

CANCELLED

SEP 29 1958

Name Florence M. Toler
By _____
Address 120 Hrubetz Road
Salem, Oregon

Date filed June 4, 1954
Priority June 4, 1954
Action suspended until _____

Returned to applicant _____
Date of approval December 20, 1954

CONSTRUCTION

Date for beginning December 20, 1955
Date for completion October 1, 1956
Extended to _____
Date for application of water October 1, 1957
Extended to _____

PROSECUTION OF WORK

Form "A" filed _____
Form "B" filed _____
Form "C" filed _____

FINAL PROOF

Blank mailed _____
Proof received _____
Date certificate issued _____

Application No. U-715
Permit No. U-655
Certificate No. _____
Stream Index, Page No. 7-6

FEES PAID

Date	Amount	Receipt No.
6-7-54	36.50	1742
	B. P. Fee	
	\$1 Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

4.0 c.f.s. from Teel Wells 4 -1; 4 - 2 (Buttercreek) (Wnatilla River) for irrigation of 320.0 acres.
JAN - 9 1956 CARD FOR A
OCT 1 1956 CARD FOR B
OCT 18 1957 CARD FOR C
JAN 10 1958 FORM 100 REG.

Cancelled

U-715

DELIVERING
EMPLOYEE

Deliver ONLY to addressee.

Show address where delivered.

Received from the postmaster the registered, certified, or insured article,
the number of which appears on the face of this return receipt.

1. X Florence M Jole
(Signature or name of addressee)

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

Date of Delivery 1-11-58

January 10, 1958

Florence M. Toler
120 Hrubetz Rd.
Salem, Oregon

Dear Madam:

According to the terms of your Permit No. ^{U-655} which is for the appropriation of ^{4.0} second-feet of water from Teel Wells 4-1 & 4-2 complete application of water was to have been made on or before October 1, 19⁵⁷. It appears from our records that you have failed to submit the notice of complete application, although a notice, calling this matter to your attention, was mailed to you on ^{October 18, 1957.}

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 cancelation 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 canceled without the necessity for following the legal procedure.

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 proof of beneficial use is received within 60 days from the date of this letter, your permit will be canceled without further notice.

Very truly yours,

Lewis A. Stanley
LEWIS A. STANLEY
State Engineer

November 8, 1957

Mr. Harley M. McDowell
Idaho Land and Map Service
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

In response to your letter of October 30, the only grounds upon which the State Engineer can extend the time for completion of a project are upon showing of due diligence by the permittee. There is no provision under the law whereby the time for beginning of the construction work can be extended.

Information in the file does not indicate that the work was commenced within the time set out in permit No. U-655, and the permit would therefore be subject to cancellation.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Chris L. Wheeler, Assistant

CLW:eh

PROPERTY APPRAISALS

CONCRETE DRAFTING, MAPPING

LAND PURCHASES

OIL AND GAS LEASES

GRAZING MANAGEMENT

FEDERAL LAND APPLICATIONS

WATER FILINGS & PROOF

STATE LAND LEASES & ASSIGNS

IDAHO LAND & MAP SERVICE

HARLEY M. MCDOWELL — E. J. MCDOWELL, MGR. OWNERS

619 IDAHO BLDG.

BOISE, IDAHO

P. O. BOX 2161

PHONE 4-0181

a

October 30, 1957

Mr. Lewis A. Stanley
State Engineer
State of Oregon
Salem, Oregon

RECEIVED
OCT 30 1957
STATE ENGINEER

U715

Dear Sir:

I refer to Permit #U-655 filed in the name of Florence M. Toler and your card stating that this proposed use was supposed to have been completely made before October 1, 1957.

There is a possibility that Mrs. Toler may obtain her water from another source or that other plans may be made for complete application of the water. For this reason I would like to know what your statute provides as legal reasons for extension as I feel that within a very short time we will be able to give you an exact answer in reference to your notice.

If you will please send this correspondence direct to me, I will see that it is taken care of immediately.

Very truly yours,

IDAHO LAND & MAP SERVICE

Harley M. McDowell
Harley M. McDowell

HMM:jb

RECEIVED
MAR 16 1955
STATE ENGINEER
SALEM, OREGON

Application No. U-715
Permit No. -
Well No. -

ANNUAL REPORT ON WELLS

(A separate report for each well shall be submitted annually to the State Engineer, see ORS 537.560).

