point of beg. Containing 50 acres more or less.

Parcel #2

All of Lots 1, 2, 3, 22, 23 & 24 of the Chehalem Richland Subdivision of Yamhill Co., Sec. 14, T. 3 S., R. 3 W., W.M.

MADE IN U.S.A.

Fidelity Union Skin

DFQ-20-153

Permit No. 20999

Application No. 26386

County Yamhill

Drafted Dec 12 '56 m.B.

Preliminary Data for Proof of Appropriation of Water

Photo Survey
Mar 23 '56
m.B.

- 1. Name Frederick C. Herring 2. Address Rt. 3, Box 80 - Newberg, Oregon
Williamson Creek & reservoir constructed under Application No.
- 3. Source of supply R-26385, Permit No. R-1309.
- Tributary of Chehalem Creek
- 4. Amount of water 1.385 c.f.s. 5. Priority date August 31, 1951
- 6. Use Irrigation - 1/80th - 2 1/2 - from direct flow and storage from reservoir
constructed under Permit No. R-1309,

- 7. Location of point of diversion NW 1/4 SE 1/4 *within Williamson Dec 46* Sec. 14 Tp. 3 S Rg. 3 W, W.M.
(Legal Subdivision)
- 8. The description of land given below corresponds to that shown in the permit covering land to be irrigated, or, if for other purposes, the place of use.

Township	Range	Section	Legal Subdivision	No. Acres Described in Permit	No. Acres Actually Irrigated
Willamette Meridian					
3 S	3 W	14	SW 1/4 NE 1/4	12.5	12.8
			SW 1/4 NW 1/4	27.3	21.6
			SE 1/4 NW 1/4	15.2	16.5
			NE 1/4 SW 1/4	20.3	17.8
			NW 1/4 SW 1/4	7.4	1.6
			NW 1/4 SE 1/4	28.1	27.5
				110.8	89.8
					97.8
					96.8

Land on which water is to be used is part of the property described by appropriator as follows:

REPORT OF PERSON MAKING INSPECTION

Description of works:

Pumps only from reservoir

Pump - (at St. Paul)

Said 2 1/2" Goulf cent 30 hp elect.

Pipe - 1500 ft 3in Alum

1820 - 5in -

150 - 6in -

Approx 2,150 ft 5in iron mainline

6in according to

Permittee

Heads - (at St. Paul)

Says operates 40 heads on low ground.

Lift - 150 ft.

