

Name W. J. & Lorraine B. Jones  
 By Route 1, Box 243  
 Address Dayton, Oregon

Application No. 25431

Permit No. 20004

Certificate No. ~~11797~~  
75877

Stream Index, Page No. 2-26-A-1

**CANCELLED**

DEC 02 1998

Special Order Record Vol 52

Pg 1056

**FEES PAID**

Date	Amount	Receipt No.
<u>11-14-50</u>	<u>15.00</u>	<u>10916</u>
	B. P. Fee	
	\$1 Cert. Fee	<u>216.32</u>

**FEES REFUNDED**

Date	Amount	Check No.
------	--------	-----------

Date filed November 13, 1950  
 Priority December 19, 1950  
 Action suspended until 12/2/99 Purge

Returned to applicant  
 Date of approval June 15, 1951

**CONSTRUCTION**

Date for beginning June 15, 1952  
 Date for completion October 1, 1953  
 Extended to 10-1-56  
 Date for application of water October 1, 1954  
 Extended to 10-1-56

**PROSECUTION OF WORK**

Form "A" filed August 1, 1952  
 Form "B" filed  
 Form "C" filed November 16, 1956

**FINAL PROOF**

Blank mailed  
 Proof received  
 Date certificate issued MAY 1 1950

**ASSIGNMENTS**

Date	To Whom	Address	Volume	Page
------	---------	---------	--------	------

**REMARKS**

0.298 cfs from unnamed stream (Willamette River) for the irrigation of 23.77 acres.

**JUN 15 1952 CARD FOR A**  
**OCT 12 1953 CARD FOR B**  
**OCT 28 1954 CARD FOR C**  
**JAN 7 - 1955 FORM 100 REQ**  
**OCT 31 1956 CARD FOR B-C**

W.R.I.S.  
 Approved 5-16-85 by LJ  
 Cancelled 5-17-85 by DA  
 Verified \_\_\_\_\_ by \_\_\_\_\_

# RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

X Lorraine B Jones  
(Signature or name of addressee)

2 \_\_\_\_\_  
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 1-11-55, 19

25431

**Post Office Department**  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

(GPO)

POSTWARD OF DELIVERING OFFICE  
 6 PM.  
 JAN 11  
 1955  
 OREG.

111111

Return to

Street and Number,  
or Post Office Box,

WISCONSIN  
 STATE  
 SALEM  
 OREGON

REGISTERED ARTICLE

11453

No. \_\_\_\_\_

INSURED PARCEL

No. \_\_\_\_\_

**SALEM,**

**OREGON.**



# Oregon

John A. Kitzhaber, M.D., Governor

25431

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

December 9, 1998

REX & ZELLA ZIEGLER  
17059 SE MALLARD LN  
DAYTON OR 97114

REFERENCE: File 25431-Certificate 24795

Enclosed is a copy of the order of the Water Resources Director cancelling the above Certificate of Water Right. Cancellation authorized for issuance of Permit G-13128.

If you have an questions, please call me at (503) 378-8455, ext. 245, or (800) 624-3199 (Toll-free in-state only).

Sincerely,

GARY BALL  
NW Region

GB:jh

cc: Bill Ferber, Watermaster

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

YAMHILL COUNTY

IN THE MATTER OF CANCELLATION OF A )  
PORTION OF A WATER RIGHT IN THE ) ORDER  
NAME OF W. J. and LORRAINE B. JONES )

The Water Resources Department (Department) received an affidavit from the owner of lands stating that they have abandoned the water right appurtenant to their land and requesting the cancellation of the certificate. Whenever the owner of a perfected and developed water right abandons the right, an order canceling the right shall be entered. The Water Resources Director has reviewed the affidavit and makes the following disposition of the request:

STATEMENT OF FACTS

The Department received an affidavit from Rex W. and Zella G. Ziegler. The affidavit states they are the owner of lands and the water right appurtenant as evidenced by a portion of Certificate 24795, State Record of Water Right Certificates. The affidavit further states that the right appurtenant to their property has been abandoned and requests that the certificate be canceled.

Certificate 24795 allows for the use of an unnamed stream, tributary of the Willamette River, for irrigation of 7.0 acres within Sections 27 and 28, Township 4 South, Range 3 West, Willamette Meridian.

The portion of Certificate 24795 which has been abandoned is for the use of 0.06 cubic foot per second (cfs) of water from an unnamed stream, a tributary of the Willamette River, under a priority date of December 19, 1950, for irrigation of 4.5 acres within Lot 1 (NW¼ NE¼) of Section 28, Township 4 South, Range 3 West, W.M.

CONCLUSIONS OF LAW

Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the Commission shall enter an order canceling the water right (ORS 540.621).

ORDER

IT IS ORDERED that the right described by Certificate 24795, State Record of Water Right Certificates, allowing for the use of 0.06 cfs of water an unnamed stream, a tributary of the Willamette River, under a priority date of December 19, 1950, for irrigation of 4.5 acres within Lot 1 (NW¼ NE¼) of Section 28, Township 4 South, Range 3 West, W.M. is canceled and a new certificate of water right describing that portion of the water right not canceled by the provisions of this order be issued.

Dated 12/2/98.

  
\_\_\_\_\_  
Martha O. Pagel, Director

STATE OF OREGON  
COUNTY OF YAMHILL  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

W. J. and LORRAINE B. JONES  
ROUTE 1 BOX 243  
DAYTON, OR 97114

confirms the right to use the water of AN UNNAMED STREAM, a tributary of the WILLAMETTE RIVER, for IRRIGATION OF 2.5 ACRES.

The right was perfected under Permit No. 20004 and the date of priority is DECEMBER 19, 1950. The amount of water to which such right is entitled for the purpose aforesaid is limited to an amount actually beneficially used for said purpose and shall not exceed 0.03 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located in the NW¼ NW¼, AS PROJECTED WITHIN CHRISMAN DLC 51, SECTION 27, T4S, R3W, WM.

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 2½ acre feet per acre for each acre irrigated during the irrigation season of each year.

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

LOT 3 (NW¼ NW¼) 1.0 ACRES  
SECTION 27

LOT 1 (NE¼ NE¼) 1.5 ACRES  
SECTION 28

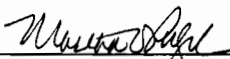
TOWNSHIP 4 SOUTH, RANGE 3 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 24795, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered DEC 02 1998, canceling a portion of said water right.

The issuance of this superseding certificate does not confirm the status of the water right in regards to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed 12/2/98.

  
Martha O. Pagel, Director

App# 25431  
Per# 2000.4  
Cert# 24795  
G-14281

A F F I D A V I T

RECEIVED

AUG 22 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

Oregon )  
) ss.  
)

Ziegler - Zella B. Ziegler, of 17059 SE Meadow Ln  
(legal owner(s) of property) address  
Dayton, Or 97114

being first duly sworn, depose and say:

1. That I am/we are the legal owner(s) of the property described by the deed and legal description attached to and made a part of this affidavit;

2. That water right Certificate 20004 was issued to WJ. Lorraine Jones <sup>surveyed 6/17/58</sup> under date of priority of 6/4/58 for use of water from Dry Creek source for the purpose of Irrigation use(s);

3. That Certificate \_\_\_\_\_/that a portion of Certificate 20004 is appurtenant to our property as described above; and

4. That I/we have abandoned any and all interest in this water right and request that said right/the portion of said right which is appurtenant to our land be cancelled.

Rex W Ziegler  
Signature of Legal Owner

8/20/96  
Date

Zella B Ziegler  
Signature of Co-Owner

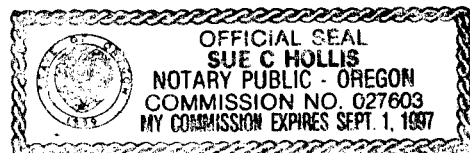
8/20/96  
Date

Subscribed and Sworn to Before Me this 20<sup>th</sup> day of August, 1996

Sue C Hollis  
Notary Public for Oregon

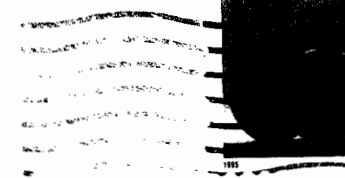
My Commission Expires 09-01-97

note: legal description taken from file G-14281 4.5 acres appurtenant to property.



