

Assembled 8.23.85 by CH
Entered _____ by _____
Verified _____ by _____

Form B

Application No. 24316

NOTICE OF COMPLETION OF CONSTRUCTION

I, Dr. Samuel Werner, the holder of Permit No. R-1036
to appropriate the public waters of the state of Oregon, completed the construction of the works described
therein on the 30th day of September, 1951

Remarks: Spillway on opposite side than the proposed plans
If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you
should so state in order that our records may not be unnecessarily encumbered.
Six inch outlet, instead of a 12 inch outlet, Wider spillway,

Fill is a little wider than on the original plans

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of October, 1951.

Samuel Werner
(Signature of Applicant)

Merlin Oregon,
(Address)

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

RECEIVED
OCT 1951
STATE ENGINEER
SALEM OREGON



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301
(503) 986-0900
www.wrd.state.or.us

Ownership Update For Certificated Rights Only

NO FEES ARE REQUIRED TO SUBMIT THIS FORM

NOTICE: A certificate of water right typically stays with the land. In order to track water right ownership, the Department requests that this form be submitted to the Department. **To update multiple rights, a separate form is required for each right.**

If you have any questions about this form, please contact your local watermaster, or call the Water Resources Department at (503) 986-0900.

This form is not for Applications, Permits, Transfers, Groundwater Registrations, or Limited Licenses. To notify the Department of changes in ownership to these types of authorizations, an Assignment is required.

Current Landowner Information

Name: Jessica Galizia
Mailing Address: 5324 SE Milwaukee Ave
City: Portland State: OR Zip: 97202
Phone (Home): 541-200-4174 Work: _____ Other: _____

Property Description

County: Josephine Township: NE 35S Range: NW 1/4 1/4 Section: 28
Taxlot Number(s): 400

Street Address of water right property: 8116 Madin Sanitarium Rd. AKA 8116 Sanitarium Rd.

Water Right Information: Application: R-24336 Permit: R-1036 Certificate #: 22125

Are all the lands associated with this water right owned by the requester? Yes ☒ No ☐ If No, include a map showing the portion of the right involved.

Name of individual completing this form: Jessica Galizia Phone: 541-200-4174

Signature of requestor: [Signature] Date: 4-26-18

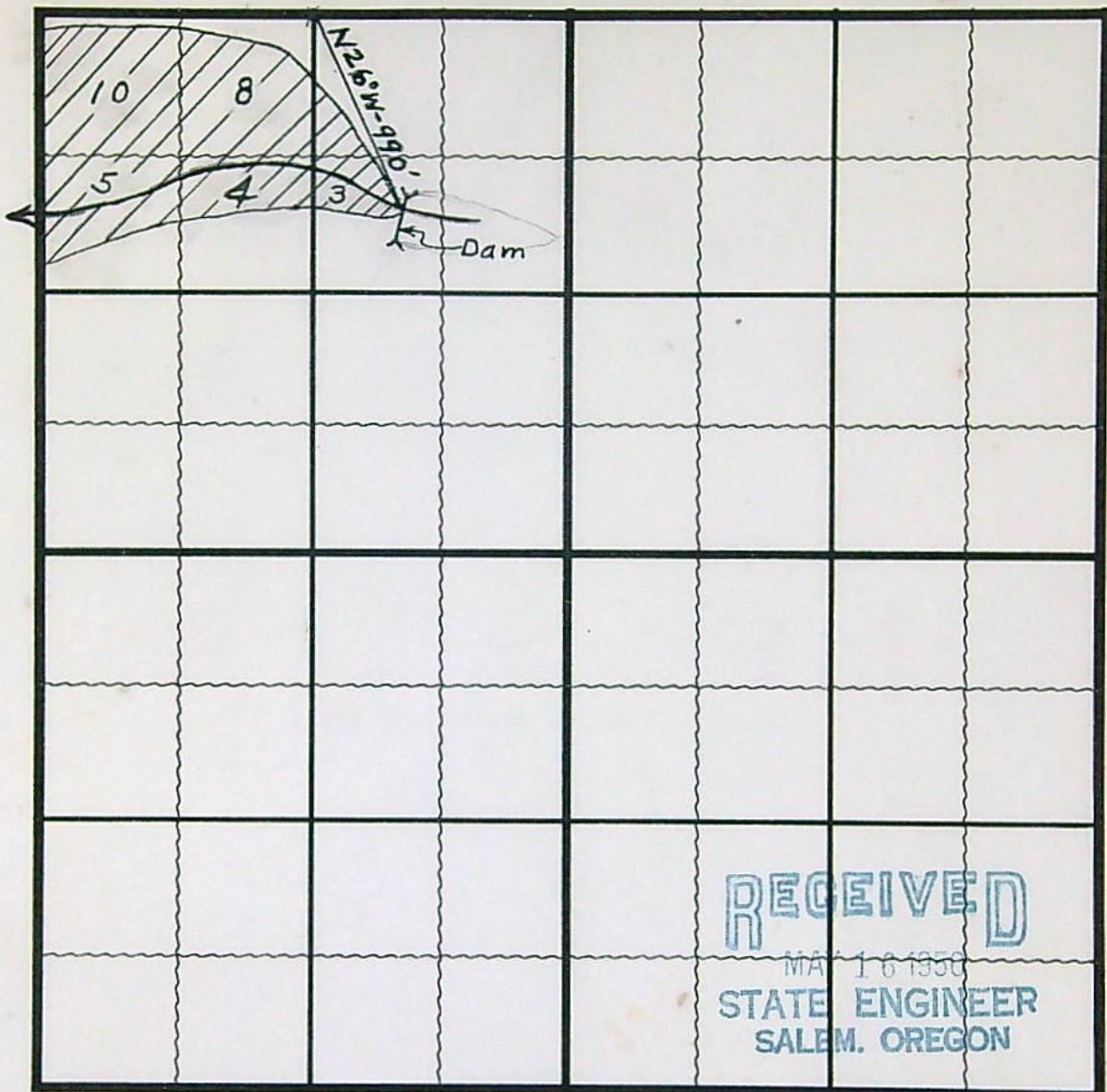
The Department does not change names on certificates. This form will be placed in the file for future reference only. The Department does not provide acknowledgement that this form has been received.

