

Name William G. Katzenbach Assigned
By _____
Address 19704 Williams Highway
Williams, Oregon

Application No. 38651
Permit No. 28814
Certificate No. 37813

Stream Index, Page No. 15-16 L

See File R-38650

part Cancelled - sp. or Rec. Vol. 38 P. 421

Date filed April 17, 1963
Priority April 17, 1963
Action suspended until OK Cert

Returned to applicant _____
Date of approval July 18, 1963

CONSTRUCTION

Date for beginning July 18, 1964
Date for completion October 1, 1965
Extended to 10-1-66 10-1-67
Date for application of water October 1, 1966
Extended to 10-1-67

PROSECUTION OF WORK

Form "A" filed July 29, 1964
Form "B" filed _____
Form "C" filed September 21, 1967

FINAL PROOF

Blank mailed SEP 20 1971
Proof received _____
Date certificate issued DEC 6 1971

FEES PAID

Date	Amount	Receipt No.
<u>4/12/63</u>	<u>27.90</u>	<u>37709</u>
<u>10-18-71</u>	<u>\$1 Cert. Fee</u>	<u>25833</u>

FEES REFUNDED

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

ASSIGNMENTS

Date	To Whom	P.O. Box 41 Address Williams, Oregon	Volume	Page
<u>9-26-66</u>	<u>Harold P. and Virginia Sanders</u>	<u>1021 Missouri Flats Road</u> <u>Grants Pass, Oregon</u>	<u>4</u>	<u>841</u>

REMARKS

1.85 c.f.s. from Williams Creek and King's Reservoir (Applegate River) for the
irrigation and supplemental irrigation of 148.0 acres. (Subject to S.W.R.B. Policy
Statement)

JUL 21 1964 CARD FOR A
OCT 21 1965 CARD FOR B
OCT 20 1966 CARD FOR B-C

W.R.I.S.

Assembled 8-6-85 by [Signature]
Entered _____ by _____
Verified _____ by _____



Mapped, edited, and published by the Geological Survey
Control by USGS and USGS
Topography from aerial photographs by multiplex methods
Aerial photographs taken 1951-52. Field check 1954
Polyconic projection. 1927 North American datum
10,000-foot grid based on Oregon coordinate system, south zone
Dashed land lines indicate approximate locations
Unchecked elevations are shown in brown

TRUE NORTH
MAGNETIC NORTH
APPROXIMATE MEAN
DECLINATION, 1954

SCALE 1:62,500
CONTOUR INTERVAL 80 FEET
DATUM IS MEAN SEA LEVEL
MILES
KILOMETERS

OREGON
QUADRANGLE LOCATION

ROAD CLASSIFICATION
Heavy-duty ——— Light-duty ———
Medium-duty ——— Unimproved dirt ———
U. S. Route ——— State Route ———

OREGON CAVES, OREG.-CALIF.
N4200-W12315/15
1954

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER 2, COLORADO OR WASHINGTON 25, D. C.
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

NOTICE OF BEGINNING OF CONSTRUCTION

I, William G. Katzenbach, the holder of Permit No. 28814

to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 17 day of July, 1964

Remarks:

The appropriator should state the manner of beginning construction work, number of men employed, the amount of work completed

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 17 day of July, 1964

William G. Katzenbach

(Signature of Applicant)

Williams, Oregon

(Address)

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

State Printing 37515

Part Canceled Sp. Or. V. 38, page 921
Entered 8-27-84

Mark Records:

<u>504</u> <u>x</u> Index Cards	<u>504</u> <u>x</u> Str. Index map
<u>504</u> <u>x</u> Decree/Vault V	<u>504</u> <u>x</u> Str. Index list
<u>504</u> <u>x</u> Decree/safe P	<u>504</u> <u>x</u> Name Chainindex
<u>504</u> <u>x</u> Certificate	<u>504</u> <u>x</u> X Ref. Chainindex
<u>504</u> <u>x</u> Plat Cards	<u>504</u> <u>x</u> Permit File

Orders to:

<u>506</u> <u>x</u> Order Book	<u>506</u> <u>x</u> Adj. Folder
<u>506</u> <u>x</u> Watermaster	<u>506</u> <u>x</u> Permit Folder
<u>506</u> <u>x</u> Party Submitting	<u>506</u> <u>x</u> Transfer File
<u>506</u> <u>x</u> Affidavit	<u>506</u> <u>x</u> Watermaster Div.

3M-8-64

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 97310, when all of the water has been applied.

Application No. 38650

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Harold R. Sanders, the holder of Permit No. 28814

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 30 day of August, 1967.

Remarks: The permit originally called for 148 acres; 40 acres of

which was sold before we purchased the property, leaving approximately

108 acres of cleared land-- half of which we have applied irrigation

water to beneficially.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of Sept., 1967.

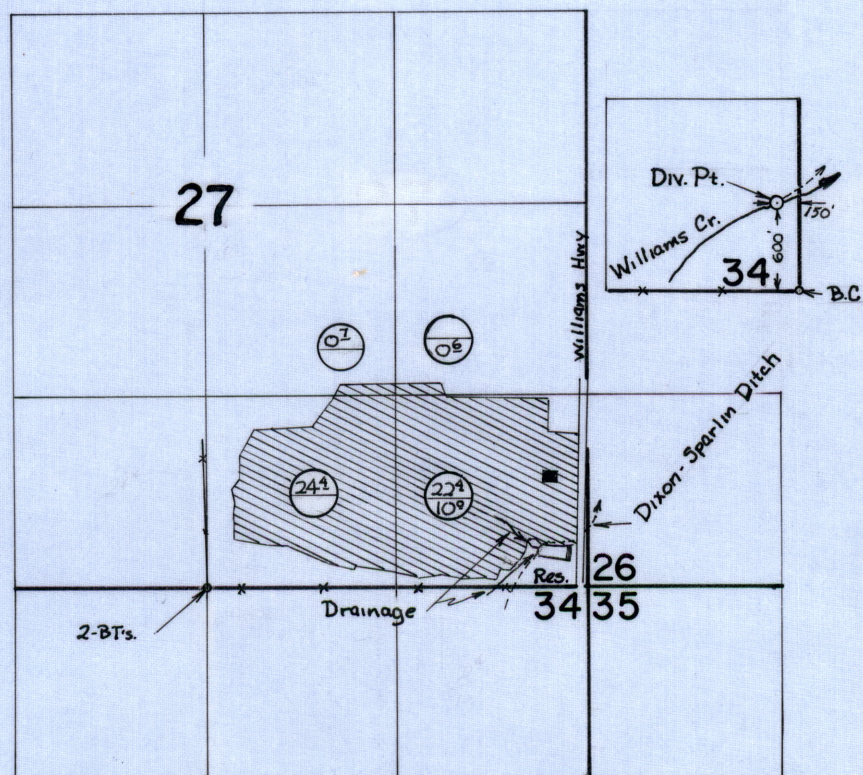
Harold R. Sanders

(Signature of Applicant)

1021 Missouri Plate Road.

(Address)

T. 38 S. R. 5 W. W.M.



Reservoir Located 2480 ft. E. & 240 ft. N. from S. 1/4 Cor. Section 27

○ Primary
○ Supplemental (Cert 16343)

FINAL PROOF SURVEY UNDER

R38650 R3263
Application No. 38651 Permit No. 28814
IN NAME OF

HAROLD P. & VIRGINIA SANDERS

Surveyed 15 APR. 1970, by D. R. BUELL

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF CANCELLATION
OF A PORTION OF A WATER RIGHT
IN THE NAMES OF HAROLD P. AND
VIRGINIA SANDERS

O R D E R

On August 22, 1984, Vincent F. Lombardo submitted an affidavit that he is the owner of a certain water right and the lands to which the water right is appurtenant; that he has abandoned any and all interest in and to the said water right and requests the same be canceled.

The water right in question is a portion of the right described by the certificate recorded at page 37813, Volume 29, State Record of Water Right Certificates, in the names of Harold P. and Virginia Sanders, and is for the use of not to exceed 0.034 cubic foot per second of water from Williams Creek and Kings Reservoir, with a date of priority of April 17, 1963, for irrigation of 3.25 acres in SW 1/4 SE 1/4, Section 27, Township 38 South, Range 5 West, WM.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 37813, Volume 29, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that the said certificate of water right is canceled, and in lieu thereof a new certificate be issued to describe the balance of water right NOT involved in this proceeding.

Dated at Salem, Oregon, this 27th day of August, 1984.

William H. Young
WILLIAM H. YOUNG,
Director

4181C

24.40
3.25

21.15

RECEIVED

AUG 22 1984

WATER RESOURCES DEPT
SALEM, OREGON

AFFIDAVIT

I, Vincent F. Lombardo, of PO Box 72, Williams, Oregon 97544, being first duly sworn, depose and say that I am the legal owner of the land and the water right that is appurtenant thereto, it being a portion of Certificate 37813, in the name of Harold P. and Virginia Sanders, under date of priority of April 17, 1963, for the use of 0.034 cubic foot per second of water from Williams Creek and Kings Reservoir for the irrigation of 3.25 acres in SW 1/4 SE 1/4 of Section 27, Township 38 South, Range 5 West, WM; that I have abandoned any and all interest in this water right and request the said right be canceled that is appurtenant to my land.

IN WITNESS WHEREOF, I hereunto set my hand this 16 day of AUGUST, 1984.

Vincent F. Lombardo

Subscribed and sworn to before me this 16 day of Aug., 1984.

[Signature]
Notary Public of Oregon

My Commission expires:

My Commission Expires June 15, 1987

1562C

[illegible]

378-3066

September 4, 1984

Vincent F. Lombardo
PO Box 72
Williams, OR 97544

REFERENCE: File 38651

Enclosed is a copy of the order entered August 27, 1984, canceling a part of the water right evidenced by Certificate 37813, as authorized by your affidavit.

Our records have been changed and the part of the water right evidenced by the certificate will be of no further force or effect.

Sincerely,

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRA:wpc

cc: Robert B. Steimer, Watermaster

enclosure

0056/1
4339C

William G. Katzenbach

19704 WILLIAMS HWAY.

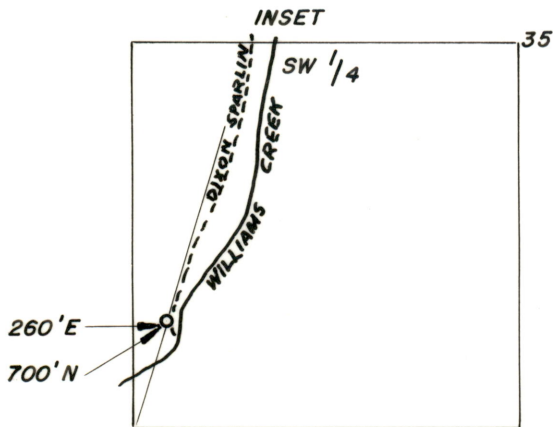
WILLIAMS, OREGON.

TWP. 38 S. R. 5 W.W.M. SEC. 27

RECEIVED
APR 17 1963
STATE ENGINEER
SALEM, OREGON

SCALE 1" = 660 FEET.

TWP 38 S. R. 5 W. S35.



SCALE 1" = 1320 FEET.



SPARLIN
DIXON
WILLIAMS HWAY.

27

STATE FORESTRY

5 AC

23 AC

17 AC

33 AC

35 AC

35 AC

RES.