Rex and Zella Ziegler  
17059 SE Mallard Ln.  
Dayton, OR 97114

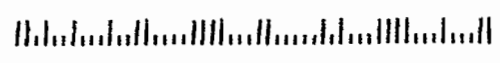
Steve  
Brown



Oregon Water Resources Dept.  
Commerce Bldg  
158 12<sup>th</sup> St. NE  
Salem, Or

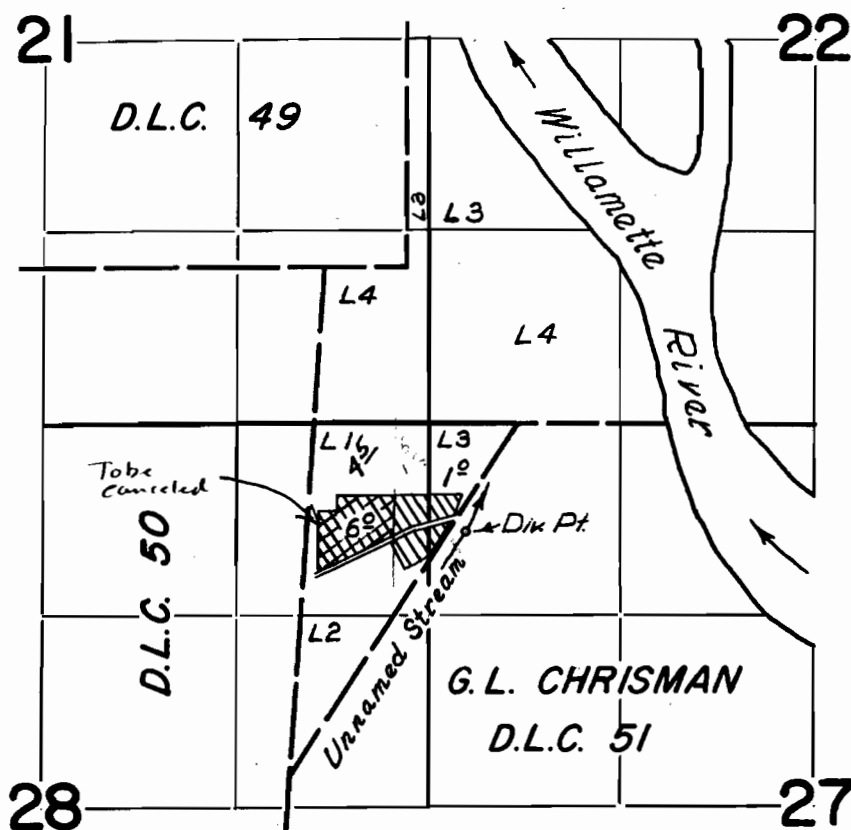
97310-0210

37310/0210





T. 4 S. R. 3W.W.M.



**FINAL PROOF SURVEY**  
UNDER

Application No. 25431. Permit No. 20004.  
IN NAME OF

W. J. & LORRAINE B. JONES

Surveyed June 4, 1958, by M. Bish

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

**This Is to Certify, That** W. J. and LORRAINE B. JONES

of Route 1, Box 243, Dayton, 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 unnamed stream

a tributary of Willamette River for the purpose of irrigation of 7.0 acres

under Permit No. 20004 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 December 19, 1950,

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 0.09 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 $\frac{1}{4}$  NW $\frac{1}{4}$  as projected within Chrisman DLC #51, Section 27, Township 4 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 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:

1.0 acres Lot 3 (NW $\frac{1}{4}$  NW $\frac{1}{4}$ )  
 Section 27  
 6.0 acres Lot 1 (NE $\frac{1}{4}$  NE $\frac{1}{4}$ )  
 Section 28  
 Township 4 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.

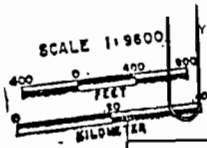
WITNESS the signature of the State Engineer, affixed

this 1st day of May, 1959.

..... Lewis A. Stanley .....  
 State Engineer

Not  
printed  
SPG OR &  
RP Cat  
drafted

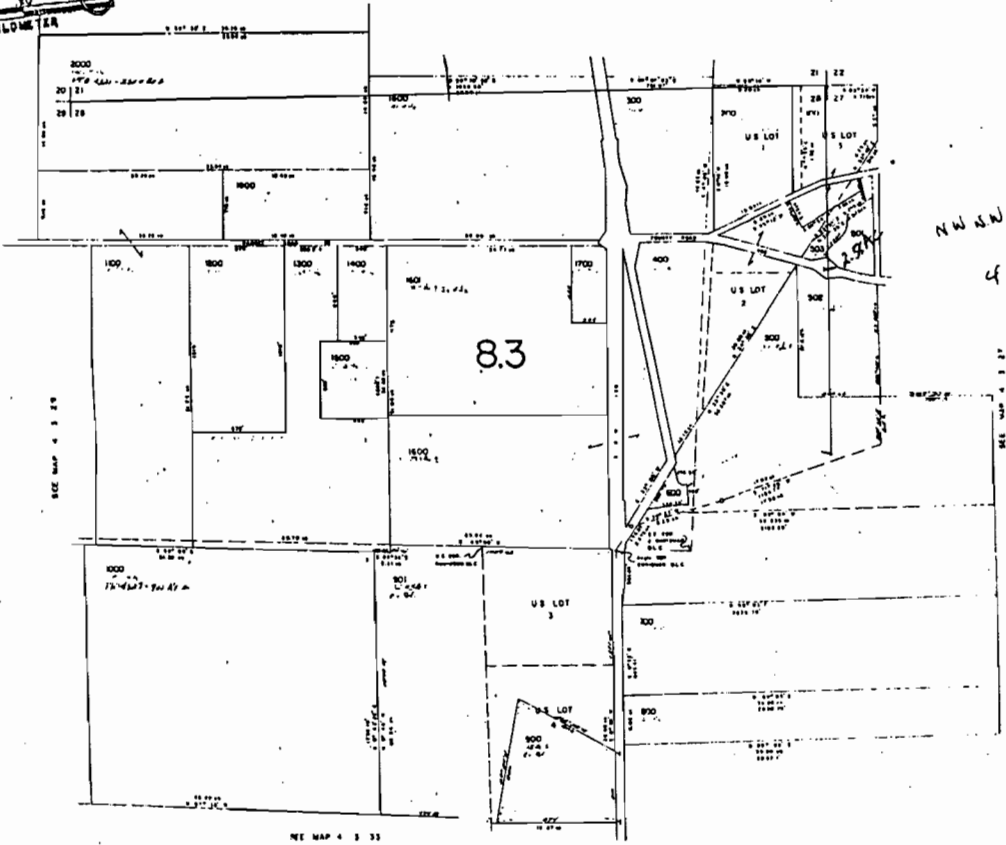
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YARVILL, COUNTY

SEE MAP 4 3 21

1"=400'



NW 27  
45 3W

SEE MAP 4 3 33

Permit No. 20004

28795

Application No. 25431

County Yamhill

### Proof of Appropriation of Water

1. Name W. J. & Lorraine B. Jones
2. Address Rt. 1, Box 243 - Dayton, Ore.
3. Source of supply Unnamed Stream  
Tributary of Willamette River
4. Amount of water 0.09 c.f.s.
5. Priority date December 19, 1950
6. Use Irrigation - 1/80th - 2 1/2 a.f.
7. Location of point of diversion NW 1/4 NW 1/4 / proj. w/in Chrisman DLC #51  
(Legal Subdivision) Sec. 27, Twp. 4S, Range 3W, W. M.
8. The description of land given below corresponds to that found in your permit covering land to be irrigated, or, if for other purposes, the place of use.

Township	Range	Section	Legal Subdivision	No. Acres Actually Irrigated
<u>4 S</u>	<u>3 W</u>	<u>27</u>	<u>Lot 3 (NW 1/4 NW 1/4)</u>	<u>1.0</u>
		<u>28</u>	<u>Lot 1 (NE 1/4 NE 1/4)</u>	<u>6.0</u>
				<u>7.0</u>

I have read the above and foregoing proof of appropriation of water; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 26<sup>th</sup> day of March, 1957.