RECEIVED

Sec. 21

Twp. 35 S

R. 6 W, W.M.



Irrigation by means of gravity ditch, supplemented by sprinkler system operated with pump located at reservoir.

Acreage to be irrigated consists of

10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21, T35S, R6W, W.M.

8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ " " " " "

5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ " " " " "

4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ " " " " "

3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ " " " " "

This map to accompany application for water right for Dr. Samuel Werner, Grants Pass, Oregon.

A^R-24336 - 24337

Ray N. Gruden
Registered Engineer No. 2016

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That DR. SAMUEL WERNER

of Merlin Sanitarium, Merlin, State of Oregon; has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to store the waters of
unnamed stream, to be appropriated under Application No. 24337, Permit No.
19447

for the purposes of
irrigation.

under Reservoir Permit No. R-1036 of the State Engineer, and that said right to store said
waters has been perfected in accordance with the laws of Oregon; that the priority of the right
hereby confirmed dates from December 12, 1949

that the amount of water entitled to be stored each year under such right, for the purposes afore-
said, shall not exceed 31.5 acre-feet.

The reservoir is located in Section 28 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Tp. 35 S., R. 6 W., W.M.

WITNESS the signature of the State Engineer,
affixed this 7th day
of March, 1957.

LEWIS A. STANLEY

State Engineer.

Form C

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

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the State Engineer until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the State Engineer, Salem, Oregon, when all of the water has been applied.

Application No. *W 6* *R 24336*

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, *Samuel Warner*, the holder of Permit No. *R-1036*

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 *6th* day of *October*, 19*53*,

Remarks: *amount of water was inadequate*

for entire area.

IN WITNESS WHEREOF, I have hereunto set my hand this *29* day of *November*, 19*53*.

Samuel Warner
(Signature of Applicant)

Merlin, Oregon
(Address)

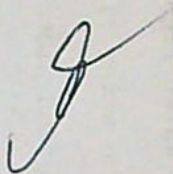
RECEIVED
NOV 8 1953
STATE ENGINEER
OREGON

363-1665

off.

363-8919

Res

A large, stylized handwritten mark, possibly a signature or a checkmark, consisting of a long horizontal stroke that curves upwards and then loops back down.

SAMUEL WERNER, M. D.

PHYSICIAN AND SURGEON
752 N. W. 6TH STREET
GRANTS PASS, OREGON

Grants Pass, Oregon.

June 8, 1967.

State Engineer,

Salem, Oregon.