Crop - Strawberries - Grain - Pasture - Walnuts
- ~~Cane~~ berries

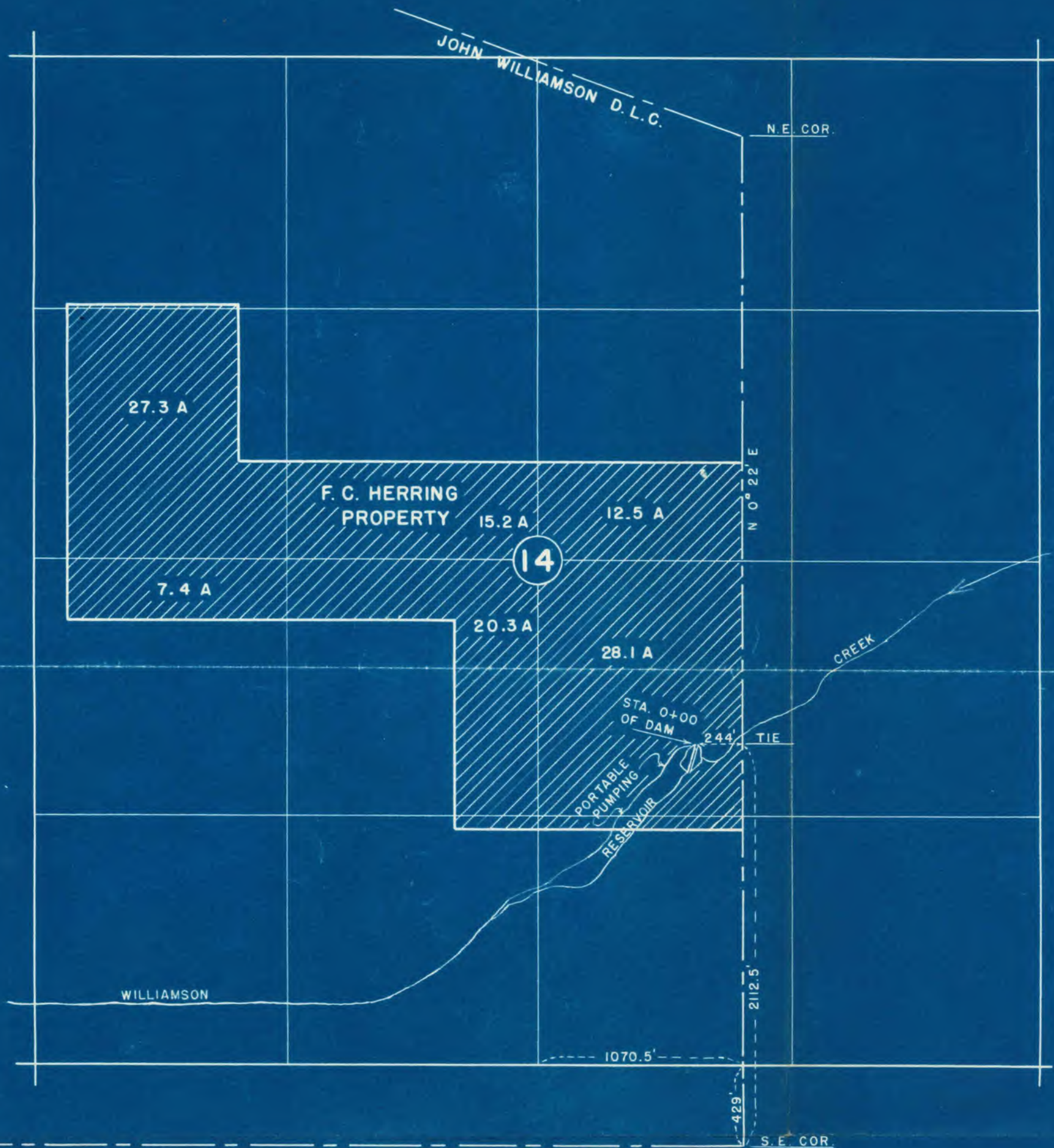
450
18
3400

I, Myron Bish, do hereby certify that I have made an inspection of the works described herein and in Permit No. 20999, on the 23 day of March, 1956 and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of (Quantity of water in second-feet or acre-feet) and I recommend the issuance of water right certificate for this amount.

NOTICE TO INSPECTORS

If conditions do not justify the above report by you, please return this form without your signature, with a full report by letter.

Myron Bish
(Name)
Field Engineer
(Title)



SCALE: 1" = 600'