Date of Report March 10, 1955

1. A well has not been completed as provided under the above application and at this time no report of approximate depth of drilling can be given.
2. Surveying for well site location, distribution and gravity system has been initiated.
3. The land for which this irrigation is provided is described as:

T 3 N - R 28 E., W.M.
Section 20, E $\frac{1}{2}$
320 acres
4. This is a desert entry allowed by the Bureau of Land Management too late for development in the 1954 season.
5. Development is contemplated during the next season to the greatest extent feasible.
6. Complete report will be given as requested immediately upon development.

Report made by

Harley M. McDowell
Harley M. McDowell
Agent for Florence M. Toler
120 Hrubetz Road
Salem, Oregon

Application Nos. U-712 — U-715 U-716
U-717 U-718
U-723 — U-724
January 12, 1956

MEMORANDUM

Mr. Wm. Duell was in the office this date in regard to the above listed applications and stated he did not believe that construction work has been commenced on any of the permits. He will contact the owners and have them either submit notices of beginning or authorizing cancelation of the permits. If canceled, most of the applicants will probably refile new applications.

Chris L. Wheeler

CW:ch

U-707
U-712
U-713
U-714
U-715
U-716
U-717 & U-718

March 8, 1955

Idaho Land and Map Service
519 Idaho Building
Boise, Idaho

Attention Mr. Harley M. McDowell

Gentlemen:

In reply to your letter of February 10 requesting extensions of time in filing the annual reports on wells on the following applications, Nos. U-707, U-712, U-713, U-714, U-715, U-716, U-717 and U-718, please be advised that if construction work has not commenced on these wells, the annual reports should be returned to this office with a statement to the effect that the wells have not been completed.

If the wells are partially completed, the approximate depth to which they have been drilled to date should be given.

Application No. U-707 in the name of W. E. Buell has not as yet been approved by the issuance of a permit since Mr. Buell advised that his application for entry has not been approved. All the other applications were approved by the issuance of permits on December 20, 1954, allowing them until December 20, 1955 within which to begin construction of the various wells, until October 1, 1956 to complete the wells, and until October 1, 1957 to make complete application of the water to its proposed use.

These reports which we have requested under the provisions of ORS 537.560 are sent out each January and the status of each well for the past season must be reported.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By Robert D. Best, Assistant

RDB:dg

RTY APPRAISALS

TING, MAPPING

CHASES

OIL AND GAS LEASES

GRAZING MANAGEMENT

FEDERAL LAND APPLICATIONS

WATER FILINGS & PROOF

STATE LAND LEASES & ASSIGNS

IDAHO LAND & MAP SERVICE

HARLEY M. MCDOWELL — E. J. MCDOWELL, MGR. OWNERS

519 IDAHO BLDG.

BOISE, IDAHO

P. O. BOX 2161

PHONE 4.0181

RECEIVED
FEB 14 1955
STATE ENGINEER
SALEM, OREGON

CANAD

February 10, 1955

Mr. Lewis A. Stanley
State Engineer
State of Oregon
Water Resources Department
Salem, Oregon

Dear Sir:

Re: #U-715

I have reference to the above designated file #U-715 in the name of Florence M. Toler, 120 Hrubetz Road, Salem, Oregon.

As you know, this filing was made to irrigate lands described as: T 3 N - R 28 E., W.M., Section 20, E $\frac{1}{2}$ which were applied for in the Oregon U. S. Bureau of Land Management Office for desert entry.

Also due to the fact that the Federal Statute prohibits entry on these lands until allowance of the application, the applicant was not able to enter the lands and make development in accordance with the terms of the above designated permit until after the allowance of this desert application by the U. S. Bureau of Land Management.

For the above reasons, it is respectfully requested that your annual report form as required under O.R.S. 537.560 be suspended for the year of 1954. A full and complete report will be made on your form for the calendar year of 1955.

You realize that the late date of allowance on these applications prohibited any development and we will appreciate your consideration of this request.