SE CORNER.

240' N
260' W

Application No. 38651

Permit No. 28814

Permit 16343



STATE OF OREGON

STATE ENGINEER

516 PUBLIC SERVICE BUILDING

SALEM 10

REFER TO
FILE NO. 38651

September 29, 1967

Harold P. & Virginia Sanders
1021 Missouri Flats Road
Grants Pass, Oregon 97526

Gentlemen:

This will acknowledge receipt of your notice to the effect that complete application of water has been made under permit No. 28814.

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 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,

CHRIS L. WHEELER
State Engineer

Form 128

hls

September 6, 1967

Harold P. and Virginia Sanders
1021 Missouri Flats Road
Grants Pass, Oregon 97526

Dear Sir and Madam:

This will acknowledge receipt of your notices of completion of construction and complete application of water for your reservoir permit number R-3263.

You did not indicate on the forms whether you had made complete application of water under the terms of your permit number 28814 which is for the appropriation of 1.85 cubic feet per second from Williams Creek and King's Reservoir for the supplemental irrigation of 148.0 acres.

Under the terms of permit number 28814, the date for completion of construction and complete application of water is October 1, 1967.

If you have all of the equipment and/or facilities necessary to irrigate the intended acreage, then the enclosed Form B should be completed and returned to this office. If you have covered all of the intended acreage with at least one beneficial irrigation, then the enclosed Form C should be completed and returned to this office.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Myron V. Bish
Assistant

MVB:pju
Enclosure

December 6, 1966

Harold P. & Virginia Sanders
1021 Missouri Flats Road
Grants Pass, Oregon

Dear Sir and Madam:

This will acknowledge receipt of an application for extension of the time limits to complete construction of the reservoir under permit No. R-3363 and the fee of \$2 for which our receipt No. 1448 is enclosed.

The time limits under any permit are based on the date of issuance of the permit and the extensions of time can be granted only on the total progress since the permit was issued. Although you are at a disadvantage on getting a piece of property at a rather late date, there are not new time limits set up for a new property owner. The information submitted and the conflict between that and what Mr. Katzenbach previously submitted, there is some question whether or not there has been reasonable progress since the permit was issued July 8, 1963. However, you will be given the benefit of the doubt, and we will extend the time limit under both permits until October 1, 1967 to allow you one more year to complete the project to the desired extent.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones
Assistant

TJ:hls
Enclosure

Application for Extension of Time

To the State Engineer of Oregon:

Mr. Harold P. Sanders *Virginia M. Sanders*, of *1021 Missouri Flats Rd.*
state of *Oregon*, am the owner and holder of Permit No. *R-3263*, to
Grant Pass
28814
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 *October 1*, 19*66*, and complete application of water is required to be made on or before *October 1*, 19*66*.

I have heretofore done the following work described under said permit during the past year:

We purchased & installed a new 1.5 hp pump and enough irrigation pipe to complete the work. And have cleared some brush & trees.
and did the following work prior to last year: *did not own last year*

costing \$ *1000⁰⁰*, and I estimate the cost of completion to be \$ *350⁰⁰*.

I have heretofore used water under said permit to the following extent: *to 35 acres*

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

reasons, to wit: *We have just taken possession of property and haven't had time to complete the work.*

(If additional space is required, attach separate sheet)

(A fee of \$2.00 for each permit involved must accompany this application.)

(OVER)

RECEIVED
SEP 26 1966
STATE ENGINEER
CLALLAM COUNTY, OREGON

\$2.00 FEE PAID
8-26-66
REC. # 888

Application for Extension of Time

To the State Engineer of Oregon:

Under the terms and conditions of said permit, construction work is required to be completed on or before _____, 19____, and complete application of water is required to be made on or before _____, 19____.

I have heretofore done the following work described under said permit during the past year: _____ and did the following work prior to last year: _____

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

{ completion of construction work } *both*
{ complete application of water } under said permit to *October 1*, 19*67*.
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF *Oregon* }
County of *Josephine* } ss.

Harold P. Sanders + Virginia M. Sanders, 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 *23* day of *September*, 19*66*.

Subscribed and sworn to before me this *23* day of *September*, 19*66*.

[Notarial Seal]

Virginia M. Sanders
Harold P. Sanders
Evelyn Deeley
Notary Public for Oregon
My commission expires *Feb. 17/68.*

October 17, 1966

Harold P. & Virginia M. Sanders
1021 Missouri Flats Road
Grants Pass, Oregon

Dear Mr. & Mrs. Sanders:

Your application for extension of the time limits lists permits No. R-3263 and 28814, but there is no reference to the extent of construction of the reservoir described in permit No. R-3263. If the construction of the reservoir was completed by October 1, 1966, and water stored to it's capacity by that date, then notice of completion of construction under permit R-3263 could be filed. If it is not complete, then application for extension of the time limit should be submitted and this application should describe what has been done on the reservoir. Each permit requires a fee of \$2 for extension of time.

If the extension is necessary for the reservoir permit No. R-3263, the simplest thing would be to complete the enclosed form and submit it with a fee of \$2, and we will act on the application already submitted only in reference to the secondary permit No. 28814.

Our receipt No. 888 covering the fee of \$2 is enclosed.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones, Assistant

TJ:py

Enclosures

September 26, 1966

Harold P. & Virginia M. Sanders
1021 Missouri Flats Road
Grants Pass, Oregon

Dear Sir and Madam:

Enclosed is the assignment of permit numbers R-3263 and 28814 from W. G. Katzenbach to you. This has been recorded in the Miscellaneous Records of the State Engineer, Volume 4, page 841, and our records have been changed accordingly.

Also enclosed is our receipt No. 889 covering the recording fee of \$1.00.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Myron V. Bish
Assistant

MVB:pju

Enclosures

September 14, 1966

Harold P. Sanders
1021 Missouri Flats Road
Grants Pass, Oregon

Dear Sir:

This will acknowledge receipt of your letter dated September 2, 1966, in connection with permit numbers R-3263 and 28814.

The date for completion of construction work for these permits was extended to October 1, in 1966. Also the date for complete application of water is October 1, 1966.

You can make application with the State Engineer to extend the time for completion of the project and the State Engineer is permitted by law to extend this time limit only upon a showing of due diligence by the permittee. The application for extension of time must be carefully and completely executed so that this office may determine from your sworn statement whether due diligence has been shown. I am enclosing an application for your use.

If you wish to file for an extension of time, 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.

If you are the legal owner of the property involved in connection with these permits, you should obtain an assignment of the permits from W. G. Katzenbach.

I am also enclosing an assignment form with the proper application and permit numbers entered for your use.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Myron V. Bish
Assistant

MVB:pju

Enclosures

RECEIVED
SEP 8 1966
STATE ENGINEER
SALEM OREGON

Harold P. Sanders
1021 Missouri Flats Road
Grants Pass, Oregon

September 2, 1966

Refer to
File No. R-38650
38651

Chris L. Wheeler, State Engineer
Water Resources Department
615 Public Service Building
Salem Oregon

Attention Myron V. Bish, Assistant

Dear Sir:

We purchased the Bill Katzenbach property at
19704 Williams Highway, Williams, Oregon last
January 1966.

We have permits numbered 28814 and R-3263 to be
finished by October 1, 1966. The ground will be
dry enough to do the digging in a week or ten
days, but we didn't understand whether the permit
gives us another year, until October 1, 1967, to
apply the water to the soil. We would surely
appreciate it if it did as it would be very
difficult to apply that much water before the
Fall rains come.

We have a new 15 horse pump and plenty of pipe
to do the job when the water is available.

Yours truly,

Harold P. Sanders

Harold P. Sanders

Assign

3M-8-64

Mail to Chris L. Wheeler, State Engineer
Salem, Ore

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 97310, when all of the water has been applied.

Application No. ~~28814~~ 38651
R-38650

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, William G. Katzenbach, the holder of Permit No. 28814 R-3263

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 April, 1963.

Remarks: _____

IN WITNESS WHEREOF, I have hereunto set my hand this 17 day of JAN, 1966.

W. G. Katzenbach
(Signature of Applicant)

19704 Williams Hwy Williams Ore
(Address)

January 25, 1966

William G. Katzenbach
19704 Williams Highway
Williams, Oregon

Dear Mr. Katzenbach:

This will acknowledge receipt of your notice of complete application of water in regards to permits numbered 28814 and R-3263.

I don't understand your notice, because on October 25, 1965, you requested and were granted an extension of time for completion of construction work. This time limit was extended to October 1, 1966, which is also the date for complete application of water. Your notice of complete application of water indicated this date to be April 1, 1963. We will regard this notice as filed prematurely.

Completion of construction work would require that the reservoir be completed and storing full capacity of water, also that you have all the necessary facilities and equipment to irrigate the intended acreage under your permit.

Complete application of water would require at least one beneficial irrigation of all of the lands that you intend to irrigate under your permit.

Enclosed are Forms B and C which should be filled out and submitted to this office when this work has been completed.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Myron V. Bish
Assistant

MVB:sfr

Enclosures

December 15, 1965

William G. Katzenbach
19704 Williams Highway
Williams, Oregon

Dear Mr. Katzenbach:

This will acknowledge your application for an extension of the time limits in which to complete construction under the terms of your permits numbered R-3263 and 28814, and your check in the amount of \$4 for which our receipt No. 7296 is enclosed.

The application indicates reasonable diligence has been exercised toward completion of the proposed projects; therefore, the time limits for completion of construction are being extended to October 1, 1966.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones, Assistant

TJ:kjn
Enclosure

RECEIVED
OCT 25 1965
STATE ENGINEER
SALEM OREGON

Application No. 98651
R38650

Application for Extension of Time

To the State Engineer of Oregon:

I, WILLIAM Q KATZENBACH, of 19704 WILLIAMS HWY
state of OREGON, am the owner and holder of Permit No. R3263
28814, 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 OCT 1, 1965, and complete application of water is required to be made on or before OCT 1, 1966.

I have heretofore done the following work described under said permit during the past year:

and did the following work prior to last year: Purchased 2 pumps
main line and sprinklers Completed 50%
of Kings Reservoir

costing \$ 600, and I estimate the cost of completion to be \$ 600.

I have heretofore used water under said permit to the following extent:

Approximately 380 Acres

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: Due to the expense and time of
repairing flood damage we were unable to
complete this project. However we were able
to irrigate approximately 80 acres this last season.
Expect to complete this project next season.

(If additional space is required, attach separate sheet)

(A fee of \$2.00 for each permit involved must accompany this application.)

1D-25-65

(OVER)

Rec 7296 \$2.00 FEE PAID

B 10-1-66
both
K

WHEREFORE, I ask that the State Engineer extend the time for the
{ completion of construction work }
{ complete application of water } under said permit to Oct 1, 1966
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon }
County of Josephine } ss.

I, Mrs Wm S Katzenbach, 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 23 day of October, 1965

Subscribed and sworn to before me this 23 day of October, 1965

[Notarial Seal]

Mrs Wm S Katzenbach
Wm S Katzenbach Jr
Notary Public for Oregon

My commission expires MY COMMISSION EXPIRES APR. 16, 1967

STATE OF OREGON
STATE ENGINEER
516 PUBLIC SERVICE BUILDING
SALEM 10

REFER TO R-38650
FILE NO. 38651

October 14, 1965

William G. Katzenbach
19704 Williams Highway
Williams, Oregon

Gentlemen:

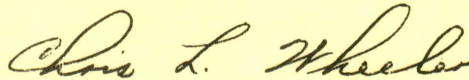
Pursuant to your request I am enclosing a form for use in making application for an extension of time limits under permit No. R-3263 and 28814.