*W. J. Jones*  
*Lorraine B. Jones*

**RECEIVED**

LEGAL DESCRIPTION

MAR - 7 1996  
WATER RESOURCES DEPT.  
SALEM, OREGON

-----PARCEL 1: BEGINNING at the corner of Section 21, 22, 27 and 28 in Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, and running thence North 89°19' West, 11.856 chains to old Yew stake in line of North and South fence; thence North 2°53' East along fence now there 16.727 chains to stone at the Northeast corner of the Joel Chrisman Donation Land Claim; thence South 89°33' East 14.51 chains to stake; thence South 16.697 chains to stake on Section line between Sections 22 and 27; thence South 89°34' West along Section line 3.52 chains to the place of beginning.

EXCEPTING from the above described parcel, the following described premises:

BEGINNING at a stone at the Northeast corner of the Joel Chrisman Donation Land Claim Notification No. 1017, Claim No. 52, in Section 21, Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, and running thence East 13.57 chains to witness stake to true corner, from which witness corner a fir 60" in diameter bears North 42°30' West 28 1/2 links and fir stump 50" in diameter, 8 feet high, bears South 17° East 30 1/2 links and at 14.51 chains East set stake at true corner; thence West .85 chains to witness stump 50" in diameter 8 feet high and at 14.53 chains West set pipe on the East boundary of Joel Chrisman Donation Land Claim; thence North 4° East 30 1/3 links (20 feet) to the place of beginning, containing 44/100 of an acre, and being the real premises described in that certain deed from Peter Swanson, a single man, to Horace Ellera Gibson, et al., dated January 18, 1939, and recorded on said date in Book 115, Page 92, Deed Records of Yamhill County, Oregon.

PARCEL 2: Being Lot No. 1 of County Survey No. 2446, more particularly described as follows:

BEGINNING at a point on the Section line North 89°19' West 2.656 chains from the corner of Sections 21, 22, 27 and 28 in Twonship 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, running thence North 89°19' West 9.20 chains to Yew stake at the Southwest corner of County Survey No. 2368; thence South 0°19' West along old fence now ther, 15.90 chains to iron pin in the center of the old County Road; thence North 65°12' East along the center of the old County Road, 10.09 chains to the iron pin; thence North 00°33' East 11.39 chains to the place of beginning.

EXCEPTING from the parcel last above described the following the following described premises:

BEGINNING at an iron pin at the Southeast corner of the above described parcel No. 2 and running thence North 00°33' East 11.39 chains (751.74 feet) to the Northeast corner thereof; thence North 89°19' West 56.8 feet to a 1" iron pipe; thence South 00°33' West 778.8 feet to a point in the center of the old County Road; from which point a one-half inch iron pipe set on the approximate Northerly edge of the present County Road, bears North 00°33' East 53.7 feet; thence North 65°12' East along the center of old County Road, 62.8 feet to the place of beginning. -----

**RECEIVED**

MAR 29 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

Application No. *G-14281*  
Permit No.

*Copy in general file*

25431

March 7, 1973

Red Carpet Realtors  
446 East Main Street  
Hillsboro, OR 97123

Attention: Eric W. Hall

Dear Mr. Hall:

Thank you for your letter of March 6, 1973 requesting information regarding water rights that are appurtenant to the property described in the enclosures which accompanied your letter.

Our records show that a certificate of water right recorded at page 24795, State Record of Water Right Certificates, has been issued to W. J. and Lorraine B. Jones for the use of 0.09 cubic foot of water per second from an unnamed stream for the irrigation of:

1.0 acre within Lot 3 (NW $\frac{1}{4}$  NW $\frac{1}{4}$ )  
Section 27

6.0 acres within Lot 1 (NE $\frac{1}{4}$  NE $\frac{1}{4}$ )  
Section 28

Township 4 South, Range 3 West, W.M.

under a priority date of December 19, 1950.

A complete and perfected right, such as the previously described certificate, remains valid indefinitely provided the water is used as described on the certificate. It is subject to forfeiture by failure to exercise the right for a period of five successive years.

Copies of these records are available upon your request and on receipt of the copying fees of \$1.10.

March 7, 1973

2

25431

If we can be of further assistance, do not hesitate to call on us.

Very truly yours,

THOMAS E. SHOOK  
Assistant

TLS:bjs



281 FINANCE BUILDING  
170 12TH STREET, S.E.

STATE OF OREGON  
STATE ENGINEER  
WATER RESOURCES DEPARTMENT  
SALEM  
March 25, 1959

REFER TO  
FILE NO. 25431

W.J. & Lorraine B. Jones  
Route 1 Box 243  
Dayton, Oregon

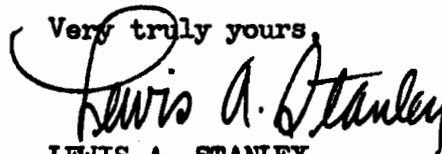
Dear Sir and Madam:

Enclosed is the final proof in connection with the incomplete water right represented by your Permit No. 20004 granting a right to the use of 0.09 c.f.s. of the waters of Unnamed stream for irrigation.

The proof should be dated, signed by you on the bottom of the page and returned to the State Engineer together with the statutory recording fee in the amount of \$1. A certificate of water right will then be issued confirming the right thereunder and will be forwarded to you after recording in the county records.

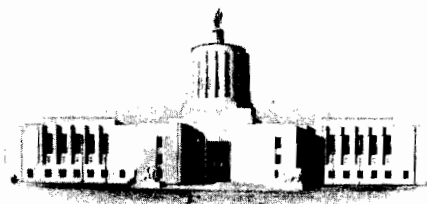
The data contained in the proof, which is based on an inspection and survey of your project made by a representative of this department, defines the extent to which your water right has been completed within the terms of the permit.

Very truly yours,



LEWIS A. STANLEY  
State Engineer

Form 117  
Enclosure  
Dlf.



STATE OF OREGON  
STATE ENGINEER  
WATER RESOURCES DEPARTMENT  
SALEM

REFER TO  
FILE No. 25431

November 20, 1956

•  
W. J. & Lorraine B. Jones  
Dayton, Oregon

Dear Sir and Madam:

This will acknowledge receipt of your notice to the effect that complete application of water has been made under Permit No. 20004.

Pursuant to your report and in line with the general practice of this office, a survey will be made at a later date. After this survey, proof may be made and certificate issued covering the actual use of water as found by the engineer. In the case of irrigation, any lands described in the permit that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the permit which you hold will be valid evidence of the water right in question so long as you continue to use the water.