Very truly yours,

IDAHO LAND & MAP SERVICE

Harley M. McDowell
Agent for Florence M. Toler

HMM:jb

December 20, 1954

U-715

Florence M. Toler
120 Hrubetz Road
Salem, Oregon

Dear Madam:

blueprint.

U-715

U-655, with

U-715

June 9, 1954

Miss Florence M. Toler
c/o Mr. William E. Buell
Sherlock Building
Portland 4, Oregon

Dear Miss Toler:

This will acknowledge receipt of an application for a permit to construct two wells and appropriate therefrom water for the irrigation of 320 acres, map to accompany the application and fees submitted by Mr. Buell, for which our Receipt No. 1742 is enclosed.

The application has been examined, given File No. U-715 and will be held pending completion of the map as noted in Mr. Buell's letter of June 5.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Chris L. Wheeler, Assistant

CLEW:eh
cc. Bureau of Land Management
enc.

For Correspondence

See

[Large handwritten scribble]

This letter refers to your permit No. _____ for the storage of _____ feet of water from _____
Our records show that you were notified by _____ under this permit was mailed to you on _____ and that the proof had not yet been submitted.
Section 116-435, O. C. L., provides that _____ over the state within which any appropriation under a permit should have been perfected shall have expired and the owner of such permit shall fail or refuse within the period of three months thereafter to submit to the State Engineer proof of the completion of such appropriation as required by Section 116-436, O. C. L., the State Engineer may, after 60 days' notice by registered mail, order the cancellation of such permit. * * *

If you have abandoned your intention of completing this water right, you should immediately advise the State Engineer and should authorize the cancellation of the permit. If, however, you still desire to complete the right you should promptly submit the final proof. A new blank for making proof will be furnished you upon request in case the form originally sent has been misplaced or lost.

In accordance with the provisions of Section 116-435, O. C. L., a part of which is quoted above, you are hereby notified that unless we hear from you within sixty days from the date of this letter, your permit will be cancelled without further notice.

Very truly yours,
Chas. E. Stricklin

CHAS. E. STRICKLIN
State Engineer

STATE OF OREGON

CHAS. E. STRICKLIN, STATE ENGINEER
SECRETARY
STATE RECLAMATION COMMISSION
HYDROELECTRIC COMMISSION 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. _____

This letter refers to your Permit No. _____ which is
for the storage of _____ acre-feet of water from _____

Our records show that a blank for making final proof
under this permit was mailed to you on _____ and that
the proof has not yet been submitted.

Section 116-435, O. C. L. A, provides that: "When-
ever the time within which any appropriation under a permit should
have been perfected shall have expired and the owner of such permit
shall fail or refuse within the period of three months thereafter
to submit to the State Engineer proof of the completion of such
appropriation as required by Section 116-426, O. C. L. A., the
State Engineer may, after 60 days' notice by registered mail, order
the cancellation of such permit, * * * *"

If you have abandoned your intention of completing this
water right, you should immediately advise the State Engineer
and should authorize the cancellation of the permit. If, however,
you still desire to complete the right you should promptly submit
the final proof. A new blank for making proof will be furnished
you upon request in case the form originally sent has been mis-
placed or lost.

In accordance with the provisions of Section 116-435,
O. C. L. A., a part of which is quoted above, you are hereby
notified that unless we hear from you within sixty days from the
date of this letter, your permit will be cancelled without further
notice.