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 receipt of the application, 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,



CHRIS L. WHEELER
State Engineer

Form 115
Enclosure

STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
516 PUBLIC SERVICE BUILDING
SALEM 10

REFER TO R-38650
FILE NO. 38651

July 29, 1964

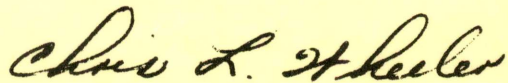
Mr. William G. Katzenbach
19704 Williams Highway
Williams, Oregon

Dear Mr. Katzenbach:

This will acknowledge the notice of beginning
of construction under the terms of permit No. R-3263
and 28814.

Our records show the time limit for completion
of construction of the works and/or the purchase and
installation of all the facilities required for the
authorized beneficial use of water will expire on
October 1, 1965.

Very truly yours,



CHRIS L. WHEELER
State Engineer

Form 118

jb

R-38650
38651

August 8, 1963

Mr. William G. Katzenbach
19704 Williams Highway
Williams, Oregon

28814 with blueprint.

R-38650, 38651 permit Nos. R-3263 and

July 22, 1963

Chris L. Wheeler,
State Engineer,
Salem, Oregon

RECEIVED
JUL 23 1963
STATE ENGINEER
SALEM, OREGON

Att: Walter N. Perry Asst.

Dear Sir:

Thank you for your letter of July 9th regarding preparation of a permit in approval of my application #38651.

The water right for 0.3 cfs to irrigate 10 acres in the SE-1/4 of the SE-1/4 Section 27, T 38 S, R 5 WWM has not been abandoned.

Since Banning Creek becomes practically non-existent early in July, it is requested that the right from Williams Creek through the Dixon-Sparlin ditch be supplemental to Banning Creek for this particular parcel.

Thank you for your assistance and cooperation in this matter.

Very truly yours,

William J. Katzenbach
William G. Katzenbach

July 9, 1963

William G. Katzenbach
19704 Williams Highway
Williams, Oregon

Dear Mr. Katzenbach:

Upon preparation of the permit to be issued in approval of your application numbered 38651, which requests a right to appropriate 1.85 cubic feet of water per second from Williams Creek and Kings Reservoir for the irrigation of 148 acres, it is noted that there is an existing right for the irrigation of 10 acres in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 27, T.38 S., R.5 W. The right was established in the name of Mary J. and Heirs of David John. This right was for the appropriation of 0.3 cubic foot of water per second from Banning Creek under a priority date of 1862, and is evidenced by the State Engineer's certificate numbered 16343. From the information you have submitted, it appears that this right may have been abandoned.

Before we proceed with issuance of a permit in approval of your application numbered 38651, it is requested that you advise us of the present status of the right to appropriate water from Banning Creek. If this right has been abandoned or has not been in use for a period of five consecutive years, it should be canceled in the records of this office so that your new permit can authorize the establishment of a primary right on the lands described in the application. We will withhold further action on your application pending your reply.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By

Walter N. Perry, Assistant

WNP/gcc

May 27, 1963

William G. Katzenbach
19704 Williams Hwy.
Williams, Oregon

Dear Mr. Katzenbach:

This will acknowledge your letter of May 17, 1963 regarding your applications numbered R-38650 and 38651.

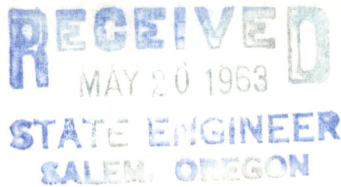
The applications have been amended in accordance with your instructions and may now be considered for approval by issuance of permits with the next group.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Walter N. Perry, Assistant

gcc



19704 Williams Hiway
Williams, Oregon

17 May 1963

Mr. Chris L. Wheeler
State Engineer
Salem, Oregon

Attn: Mr. Walter N. Perry, Assistant

Dear Mr. Perry

Thank you very much for your letter of 15 May regarding my applications to store and appropriate waters of the State of Oregon.

After careful re-examination of my applications and consideration of all factors appurtenant thereto, it is my desire that you amend these applications as follows:

- (1) Flow of waters in the designated drainageways will not support an appropriation of one (1) acre foot each during the critical portion of the irrigation season. Flow is falling off rapidly even now and will be in the order of 0.01 cfs during the next two (2) months. This flow will provide only $\frac{1}{2}$ acre foot or less from each source and my application must be amended accordingly.. one-half ($\frac{1}{2}$) acre foot for storage from each drainageway. This water will be stored for stock watering during the dry season.
- (2) It is my intention to water sixty (60) head of stock at this pond throughout the year. In accordance with the best information I can obtain from reliable sources,, each head of stock requires 15 gallon per day, 5475 gallon per year or sixty (60) head will require 328,500 gallon per year or a little over one (1) acre foot stored water.. Consequently,, my two (2) acre feet of stored water will be utilized 50% for stock watering purposes and 50% for irrigation.

Since it is readily apparent that the flow of water from the drainageways will be completely depleted during the critical portion of the season, it is my intention to fill the reservoir from Williams Creek thru the Dixon Sparlin Ditch as late in the season as possible;; when my 1963 water right from Williams Creek is shut off, I will then have two (2) acre feet of water for stock purposes and possibly a single irrigation.

It appears to me that the foregoing is certainly in accordance with all the principles of good water management and should meet with wholehearted approval from your office.

I am looking forward to your early reply.

Sincerely,,

WILLIAM G. KATZENBACH

May 15, 1963

William G. Katzenbach
19704 Williams Highway
Williams, Oregon

Dear Mr. Katzenbach:

This will acknowledge receipt of your returned applications numbered R-38650 and 38651.

Upon re-examination of the applications it appears that it is your intention to store water from the two unnamed drainageways only. The capacity of your reservoir is said to be 2 acre feet and you state that you intend to store 1 acre foot of water from each of the drainageways. If this is true, I believe that the reservoir application should be amended by deletion of Williams Creek as a source of water to be stored and since you propose to use the water stored for irrigation and stock water, it is requested that you specify the quantity which will be used for irrigation and the quantity which will be reserved for stock watering purposes.

It appears that your secondary application numbered 38651 is in satisfactory form and will be held without further action pending completion of your reservoir application. The amendments to your application, as suggested above, may be made in this office if you wish to give us written authority to make the amendments for you or if you prefer, the application will be returned to you for correction. We will withhold further action pending your reply.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Walter N. Perry, Assistant

WNP/gcc



STATE OF OREGON

STATE ENGINEER

WATER RESOURCES DEPARTMENT

516 PUBLIC SERVICE BUILDING

SALEM 10

May 8, 1963

R-38650

REFER TO
FILE NO.

38651

William G. Katzenbach
19704 Williams Hwy.
Williams, Oregon

Dear Mr. Katzenbach:

This will acknowledge receipt of returned application numbered R-38650, a print of a map and a legal description.

Your application has been re-examined and from the information you have submitted, it appears that there is two unnamed streams or natural drainageways from which you propose to collect and store water in your reservoir. As you have now described your proposed project, it will be necessary that you specify the quantity of water which you intend to store from each of the natural drains or streams and the quantity to be stored from Williams Creek. It might be to your advantage to also provide for the appropriation of direct flow from these two unnamed streams, especially if these streams continue to flow fairly heavily after the irrigation season has started. If you do provide for the appropriation of direct flow, the quantity which you wish to appropriate from each source must be specified. We are, therefore, returning both of your applications for completion, and have endorsed them so that in order to retain their date of priority they must be returned to this office on or before July 8, 1963.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By

Walter N. Perry
Walter N. Perry, Assistant

WNP/gcc

Enc: Applications numbered
R-38650 and 38651

RECEIVED
MAY 13 1963
STATE ENGINEER
SALEM, OREGON

SEE REMARKS SECTION ON BOTH APPLICATIONS.

May 8, 1963

William G. Katzenbach
1970 1/2 Williams Hwy.
Williams, Oregon

Dear Mr. Katzenbach:

This will acknowledge receipt of returned application numbered R-38650, a print of a map and a legal description.

Your application has been re-examined and from the information you have submitted, it appears that there is two unnamed streams or natural drainageways from which you propose to collect and store water in your reservoir. As you have now described your proposed project, it will be necessary that you specify the quantity of water which you intend to store from each of the natural drains or streams and the quantity to be stored from Williams Creek. It might be to your advantage to also provide for the appropriation of direct flow from these two unnamed streams, especially if these streams continue to flow fairly heavily after the irrigation season has started. If you do provide for the appropriation of direct flow, the quantity which you wish to appropriate from each source must be specified. We are, therefore, returning both of your applications for completion, and have endorsed them so that in order to retain their date of priority they must be returned to this office on or before July 8, 1963.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Walter N. Perry, Assistant

WNP/gcc

Enc: Applications numbered
R-38650 and 38651

April 29, 1963

William G. Katzenbach
19704 Williams Hwy.
Williams, Oregon

Dear Mr. Katzenbach:

This will acknowledge two applications; one for a permit to construct Kings Reservoir and store 4 acre feet of water therein from Williams Creek and waste water for irrigation and stock watering purposes and one for a permit to appropriate 1.85 cubic feet of water per second from Williams Creek and Kings Reservoir for the irrigation of 148 acres, a tracing and fees in the sum of \$32.90 for which our receipts numbered 37708 and 37709 are enclosed.

Your applications have been examined and filed in the order of their acknowledgment under files numbered R-38650 and 38651. Upon examination of your reservoir application, it is noted that you propose to store water from waste. From the information you have submitted, it appears that you intend to appropriate water from Williams Creek through Dixon-Sparlin Ditch for storage in your reservoir. You do not give any indication as to where the waste waters might come from. Please submit an explanation as to the source of the waste water, showing any required ditches for its collection on your application map.

It is noted that Item 10 of your application indicates that the capacity of your proposed reservoir is 0.2 acre feet. This does not agree with the information you have shown in Item 3.

It will be necessary that you submit a legal description of the property upon which the water will be used. This should be copied word for word from your deed, abstract, title insurance policy or sales contract. It is also requested that you complete and return the the enclosed small dam description form.

April 29, 1963

Application numbered R-38650 is returned for correction. The application has been endorsed so that in order to retain its date of priority it must be returned to this office on or before July 1, 1963.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By

Walter N. Perry, Assistant

WNP/gcc

Enc: Receipts numbered
37708 and 37709

Small Dam Description Form
Application #R-38650

WILLIAM G. KATZENBACH PROPERTY

T 38 S - R 5 WWM

RECEIVED
MAY 6 1963
STATE ENGINEER
SALEM, OREGON

The SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 27, Township 38 South,
Range 5 West, W.M. excepting those certain parcels
of land conveyed to the State of Oregon by Stella Stratton
described in the deed recorded September 4, 1939, Volume
89, Pages 282-283, Josephine County, Oregon.

Application No. 38651
Permit No. 28814

STATE ENGINEER

WATER RESOURCES DEPARTMENT

516 PUBLIC SERVICE BUILDING • SALEM, OREGON • 97310 • Ph 364-2171

September 20, 1971

FILE NO. R-38650
38651

Harold P. and Virginia Sanders
P. O. Box 41
Williams, OR 97544

Dear Sir and Madam:

Enclosed is the final proof in connection with the incomplete water right represented by your permit No. R-3263, 28814.

