

Name DR. SAMUEL WERNER
By PO Box 340
Address Merlin, Oregon 97532

Application No. 39285
Permit No. 29349
Certificate No. 54496

Stream Index, Page No. 15-784

Date filed December 4, 1963
Priority December 4, 1963
Action suspended until OK Cert

Returned to applicant
Date of approval May 1, 1964

CONSTRUCTION

Date for beginning May 1, 1965
Date for completion October 1, 1966
Extended to 10-1-68
Date for application of water October 1, 1967
Extended to 10-1-68 10-1-69

PROSECUTION OF WORK

Form "A" filed May 18, 1965
Form "B" filed
Form "C" filed

FINAL PROOF

Blank mailed FEB 18 1986
Proof received
Date certificate issued JUN 8 1986

See File R-39284
R 43931
43932

FEES PAID

Date	Amount	Receipt No.
12-4-63	\$15.00	40405
3-19-64	\$10.00	344
	\$1 Cert. Fee	

FEES REFUNDED

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

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
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REMARKS

9.0 a.f. stored water only from a reservoir (Ewe Creek watershed) for the irrigation and supplemental irrigation of 21.0 acres and fire protection; being 8.0 a.f. for irrigation and supplemental irrigation and 1.0 a.f. for fire protection.

MAY 8 1965 CARD FOR A
OCT 5 1966 CARD FOR B
OCT 30 1967 CARD FOR C
OCT 2 1968 CARD FOR B-C
JAN 30 1969 FORM 100 SE
OCT 28 1969 CARD FOR C
FEB 3 1970 FORM 100 SE

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This is to certify, That SAMUEL WERNER

of PO Box 340, Merlin, State of OR 97532, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
Werner Reservoir, constructed under Permit No. R-3945

a tributary of Ewe Creek for the purpose of
irrigation of 5.0 acres, supplemental irrigation of 16.0 acres, and fire
protection

under Permit No. 29349 and that said right to the use of said waters has been perfected in
accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from
December 4, 1963

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is
limited to an amount actually beneficially used for said purposes, and shall not exceed
9.0 acre-feet stored water only; 8.0 a.f. for irrigation and supplemental
irrigation and 1.0 a.f. for fire protection

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 NW 1/4, Section 28, T35S, R6W, WM;
1700 feet South and 2340 feet East from the NW corner Section 28.

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 ~~of one cubic foot per second per~~

~~acre~~ a diversion of not to exceed 4.5 acre-feet per acre for
each acre irrigated during the irrigation season of each year,

and shall
conform to such reasonable rotation system as may be ordered by the proper state officer.

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

PRIMARY

Fire protection, 4.9 acres NW 1/4 NW 1/4
0.1 acre SW 1/4 NW 1/4

SUPPLEMENTAL

16.0 acres NW 1/4 NW 1/4
Section 28
Township 35 South, Range 6 West, WM

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use
herein described and is subject to minimum flows established by the Water Resources Commission with an
effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. June 6, 1986

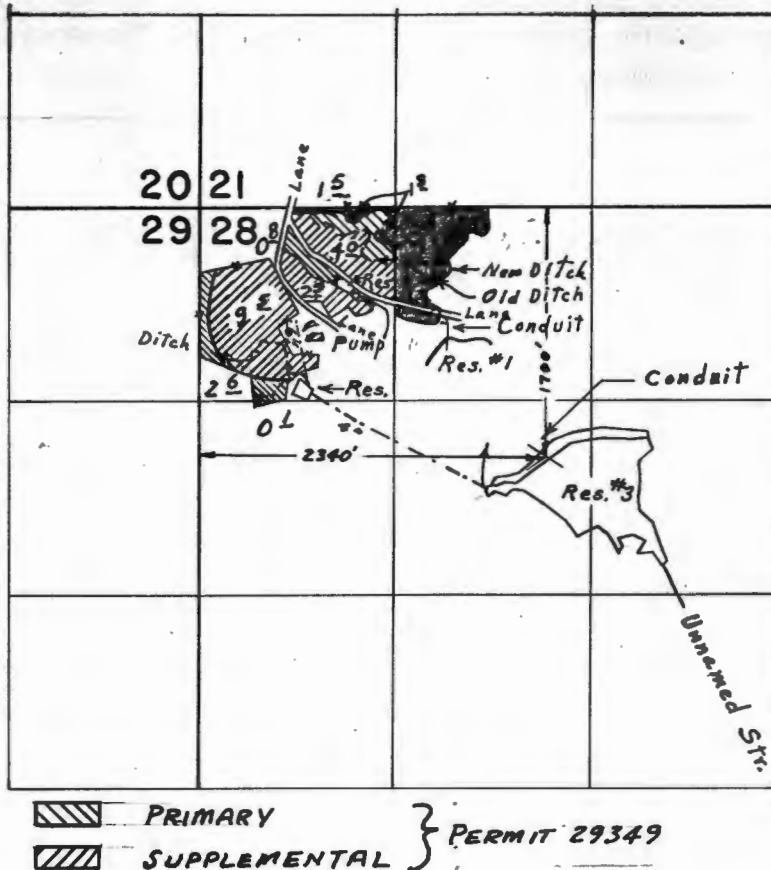
/s/ William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 49, page 54496