Very truly yours,

Chas. E. Stricklin

CHAS. E. STRICKLIN
State Engineer

APPLICATION OF
FLORENCE M. TOLER

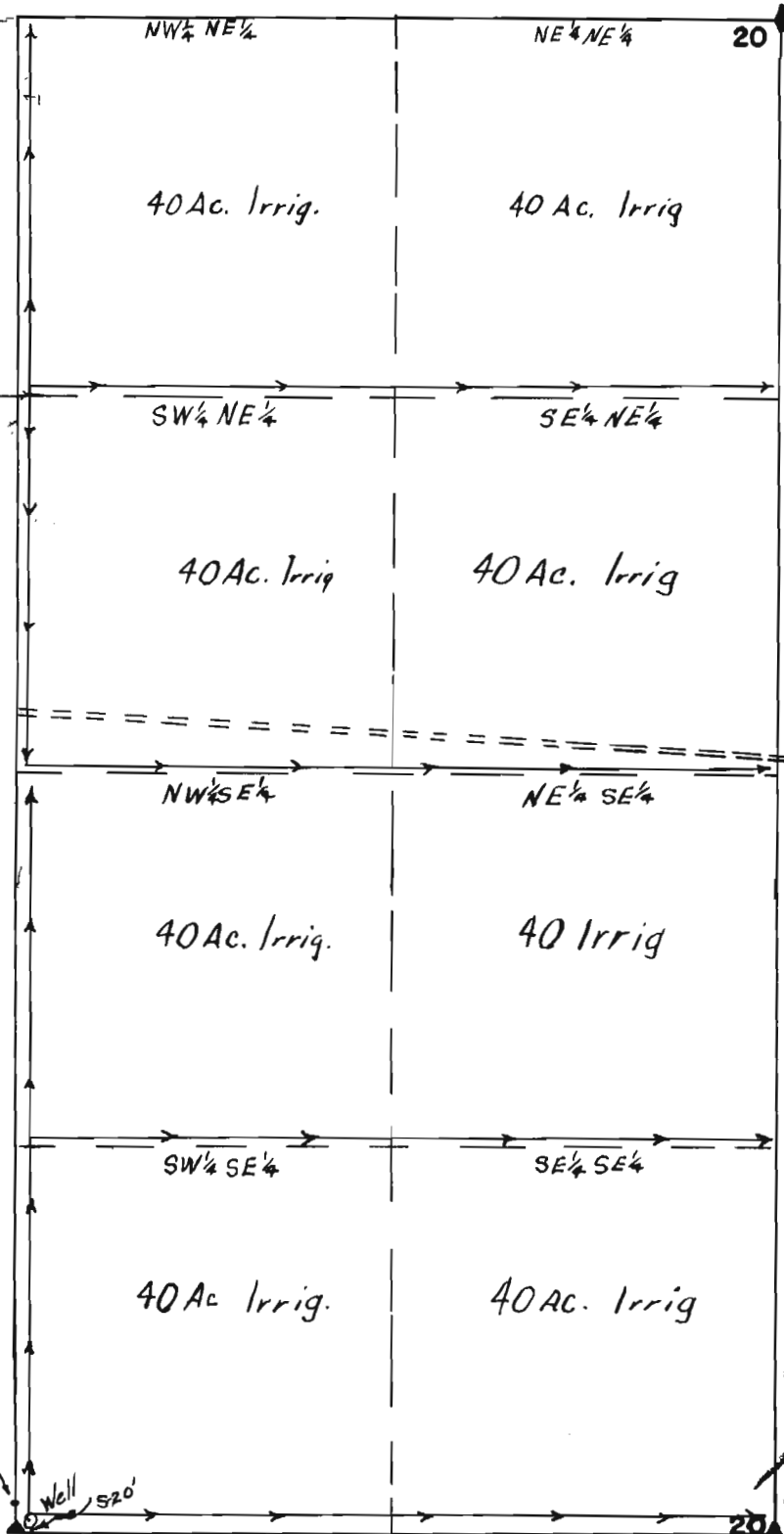
T.3N. R.28 E. W.M.

E¹/₂ SEC.20

NW CORNER
SEC. 20
IRON R.P.
20'

I, G.M. Newbill, of Walla Walla, Washington, do hereby certify that this map was made from an aerial photograph and from notes taken during an actual survey made by me on 7th of July 1954; that the monuments shown on this map consists of two Iron R.P. . one 20 feet North of the South Quarter Corner of the section and one 240 feet South and 20 East of the Northwest Corner of the section.

G. M. Newbill



REGISTERED
OREGON
LAND SURVEYOR

G. M. Newbill

MAY 6, 1949
G. M. NEWBILL
255

REGISTERED PROFESSIONAL
ENGINEER
888
W. E. Buell
OREGON
DEC. 31, 1919
W. E. BUELL

RECEIVED
DEC 7 1954
STATE ENGINEER
GAIL B. JOHNSON

RECEIVED
DEC 7 1954
STATE ENGINEER
GAIL B. JOHNSON

G. M. Newbill
Registered Oregon Land Surveyor 255

Application No. U-715
Permit No. U-655

Scale: 1" = 660'