Dear Mr. Petzka:

When you and the geologist were down this way last year and looked over the proposed dam site near Merlin it did not appear too promising, and I myself was not satisfied with the way the small dam held water. As you remember the water was rather low, and there was a fair size leak at the base of the dam, and I believe it was in May with very little water left behind the dam. Since then things have changed considerably. After the water went down sufficiently I dug a trench the length of the dam down to a clay material, and removed all the silt and sandy material. In its stead I filled with clay and packed thoroughly down while moist. This cut off the underground stream as a result a spring which had always been present from the time the rain start in the fall until July ceased to flow even during the winter when the soil was saturated with water. This convinced me that the underground stream small as it is is entirely cut off. This spring is 150 feet down stream from the dam. Now this year instead of the water going down in May actually began to rise which convinces me that there is no water going through the base of the dam. I have asked Mr. Tom Pearce a licensed engineer to make plans for building the dam higher, but first of all I would want your permission for him to go ahead before he does too much work.

In discussing the size of the spillway with Mr. Pearce the little book does not correspond with what actually has been happening in the past 20 years. Even during the heaviest runoff the water did not fail to go through a 36 inch concrete culvert. In checking the present 8 inch pipe with the present height of water it flowed through at the rate of 3.5 acre inch an hour. At rate it is large enough to empty the entire reservoir in less than ten days.

Hoping to hear from you at your earliest convenience.

Very truly yours,

Samuel Werner M.D.

June 23, 1967

Mr. Tom R. Pearce, Engineer
1550 N.E. "A" Street
Grants Pass, Oregon 97526

Dear Mr. Pearce:

With reference to your letter of June 16, 1967 regarding the Werner Project and previous correspondence, in your first paragraph you indicate that drainage area of this project is approximately one-third of a square mile. I compute the peak flow for the conditions you outline at 100 cfs. With reference to Dr. Werner's computations, you must bear in mind that while the flood of December 1964 in some areas be considered a 100 year flood occurrence. This was not universally so. In fact, some streams barely made the 25 year occurrence. In view of the conditions, particularly with a fairly large reservoir immediately downstream, I could not justify approving a spillway that would pass less than 100 cfs with 2 feet of freeboard. While on the subject of the spillway, I would suggest you provide your design for an uncontrolled crest, as the use of flashboards to raise the water level in the summer will not be approved.

In your second paragraph, you indicate that there is installed an 8 inch steel pipe conduit probably without cutoffs. I would suggest that you check this. You further indicate the pipe will operate under a maximum head of 26 feet, with a draft tube head of 10 feet. Please advise as to the meaning of "draft tube head". You further indicate that an 8 inch steel pipe would carry about 3 second feet. I assume you mean under a static head of 26 feet; this is probably an excellent estimate, however, you must remember that this flow could not be expected to continue as the head on the pipe is falling as the reservoir is emptied. To adequately determine the length of time necessary to empty this reservoir, it would be necessary that you prepare an area and capacity curve, compute the flow of the pipe at varying heads, and then compute the discharge and the resulting contents in increments.

In your last paragraph, you indicate your purpose is to determine the economical feasibility of the project and to obtain data for plans and specifications. I am enclosing a copy of the Rules and Regulations of the State Engineer Relavent to Surface Water and your attention is drawn to pages 14 and 15 which indicate the information that is necessary to be provided on the plans and specifications. With reference to the economical feasibility

Tom R. Pearce

2

June 23, 1967

of the project, this is a matter that can only be determined by
yourself and your client.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
A. M. Petska
Engineer

AMP:sh

Enclosures

cc: Mr. Robert B. Steimer
Watermaster District #14

Dr. Samuel Werner

R-24336
24337
W-26
May 18, 1966

INSPECTION REPORT

On Tuesday, May 17, 1966 in the company of Robert B. Steimer, Watermaster, District 14, I inspected the Dr. Werner Dam and found that he had not obeyed Mr. Petska's orders to lower the water surface to two feet of freeboard. Dr. Werner had removed one 2 x 4 from the spillway, but had neglected to remove any of the earth in front of the 2 x 4 so that the water could escape.

Previous to this inspection, Mr. Steimer in the company of Mrs. Werner had opened the dam outlet and the water surface had lowered approximately one-tenth of a foot. Prior to our inspection the conduit had been closed.

David B. Hall
Engineer

DBH:jb

MEMORANDUM

Werner Reservoir

A-24336

24337

W-26

5-18-66

During an inspection of another project on Monday, May 9, 1966, it was found that this reservoir is impounding water to within less than one-half foot of the crest of the dam at the low point. Dr. Werner was requested to lower the water surface to within two feet of the crest and the watermaster was instructed to see that this was carried out.