Very truly yours,

LEWIS A. STANLEY  
State Engineer

Form 128

mb

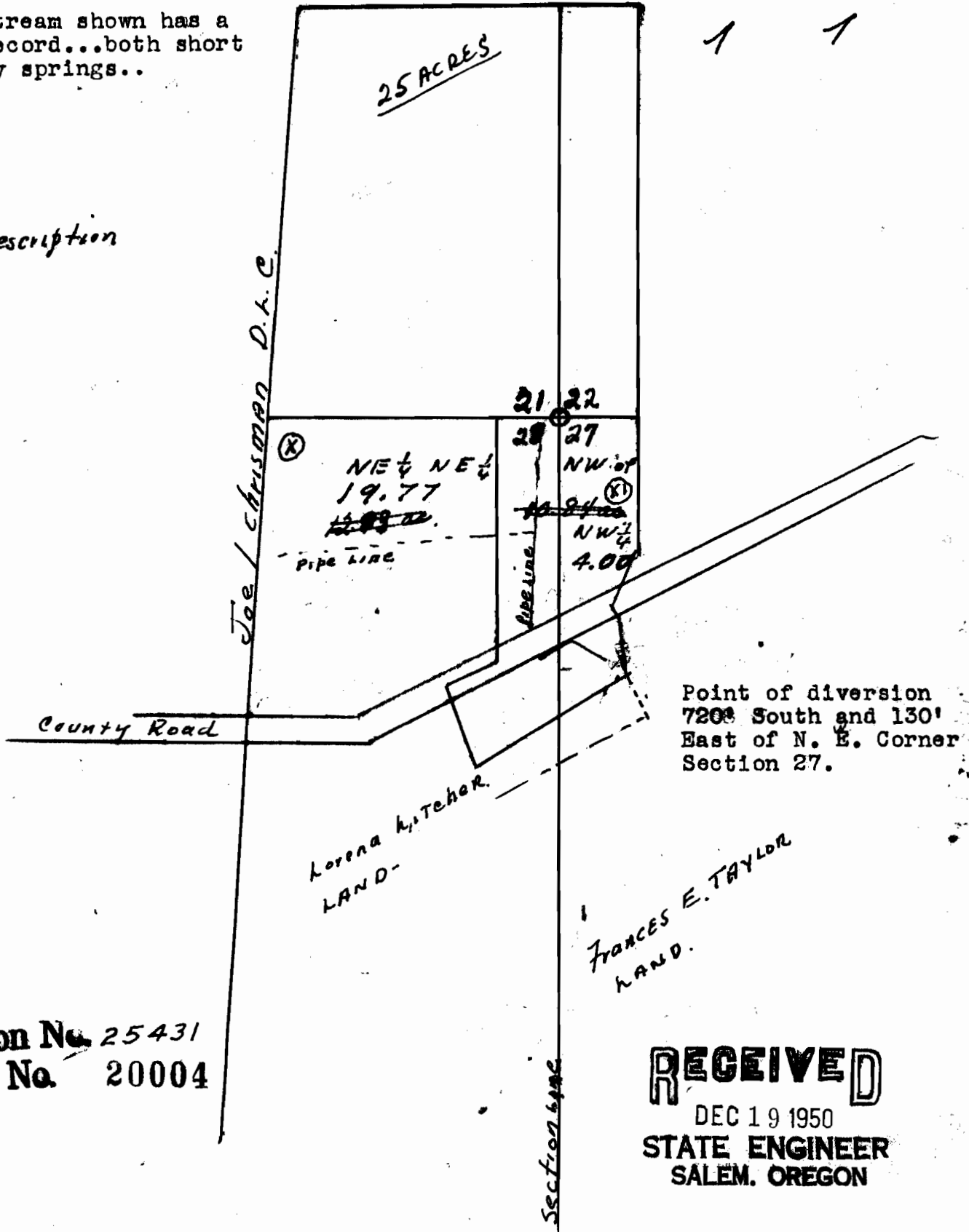
Scale = 400' = 1"

W. J. Jones and Lorraine B. Jones  
Route One, Box 243 Dayton, Oregon

Sec: 21 TP 4S---R3W

Neither stream shown has a name on record...both short and fed by springs..

⊗ legal description



Point of diversion  
720' South and 130'  
East of N. E. Corner  
Section 27.

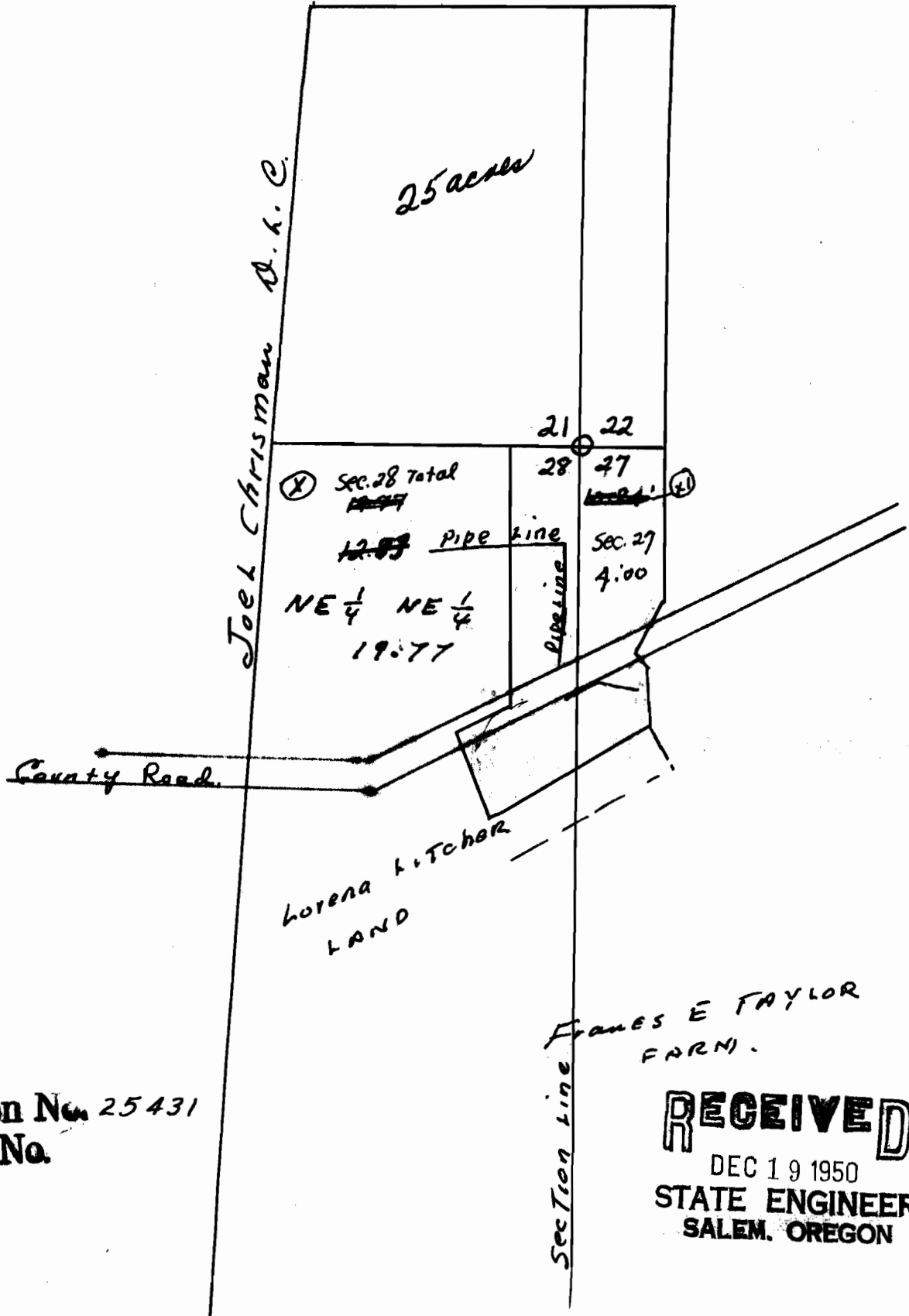
Application No. 25431  
Permit No. 20004

**RECEIVED**  
DEC 19 1950  
STATE ENGINEER  
SALEM, OREGON

W. J. Jones and Lorraine B. Jones  
Route One, Box 243, Dayton, Oreg.

Scale: 1" = 400'