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 and returned to this office.

Upon receipt of the proof, properly executed and accompanied by the statutory recording fee of \$1, a certificate of water right will be issued confirming the right thereunder and, after being recorded in the county records, will be forwarded to you.

Very truly yours,



CHRIS L. WHEELER
State Engineer

Form 117

Enclosure

Please submit \$1.00 for each permit.

July 12, 1971

38651

Mr. Robert B. Steimer
Watermaster District No. 14
714 N.W. "A" Street
Grants Pass, Oregon 97526

Dear Mr. Steimer:

There is a statutory procedure for contesting the issuance of a certificate. The question is whether or not beneficial use of water has been made under the terms of the permit.

Permit 28814 was issued to William Katzenbach and assigned to Harold and Virginia Sanders. The time limits for completion of construction and complete application of water were October 1, 1965, and October 1, 1966. Mr. Katzenbach obtained a one year extension to complete construction and later Mr. Sanders obtained another year so both completion dates were October 1, 1967. Mr. Sanders claimed the irrigation of approximately 54.0 acres in his completion notice filed September 21, 1967. We surveyed that land claimed irrigated as 58.1 acres and inventoried 960' 4", 1260' 3", and 1520' 2" irrigation pipe with 38 sprinkler heads.

To contest this Mr. Gene Gray would have to contend that beneficial use of water was not made within the terms of the permit. We are not dealing with a perfected right so forfeiture of a right is not involved. The period of time when water was not used would be a factor if in fact the land was irrigated after the permit was issued in July, 1963, and has not been irrigated for five successive years. This would mean that the land was not irrigated after the 1965 irrigation season as we are not yet to the end of the 1971 season.

July 12, 1971

The procedure is similar to a claim that a perfected right has been forfeited. Mr. Gray would have to allege that beneficial use of water under the term of the permit was not made, state his reasons and furnish names and addresses of at least two other persons who could support his allegations and include a statement that all persons are willing to appear at a hearing. The protest must be filed with the statutory fee of \$5.00 and with proof of service upon Mr. and Mrs. Sanders.

You will note that ORS 537.260 (3) refers also to procedure under ORS 537.420 and 537.430.

Very truly yours,

Trevor Jones
Assistant

TJ:slv



**STATE
ENGINEER**

RECEIVED
JUL 6 1971
STATE ENGINEER
SALEM, OREGON

WATER RESOURCES DEPARTMENT

714 N.W. "A" STREET • GRANTS PASS, OREGON • 97526 • Phone 476-6828

July 1, 1971

TOM McCALL
GOVERNOR

FILE NO.

CHRIS L. WHEELER
State Engineer

Chris L. Wheeler
State Engineer
Salem, Oregon

Dear Sir:

A man named Gene Gray was in yesterday and said he wanted to make an affidavit that permit 28814 in the name of William Katzenbach in Section 27 of Township 38 South, Range 5 West had not been used for 5 consecutive years.

It appears that the permit was issued in 1963 and the time extended for completion to 1967. I am not sure of the status of the permit, so I don't know how you want to handle this situation.

Mr. Gray said that Mrs. Keen would also be willing to sign an affidavit to the affect these lands had not been irrigated.

Very truly yours,

Robert B. Steimer
Watermaster, Dist. #14

RBS:lc

INFO: MR. SANDERS,

DIV. PTS.: WILLIAMS CR - GRAVEL DIV DAM PUSHED UP W/CAT
DITCH ON PROP. CONTROL BY 18" CONC TILE UNDER RES.
GETS WILLIAMS CR, WATER MAINLY FROM LEAKS IN TILE, THEN
PUMPS FROM RES - CAN ALSO TURN DITCH WATER INTO RES.
* SEE BELOW

MOTOR: GE 15 hp @ 3530 rpm 3φ

PUMP: CORNELL MOD 2 1/2 W-15-2 CENT DIR DR
3" x 2 1/2"

PIPE: 960 FT. 4" ALUM

1260 FT. 3" ALUM

1520 FT. 2" ALUM

727 cfs
81/58.1a

HEADS: 38 RB # 30 5/32 x 3/32 @ 45# (42.11/38) 450 = 0.54 cfs

RUNS ALL 38 AT ONE SETTING

$$Q = \frac{6.61 \times 15}{22.5 + \left(\frac{43}{433}\right) 1.1} = \frac{99.15}{136.8} = 0.72 \text{ cfs}$$

LIFT: 5 TO 40 FT. AVE +22.5'

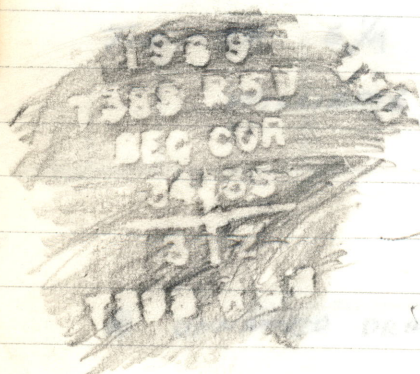
$$\text{@ 55\#} \quad \frac{7.2 \times 38}{450} = 0.61 \text{ cfs}$$

$$Q = \frac{6.61 \times 15}{22.5 + \left(\frac{55}{433}\right) 1.1} = \frac{99.15}{162.2} = 0.61 \text{ cfs}$$

CON. 147 PR 5 DATS

27 (Fence CORNER W/ 2 BT's)

DIV. TIED SO SEC COR 34/35 3/2 (B.C.)

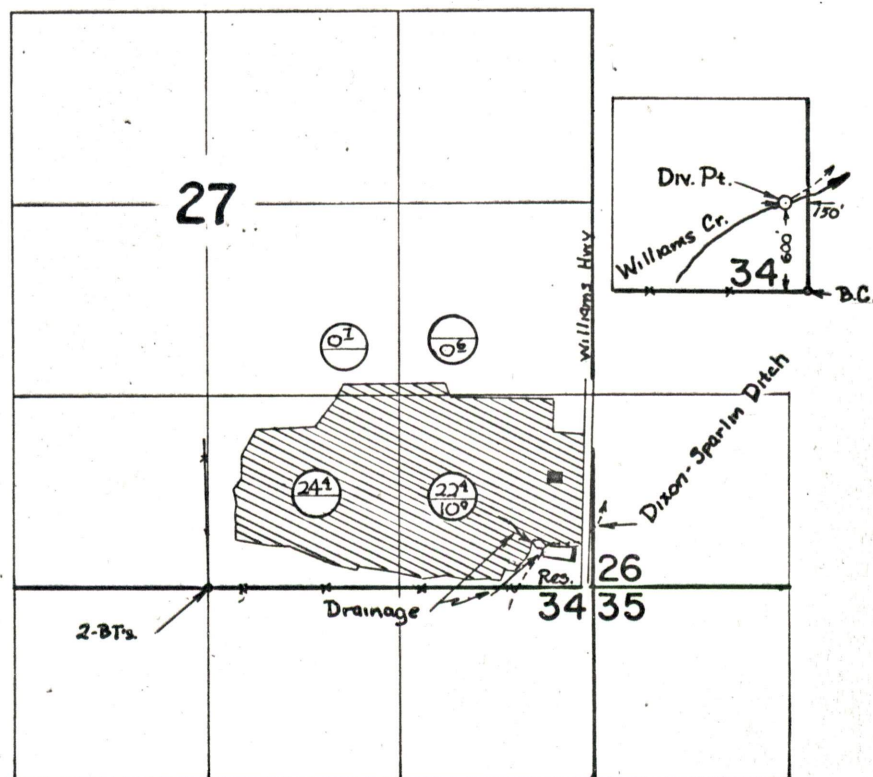


WAYS ARE

HIS PROP. WHICH
RD THE RES.

Donald R Bull
Field Engineer
apr. 15, 1970

T. 38 S. R. 5 W. W.M.



Reservoir Located 2480 ft. E. & 240 ft. N. from S. 1/4 Cor. Section 27

○ Primary
○ Supplemental (Cert 16343)

FINAL PROOF SURVEY UNDER

R38650 R3263
Application No. 38651 Permit No. 28814
IN NAME OF

HAROLD P. & VIRGINIA SANDERS

Surveyed 15 APR. 1970, by D. R. BUELL

38657
SP*45655-119
RECEIVED
OCT 18 1971
STATE ENGINEER
SALEM OREGON

STATE OF OREGON
COUNTY OF JOSEPHINE
Proof of Appropriation of Water

HAROLD P. and VIRGINIA SANDERS

of P.O. Box 41, Williams, State of Oregon,
has applied beneficially the waters of
Williams Creek and Kings Reservoir constructed under application number R-38650,
permit number R-3263,
a tributary of Applegate River for the purpose of
irrigation of 47.5 acres and supplemental irrigation of 10.6 acres
under Permit No. 28814 of the State Engineer, and that the use of said waters has been
completed under the terms of said permit; that the priority of the
right dates from April 17, 1963

that the amount of water for the purposes aforesaid, has been actually beneficially used in the
amount of
0.61 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 ~~SE1/4~~ SE1/4, Section 27, ~~SW1/4~~ SW1/4, Section 34,
T. 38 S., R. 5 W., W. M. Diversion points located below*

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 4 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-3263; provided further
that the right to use of direct flow is limited to the period when the flow of
the Rogue River is more than 735 cubic foot per second at its mouth

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, and to which such right is appurtenant, is
as follows:

Supplemental	Primary	
0.6 acres	0.7 acres	NE1/4 SE1/4
	24.4 acres	NW1/4 SE1/4
10.0 acres	22.4 acres	SW1/4 SE1/4
		SE1/4 SE1/4
	Section 27	
	T. 38 S., R. 5 W., W. M.	

Can 334 cfs

3.28

*Diversion points located - Reservoir - 240 feet North and 2480 feet East
from SW Corner, Section 27. Creek - 600 feet North and 150 feet West from
SE Corner, Section 34

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 15 day of October,

19...21...

Harold P. Sanders
Virginia Sanders

6036

38657
SP*45655-119
RECEIVED
OCT 18 1971
STATE ENGINEER
SALEM OREGON

STATE OF OREGON
COUNTY OF JOSEPHINE
Proof of Appropriation of Water

HAROLD P. and VIRGINIA SANDERS

of P.O. Box 41, Williams, State of Oregon,
has applied beneficially the waters of
Williams Creek and Kings Reservoir constructed under application number R-38650,
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under Permit No. 28814 of the State Engineer, and that the use of said waters has been
completed under the terms of said permit; that the priority of the
right dates from April 17, 1963

that the amount of water for the purposes aforesaid, has been actually beneficially used in the
amount of
0.61 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 ~~SE1/4~~ SE1/4, Section 27, ~~SW1/4~~ SE1/4, Section 34,
T. 38 S., R. 5 W., W. M. Diversion points located below*

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 4 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-3263; provided further
that the right to use of direct flow is limited to the period when the flow of
the Rogue River is more than 735 cubic foot per second at its mouth

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, and to which such right is appurtenant, is
as follows:

Supplemental	Primary	
0.6 acres	0.7 acres	NE1/4 SE1/4
	24.4 acres	NW1/4 SE1/4
10.0 acres	22.4 acres	SW1/4 SE1/4
		SE1/4 SE1/4
	Section 27	
	T. 38 S., R. 5 W., W. M.	