On Tuesday, May 17, 1966, David B. Hall of this office performed an inspection of this project and found that the instructions had not been complied with. Sometime prior to this latter inspection the watermaster, in the presence of Mrs. Werner, had partially opened the valve. However, the water level had been reduced to one-tenth less than on the date of this first inspection. Furthermore, only one 2 x 4 had been removed from the spillway flashboard section. The permit calls for the impoundment of water to within three feet of the crest and the plans call for the impoundment of water to within two feet of the crest.

This was pointed out to the State Engineer that a hazardous condition exists and that Dr. Werner is in violation of the terms of the permit and that instructions should be issued to the watermaster to take immediate action to draw the water level down in compliance with the plans and specifications and the permit.

Mr. Steiner was so advised by telephone this date.

A. M. Petska
Engineer

cc: Robert B. Steiner
Chester Cummings

R-24336
W-26
May 12, 1966

MEMORANDUM OF INSPECTION

On Monday, May 9, 1966 in the company of Al Petska, Bob Steimer and Dr. Werner, I inspected the structure known as Werner Dam.

The reservoir has a certified right for $31\frac{1}{2}$ acre feet, but appeared to contain considerably more. The dam is constructed of granite, sand and clay and the water was impounded to within less than one foot of the crest. The crest narrowed down to a width of ten feet with slopes on the downstream side that varied from 1:1 to $1\frac{1}{2}$:1. We found evidences of water seeping through the dam fill, but no evidence of piping.

The spillway has a concrete structure in which flashboards were placed to a height of around three feet. Mr. Petska informed Dr. Werner that the structure didn't appear safe under these conditions and that the water should be lowered so that there was a minimum of two feet of freeboard.

Beside the concrete spillway there has been out an earth spillway varying up to 50 feet in width. This shows evidence of having carried water recently. Bob Steimer was asked to make a plane table survey to ascertain the surface area and also to see that the water level was lowered.

David B. Hall
Engineer

DBH:jb

January 2, 1957

Dr. Samuel Werner
Merlin Sanitarium
Merlin, Oregon

Dear Dr. Werner:

With reference to your letter of recent date enclosed are the forms for making final proof of appropriation of water under your Permit Nos. 19447 and R-1036.

You should date and sign both forms at the bottom of the page and return them to this office together with the statutory certificate recording fee in the amount of \$2, being \$1 for each permit.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Chris L. Wheeler, Assistant

CLW:ld
enc. final proofs

W-26

~~R-24336~~

24337

November 15, 1956

Dr. Samuel Werner
752 N. W. Sixth Street
Grants Pass, Oregon

Dear Dr. Werner:

According to the location map prepared by Mr. Cruden, your reservoir and irrigated lands are in Sec. 21, T 35 S, R 6 W, W. M., more particularly in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21. Mr. Pearce states that the location, subject to confirmation by survey, should be in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T 35 S, R 6 W, W. M. and further states that the County Assessor confirmed that your deeded property does not include the lands described by Mr. Cruden. It appears that the error was in proper designation of the section number, not in location of the reservoir and irrigated lands within the section.

On my first trip through Grants Pass, I will stop either in your office or at Merlin to discuss your permits further.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By

Fred D. Gustafson
Engineer

FDG:lac

W-26

SAMUEL WERNER, M. D.

PHYSICIAN AND SURGEON
752 N.W. 6TH STREET
GRANTS PASS, OREGON

Grants Pass, Oregon.

November 1, 1956.

Fred D. Gustafson,
State Engineer
303 State Office Building
Salem, Oregon.RECEIVED
NOV 6 1956
STATE ENGINEER
SALEM, OREGON

Dear Mr. Gustafson:

After talking to you a year ago last summer regarding the reservoir I looked up the plans which are in the local government office, and the location and survey are correct of the original ground, however after having some earthmoving equipment in it changed the contour, which of course affected the capacity of the reservoir. In the course of the construction a few alterations were made which did not effect the adequacy any from the original plan. These were gone over by the engineer who was in charge of the federal projects and were approved by him. If anything the reservoir is stronger and better than the original plan calls for.

