

CANCELLED

Name Herbert O. Waibel

By

Address Brownsville, Oregon

Date filed August 21, 1950

Priority August 21, 1950

Action suspended until

Returned to applicant

Date of approval November 16, 1950

CONSTRUCTION

Date for beginning November 16, 1952

Date for completion October 1, 1953

Extended to

Date for application of water October 1, 1954

Extended to

PROSECUTION OF WORK

Form "A" filed January 31, 1955

Form "B" filed

Form "C" filed January 31, 1955

FINAL PROOF 3-7-56

Blank mailed

Proof received

Date certificate issued

Application No. 25156
Permit No. 20206 CANCELLED
Certificate No. JUN 28 1959

Stream Index, Page No. 2737 *Special Order Form Vol 10 p 112*

FEES PAID

Date	Amount	Receipt No.
<u>8-25-50</u>	<u>28.00</u>	<u>10296</u>
	B. P. Fee	
	\$1 Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

1.875 a.c.s. from Calapogoya R. for irrigation of 150 acres

NOV 19 1952 CARD FOR A

OCT 12 1953 CARD FOR B

OCT 28 1954 CARD FOR C

JAN 7 - 1955 FORM 100 REG.

Note in Proof: Only 50 a. irrigated

NOTICE OF BEGINNING OF CONSTRUCTION

I, Herbert O. Waibel, the holder of Permit No. 20206 to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 1 day of July, 1952.

Remarks: equipment was installed this date and self-run. The appropriator should state the manner of beginning construction work, number of men employed, the amount of work completed

RECEIVED JAN 31 1952

up to the date of this statement, and any additional information which may tend to show the beginning of work in good faith.

IN WITNESS WHEREOF, I have hereunto set my hand this 31 day of January, 1955.

Herbert O. Waibel (Signature of Applicant)

Brownsville, Oregon (Address)

Fill out, detach, and mail to the State Engineer, Salem, Oregon, when construction work is begun.

Form C

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.

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Herbert O. Waibel, the holder of Permit No. 20206 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 1st day of July, 1952.

Remarks: Fifty acres is maximum land irrigated at this time and is all I intend to irrigate in the future under the permit.

IN WITNESS WHEREOF, I have hereunto set my hand this 31 day of January, 1955.

Herbert O. Waibel (Signature of Applicant)

Brownsville, Ore. (Address)

RECEIVED JAN 31 1955

HERBERT O. WAIBEL IRRIGATION WORKS

SEC. 33, T. 13 S., R. 2 W., W. M.
SEC. 4, T. 14 S., R. 2 W., W. M.

SCALE: 1" = 10 CH.