2532D/TS
39285

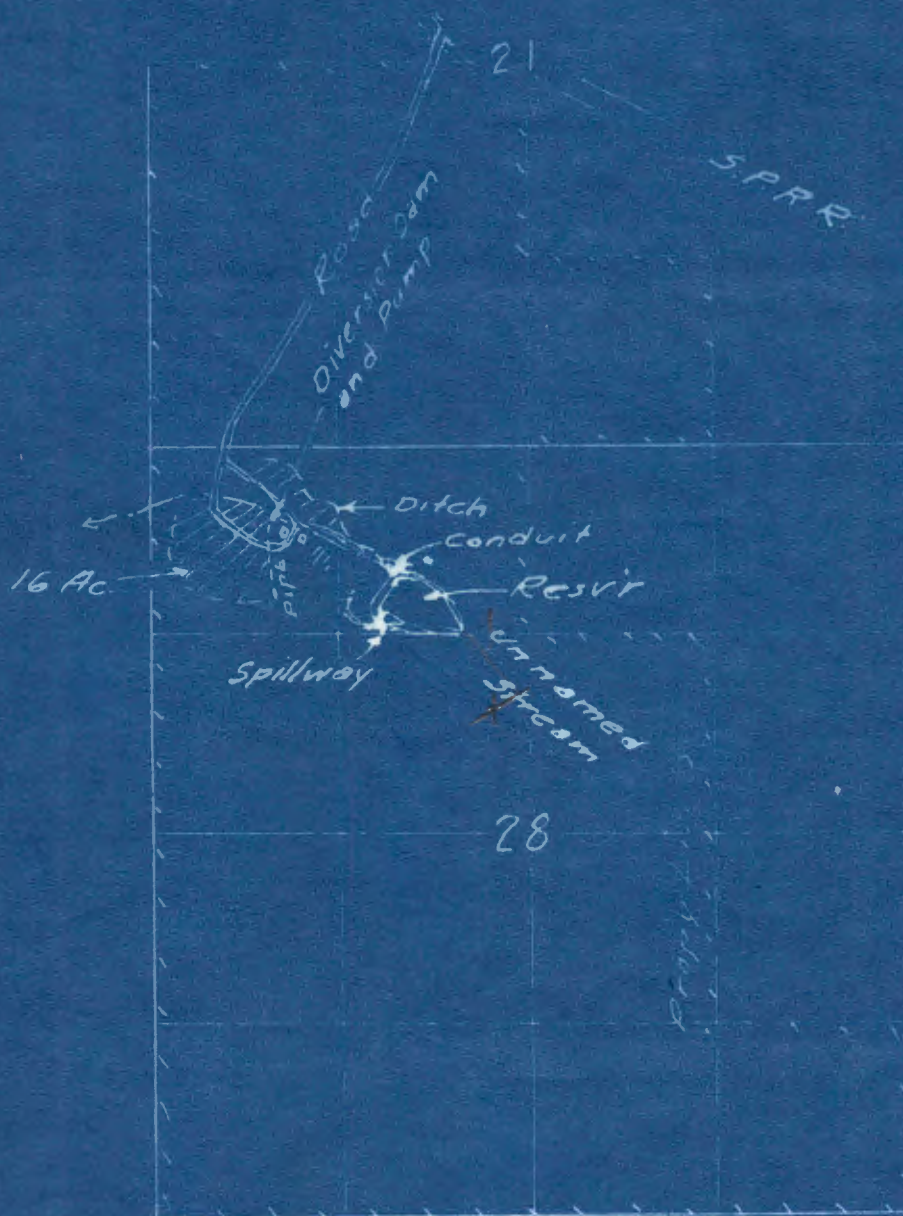
T.35S. R.6W. W.M.



**FINAL PROOF SURVEY
UNDER**

R-43931 R-5062
43932 32855
R-39284 R-3945
Application No. 39285 Permit No. 29349
IN NAME OF
DR. SAMUEL WERNER

Surveyed April 22 1974, by L. E. Gould
Inspection September 28, 1982 by S. James E.T. 1



T. 35 S., R. 6 W., W. M.
 Scale 4" = 1 Mile July 1954
 Inspectors Sketch Map
 (Subject to Survey) P-17447
 R-1036

June 8, 1973

R-24336
24337

R-39284
39285

R-43931
43932

Attig and Zimmerlund, Engineers
P. O. Box 339
Regue River, Oregon 97537

Copy

Dear Mr. Zimmerlund:

Would you please confirm that you are the construction engineer for the completion of the Doctor Warner Reservoir?

Advise of your proposed construction schedule.

Very truly yours,

A. M. PETSKA
Engineer

AMP:gb

cc: Doctor Warner
Robert D. Steiner, Watermaster

December 19, 1972

Attig and Zimmerlund, Engineers
P. O. Box 339
Rogue River, Oregon 97537

R-43931
43932

Copy

Dear Mr. Zimmerlund:

I have enclosed copies of recent correspondence concerning the Doctor Werner Projects.