Can 334 cfs

3.28

*Diversion points located - Reservoir - 240 feet North and 2480 feet East
from SW Corner, Section 27. Creek - 600 feet North and 150 feet West from
SE Corner, Section 34

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 15 day of October,

19...71...

Harold P. Sanders
Virginia Sanders

6036

Name William G. Katzenbach Assigned
By _____
Address 19704 Williams Highway
Williams, Oregon

Application No. 38651
Permit No. 28814
Certificate No. 37813

Stream Index, Page No. 15-16 L

See File R-38650

part Cancelled - sp. or Rec. Vol. 38 P. 421

Date filed April 17, 1963
Priority April 17, 1963
Action suspended until OK Cert

Returned to applicant _____
Date of approval July 18, 1963

CONSTRUCTION

Date for beginning July 18, 1964
Date for completion October 1, 1965
Extended to 10-1-66 10-1-67
Date for application of water October 1, 1966
Extended to 10-1-67

PROSECUTION OF WORK

Form "A" filed July 29, 1964
Form "B" filed _____
Form "C" filed September 21, 1967

FINAL PROOF

Blank mailed SEP 20 1971
Proof received _____
Date certificate issued DEC 6 1971

FEES PAID

Date	Amount	Receipt No.
<u>4/22/63</u>	<u>27.90</u>	<u>37709</u>
<u>10-18-71</u>	<u>\$1 Cert. Fee</u>	<u>25833</u>

FEES REFUNDED

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

ASSIGNMENTS

Date	To Whom	P.O. Box 41 Address Williams, Oregon	Volume	Page
<u>9-26-66</u>	<u>Harold P. and Virginia Sanders</u>	<u>1021 Missouri Flats Road</u> <u>Grants Pass, Oregon</u>	<u>4</u>	<u>841</u>

REMARKS

1.85 c.f.s. from Williams Creek and King's Reservoir (Applegate River) for the
irrigation and supplemental irrigation of 148.0 acres. (Subject to S.W.R.B. Policy
Statement)

JUL 21 1964 CARD FOR A
OCT 21 1965 CARD FOR B
OCT 20 1966 CARD FOR B-C

W.R.I.S.

Assembled 8-6-85 by [Signature]
Entered _____ by _____
Verified _____ by _____

NOTICE OF BEGINNING OF CONSTRUCTION

I, William G. Katzenbach, the holder of Permit No. 28814

to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 17 day of July, 1964

Remarks:

The appropriator should state the manner of beginning construction work, number of men employed, the amount of work completed

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 17 day of July, 1964

William G. Katzenbach

(Signature of Applicant)

Williams, Oregon

(Address)

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

State Printing 37515

Part Canceled Sp. Or. V. 38, page 921
Entered 8-27-84

Mark Records:

<u>504</u> <u>x</u> Index Cards	<u>504</u> <u>x</u> Str. Index map
<u>504</u> <u>x</u> Decree/Vault V	<u>504</u> <u>x</u> Str. Index list
<u>504</u> <u>x</u> Decree/safe P	<u>504</u> <u>x</u> Name Chainindex
<u>504</u> <u>x</u> Certificate	<u>504</u> <u>x</u> X Ref. Chainindex
<u>504</u> <u>x</u> Plat Cards	<u>504</u> <u>x</u> Permit File

Orders to:

<u>506</u> <u>x</u> Order Book	<u>506</u> <u>x</u> Adj. Folder
<u>506</u> <u>x</u> Watermaster	<u>506</u> <u>x</u> Permit Folder
<u>506</u> <u>x</u> Party Submitting	<u>506</u> <u>x</u> Transfer File
<u>506</u> <u>x</u> Affidavit	<u>506</u> <u>x</u> Watermaster Div.

3M-8-64

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 97310, when all of the water has been applied.

Application No. 38650

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Harold R. Sanders, the holder of Permit No. 28814

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 30 day of August, 1967.

Remarks: The permit originally called for 148 acres; 40 acres of

which was sold before we purchased the property, leaving approximately

108 acres of cleared land-- half of which we have applied irrigation

water to beneficially.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of Sept., 1967.

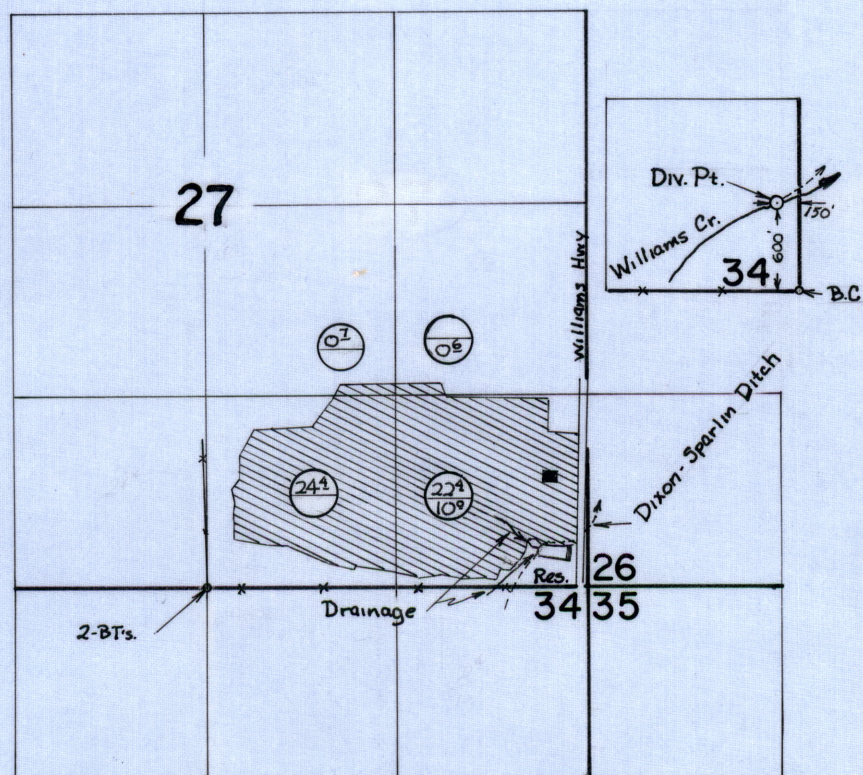
Harold R. Sanders

(Signature of Applicant)

1021 Missouri Plate Road.

(Address)

T. 38 S. R. 5 W. W.M.



Reservoir Located 2480 ft. E. & 240 ft. N. from S. 1/4 Cor. Section 27

○ Primary
○ Supplemental (Cert 16343)

FINAL PROOF SURVEY UNDER

R38650 R3263
Application No. 38651 Permit No. 28814
IN NAME OF

HAROLD P. & VIRGINIA SANDERS

Surveyed 15 APR. 1970, by D. R. BUELL

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF CANCELLATION
OF A PORTION OF A WATER RIGHT
IN THE NAMES OF HAROLD P. AND
VIRGINIA SANDERS

O R D E R

On August 22, 1984, Vincent F. Lombardo submitted an affidavit that he is the owner of a certain water right and the lands to which the water right is appurtenant; that he has abandoned any and all interest in and to the said water right and requests the same be canceled.

The water right in question is a portion of the right described by the certificate recorded at page 37813, Volume 29, State Record of Water Right Certificates, in the names of Harold P. and Virginia Sanders, and is for the use of not to exceed 0.034 cubic foot per second of water from Williams Creek and Kings Reservoir, with a date of priority of April 17, 1963, for irrigation of 3.25 acres in SW 1/4 SE 1/4, Section 27, Township 38 South, Range 5 West, WM.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 37813, Volume 29, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that the said certificate of water right is canceled, and in lieu thereof a new certificate be issued to describe the balance of water right NOT involved in this proceeding.

Dated at Salem, Oregon, this 27th day of August, 1984.

William H. Young
WILLIAM H. YOUNG
Director

4181C

24.40
3.25

21.15

RECEIVED

AUG 22 1984

WATER RESOURCES DEPT
SALEM, OREGON

AFFIDAVIT

I, Vincent F. Lombardo, of PO Box 72, Williams, Oregon 97544, being first duly sworn, depose and say that I am the legal owner of the land and the water right that is appurtenant thereto, it being a portion of Certificate 37813, in the name of Harold P. and Virginia Sanders, under date of priority of April 17, 1963, for the use of 0.034 cubic foot per second of water from Williams Creek and Kings Reservoir for the irrigation of 3.25 acres in SW 1/4 SE 1/4 of Section 27, Township 38 South, Range 5 West, WM; that I have abandoned any and all interest in this water right and request the said right be canceled that is appurtenant to my land.

IN WITNESS WHEREOF, I hereunto set my hand this 16 day of AUGUST, 1984.

Vincent F. Lombardo

Subscribed and sworn to before me this 16 day of Aug., 1984.

M. J. [Signature]
Notary Public of Oregon

My Commission expires:

My Commission Expires June 15, 1987

1562C

TOWNSHIP				RANGE				W. M.				Card #2				SECTION			
385				54								27							
NE				NW				SW				SE							
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																			
																APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER	
																49523			
																G-5853	65391		
																T-2681	V23 p 307	45403 44600	
																R-5383	R-6502		
																53684	40779		
																53684	40779		
																G-7294	G-6747	CANCELED	
																57681	43467		
																58292	43976		
																58292	43976		
																G-10555	G-9748		
																G-9925	G-9475		
																G-9925	G-9475		
																62980	supp. 47443		

378-3066

September 4, 1984

Vincent F. Lombardo
PO Box 72
Williams, OR 97544

REFERENCE: File 38651

Enclosed is a copy of the order entered August 27, 1984, canceling a part of the water right evidenced by Certificate 37813, as authorized by your affidavit.

Our records have been changed and the part of the water right evidenced by the certificate will be of no further force or effect.

Sincerely,

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRA:wpc

cc: Robert B. Steimer, Watermaster

enclosure

0056/1
4339C

William G. Katzenbach

19704 WILLIAMS HWAY.

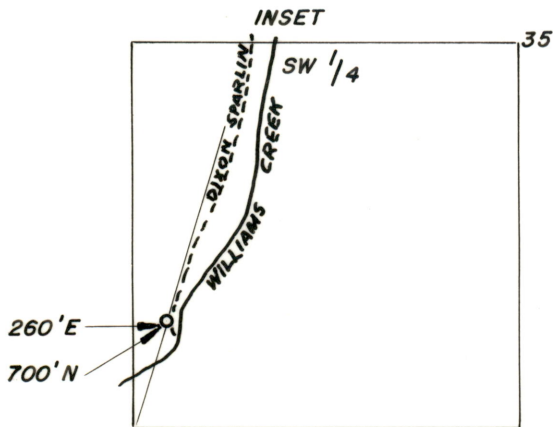
WILLIAMS, OREGON.

TWP. 38 S. R. 5 W.W.M. SEC. 27

RECEIVED
APR 17 1963
STATE ENGINEER
SALEM, OREGON

SCALE 1" = 660 FEET.

TWP 38 S. R. 5 W. S35.



SCALE 1" = 1320 FEET.



DIXON
SPARLIN
WILLIAMS HWAY.

27

STATE
FORESTRY

5 AC

23 AC

17 AC

33 AC

35 AC

35 AC

RES.

SE
CORNER.