To construct the dam according to the original plans I would have to weaken the dam and destroy the spillway which has cost me a considerable amount of money. If you did not approve the original survey what assurance do I have that you will approve the second survey. I am in no financial position gamble on a survey when you will not approve the plans. I would much rather take the risk of not having a water right than go ahead with the new survey unless I have the assurance from your office that you approve the dam as constructed.

I have already talked to Mr. Pearce who is a licensed engineer, and he suggested that when your engineer is down this way look at the dam, and he could let me know if you would issue a permit after I did make the survey.

Very truly yours.

Samuel Werner M.D.

October 25, 1956

Dr. Samuel Werner
752 N. W. Sixth Street
Grants Pass, Oregon

Dear Dr. Werner:

On August 5, 1955, a letter was written to you advising you that you had a choice of lowering the spillway of your reservoir to the extent that only 31.5 acre feet of water would be stored therein, as authorized in your Permit R-1036, or of filing new applications for permits to store and use for irrigation that amount of water in excess of 31.5 acre feet.

You further were advised that irregardless of your choice, since the reservoir was not constructed in accordance with the original plans, it would be necessary for you to have a registered engineer prepare plans showing the reservoir as constructed, the plans to provide the information outlined on Page 18 of the "Rules and Regulations of the State Engineer".

Will you please advise this office of your progress in obtaining the required plans. It is hoped that you will have a favorable report to submit, or that you immediately will take steps to procure the plans in order that it will not be necessary for this office to take further action as provided by law.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Fred D. Gustafson
Engineer

FDG:lac

August 5, 1955

Dr. Samuel Werner
752 N. W. Sixth Street
Grants Pass, Oregon

Dear Dr. Werner:

Enclosed is a copy of memorandum based on my examination of your dam and my later discussion with you. You have a choice either of lowering the spillway to the extent that only 31.5 acre feet of water could be stored or of submitting a new application for additional storage of that amount over 31.5 acre feet which the reservoir is now capable of holding. Since in either event submission of new plans is necessary as indicated in the accompanying memorandum, it would seem advisable to file the application for the increase in storage capacity. Another application for permit to appropriate the additional stored water for irrigation also will be necessary along with a map showing the lands to be irrigated, diversion points, etc.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Fred D. Gustafson, Engineer

FDG:VC
Enc.

Dam File W-26

MEMORANDUM

WERNER DAM

Dr. Samuel Werner - Owner
Merlin, Oregon

On the morning of Tuesday, July 19, 1955 I made an inspection of the Werner Dam at the Merlin Sanatorium in company with Tom Pearce, Watermaster for District 16, Mrs. Samuel Werner was present during part of the inspection.

The dam is approximately 450 feet long with that portion of the upstream face exposed above water surface having a slope of approximately 3:1. The downstream slope varies from about $1\frac{1}{2}$:1 to 1:1, the crest width varying from 10 to 12 feet. At one point about 200 feet from the north end of the dam there was a section about 30 feet in length where sloughing had taken place on the downstream toe. Whether or not the sloughing had been caused by piping could not be determined definitely and no sloughing appeared to have taken place recently, indicating the present face to be relatively stable. Immediately below the toe of the dam at this point the ground water table was but four inches below the surface. This condition could have been caused by recent rain or by surface water bypassed from the outlet canal so was not conclusive of seepage under the embankment although the indication of seepage was strong.

The spillway consists of a 6 foot wide by $3\frac{1}{2}$ feet deep concrete structure with provision for splash boards. Silt was caked in the entrance thereto to a depth of about 18 inches, the silt having been washed into the spillway entrance channel from a borrow pit area on the hillside above the channel. Part of the silt had been cleaned out but a considerable amount still remained. It appeared that Dr. Werner was in the process of digging another spillway around the existing spillway, to a width of 50 feet, evidently to correspond to the dimensions shown on the reservoir plans received in the State Engineer's office, on December 13, 1949, although sheet 1 of those plans showed the 50 foot spillway to be constructed on the north end of the dam rather than on the south end where the work is being done.

The erosion at the discharge end of the outlet conduit was examined, said erosion having been mentioned in Mr. Pearce's report of final proof survey of July 16, 1954. The condition, although not desirable from an efficiency standpoint in use of the water, is not considered detrimental to the safety of the dam. As reported, the conduit discharged at a depth of about four feet into a ditch only two feet wide with practically vertical sides. There is no question but that the distribution system should be improved to get away from excessive evaporation and seepage losses.