REF. TO S.E. COR. JOHN WILLIAMSON D.L.C.
NOT. 1407, CL 46

Application No. *R-26385*
26386
Permit No. *R-1309*
20999

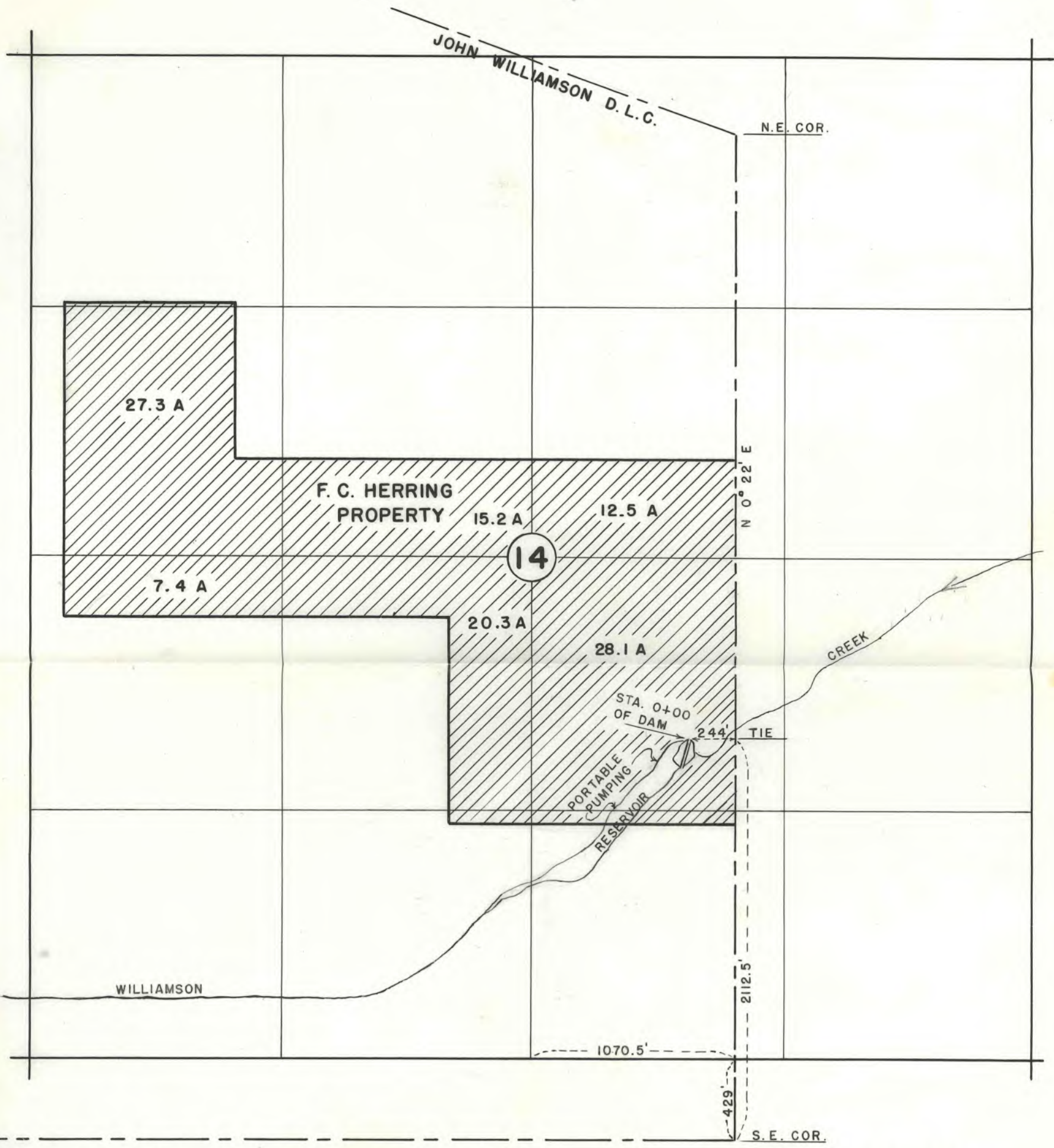
FRED C. HERRING IRRIGATION PROJECT

SEC. 14, TP 3 S, R 3 W, W.M.
YAMHILL COUNTY, ORE.

BY O. C. YOCOM CO.

MAY 5, 1951

PROBIVE
STATE ENGINEER



SCALE: 1" = 600'

REF. TO S.E. COR. JOHN WILLIAMSON D.L.C.
NOT. 1407, CL 46

**FRED C. HERRING
IRRIGATION PROJECT**

SEC. 14, TP 3 S, R 3 W, W.M.
YAMHILL COUNTY, ORE.

Application No. *R-26385*
 26386
Permit No. *R-1309*
 20999

BY O. C. YOCOM CO.