Sec. 21 TP 4S R3W



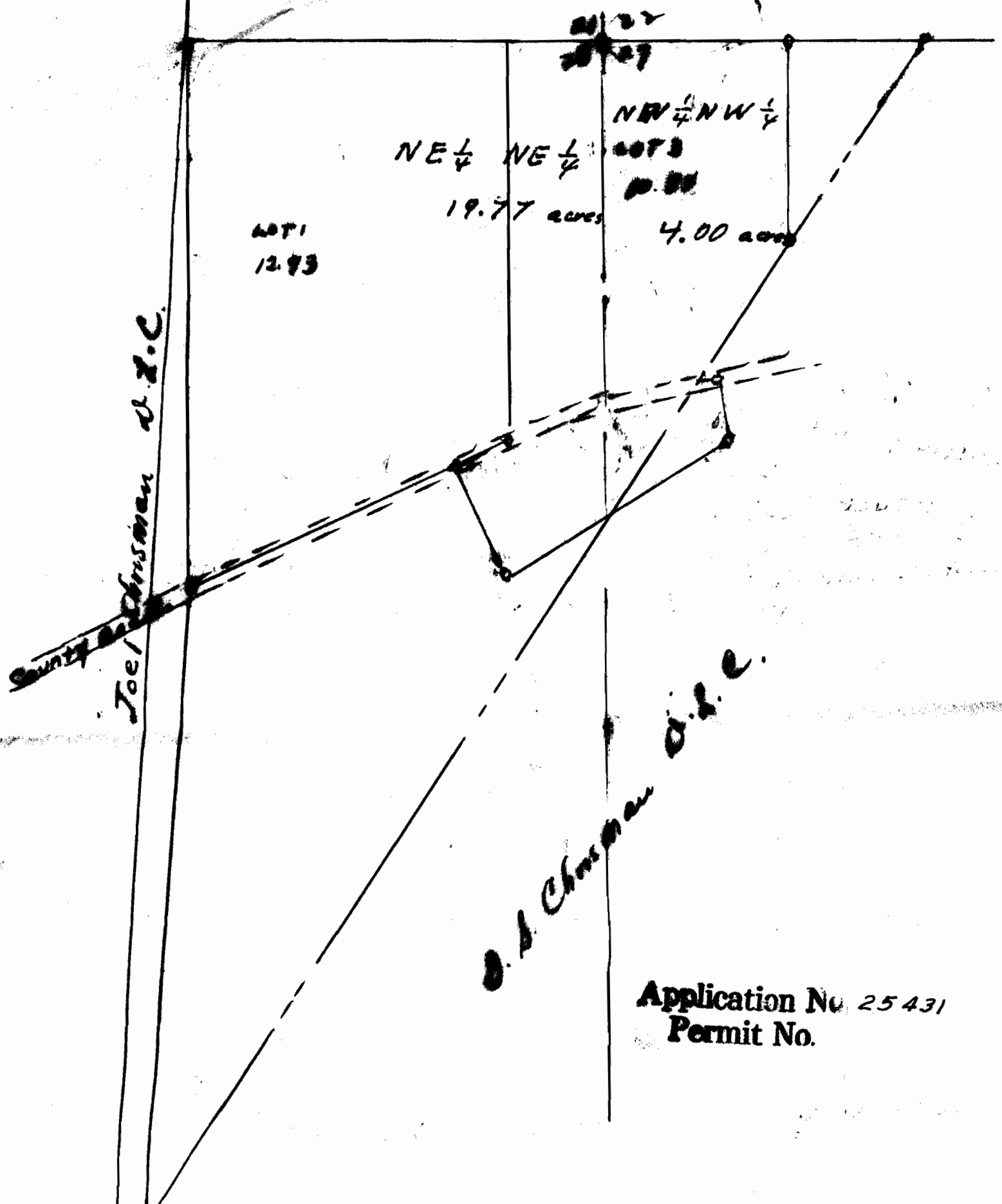
Application No. 25431  
Permit No.

**RECEIVED**  
DEC 19 1950  
STATE ENGINEER  
SALEM, OREGON

COUNTY SURVEY NO 2006

SECTIONS 27-28

Scale 3/4" = 100'



LOT 1  
12.93

NE  $\frac{1}{4}$  NE  $\frac{1}{4}$   
19.77 acres

NE  $\frac{1}{4}$  NW  $\frac{1}{4}$   
4.00 acres

Joel D. Chrisman D.C.

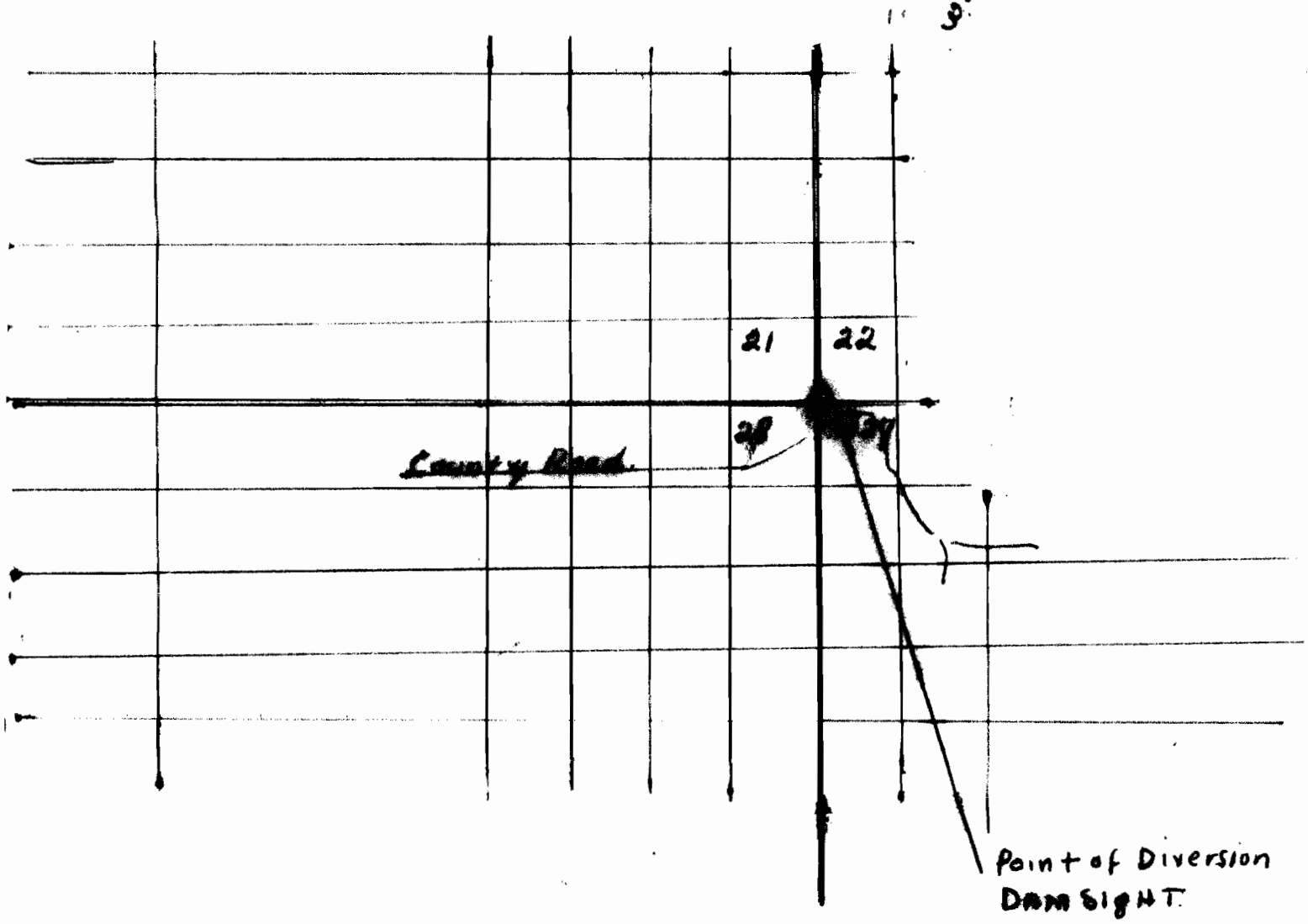
D. A. Chrisman D.C.

Application No. 25431  
Permit No.