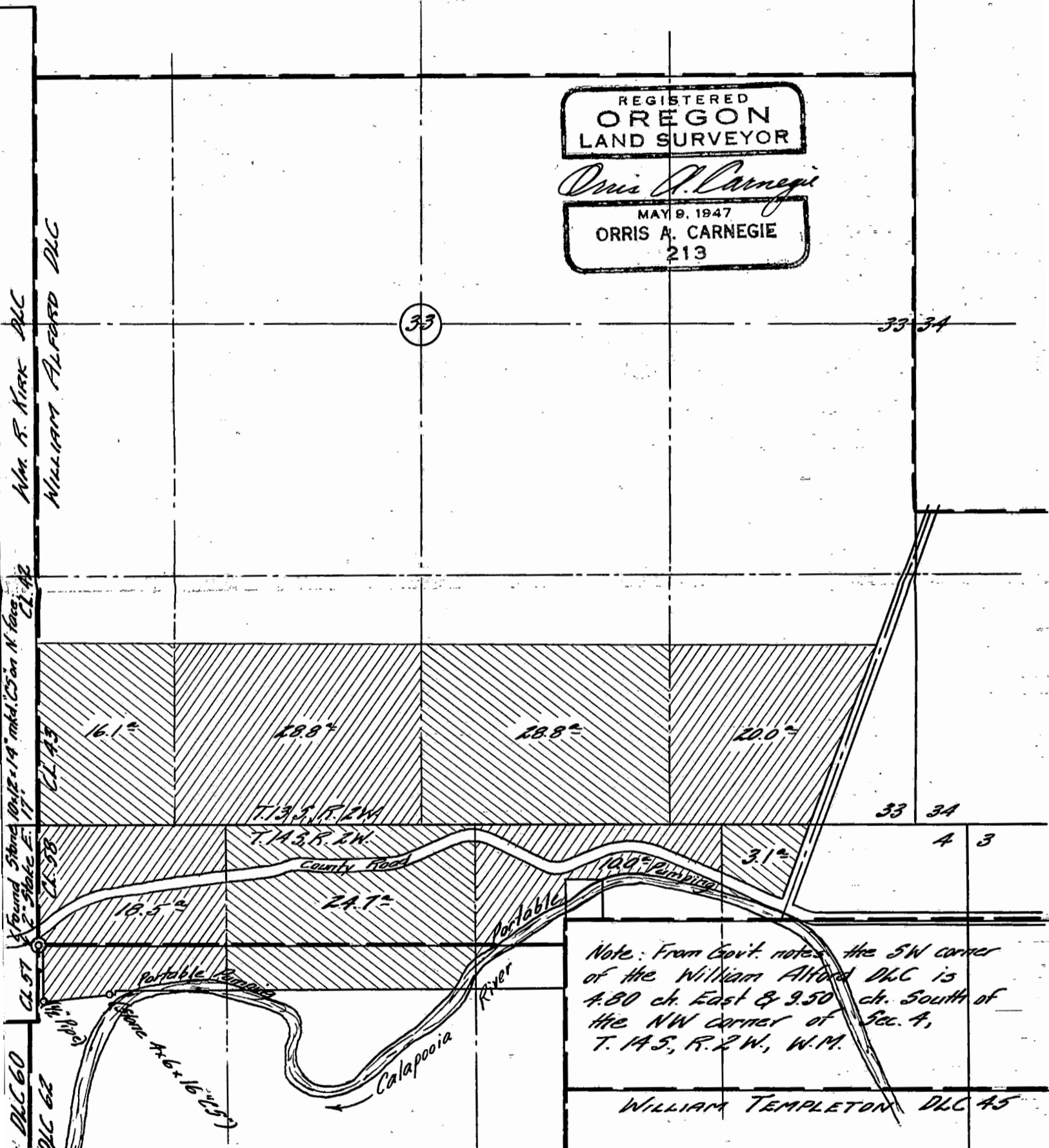
JULY 17, 1951

ORRIS A. CARNEGIE
DEP. CO. SURVEYOR

REGISTERED
OREGON
LAND SURVEYOR

Orris A. Carnegie

MAY 9, 1947
ORRIS A. CARNEGIE
213



Note: From Govt. notes the SW corner of the William Alford D.L.C. is 4.80 ch. East & 9.50 ch. South of the NW corner of Sec. 4, T. 14 S., R. 2 W., W. M.

WILLIAM TEMPLETON D.L.C. 45

I, Orris A. Carnegie of Albany, Oregon, do hereby certify that this map was made from notes taken during an actual survey made by me on July 17, 1951, and supplemented by information from the latest aerial photographs; and that the monument shown on this map consists of a stone 10 x 12 x 14" marked "CS" on the North face at the Southwest corner of the William Alford D.L.C. No. 58 in T. 14 S., R. 2 W., of the Will. Mer. in Linn County, Oregon, and is 4.80 chains East and 9.50 chains South of the Northwest corner of Section 4 in said Township and Range.

Application No. 25156
Permit No. 20206

Orris A. Carnegie
Orris A. Carnegie
Dep. Co. Surveyor

Hugh Brown D.L.C. 60
 Hugh Fields D.L.C. 62
 Found Stone 10x12x14" marked "CS" on N face
 4.80 ch. East & 9.50 ch. South
 William Alford D.L.C. 58
 William Templeton D.L.C. 45

Mr. Lewis A. Stanley
State Engineer
State Office Building 170 S. 12th St.
Salem, Oregon

RECEIVED
SEP 16 1958
STATE ENGINEER
SALEM, OREGON

Dear Mr. Stanley:

I hereby authorize the cancellation of my Application
No. 25756, Permit No. 70206, which defines a right to the
use of 1.88 second-foot of water from Calapooya River
_____ for Irrigation.