240' N
260' W

Application No. 38651

Permit No. 28814

Permit 16343



STATE OF OREGON

STATE ENGINEER

516 PUBLIC SERVICE BUILDING

SALEM 10

REFER TO
FILE NO. 38651

September 29, 1967

Harold P. & Virginia Sanders
1021 Missouri Flats Road
Grants Pass, Oregon 97526

Gentlemen:

This will acknowledge receipt of your notice to the effect that complete application of water has been made under permit No. 28814.

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 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,

CHRIS L. WHEELER
State Engineer

Form 128

hls

September 6, 1967

Harold P. and Virginia Sanders
1021 Missouri Flats Road
Grants Pass, Oregon 97526

Dear Sir and Madam:

This will acknowledge receipt of your notices of completion of construction and complete application of water for your reservoir permit number R-3263.

You did not indicate on the forms whether you had made complete application of water under the terms of your permit number 28814 which is for the appropriation of 1.85 cubic feet per second from Williams Creek and King's Reservoir for the supplemental irrigation of 148.0 acres.

Under the terms of permit number 28814, the date for completion of construction and complete application of water is October 1, 1967.

If you have all of the equipment and/or facilities necessary to irrigate the intended acreage, then the enclosed Form B should be completed and returned to this office. If you have covered all of the intended acreage with at least one beneficial irrigation, then the enclosed Form C should be completed and returned to this office.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Myron V. Bish
Assistant

MVB:pju
Enclosure

December 6, 1966

Harold P. & Virginia Sanders
1021 Missouri Flats Road
Grants Pass, Oregon

Dear Sir and Madam:

This will acknowledge receipt of an application for extension of the time limits to complete construction of the reservoir under permit No. R-3363 and the fee of \$2 for which our receipt No. 1448 is enclosed.

The time limits under any permit are based on the date of issuance of the permit and the extensions of time can be granted only on the total progress since the permit was issued. Although you are at a disadvantage on getting a piece of property at a rather late date, there are not new time limits set up for a new property owner. The information submitted and the conflict between that and what Mr. Katzenbach previously submitted, there is some question whether or not there has been reasonable progress since the permit was issued July 8, 1963. However, you will be given the benefit of the doubt, and we will extend the time limit under both permits until October 1, 1967 to allow you one more year to complete the project to the desired extent.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones
Assistant

TJ:hls
Enclosure

Application for Extension of Time

To the State Engineer of Oregon:

Mr. Harold P. Sanders *Virginia M. Sanders*, of *1021 Missouri Flats Rd.*
Grant Pass
state of *Oregon*, am the owner and holder of Permit No. *R-3263*
28814, 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 *October 1*, 19*66*, and complete application of water is required to be made on or before *October 1*, 19*66*.

I have heretofore done the following work described under said permit during the past year:

We purchased & installed a new 1.5 hp pump and enough irrigation pipe to complete the work. And have cleared some brush & trees.
and did the following work prior to last year: *did not own last year*

costing \$ *1000⁰⁰*, and I estimate the cost of completion to be \$ *350⁰⁰*.

I have heretofore used water under said permit to the following extent: *to 35 acres*

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

reasons, to wit: *We have just taken possession of property and haven't had time to complete the work.*

(If additional space is required, attach separate sheet)

(A fee of \$2.00 for each permit involved must accompany this application.)

(OVER)

RECEIVED
SEP 26 1966
STATE ENGINEER
CLALLAM COUNTY, OREGON

\$2.00 FEE PAID
8-26-66
REC. # 888

Application for Extension of Time

To the State Engineer of Oregon:

Under the terms and conditions of said permit, construction work is required to be completed on or before _____, 19____, and complete application of water is required to be made on or before _____, 19____.

I have heretofore done the following work described under said permit during the past year: _____ and did the following work prior to last year: _____

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

{ completion of construction work } *both*
{ complete application of water } under said permit to *October 1*, 19*67*.
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF *Oregon* }
County of *Josephine* } ss.

Harold P. Sanders + Virginia M. Sanders, 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 *23* day of *September*, 19*66*.

Virginia M. Sanders
Harold P. Sanders
Subscribed and sworn to before me this *23* day of *September*, 19*66*.

[Notarial Seal]

Evelyn Deeley
Notary Public for Oregon
My commission expires *Feb. 17/68*.

October 17, 1966

Harold P. & Virginia M. Sanders
1021 Missouri Flats Road
Grants Pass, Oregon

Dear Mr. & Mrs. Sanders:

Your application for extension of the time limits lists permits No. R-3263 and 28814, but there is no reference to the extent of construction of the reservoir described in permit No. R-3263. If the construction of the reservoir was completed by October 1, 1966, and water stored to it's capacity by that date, then notice of completion of construction under permit R-3263 could be filed. If it is not complete, then application for extension of the time limit should be submitted and this application should describe what has been done on the reservoir. Each permit requires a fee of \$2 for extension of time.

If the extension is necessary for the reservoir permit No. R-3263, the simplest thing would be to complete the enclosed form and submit it with a fee of \$2, and we will act on the application already submitted only in reference to the secondary permit No. 28814.

Our receipt No. 888 covering the fee of \$2 is enclosed.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones, Assistant

TJ:py

Enclosures

September 26, 1966

Harold P. & Virginia M. Sanders
1021 Missouri Flats Road
Grants Pass, Oregon

Dear Sir and Madam:

Enclosed is the assignment of permit numbers R-3263 and 28814 from W. G. Katzenbach to you. This has been recorded in the Miscellaneous Records of the State Engineer, Volume 4, page 841, and our records have been changed accordingly.

Also enclosed is our receipt No. 889 covering the recording fee of \$1.00.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Myron V. Bish
Assistant

MVB:pju

Enclosures

September 14, 1966

Harold P. Sanders
1021 Missouri Flats Road
Grants Pass, Oregon

Dear Sir:

This will acknowledge receipt of your letter dated September 2, 1966, in connection with permit numbers R-3263 and 28814.

The date for completion of construction work for these permits was extended to October 1, in 1966. Also the date for complete application of water is October 1, 1966.

You can make application with the State Engineer to extend the time for completion of the project and the State Engineer is permitted by law to extend this time limit only upon a showing of due diligence by the permittee. The application for extension of time must be carefully and completely executed so that this office may determine from your sworn statement whether due diligence has been shown. I am enclosing an application for your use.

If you wish to file for an extension of time, 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.

If you are the legal owner of the property involved in connection with these permits, you should obtain an assignment of the permits from W. G. Katzenbach.

I am also enclosing an assignment form with the proper application and permit numbers entered for your use.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Myron V. Bish
Assistant

MVB:pju

Enclosures

RECEIVED
SEP 8 1966
STATE ENGINEER
SALEM OREGON

Harold P. Sanders
1021 Missouri Flats Road
Grants Pass, Oregon

September 2, 1966

Refer to
File No. R-38650
38651

Chris L. Wheeler, State Engineer
Water Resources Department
615 Public Service Building
Salem Oregon

Attention Myron V. Bish, Assistant

Dear Sir:

We purchased the Bill Katzenbach property at
19704 Williams Highway, Williams, Oregon last
January 1966.

We have permits numbered 28814 and R-3263 to be
finished by October 1, 1966. The ground will be
dry enough to do the digging in a week or ten
days, but we didn't understand whether the permit
gives us another year, until October 1, 1967, to
apply the water to the soil. We would surely
appreciate it if it did as it would be very
difficult to apply that much water before the
Fall rains come.

We have a new 15 horse pump and plenty of pipe
to do the job when the water is available.

Yours truly,

Harold P. Sanders

Harold P. Sanders

Assign

3M-8-64

Mail to Chris L. Wheeler, State Engineer
Salem, Ore

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 97310, when all of the water has been applied.

Application No. ~~28814~~ 38651
R-38650

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, William J. Katzenbach, the holder of Permit No. 28814
R-3263

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 April, 1963.

Remarks: _____

IN WITNESS WHEREOF, I have hereunto set my hand this 17 day of JAN, 1966.

W. J. Katzenbach
(Signature of Applicant)

19704 Williams Hwy Williams Ore
(Address)

January 25, 1966

William G. Katzenbach
19704 Williams Highway
Williams, Oregon

Dear Mr. Katzenbach:

This will acknowledge receipt of your notice of complete application of water in regards to permits numbered 28814 and R-3263.

I don't understand your notice, because on October 25, 1965, you requested and were granted an extension of time for completion of construction work. This time limit was extended to October 1, 1966, which is also the date for complete application of water. Your notice of complete application of water indicated this date to be April 1, 1963. We will regard this notice as filed prematurely.

Completion of construction work would require that the reservoir be completed and storing full capacity of water, also that you have all the necessary facilities and equipment to irrigate the intended acreage under your permit.

Complete application of water would require at least one beneficial irrigation of all of the lands that you intend to irrigate under your permit.

Enclosed are Forms B and C which should be filled out and submitted to this office when this work has been completed.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Myron V. Bish
Assistant

MVB:sfr

Enclosures

December 15, 1965

William G. Katzenbach
19704 Williams Highway
Williams, Oregon

Dear Mr. Katzenbach:

This will acknowledge your application for an extension of the time limits in which to complete construction under the terms of your permits numbered R-3263 and 28814, and your check in the amount of \$4 for which our receipt No. 7296 is enclosed.

The application indicates reasonable diligence has been exercised toward completion of the proposed projects; therefore, the time limits for completion of construction are being extended to October 1, 1966.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones, Assistant

TJ:kjn
Enclosure

RECEIVED
OCT 25 1965
STATE ENGINEER
SALEM OREGON

Application No. 98651
R38650

Application for Extension of Time

To the State Engineer of Oregon:

I, WILLIAM Q KATZENBACH, of 19704 WILLIAMS HWY
state of OREGON, am the owner and holder of Permit No. R3263
28814, 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 OCT 1, 1965, and complete application of water is required to be made on or before OCT 1, 1966.

I have heretofore done the following work described under said permit during the past year:

and did the following work prior to last year: Purchased 2 pumps
main line and sprinklers Completed 50%
of Kings Reservoir

costing \$ 600, and I estimate the cost of completion to be \$ 600.

I have heretofore used water under said permit to the following extent:

Approximately 380 Acres

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: Due to the expense and time of
repairing flood damage we were unable to
complete this project. However we were able
to irrigate approximately 80 acres this last season.
Expect to complete this project next season.

(If additional space is required, attach separate sheet)

(A fee of \$2.00 for each permit involved must accompany this application.)

1D-25-65

(OVER)

Rec 7296 \$2.00 FEE PAID

B 10-1-66
both
K

WHEREFORE, I ask that the State Engineer extend the time for the
{ completion of construction work }
{ complete application of water } under said permit to Oct 1, 1966.
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon }
County of Josephine } ss.

I, Mrs Wm S Katzenbach, 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 23 day of October, 1965.

Subscribed and sworn to before me this 23 day of October, 1965.

[Notarial Seal]

Mrs Wm S Katzenbach
Wm S Katzenbach Jr
Notary Public for Oregon

My commission expires MY COMMISSION EXPIRES APR. 16, 1967

STATE OF OREGON
STATE ENGINEER
516 PUBLIC SERVICE BUILDING
SALEM 10

REFER TO R-38650
FILE NO. 38651

October 14, 1965

William G. Katzenbach
19704 Williams Highway
Williams, Oregon

Gentlemen:

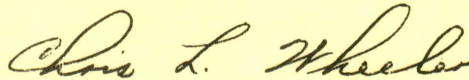
Pursuant to your request I am enclosing a form for use in making application for an extension of time limits under permit No. R-3263 and 28814.