In going through the files on this project there appears to be a discrepancy between the reservoir capacity filed on and the reservoir capacity obtained, and there evidently was an error made

by the engineer who made the survey for location.

The plans now on file for the dam are inadequate in several particulars.

They do not appear to show the true capacity. Since another set of plans is thus required in order to have a record of the existing structure as constructed, those points in fault should be corrected, namely:

1. Provide drainage basin and location map;
2. Show corrected area and capacity curves and tables;
3. Show correct water surface contour on present contour map of reservoir site and either superimpose plan view of dam thereon or submit separate detail topographic map of damsite with plan superimposed. Legal subdivision lines, as provided in the "Rules and Regulations", should be shown on this drawing;
4. Detail drawings of spillway should be shown, cross sections and profile, in order to facilitate checking the spillway capacity;
5. A corrected cross section of the embankment and a profile along the axis of the dam should be developed. These drawings could be based on the topographic map submitted.

In general, the new drawings submitted, as explained to Dr. Werner on his visit to the State Engineer's office on July 28, 1955, must be prepared by a registered professional engineer and must provide the information required on page 18 of the "Rules and Regulations of the State Engineer", a copy of which was given to Dr. Werner. Also, the drawings must be in ink as provided on page 6 of the Rules and Regulations.

August 8, 1955

FRED D. GUSTAFSON, Engineer

cc - Dr. Samuel Werner

February 18, 1955

Samuel Werner, M. D.
752 N. W. 6th Street
Grants Pass, Oregon

Dear Dr. Werner:

This will acknowledge receipt of your letter of February 10, in regard to your Permits No. R-1036 and 19447. With reference to the location of your reservoir, the application and survey map which you submitted to accompany the reservoir application, as prepared by your engineer, Mr. Ray W. Creeden, listed the reservoir as being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, T. 35 S., R. 6 W. Our subsequent inspection indicated that it was in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28 as stated in your letter.

With reference to your reservoir storing more water than set out in the permit, it will be necessary for you to file new applications for a permit to store the additional water and for a permit to apply that additional water to beneficial use.

Both for the completion of your present permits and for the filing of the new applications, it will be necessary that you have a survey made correctly showing the location and plans of the dam and reservoir as actually constructed.

If you wish to call at the office regarding the requirements of such filing, one of the engineers will be glad to discuss the matter with you. With reference to the cutting occurring below the spillway, Mr. Schlapkohl of this office will make an inspection to determine the safety factor of the corrective work you have done or advise you as to what additional work will be required the next time he is in your area.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Chris L. Wheeler, Assistant

CLW:bc

SAMUEL WERNER, M. D.

PHYSICIAN AND SURGEON

752 N.W. 6TH STREET

GRANTS PASS, OREGON

Grants Pass, Oregon.

February 10, 1955.

State Engineer,
Salem, Oregon.

24337
RECEIVED
FEB 11 1955
STATE ENGINEER
SALEM, OREGON

Dear Mr. Best:

I have your letter of ~~August~~ February 3 in connection of water permits No. R-1036 and 19447. I hardly know what to tell you. In your letter of August 31, 1954 you inferred that the original survey was not correct. According to the survey and photo map the reservoir is located in the N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of section 28. I will admit that the reservoir is able to hold more water than what the original plans call for, as I made it a little more substantial than I intended at first because of the buildings below the dam. As to the water washing in back of the dam as it comes out of the spillway that has been remedied by putting in cribbing this winter.

To submit a new survey is rather an expensive item, and am not able to afford the expenses at this time. The earth carrying equipment has changed the contour, so the final survey would be different than before the work was done. Before I could say any more I would have to talk with you personally and see what is to be expected, and how accurate the specifications would have to be.

Very truly yours,

Samuel Werner M.D.

R-24336
24337

February 3, 1955

Dr. Samuel Werner
Merlin Sanitarium
Merlin, Oregon

Dear Dr. Werner:

A reply to our letter of August 31, 1954 would be appreciated so that action may be taken towards the completion of your Permits No. R-1036 and 19447.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Robert D. Best, Assistant

RDB:bc

August 13, 1954

Dr. Samuel Werner
Merlin Sanitarium
Merlin, Oregon

Dear Dr. Werner:

A representative of this office recently visited your project for the purpose of making the final proof survey under Permit Numbers R-1036 and 19447.

He reports that the location of your project does not agree with the map which you submitted or description of the project as set out in the permits. He further reports that there is some question regarding the safety of your dam.