Mrs Evelyn Waihel
NAME

Sept. 15
DATE

November 3, 1958

Mrs. Herbert O. Waibel
Brownsville, Oregon

Dear Mrs. Waibel:

Pursuant to your authorization of cancelation,
permit No. 20206 is being stricken from the records of the
State Engineer and will be of no further force or effect.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Chris L. Wheeler, Assistant

eh

February 11, 1955

Mr. Herbert O. Waibel
Brownsville, Oregon

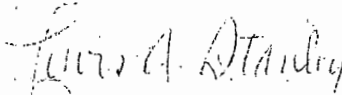
Dear Mr. Waibel:

This will acknowledge receipt of your notice to the effect that complete application of water has been made under Permit No. 20206.

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

January 7, 1955

Herbert O. Waibel
Brownsville
Oregon

Dear Mr. Waibel:

According to the terms of your Permit No. 20206 which is for the appropriation of 1.875 second-feet of water from Calapooya River 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

August 3, 1951

Mr. Herbert O. Waibel
Brownsville, Oregon

Dear Mr. Waibel:

This is to notify you that your completed Application No. 25156 for a permit to appropriate 1.88 second-foot of water from Calapooya River 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

25156

June 29, 1951

Mr. Herbert O. Waibel
Brownsville,
Oregon

Dear Mr. Waibel:

For your convenience in completing your application No. 25156, for a permit to appropriate 1.88 cubic feet of water from Calapooya River for the irrigation of 150 acres as explained when you were in this office August 21, 1950 to file and as set out in our letter of October 27, 1950, I am enclosing the application herewith, endorsed so that to retain its priority, it must be returned to this office on or before July 30, 1951.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Ed K. Humphrey, Assistant

EKH:mb

Enc.

October 27, 1950

Mr. Herbert O. Waibel
Brownsville
Oregon

Dear Mr. Waibel:

Will you please let us know when you will submit the map required to complete your Application No. 25156 as discussed when you were in this office August 21 to file.

The required map must be made by an engineer or a surveyor as explained on Pages 6 and 8 of the enclosed copy of the Rules and Regulations of the State Engineer.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Ed K. Humphrey, Assistant

EKH:dh
Enc.

SECTION

13S

2W.

TOWNSHIP 14S, RANGE 2W, W. M.

(33)

North

150

(4)