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 receipt of the application, 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,



CHRIS L. WHEELER
State Engineer

Form 115
Enclosure

STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
516 PUBLIC SERVICE BUILDING
SALEM 10

REFER TO R-38650
FILE NO. 38651

July 29, 1964

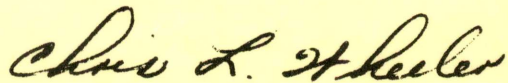
Mr. William G. Katzenbach
19704 Williams Highway
Williams, Oregon

Dear Mr. Katzenbach:

This will acknowledge the notice of beginning
of construction under the terms of permit No. R-3263
and 28814.

Our records show the time limit for completion
of construction of the works and/or the purchase and
installation of all the facilities required for the
authorized beneficial use of water will expire on
October 1, 1965.

Very truly yours,



CHRIS L. WHEELER
State Engineer

Form 118

jb

R-38650
38651

August 8, 1963

Mr. William G. Katzenbach
19704 Williams Highway
Williams, Oregon

28814 with blueprint.

R-38650, 38651 permit Nos. R-3263 and

July 22, 1963

Chris L. Wheeler,
State Engineer,
Salem, Oregon

RECEIVED
JUL 23 1963
STATE ENGINEER
SALEM, OREGON

Att: Walter N. Perry Asst.

Dear Sir:

Thank you for your letter of July 9th regarding preparation of a permit in approval of my application #38651.

The water right for 0.3 cfs to irrigate 10 acres in the SE-1/4 of the SE-1/4 Section 27, T 38 S, R 5 WWM has not been abandoned.

Since Banning Creek becomes practically non-existent early in July, it is requested that the right from Williams Creek through the Dixon-Sparlin ditch be supplemental to Banning Creek for this particular parcel.

Thank you for your assistance and cooperation in this matter.

Very truly yours,

William J. Katzenbach
William G. Katzenbach

July 9, 1963

William G. Katzenbach
19704 Williams Highway
Williams, Oregon

Dear Mr. Katzenbach:

Upon preparation of the permit to be issued in approval of your application numbered 38651, which requests a right to appropriate 1.85 cubic feet of water per second from Williams Creek and Kings Reservoir for the irrigation of 148 acres, it is noted that there is an existing right for the irrigation of 10 acres in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 27, T.38 S., R.5 W. The right was established in the name of Mary J. and Heirs of David John. This right was for the appropriation of 0.3 cubic foot of water per second from Banning Creek under a priority date of 1862, and is evidenced by the State Engineer's certificate numbered 16343. From the information you have submitted, it appears that this right may have been abandoned.

Before we proceed with issuance of a permit in approval of your application numbered 38651, it is requested that you advise us of the present status of the right to appropriate water from Banning Creek. If this right has been abandoned or has not been in use for a period of five consecutive years, it should be canceled in the records of this office so that your new permit can authorize the establishment of a primary right on the lands described in the application. We will withhold further action on your application pending your reply.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By

Walter N. Perry, Assistant

WNP/gcc

May 27, 1963

William G. Katzenbach
19704 Williams Hwy.
Williams, Oregon

Dear Mr. Katzenbach:

This will acknowledge your letter of May 17, 1963 regarding your applications numbered R-38650 and 38651.

The applications have been amended in accordance with your instructions and may now be considered for approval by issuance of permits with the next group.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Walter N. Perry, Assistant

gcc

RECEIVED
MAY 20 1963
STATE ENGINEER
SALEM, OREGON

19704 Williams Hiway
Williams, Oregon

17 May 1963

Mr. Chris L. Wheeler
State Engineer
Salem, Oregon

Attn: Mr. Walter N. Perry, Assistant

Dear Mr. Perry

Thank you very much for your letter of 15 May regarding my applications to store and appropriate waters of the State of Oregon.

After careful re-examination of my applications and consideration of all factors appurtenant thereto, it is my desire that you amend these applications as follows:

- (1) Flow of waters in the designated drainageways will not support an appropriation of one (1) acre foot each during the critical portion of the irrigation season. Flow is falling off rapidly even now and will be in the order of 0.01 cfs during the next two (2) months. This flow will provide only $\frac{1}{2}$ acre foot or less from each source and my application must be amended accordingly.. one-half ($\frac{1}{2}$) acre foot for storage from each drainageway. This water will be stored for stock watering during the dry season.
- (2) It is my intention to water sixty (60) head of stock at this pond throughout the year. In accordance with the best information I can obtain from reliable sources,, each head of stock requires 15 gallon per day, 5475 gallon per year or sixty (60) head will require 328,500 gallon per year or a little over one (1) acre foot stored water.. Consequently,, my two (2) acre feet of stored water will be utilized 50% for stock watering purposes and 50% for irrigation.

Since it is readily apparent that the flow of water from the drainageways will be completely depleted during the critical portion of the season, it is my intention to fill the reservoir from Williams Creek thru the Dixon Sparlin Ditch as late in the season as possible;; when my 1963 water right from Williams Creek is shut off, I will then have two (2) acre feet of water for stock purposes and possibly a single irrigation.

It appears to me that the foregoing is certainly in accordance with all the principles of good water management and should meet with wholehearted approval from your office.

I am looking forward to your early reply.

Sincerely,,

William G. Katzenbach

WILLIAM G. KATZENBACH

May 15, 1963

William G. Katzenbach
19704 Williams Highway
Williams, Oregon

Dear Mr. Katzenbach:

This will acknowledge receipt of your returned applications numbered R-38650 and 38651.

Upon re-examination of the applications it appears that it is your intention to store water from the two unnamed drainageways only. The capacity of your reservoir is said to be 2 acre feet and you state that you intend to store 1 acre foot of water from each of the drainageways. If this is true, I believe that the reservoir application should be amended by deletion of Williams Creek as a source of water to be stored and since you propose to use the water stored for irrigation and stock water, it is requested that you specify the quantity which will be used for irrigation and the quantity which will be reserved for stock watering purposes.

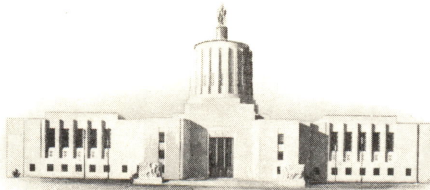
It appears that your secondary application numbered 38651 is in satisfactory form and will be held without further action pending completion of your reservoir application. The amendments to your application, as suggested above, may be made in this office if you wish to give us written authority to make the amendments for you or if you prefer, the application will be returned to you for correction. We will withhold further action pending your reply.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Walter N. Perry, Assistant

WNP/gcc



STATE OF OREGON

STATE ENGINEER

WATER RESOURCES DEPARTMENT

516 PUBLIC SERVICE BUILDING

SALEM 10

May 8, 1963

R-38650

REFER TO
FILE NO.

38651

William G. Katzenbach
19704 Williams Hwy.
Williams, Oregon

Dear Mr. Katzenbach:

This will acknowledge receipt of returned application numbered R-38650, a print of a map and a legal description.

Your application has been re-examined and from the information you have submitted, it appears that there is two unnamed streams or natural drainageways from which you propose to collect and store water in your reservoir. As you have now described your proposed project, it will be necessary that you specify the quantity of water which you intend to store from each of the natural drains or streams and the quantity to be stored from Williams Creek. It might be to your advantage to also provide for the appropriation of direct flow from these two unnamed streams, especially if these streams continue to flow fairly heavily after the irrigation season has started. If you do provide for the appropriation of direct flow, the quantity which you wish to appropriate from each source must be specified. We are, therefore, returning both of your applications for completion, and have endorsed them so that in order to retain their date of priority they must be returned to this office on or before July 8, 1963.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By

Walter N. Perry
Walter N. Perry, Assistant

WNP/gcc

Enc: Applications numbered
R-38650 and 38651

RECEIVED
MAY 13 1963
STATE ENGINEER
SALEM, OREGON

SEE REMARKS SECTION ON BOTH APPLICATIONS.

May 8, 1963

William G. Katzenbach
1970 1/2 Williams Hwy.
Williams, Oregon

Dear Mr. Katzenbach:

This will acknowledge receipt of returned application numbered R-38650, a print of a map and a legal description.

Your application has been re-examined and from the information you have submitted, it appears that there is two unnamed streams or natural drainageways from which you propose to collect and store water in your reservoir. As you have now described your proposed project, it will be necessary that you specify the quantity of water which you intend to store from each of the natural drains or streams and the quantity to be stored from Williams Creek. It might be to your advantage to also provide for the appropriation of direct flow from these two unnamed streams, especially if these streams continue to flow fairly heavily after the irrigation season has started. If you do provide for the appropriation of direct flow, the quantity which you wish to appropriate from each source must be specified. We are, therefore, returning both of your applications for completion, and have endorsed them so that in order to retain their date of priority they must be returned to this office on or before July 8, 1963.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Walter N. Perry, Assistant

WNP/gcc

Enc: Applications numbered
R-38650 and 38651

April 29, 1963

William G. Katzenbach
19704 Williams Hwy.
Williams, Oregon

Dear Mr. Katzenbach:

This will acknowledge two applications; one for a permit to construct Kings Reservoir and store 4 acre feet of water therein from Williams Creek and waste water for irrigation and stock watering purposes and one for a permit to appropriate 1.85 cubic feet of water per second from Williams Creek and Kings Reservoir for the irrigation of 148 acres, a tracing and fees in the sum of \$32.90 for which our receipts numbered 37708 and 37709 are enclosed.

Your applications have been examined and filed in the order of their acknowledgment under files numbered R-38650 and 38651. Upon examination of your reservoir application, it is noted that you propose to store water from waste. From the information you have submitted, it appears that you intend to appropriate water from Williams Creek through Dixon-Sparlin Ditch for storage in your reservoir. You do not give any indication as to where the waste waters might come from. Please submit an explanation as to the source of the waste water, showing any required ditches for its collection on your application map.

It is noted that Item 10 of your application indicates that the capacity of your proposed reservoir is 0.2 acre feet. This does not agree with the information you have shown in Item 3.

It will be necessary that you submit a legal description of the property upon which the water will be used. This should be copied word for word from your deed, abstract, title insurance policy or sales contract. It is also requested that you complete and return the the enclosed small dam description form.

April 29, 1963

Application numbered R-38650 is returned for correction. The application has been endorsed so that in order to retain its date of priority it must be returned to this office on or before July 1, 1963.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By

Walter N. Perry, Assistant

WNP/gcc

Enc: Receipts numbered
37708 and 37709

Small Dam Description Form
Application #R-38650

WILLIAM G. KATZENBACH PROPERTY

T 38 S - R 5 WWM

RECEIVED
MAY 6 1963
STATE ENGINEER
SALEM, OREGON

The SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 27, Township 38 South,
Range 5 West, W.M. excepting those certain parcels
of land conveyed to the State of Oregon by Stella Stratton
described in the deed recorded September 4, 1939, Volume
89, Pages 282-283, Josephine County, Oregon.

Application No. 38651
Permit No. 28814

STATE ENGINEER

WATER RESOURCES DEPARTMENT

516 PUBLIC SERVICE BUILDING • SALEM, OREGON • 97310 • Ph 364-2171

September 20, 1971

FILE NO. R-38650
38651

Harold P. and Virginia Sanders
P. O. Box 41
Williams, OR 97544

Dear Sir and Madam:

Enclosed is the final proof in connection with the incomplete water right represented by your permit No. R-3263, 28814.