In order that the matter may be properly described, it is suggested that you have a new survey made as to the location of the project, and the actual quantity of water stored. It is the estimate of the field engineer this is in excess of 31.5 acre feet as set out in the permit. In which case in order for it to legally cover the additional storage, it will be necessary to make new applications.

It will also be appreciated if you will submit a legal description of the property involved copied word for word from your deed, abstract or contract.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Chris L. Wheeler, Assistant

CLW:eh

R-24336
& 24337

December 18, 1953

Dr. Samuel Werner
Physician and Surgeon
752 N. W. 6th Street
Grants Pass, Oregon

Dear Sir:

This will acknowledge the receipt of your form "C", reporting on complete application of water to its proposed use.

Upon examination of this form it is noted that it was for application No. R-24336, permit No. R-1036, instead of the application No. 24337, permit No. 19447, on which this report is required.

Enclosed please find a new form "C" which should be completed and returned at your earliest convenience and this letter is also to advise you that the date upon complete application of water should have been made was on or before October 1, 1953.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Robert D. Best, Assistant

RDB:gt
Enc. 1

24337
R-24336

November 5, 1953

Mr. Samuel Werner, M. D.
Physician and Surgeon
752 N.W. 6th Street
Grants Pass, Oregon

Dear Doctor Werner:

In response to your letter of October 19 regarding your Permit Numbers R-1036 and 19447, please be advised that if you have irrigated all of the land described in the permit that it is your intention to do so and used the water in accordance with the terms of the permit, then all that is necessary for you to do at this time is to report this completion by filling out and returning the enclosed Form C, which is a duplicate of the one attached to the back of your permit.

Since your permits have already been issued, there would be no reason for submitting an application referred to in the second paragraph of your letter.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Chris L. Wheeler, Assistant

CLW:eh
enc.

R-24336

October 24, 1951

Dr. Samuel Werner
Merlin Sanitarium
Merlin, Oregon

Dear Dr. Werner:

This acknowledges receipt of Form B, being notice of the completion of construction under Permit No. R-1036, in the name of Dr. Samuel Werner.

This report has been filed with other matter pertaining to the water right, and the permit is in good standing until October 1, 1952, when under its terms, all the water which it is intended to use at any time should be used to the full extent intended.

Very truly yours,

Chas. E. Stricklin

CHAS. E. STRICKLIN
State Engineer

R-24336

September 29, 1950

Dr. Samuel Werner
Merlin Sanitarium
Merlin, Oregon

Dear Dr. Werner:

Herewith you will find Application No. R-24336, Permit
No. R-1036.

RAY N. CRUDEN
CONSULTING CIVIL ENGINEER
REGISTERED PROFESSIONAL ENGINEER

P.O. Box 41
BATES BUILDING
GRANTS PASS, OREGON

Chas. E. Stricklin
State Engineer
504 State Office Bldg.
Salem, Oregon

RECEIVED

MAY 16 1950

STATE ENGINEER
SALEM, OREGON

Dear Sir:

Reference is made to the application for a water right filed in your office in December 1949.

Dr. Samuel Werner states that he has received a letter from your office advising him that the application requires a map showing the areas that will be irrigated.

Am enclosing a map showing the legal subdivisions and the tie to a monument.

Very truly yours,

Ray N. Cruden

Encl. Map of Section 21, T35S, R6W, W.M.

R-24336
24337

R-24336
24337

January 19, 1950

Dr. Samuel Werner
Merlin Sanitarium
Merlin, Oregon

Dear Dr. Werner:

After receipt of the required map as explained on Pages 6 and 8 of the enclosed copy of the Rules and Regulations of the State Engineer, your Applications No. R-24336 and No. 24337 can be placed in line for approval by issuance of permits.

When the map is submitted it should be accompanied by the legal description of the property on which you propose to use water copied word for word from your deed, abstract or contract.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Ed K. Humphrey, Assistant

EKH:dh
Enc.

W 26
R-24336
24337 ✓

December 19, 1949

Mr. Ray N. Cruden
Registered Professional Engineer
P. O. Box 41
Grants Pass, Oregon

Dear Mr. Cruden:

As requested in your letter of December 16, 1949 there is enclosed herewith a letter approving the plans and specifications for the construction of the Dr. Samuel Werner dam as submitted by you. You will note that a carbon copy of the letter has been mailed to the P. M. A., Josephine County Committee.