MAY 5, 1951

RECEIVED
AUG 10 1951
STATE ENGINEER
SALEM, OREGON

July 24, 1959

Mr. Frederick C. Herring
Route 3, Box 80
Newberg, Oregon

Dear Mr. Herring:

In reviewing several water rights in your vicinity, I noticed a mistake in the certificate confirming your permit No. 20999, in the amount of water allowed.

The figure shown on the certificate is 0.08 cubic foot per second when it should have been 0.80 cubic foot per second.

If you will return the original certificate as soon as possible we will issue a superseding certificate correcting the error.

I am sorry for the inconvenience this has caused.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Trevor Jones, Assistant

TJ:eh

May
~~April~~ 6, 1957

Mr. Frederick C. Herring
Route 3, Box 80
Newberg, Oregon

Re: Applications Nos. R-26385 and 26386

Dear Mr. Herring:

Mr. Wheeler and I made another inspection of your land in connection with Permits Nos. 20999 and R-1309. We found no reason to exclude the hillside tract northwest of the house so we have adjusted the map and final proof form accordingly. We also inspected the reservoir which apparently is built as planned and will issue a certificate for the capacity of 12.5 acre feet rather than 10.8 acre feet as previously shown on the proof form. The irrigated acreage totals 97.8 acres instead of 89.8 acres as previously shown.

You have already signed these final proof forms, however, since they have been changed, we are returning them to you. Please date the forms and include a remark that the changes have been noted. Upon receipt of the completed forms, we will be able to issue the confirming certificate. You may keep the blueprint of the corrected map to supersede the one previously mailed to you.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Trevor Jones, Assistant

TJ:VR
Enc.

March 18, 1957

Mr. Frederick C. Herring
Route 3, Box 80
Newberg, Oregon

Dear Mr. Herring:

On January 14, 1957, we mailed you the final proof papers in connection with your incomplete water rights represented by your Permit Nos. R-1309 and 20999 granting the right to construct a reservoir and to appropriate 1.12 cubic foot of water per second from Williamson Creek and reservoir for irrigation, together with instructions that the forms were to be signed and returned to this office accompanied by the certificate recording fee in the amount of \$2, being \$1 for each permit.

To date these forms have not been received and this is to notify you that unless we receive the signed final proof forms and the certificate recording fees within thirty days from the date of this letter we will be required to take action toward the cancellation of the permits.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Trevor Jones, Assistant

ld

January 14, 1957

Frederick C. Herring
Rt. 3, Box 80
Newberg, Oregon

Dear Mr. Herring:

We are enclosing herewith for completion, final proof in connection with the incomplete water right represented by your Permit No. 20999 granting a right to the use of 1.12 cfs of the waters of Williamson Creek, and Reservoir, for irrigation and Permit No. R-1309 for 10.8 a.f. from Williamson Creek, for storage of water and irrigation.

The data contained in the proof, which is based on an inspection and survey of your project made by a representative of this department, defines the extent to which your water right has been completed within the terms of your Permit. The proof should be dated and signed by you on the second sheet under the Affidavit of Appropriator and returned to this office.

Upon receipt of the proof, properly executed and accompanied by the statutory fee of \$1, a Certificate of Water Right will be issued confirming the rights thereunder and, after being recorded in the records of Yamhill County, will be forwarded to you.

In the interest of economy and due to the fact that your completed project was examined by a representative of this department, it is not necessary that your signature be made before a Notary Public, nor that the signatures of witnesses be affixed to the proof.

Yours very truly,

Lewis A. Stanley
LEWIS A. STANLEY
State Engineer

Form 117
mb
Enclosure

P.S. \$1.00 for each certificate.

R-26385
26386

August 12, 1952

Mr. Frederick C. Herring
Route 3, Box 80
Newberg, Oregon

Dear Mr. Herring:

This acknowledges receipt of Form B, being notice of the completion of construction under Permit, No. R-1309 & 20999, in the name of Frederick C. Herring.