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 and returned to this office.

Upon receipt of the proof, properly executed and accompanied by the statutory recording fee of \$1, a certificate of water right will be issued confirming the right thereunder and, after being recorded in the county records, will be forwarded to you.

Very truly yours,



CHRIS L. WHEELER
State Engineer

Form 117

Enclosure

Please submit \$1.00 for each permit.

July 12, 1971

38651

Mr. Robert B. Steimer
Watermaster District No. 14
714 N.W. "A" Street
Grants Pass, Oregon 97526

Dear Mr. Steimer:

There is a statutory procedure for contesting the issuance of a certificate. The question is whether or not beneficial use of water has been made under the terms of the permit.

Permit 28814 was issued to William Katzenbach and assigned to Harold and Virginia Sanders. The time limits for completion of construction and complete application of water were October 1, 1965, and October 1, 1966. Mr. Katzenbach obtained a one year extension to complete construction and later Mr. Sanders obtained another year so both completion dates were October 1, 1967. Mr. Sanders claimed the irrigation of approximately 54.0 acres in his completion notice filed September 21, 1967. We surveyed that land claimed irrigated as 58.1 acres and inventoried 960' 4", 1260' 3", and 1520' 2" irrigation pipe with 38 sprinkler heads.

To contest this Mr. Gene Gray would have to contend that beneficial use of water was not made within the terms of the permit. We are not dealing with a perfected right so forfeiture of a right is not involved. The period of time when water was not used would be a factor if in fact the land was irrigated after the permit was issued in July, 1963, and has not been irrigated for five successive years. This would mean that the land was not irrigated after the 1965 irrigation season as we are not yet to the end of the 1971 season.

Robert B. Steimer

-2-

July 12, 1971

The procedure is similar to a claim that a perfected right has been forfeited. Mr. Gray would have to allege that beneficial use of water under the term of the permit was not made, state his reasons and furnish names and addresses of at least two other persons who could support his allegations and include a statement that all persons are willing to appear at a hearing. The protest must be filed with the statutory fee of \$5.00 and with proof of service upon Mr. and Mrs. Sanders.

You will note that ORS 537.260 (3) refers also to procedure under ORS 537.420 and 537.430.

Very truly yours,

Trevor Jones
Assistant

TJ:slv



**STATE
ENGINEER**

RECEIVED
JUL 6 1971
STATE ENGINEER
SALEM OREGON

WATER RESOURCES DEPARTMENT

714 N.W. "A" STREET • GRANTS PASS, OREGON • 97526 • Phone 476-6828

July 1, 1971

TOM McCALL
GOVERNOR

CHRIS L. WHEELER
State Engineer

FILE NO.

Chris L. Wheeler
State Engineer
Salem, Oregon

Dear Sir:

A man named Gene Gray was in yesterday and said he wanted to make an affidavit that permit 28814 in the name of William Katzenbach in Section 27 of Township 38 South, Range 5 West had not been used for 5 consecutive years.

It appears that the permit was issued in 1963 and the time extended for completion to 1967. I am not sure of the status of the permit, so I don't know how you want to handle this situation.

Mr. Gray said that Mrs. Keen would also be willing to sign an affidavit to the affect these lands had not been irrigated.

Very truly yours,

Robert B. Steimer
Watermaster, Dist. #14

RBS:lc

Drafted 9 Dec 70 BS

20314

Certificate No.

~~William G. Katzenbach
19704 Williams Highway
Williams, Oregon~~

Assigne

Harold P + Virginia
Sander. P.O. Box 41
1021 Main Street Flats A
 Grants Pass Oregon
 WILLIAMS, ORE.
 STUBBINS BRIDGE, ASTORIA RIVER.

Williams Creek and Kings Reservoir, tribs. Applegate River.

Div. Pt. S loc.: Res. ~~450~~ 440 ft N and 2480 ft E. from S4 Cor. Sec. 27
Creek ~~100~~ 150 W S.E. 34

240' N. and 260' X. from S.E. cor. Sec. 11, T. 38 S., R. 5 W.
Dixon-Sparlin Ditch, from reservoir is 240' N. & 260' W. from
S.E. cor. Sec. 27, T. 38 S., R. 5 W., being within
#1. SW $\frac{1}{4}$ SW $\frac{1}{4}$, #2, SE $\frac{1}{4}$ SE $\frac{1}{4}$, in the county of Josephine.

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27. SE $\frac{1}{4}$ SE $\frac{1}{4}$ ✓ SEC 34, T 38S, R 5WWM

Banning Cr.
Trib Williams Cr.
(decred)
Cert 16343
1.0
10.0'

April 17, 1963

0.6/cfs

~~1.85 c.f.s. measured at point of diversion~~

~~July 18, 1964~~

10-1-65

extended to

extended to

Time limit to completely apply water

extended to

extended to

Remarks: This appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 4½ acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir ~~to be~~ constructed under permit No. R-3263; provided further that the right to use of direct flow is limited to the period when the flow of the Rogue River is more than 735 c.f.s. at its mouth, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

INFO: MR. SANDERS,

DIV. PTS.: WILLIAMS CR - GRAVEL DIV DAM PUSHED UP W/CAT
DITCH ON PROP. CONTROL BY 18" CONC TILE UNDER RES.
GETS WILLIAMS CR, WATER MAINLY FROM LEAKS IN TILE, THEN
PUMPS FROM RES - CAN ALSO TURN DITCH WATER INTO RES.
* SEE BELOW

MOTOR: GE 15 hp @ 3530 rpm 3φ

PUMP: CORNELL MOD 2 1/2 W-15-2 CENT DIR DR
3" x 2 1/2"

PIPE: 960 FT. 4" ALUM

1260 FT. 3" ALUM

1520 FT. 2" ALUM

727 cfs
81/58.1a

HEADS: 38 RB # 30 5/32 x 3/32 @ 45#
(42.117) 38
450 = 0.54 cfs

RUNS ALL 38 AT ONE SETTING

$$Q = \frac{6.61 \times 15}{22.5 + \left(\frac{43}{433}\right) 1.1} = \frac{99.15}{136.8} = 0.72 \text{ cfs}$$

LIFT: 5 TO 40 FT. AVE +22.5'

$$\text{@ 55\#} \quad \frac{7.2 \times 38}{450} = 0.61 \text{ cfs}$$

$$Q = \frac{6.61 \times 15}{22.5 + \left(\frac{55}{433}\right) 1.1} = \frac{99.15}{162.2} = 0.61 \text{ cfs}$$

CON. 147 PR 5 DATS

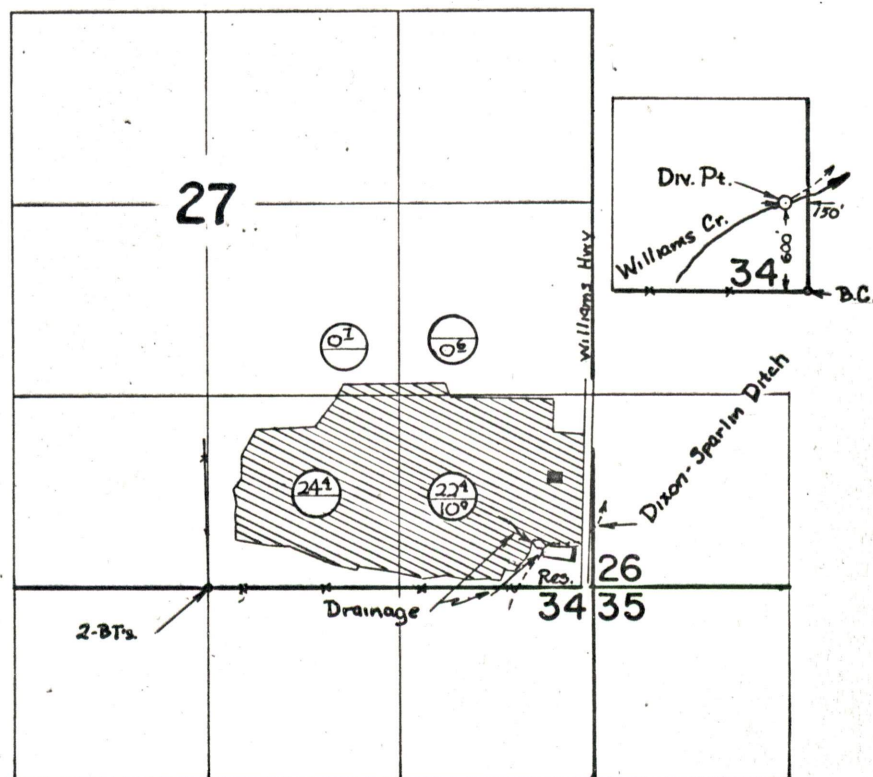
27 (Fence CORNER W/ 2 BT's)

DIV. TIED SO SEC COR 34/35
3/2 (B.C.)

WAYS ARE
HIS PROP. WHICH
RD THE RES.

Donald R Bull
Field Engineer
apr. 15, 1970

T. 38 S. R. 5 W. W.M.



Reservoir Located 2480 ft. E. & 240 ft. N. from S. 1/4 Cor. Section 27

○ Primary
○ Supplemental (Cert 16343)

FINAL PROOF SURVEY UNDER

R38650 R3263
Application No. 38651 Permit No. 28814
IN NAME OF

HAROLD P. & VIRGINIA SANDERS

Surveyed 15 APR. 1970, by D. R. BUELL

38657
SP*45655-119
RECEIVED
OCT 18 1971
STATE ENGINEER
SALEM OREGON

STATE OF OREGON
COUNTY OF JOSEPHINE
Proof of Appropriation of Water

HAROLD P. and VIRGINIA SANDERS

of P.O. Box 41, Williams, State of Oregon,
has applied beneficially the waters of
Williams Creek and Kings Reservoir constructed under application number R-38650,
permit number R-3263,
a tributary of Applegate River for the purpose of
irrigation of 47.5 acres and supplemental irrigation of 10.6 acres
under Permit No. 28814 of the State Engineer, and that the use of said waters has been
completed under the terms of said permit; that the priority of the
right dates from April 17, 1963

that the amount of water for the purposes aforesaid, has been actually beneficially used in the
amount of
0.61 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 ~~SE 1/4~~ SE 1/4, Section 27, ~~SW 1/4~~ SE 1/4, Section 34,
T. 38 S., R. 5 W., W. M. Diversion points located below*

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 4 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-3263; provided further
that the right to use of direct flow is limited to the period when the flow of
the Rogue River is more than 735 cubic foot per second at its mouth

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, and to which such right is appurtenant, is
as follows:

Supplemental	Primary	
0.6 acres	0.7 acres	NE 1/4 SE 1/4
	24.4 acres	NW 1/4 SE 1/4
10.0 acres	22.4 acres	SW 1/4 SE 1/4
		SE 1/4 SE 1/4
	Section 27	
	T. 38 S., R. 5 W., W. M.	

Can 334 cfs

3.28

*Diversion points located - Reservoir - 240 feet North and 2480 feet East
from SW Corner, Section 27. Creek - 600 feet North and 150 feet West from
SE Corner, Section 34

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 15 day of October,

19...71...

Harold P. Sanders
Virginia Sanders

6036

38657
SP*45655-119
RECEIVED
OCT 18 1971
STATE ENGINEER
SALEM OREGON

STATE OF OREGON
COUNTY OF JOSEPHINE
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