It is doubtful whether this organization will grant the financial assistance on the basis of this letter alone. In other cases in other counties they have also required a statement from this office to the effect that a permit for the construction of the dam has been issued and all other requirements have been complied.

In checking into this matter I find that not all requirements for issuance of permits have been complied with. There is still due a payment of \$10.00 to complete payment of the fees, and a map showing the location of the lands to be irrigated with the water to be appropriated, is required to be submitted. These are requirements fixed by law and must be complied with.

The application was received here on December 12, 1949, which is too late and with the large number received each month does not allow sufficient time to be processed and for the permit to be issued. However, if you will send check for \$10.00 to cover fees remaining to be paid and submit the map of the lands to be irrigated we will furnish a statement to the effect that all requirements of this office have been met, on the basis of which, it is believed, the assistance will be granted.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Ferd Schlapkohl, Assistant

FS:eg

W 26
R-24336
24337✓

December 19, 1949

Mr. Ray W. Cruden
Registered Professional Engineer
P. O. Box 41
Grants Pass, Oregon

Dear Mr. Cruden:

The plans and specifications for the construction of the Dr. Samuel Werner dam as submitted by you are approved pursuant to section 116-502, O. C. L. A.

Yours very truly,

CHAS. E. STRICKLIN
State Engineer

FS:eg

Permit No. R-1036Application No. R-24336County JOSEPHINE**Proof of Appropriation of Water**1. Name Dr. Samuel Werner 2. Address Merlin Sanitarium, Merlin, Oregon3. Source of supply unnamed stream

Tributary of _____

4. Amount of water 31.5 a.f.5. Priority date December 12, 19496. Use irrigation and recreation

dam

7. Location of point of diversion NE ¹/₄ NW ¹/₄ Sec. 21 Tp. 35 S Rg. 6 W, W. M.
(Legal Subdivision)

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

Township	Range	Section	Legal Subdivision	No. Acres Actually Irrigated
	Willamette Meridian			

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

DESCRIPTION OF WORKS

9. (a) If a dam has been constructed, give description: Height, 15 ft.; length on top, 450 ft.; length on bottom, 430 ft.; material used and character of construction, Earth dam.
Spillway 6' x 20'.
- (b) Give description of headgate: Width, 1 ft.; depth, 1 ft.; material used and character of construction, 12" metal pipe.
- (c) Size of canal: Width on top (at waterline), 1 ft.; width on bottom, 0.6 ft.; depth of water, 0.5 ft.; grade, 3 ft. fall per 1,000 ft. Actual capacity, 0.5 sec.-ft. Give general description: Earth ditch.
- (d) Pipe line: Description of intake, 3" pipe inserted in pool.
Length of pipe, 700 ft.; size at intake, 4 in.; size at 700 ft. from intake, 4 in.; size at place of use, 4 in. Difference in elevation between intake and place of use, 60 ft. Is grade uniform? Yes Actual capacity of pipe line 0.25 c. f. s. sec.-ft. With 40# pressure
Give general description: Aluminum pipe, also 880 ft. of 3" pipe.
(Material: Steel, wrought, cast iron, wood stave, etc.)
- (e) Pumping plant: Give size and type of pump, 2" Cornell pump.
Suction lift, 10 ft.; discharge lift, 50 ft. Type of motor used Electric
Horsepower rating, 5.5 H. P. Actual capacity of pump 0.25 c. f. s. sec.-ft. With 40# pressure
10. During what months is water beneficially used? April 1 to October 1.
11. State character of soil Granite
Kind of crops raised Clover, garden and pasture.
12. Does the accompanying map, filed with your application, show correctly the point of diversion, area of land irrigated, or place of use? No.
13. If not, wherein is such map in error? Map erratic. (See report)
14. Domestic use: Give number of families actually using water at this time
15. If for power, mining, municipal, manufacturing, storage or any other purpose than irrigation, give extent and method of such use

AFFIDAVIT OF APPROPRIATOR

STATE OF OREGON,

County of

} ss.

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

IN WITNESS WHEREOF, I have hereunto set my hand this day
of, 19.....

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

Notary Public for Oregon

[Notarial Seal]

My commission expires

AFFIDAVIT OF WITNESSES

STATE OF OREGON,

County of

} ss.

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

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

Notary Public for Oregon

[Notarial Seal]

My commission expires

REPORT OF PERSON MAKING INSPECTION

(For use by Representative of State Engineer)

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

NOTICE TO INSPECTORS

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

(Name)

(Title)