W. J. Jones and Lorraine B. Jones  
Route One Box 243, Dayton, Oregon

Sections: 21-22-28-27

*Willamette River*



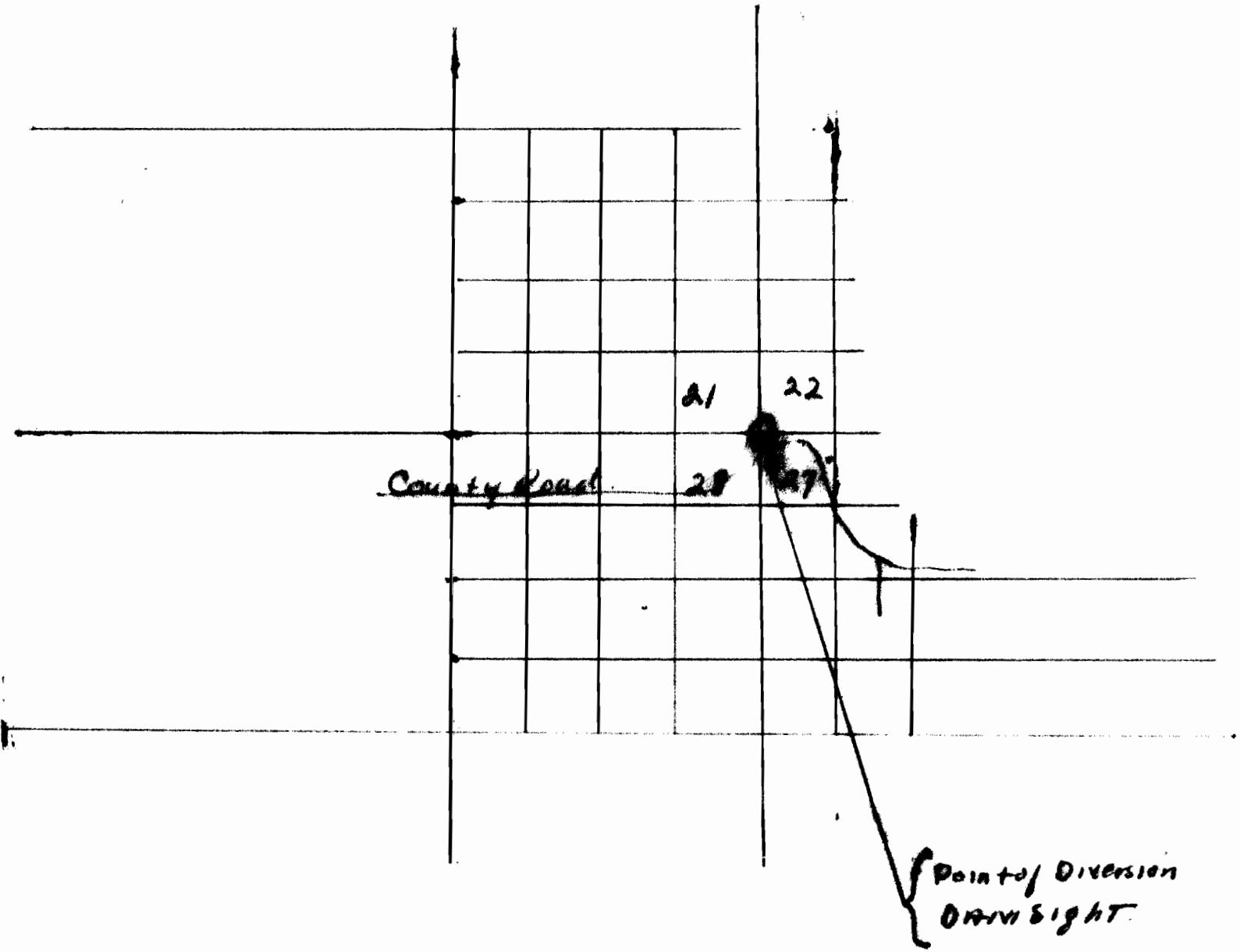
Application No. 25431  
Permit No.

DEPARTMENT OF  
AGRICULTURE  
DIVISION OF  
WATER RESOURCES  
STATE OF OREGON

W. J. Jones and Lorraine B. Jones  
Route One Box 243, Dayton, Oregon

Sections: 21-22-28-27

Point of Diversion: NW Corner of NW- $\frac{1}{4}$  of NW- $\frac{1}{4}$



Application No. 25431  
Permit No.

COMMISSIONER  
OF  
STATE MINES  
DAYTON, OREGON

RECEIVED  
APR 11 1955

Application No. ....

Permit No. 20004

### Application for Extension of Time

To the State Engineer of Oregon:

I, W. J. Jones, of Pl. 1, Box 243, Dayton,  
state of Oregon, am the owner and holder of Permit No. 20004, to  
appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or  
before April, 1951, and complete application of water is required to be  
made on or before May, 1951.

I have heretofore done the following work described under said permit: Built two temporary  
dams which were both washed out and the third dam had to be moved because  
of the county making a new fill. The dam was not completed because the county  
was to complete and broaden their fill and this has not been completed although  
the county was to have it done two years ago. I cannot complete a permanent dam  
until the county completes their job. Therefore, I would say the time of completion  
is indefinite.  
costing \$ 50.00, and I estimate the cost of completion to be \$ 500.00 if built of concrete

I have heretofore used water under said permit to the following extent: Irrigated about  
seven acres of pasture land.

I am unable to ~~complete construction work~~ ~~make complete application of water~~ within the required time, for the following  
(Strike out phrase not applicable)

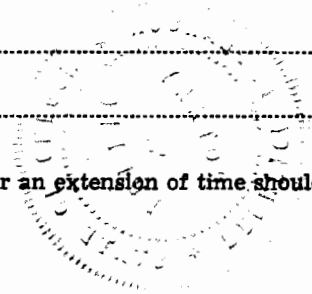
reasons, to wit: As stated above. If the county would put in a permanent fill the  
engineer stated I could make application to the county to put a gate over the  
fill pipe and use the fill as a dam....I am waiting on the county.

(If additional space is required, attach separate sheet)

(The fee provided by law in the amount of \$2.00 for filing an application for an extension of time should accom-  
pany the application for extension.)

(OVER)

*El tend 2.56 (explain)*





WHEREFORE, I ask that the State Engineer extend the time for the

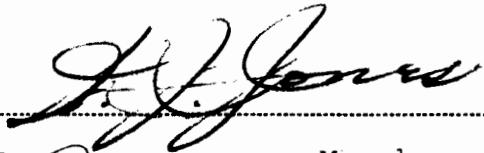
{ completion of construction work }  
{ complete application of water } under said permit to November 1956, 19 56  
(Strike out phrase not applicable)

**AFFIDAVIT OF APPLICANT**

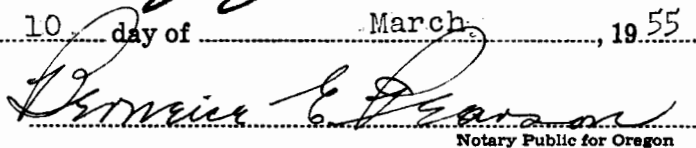
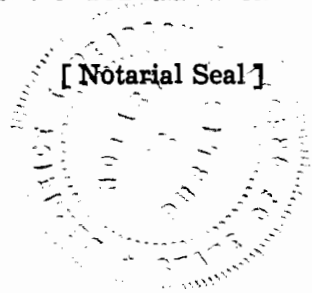
STATE OF ..... }  
County of Washill ..... } ss.

I, W. J. Jones, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 9 day of February, 1955.



Subscribed and sworn to before me this 10 day of March, 1955.

  
Notary Public for Oregon

My commission expires My Commission Expires Jan. 26, 1959

May 9, 1955

W. J. and Lorraine B. Jones  
Route 1, Box 243  
Dayton, Oregon

Dear Sir and Madam:

This will acknowledge receipt of your application for an extension of time in which to complete construction and make complete application under Permit No. 20004, and check in the amount of \$2 for which our Receipt No. 3387 is enclosed.

From the information set out therein it appears rather questionable if due diligence has been exercised. However, since there have been no protests the time in which to complete your project will be extended to October 1, 1956.

In connection with your right, please be advised it is for the direct flow of the stream and does not cover the construction of a reservoir or storage of water.

Under our law the construction work necessary to complete your right must be proceeded with due diligence and it is not believed the reasons stated thereon would be sufficient grounds to make further extensions and therefore, it will be necessary for you to make proof to the extent beneficial use has been made of the water.

Very truly yours,

LEWIS A. STANLEY  
State Engineer

By  
Chris L. Wheeler, Assistant

CLW:eh  
enc.

January 28, 1955

Mr. W. J. Jones  
Route 1, Box 243  
Dayton, Oregon

Dear Mr. Jones:

Pursuant to your request, I am enclosing a form for use in making application for an extension of time under Permit No. 20004.

Please be advised that the State Engineer is permitted by law to extend the time for completion of a project only upon a showing of due diligence by the permittee. Therefore you should execute the application carefully and completely so that this office may determine from your sworn statement whether due diligence has been shown.