This report has been filed with other matter pertaining to the water right, and the permit is in good standing until October 1, 1955, when under its terms, all the water which it is intended to use at any time should be used to the full extent intended, under the secondary permit.

Very truly yours,

Chas. E. Stricklin

CHAS. F. STRICKLIN
State Engineer

Form 119

26386

Frederick C. Herring
Route 3, Box 80
Newberg, Oregon

June 30, 1952

Dear Sir:

Enclosed find Application No. 26386, Permit No. 20999, with blueprint.

R-26385
26386

May 7, 1952

Mr. Frederick C. Herring
Route 3, Box 80
Newberg, Oregon

Dear Mr. Herring:

This is to notify you that your applications, No. R-26385 for a permit to construct a reservoir and store therein 12.5 acre feet of water, and No. 26386 to appropriate 0.1 cubic foot of water per second from Williamson Creek for irrigation, now appear to be in satisfactory form.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Ed K. Humphrey, Assistant

EKH:mb

November 6, 1951

R 26385
26386

Memo Re: Inspection Frederick Herring Dam

Subject inspection was made on October 31, 1951.

The dam was constructed by Mr. Herring prior to examination of the site by this office and without submission of plans and specifications or without supervision by a registered professional engineer.

Mr. Herring attempted to negotiate a contract with the O. C. Yokum Company for the preparation of plans and specifications and the construction of the dam but was unable to reach an agreement, he refusing to pay the price that was quoted. He then made arrangements to lease one of the company's cat and carryalls, manned by the operator regularly employed on, and entirely familiar with the company's methods of building dams.

According to Mr. Herring, he personally supervised construction of the dam and that it was well constructed. He also stated that he had built a spillway that was wider and longer and had several times the yardage of concrete in it that was proposed by the O. C. Yokum Company.

The side slopes and crest width of the dam conform to the standards of this office and the surface indications are that it was well constructed and is a safe structure. However no definite statement regarding this can be made by anyone familiar with and experienced in construction of dams. We have only the word of Mr. Herring and his qualifications and experience in this line of work are not known.

Accordingly, it is recommended that the permits be withheld until the dam has proven to be a safe structure by withstanding the runoff during the next winter season or until May, 1952.

Ferd Schlapkohl

August 28, 1951

Mr. Fredrick C. Herring
Route 3, Box 80
Newberg, Oregon

Dear Mr. Herring:

If you wish to submit the statutory fees, in the amount of \$41.05, your application for a permit to construct a reservoir and store therein 12.5 acre feet of water and your application for a permit to appropriate water from Williamson Creek and the reservoir for the irrigation of 110.8 acres can be filed as provided by law and as explained in our letter of August 10, 1951, and as discussed when you were in the office August 27.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Ed K. Humphrey, Assistant

EKH:dlh

August 10, 1951

O. C. Yocom Company
McMinrville
Oregon

Gentlemen:

This will acknowledge receipt of an application in the name of Frederick C. Herring for a permit to appropriate water from Williamson Creek for the irrigation of 110.8 acres, together with accompanying map.

Mr. Herring's application indicates that a reservoir is contemplated, and I assume that you intend to submit an application for a permit to construct a reservoir and store water. Upon receipt of such a reservoir application, together with the statutory fees in the amount of \$41.05, the applications can be filed as provided by law and the matter of approval by issuance of permits when the next group of permits is issued can be given consideration after the dam site has been inspected.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Ed K. Humphrey, Assistant

EKH:dec

F. C. HERRING

BOX 344, NEWBERG, OREGON

FILBERTS • WALNUTS • NUT MEATS • FRUITS • BERRIES

Chas. E. Sticklin
Salem, Ore.

RECEIVED
AUG 31 1951
STATE ENGINEER
SALEM, OREGON

Newberg, Ore.
8/29/51

Dear Sir:
Enclosed please find check
for statutory fee for permit for
constructing reservoir.

I was of the impression this
had been sent in by Mr. Yabum
along with application.

Yours truly,
Fred C. Herring
By M. H.