8

2

8

9

10

11

West

East

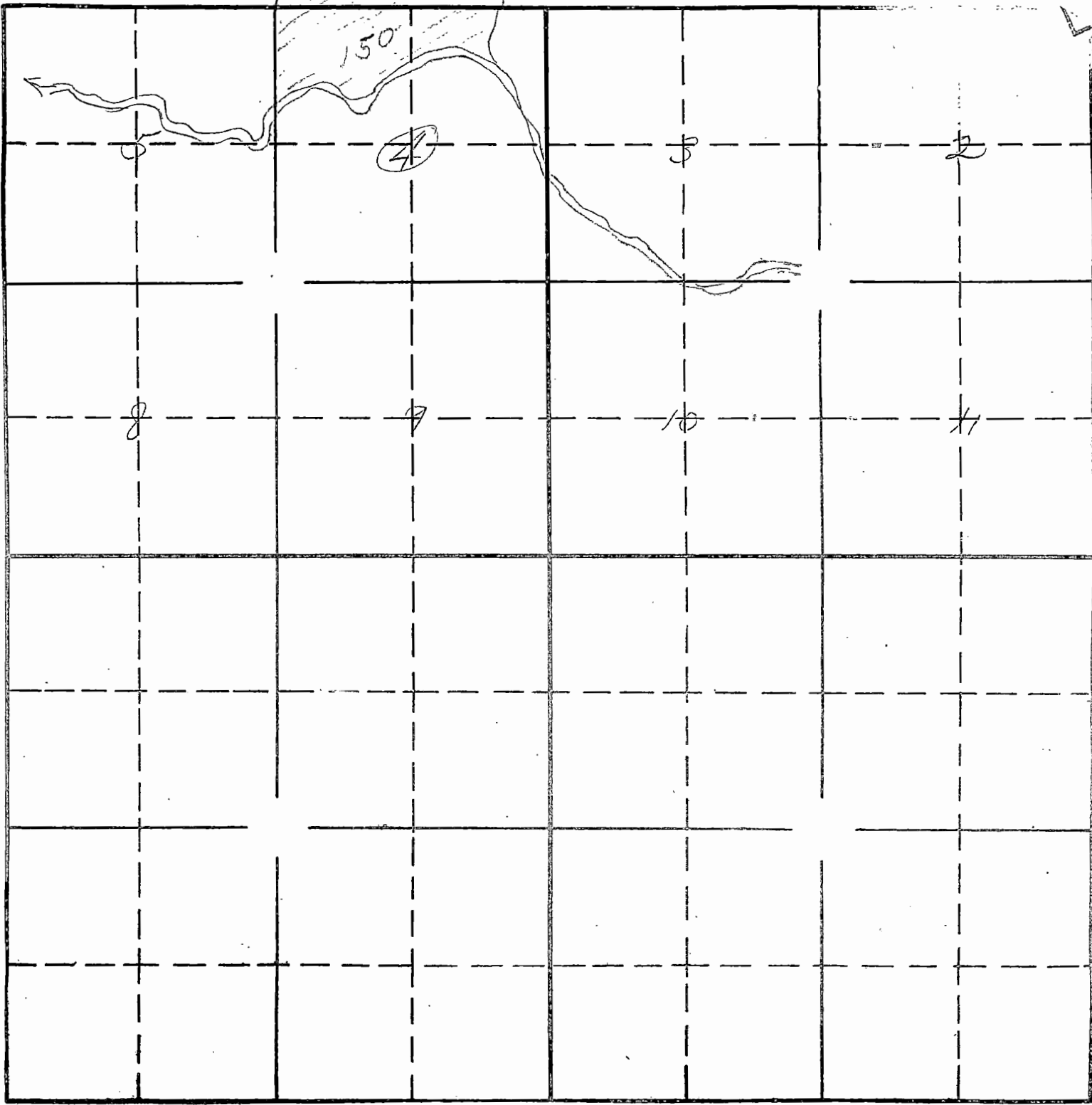
South

25156

2-3A

APPLICATION No.

PERMIT No.



RETURN RECEIPT

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

1 Herbert Mitchell
(Signature or name of addressee)

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

Date of delivery 1-8, 1955

2D-19

Permit No. 20206

Application No. 25156

County ~~Wash~~

Preliminary Data for Proof of Appropriation of Water

9-12-58
W. N. Perry
Cancellation

- 1. Name Hartung Co. Wash 2. Address Brownville, Oregon
- 3. Source of supply Calapuya River
Tributary of Willamette River
- 4. Amount of water 1.88 c.f.s. 5. Priority date August 21, 1950
- 6. Use Irrigation - 1/60th - 2 1/2

7. Location of point of diversion ^{NW 1/4 NW 1/4} NE 1/4 NE 1/4, NW 1/4 NE, NE 1/4 NW, & Sec. 4 Tp. 14 S Rg. 2 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 Willamette Meridian	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S	2 W	33	SW 1/4 SW 1/4	16.1	
			SE 1/4 SW 1/4	28.8	
			SW 1/4 SE 1/4	28.8	
			SE 1/4 SE 1/4	20.0	
14 S	2 W	4	NW 1/4 NW 1/4	18.5	
			NE 1/4 NW 1/4	24.7	
			NW 1/4 NE 1/4	10.0	
			NE 1/4 NE 1/4	3.1	
				<u>150.0</u>	

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

NOTE: ONLY 50 ACRES IRRIGATED

REPORT OF PERSON MAKING INSPECTION

Description of works: No irrigation has been done under this application and permit. No use is made of irrigation water except lawn and garden at the house.

Mr. Herbert O. Waibel died during the past year. His widow is running the farm.

Mrs. Waibel has told a brother of Mr. Waibel that she intends to cancel this permit.

(A cancellation form was left for her use)

Information: Mr. Waibel, a brother of H.O. Waibel who has lived on the farm during the period covered by this permit.

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 _____ and I recommend the issuance of water right certificate for this amount.

(Quantity of water in second-feet or acre-feet)

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.

(Name)

(Title)