The application must be executed before a notary public and submitted to this office with the statutory filing fee in the amount of \$2 for each permit. Upon its receipt, the matter of extending the time under the appropriation will be given further consideration, and you will be advised of our action.

Very truly yours,

*Lewis A. Stanley*

LEWIS A. STANLEY  
State Engineer

Form 115  
Enclosure

January 7, 1955

W. J. & Lorraine B. Jones  
Route 1, Box 243  
Dayton, Oregon

Dear Sir & Madam:

According to the terms of your Permit No. 20004, which is for the appropriation of 0.298 second-feet of water from unnamed stream complete application of water was to have been made on or before October 1, 1954. It appears from our records that you have failed to submit the notice of complete application, although a postal card, calling this matter to your attention, was mailed to you on October 28, 1954.

ORS 537.260 provides: "Whenever the time within which any appropriation under a permit should have been perfected has expired and the owner of the permit fails or refuses within three months thereafter to submit to the State Engineer proof of completion of the appropriation as required by ORS 537.230 and 537.250, the State Engineer may, after 60 days' notice by registered mail, order the cancellation of the permit.\*\*\*\*"

If you have complied with the terms of this permit, you should promptly submit the notice of complete application of water, after which we will take up with you the matter of final proof. If, however, you have abandoned your plan of development, we would appreciate your authority to cancel the permit, so that the permit may be cancelled without the necessity for following the legal procedure. In case you have not completed your appropriation, although you still wish to do so, you may submit an application for an extension of time. Such an extension may be granted if it appears that proper diligence has been shown.

Complete application of water under an irrigation permit means the irrigation of ALL of the land described in the permit, which it is intended to irrigate.

In accordance with the provisions of ORS 537.260, you are hereby notified that unless we hear from you within 60 days from the date of this letter, your permit will be cancelled without further notice.

Very truly yours,

*Lewis A. Stanley*

LEWIS A. STANLEY  
State Engineer

Form 100  
REGISTERED  
Return receipt requested

October 29, 1953

Mr. W. J. Jones  
Route 1, Box 243  
Dayton, Oregon

Dear Mr. Jones:

This will acknowledge receipt of your letter of October 15, transmitting a report of completion of construction under permit No. 20004.

In connection with your letter and in possible clarification of your right, please be advised that permit No. 20004 grants the right to appropriate not to exceed 0.298 c.f.s. from the direct flow of an unnamed stream and does not include the right to store water or use stored water. If the dam to which you refer in your letter is for the purpose of diversion or to create a pump sump, then I believe this report can be properly filed.

If it is your intention to construct a reservoir for the purpose of storing the early flow for later use then, to comply with the law, I believe it will be necessary for you to submit an application for a permit to do so, together with its required secondary application for a permit to use the stored waters, its attendant information, fees and data.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By  
Chris L. Wheeler, Assistant

CLW:gk

W. J. JONES  
SHERIFF AND TAX COLLECTOR



25-431

DEPUTIES  
FORD E. HAGAN  
JUNE RANES

July 31, 1952

RECEIVED  
AUG 1 1952

STATE ENGINEER  
SALEM, OREGON

Mr. Chas. E. Stricklin,  
State Engineer  
State Office Building  
Salem, Oregon

Ref: Permit No. 20004  
W. J. and Lorraine B.  
Jones

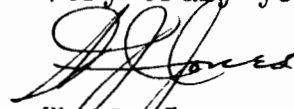
Dear Sir:

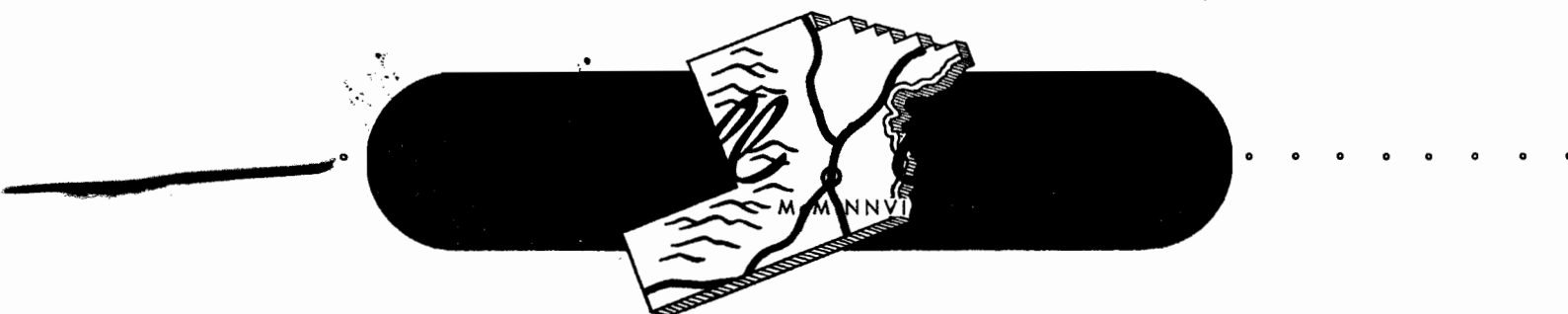
Just after the first of the year I was in your office and talked to a Mr. Wells in regards to my permit. The purpose was to get permission to change the location of my dam. Oral permission was granted at that time.

In Brief, the County had to build a new road at the point where the stream I have my dam on runs under the county road. You are probably acquainted with the case where the bank and part of the county road fell into the Willamette river causing the county to build a new road. This new road and right of way borders my property on the east. The new fill left a small strip of land which I have acquired. This is a pie-shaped strip approximately thirty-five feet at the largest end and borders my property. Because of this new fill I was able to shorten my dam by thirty-five feet. I had a small dam started and it washed out. I have almost completed by present dam but there is a possibility it will have to be moved as the fill the county put in is slipping into the creek. Our county engineer said they would either have to lengthen the culvert pipe or put in some kind of a retaining wall. What ever they do will affect my dam. The county expects to complete their new road this fall before school starts.

Because of this I would like to wait until the county completes their work so I can determine what to do with my dam. I will probably take it all out this winter if the county has to make changes in their fill. There is no one affected below me as the farm on the East borders the Willamette river and the owner has no use for what little water runs in this stream.

Very truly yours,

  
W. J. Jones



October 15, 1953

Mr. Chas. E. Stricklin  
State Engineer  
504 State Office Building  
Salem, Oregon

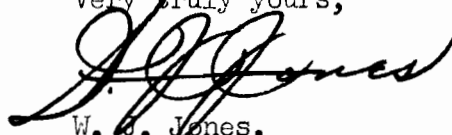
Ref: Application No. 25431  
Permit No. 20004

Dear Sir:

I completed my dam on a temporary basis because the county was putting in a new fill which prevented me from putting it in on a permanent basis. The fill the county put in in order to complete a new roadway slid in next to my dam. Mr. Jacobs the County Engineer put in an extension on their pipe and stated they were going to make an additional fill which would bring them right up to my dam. I have talked with Mr. Jacobs and he is not certain when they will put in the additional fill.

There is a possibility I can procure a gate and use the culvert for a dam and use the excess water retained in the early spring runoff. There hasn't been enough flow during the summer to give me all the water needed. If I have to put in a dam then I request an extension to allow the county to complete their work so I will know where I can put it.

Very truly yours,



W. C. Jones,  
Lorraine B. Jones

*Enclosure*  
*Form. "B"*

W. J. JONES  
SHERIFF AND TAX COLLECTOR



DEPUTIES  
FORD E. HAGAN  
JUNE RANES

May 15, 1951

**RECEIVED**

MAY 16 1951

**STATE ENGINEER  
SALEM, OREGON**

Mr. Charles E. Stricklin  
State Engineer  
Salem, Oregon

Dear Sir:

Information is requested as to the status of application number 25431 dated November 14, 1950 for W. J. & Lorraine B. Jones, Route One, Box 243 Dayton, Oregon.

Your receipt number 10916.

Very truly yours,

W. J. Jones, Sheriff  
Yamhill County

*in Stamp  
Order for 10/15/51*



# STATE OF OREGON

CHAS. E. STRICKLIN, STATE ENGINEER  
SECRETARY  
Irrigation Commission  
Water Resources Department  
State of Oregon

OFFICE OF THE  
STATE ENGINEER  
WATER RESOURCES DEPARTMENT  
SALEM

ADDRESS ALL COMMUNICATIONS  
CHAS. E. STRICKLIN, STATE ENGINEER  
SALEM, OREGON

AND REFER TO  
FILE NO. 25431

November 16, 1950

W. J. & Lorraine B. Jones  
Route 1, Box 243  
Dayton, Oregon

Dear Sir and Madam:

This will acknowledge receipt of your application for a permit to appropriate  $\frac{1}{2}$  cubic foot of water per second from unnamed springs for the irrigation of 23.77 acres, together with the required maps and check for \$15.00, for which our receipt No. 10916 is enclosed.

This application has been filed and given No. 25431. It has been checked over and some discrepancies are noted.

From what you stated in the notes under "Remarks", it appears that the source of the proposed appropriation is an unnamed stream which is fed by springs. If this assumption is correct, you should state under Item 1 that the proposed appropriation is from an unnamed stream.

Your map shows only about 4 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 27 instead of 10.84 acres that you stated under Item 8. The 10.84 acres mentioned in your legal description "X1" is in parts of Sections 27 and 28. What is desired under Item 8 is the total number of acres you plan to irrigate in each 40-acre tract. You must therefore determine the number of acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 27 and the number of acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 28 as designated in the legal description "X1". I believe all of the property described by the legal description "X" is in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 28.

The signatures of both applicants should appear on page 3.

For your convenience in making any necessary corrections, I am returning the application herewith, endorsed, so that to retain its priority it must be returned to this office on or before December 18, 1950.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

*Robert D. Conklin*  
By  
Robert D. Conklin, Assistant

RDC:bl  
Enc.

*Sorry I'm late. My wife has been away.*

**STATE ENGINEER'S RECEIPT AND STATEMENT  
STATE OF OREGON**

**Nº 10916**

RECEIVED FROM W.J. & Lorraine B. Jones

Salem, Oregon, November 14, 1950  
(Check of W. J. Jones)

Postoffice address Dayton, Oregon

The sum of - - - Fifteen and 00/100 - - - - - Dollars (\$ 15.00 )

FUND	ON WHAT ACCOUNT	AMOUNT
State Engineer	Application	15.00

Examination . . . . . \$ 10.00  
 Recording . . . . . \$ 5.00  
 Blue printing . . . . . \$ .....  
 Recording certificates . . . \$ .....  
 Transfer fee . . . . . \$ .....  
 Annual license fee . . . . \$ .....  
 Penalty . . . . . \$ .....  
 Filing fee . . . . . \$ .....  
 Investigation fee . . . . . \$ .....  
 License fee . . . . . \$ .....  
 Miscellaneous fees . . . . \$ .....

Application No. 25431  
 Permit . . No.....  
 Claim . . . No.....  
 Project . . No.....

Extension of time . . . . \$ .....  
 Copying . . . . . \$ .....  
 Certification . . . . . \$ .....  
 Miscellaneous recording . \$ .....  
 Adjudication fee . . . . \$ .....  
 Proof and entry fee . . . \$ .....  
 Other fees note here with full statement

Received payment.

NOTE—State Engineer is also a member of and secretary of the Hydroelectric Commission of Oregon and secretary of the State Reclamation Commission.

*Colman E. Sticklin*  
 State Engineer

January 20, 1955

RECEIVED  
JAN 21 1955  
STATE ENGINEER  
SALEM, OREGON

Louis A. Stanley  
State Engineer  
State Office Bldg.  
Salem, Oregon

Re: File 25431

Dear Sir:

In regard to your letter of January 11, 1955 please be advised that I would like to have my permit No. 20004 extended as I have been unable to complete my project within the prescribed time. As I have stated before the completion of this project was being held up waiting for the County to complete a fill just below my dam-site. As yet this project has not been completed but conferring with the County engineer I was advised that they are planning on completing this project sometime in the early part of this year, therefore, I would greatly appreciate having my permit extended.

So far I have only been able to put in a dirt fill dam which has not proved satisfactory as during extremely high water it washes out, and I do not wish to put in a permanent fill until the County completes their project as it would interfere with their work.

Very truly yours,



W.J. "Bill" Jones



REPORT OF PERSON MAKING INSPECTION

Description of works: Info - Mrs. Jones & Son

Pump - FB Morse 10 hp 3 ph 3475 RPM  
✓ 2 Fig 5553 Dir Cent 2x3

Pipe - 410' 4" st.

1,080' 3" ✓

160' 2" Al

Heads - 13RB40 3/16 x 5/32 - 3RB40 3/16 x 3/32 - 2RB40 3/16 x 1/8

1RB30 3/16 x 3/32

Lift - 2 ft suc - 40 ft disc

Crop - Pasture - Grain -

Note! Short on pipe to reach the NE side

I, Myron Bish, do hereby certify that I have made an inspection of the works described herein and in Permit No. 20004, on the 4 day of June, 1958, 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)

August 12, 1952

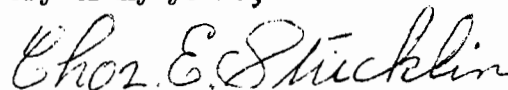
W. J. & Lorraine B. Jones  
Route 1, Box 243  
Dayton, Oregon

Dear Sir & Madam:

This acknowledges receipt of Form A, being notice of the beginning of construction under Permit No. 20004, in the name of W. J. & Lorraine B. Jones.

This report has been filed with other matter pertaining to the water right, and the permit is in good standing until October 1, 19 53 when under its terms, construction should be completed.

Very truly yours,



CHAS. E. STRICKLIN  
State Engineer

Form 118

25431

June 15, 1951

W. J. & Lorraine B. Jones  
Route 1, Box 243  
Dayton, Oregon

Dear Sir and Madam:

Herewith you will find Application No. 25431, Permit No. 20004, together with blueprint.

25431

May 18, 1951

W. J. Jones, Sheriff  
Yamhill County  
McMinnville, Oregon

Dear Mr. Jones:

In reply to your letter of May 15, this will advise you that Application No. 25431, in the name of W. J. and Lorraine B. Jones, is in satisfactory form and in line for approval by issuance of a permit with the present group, which is dated for June 15.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

Ed K. Humphrey, Assistant

EKH:mrh



December 19, 1950

W. J. & Lorraine B. Jones  
Route 1, Box 243  
Dayton, Oregon

Dear Sir and Madam:

This is to notify you that your completed Application No. 25431 for a permit to appropriate  $\frac{1}{2}$  cubic foot per second or 225 gallons per minute of water from springs and an unnamed stream for irrigation now appears to be in satisfactory form and is being placed in line for approval by issuance of a permit.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By  
Ed K. Humphrey, Assistant

EKH:dlh

November 16, 1950

W. J. & Lorraine B. Jones  
Route 1, Box 243  
Dayton, Oregon

Dear Sir and Madam:

This will acknowledge receipt of your application for a permit to appropriate  $\frac{1}{2}$  cubic foot of water per second from unnamed springs for the irrigation of 23.77 acres, together with the required maps and check for \$15.00, for which our receipt No. 10916 is enclosed.

This application has been filed and given No. 25431. It has been checked over and some discrepancies are noted.

From what you stated in the notes under "Remarks", it appears that the source of the proposed appropriation is an unnamed stream which is fed by springs. If this assumption is correct, you should state under Item 1 that the proposed appropriation is from an unnamed stream.

Your map shows only about 4 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 27 instead of 10.84 acres that you stated under Item 8. The 10.84 acres mentioned in your legal description "X1" is in parts of Sections 27 and 28. What is desired under Item 8 is the total number of acres you plan to irrigate in each 40-acre tract. You must therefore determine the number of acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 27 and the number of acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 28 as designated in the legal description "X1". I believe all of the property described by the legal description "X" is in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 28.

The signatures of both applicants should appear on page 3.

For your convenience in making any necessary corrections, I am returning the application herewith, endorsed, so that to retain its priority it must be returned to this office on or before December 18, 1950.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By  
Robert D. Conklin, Assistant

RDC:bl  
Enc.