I hope to meet with you next week and further explain our requirements, and will advise in advance.

Very truly yours,

A. M. PETSKA
Engineer

AMP:gb

Enc.

CC: Dr. Samuel Werner

PHONE: 582-1466



STATE ENGINEER

WATER RESOURCES DEPARTMENT

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-3739

TOM McCALL
GOVERNOR

December 7, 1972

CHRIS L. WHEELER
State Engineer

File No.

R-24336
24337
R-39284
39285
R-43931
43932

Chickering and Associates
1190 West Seventh Avenue
Eugene, Oregon 97401

COPY

Attention: Mr. Chickering

Dear Sir:

This is to confirm our telephone conversation of December 6, 1972, regarding the Doctor Samuel Werner Project in Joseph County, and I have enclosed a copy of the letter to Doctor Werner of November 29, 1972.

As I indicated, it will be necessary that complete plans and certified reports be prepared by a registered, professional engineer covering the "as constructed" projects of Doctor Werner. This applies to those structures that are more than ten feet in height and impound more than 9.2 acre feet of water.

As I further indicated, we have no reservations to this survey being completed by aerial methods provided its accuracy is of first order.

I plan to be in the Grants Pass area sometime during the week of December 11 to 15, and I am tentatively planning on Wednesday the 13th. I will make firm appointments with you on Monday, December 11 by telephone.

Very truly yours,

A. M. PETSKA
Engineer

AMP:gb

Enc.

CC: Dr. Samuel Werner
Watermaster - Robert Steimer



STATE ENGINEER

WATER RESOURCES DEPARTMENT

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-3739

TOM McCALL
GOVERNOR

CHRIS L. WHEELER
State Engineer

November 29, 1972

File No. R-43931
39284
24336

Dr. Samuel Werner
Merlin Sanitarium
Merlin, Oregon

Dear Doctor Werner:

This is to confirm our telephone conversation of November 21, 1972 after my inspection of your reservoirs. I was quite surprised to find that you have built five reservoirs where only two are supposed to exist. As I advised you, it will be necessary that you file applications and supporting data for these reservoirs. Also, there will be further data required on your larger reservoir now under construction. For purposes of this discussion, I have numbered the reservoirs from one to five, and will identify them by their relative location, and advise you of our requirements on each.

Number One: This reservoir is covered by State Engineer's permit R1036, and State Engineer's certificate 22125. This dam is located immediately down stream of your residence and impounds 31.5 acre feet of water for irrigation. In the past, we have had discussions regarding the use of flash-boards. Reference my letter of May 25, 1966, and I repeat, "To provide the necessary hydraulic capacity, flash-boards are to be removed November 1 and are not to be installed until March 15 of the following year," and then the requirements as stipulated in my letter of May 25, 1966, are to be followed.

Number Two: This reservoir is covered by State Engineer's Permit R5062 and this permit is for 60 acre feet of storage for supplemental irrigation and fire protection. The permit further stipulates that the dam is to be built under the supervision of a registered, professional engineer. Plans and specifications were prepared by Tom R. Pearce, approved by the State Engineer, and Mr. Pearce indicated he would be supervising construction.

COPY

Dr. Samuel Werner
November 29, 1972
Page Two

The project "as constructed" deviates from the approved plans and specifications. Most of these deviations were approved by our office, with the stipulation that at the completion of construction, as built plans and certified engineers report would be required. Therefore, before the structure can be approved for the storage of water, it will be necessary that you submit "as constructed" drawings prepared by a registered, professional engineer. These drawings should accurately portray the structure you have built, complete in all details. Furthermore, the configuration of the reservoir basin has been altered by excavation to such a degree that the reservoir portrayed by the approved plans does not represent the structure that now exists. Therefore, a new topographical map is required with areas and capacity curves compiled therefrom. This map is to be of first order precision with a contour interval that accurately represents the topography. A report prepared and signed by your engineer attesting to the adequacy of the structure and appurtenances will accompany these drawings. This report will include a compilation of all tests by the engineer.

At the time of the inspection, I noted that a valve had been placed on the downstream of the conduit. This valve is to be removed.

Numbers Three, Four and Five: These reservoirs are located immediately below reservoir number two and none have benefit of State Engineer permits, nor has any application for permit been filed with this office. If you intend to utilize these structure to impound water, it will be necessary that you obtain State Engineer's permits prior to storage. Measurements made at the time of the inspection indicated that two of these three structures are over the statutory limits, and complete engineer drawings and a completion report as outlined, will be required. For your convenience in making these filings, I have enclosed three applications for permit to construct a reservoir and three applications for permit for appropriating water, together with the rules and regulations of the State Engineer.

If you will advise the name of your engineer, I will arrange an appointment to meet with him and yourself at the site to forth advise our requirements.

Very truly yours,

A.M. PETSKA
Engineer

AMP:gb
Enc.
cc: Watermaster

RE: R-39284
39285

March 26, 1970

Dr. Samuel Werner
Merlin,
Oregon 97532

Dear Dr. Werner:

Your permit number R-3945 describes the construction of reservoir number one and storage of 9.0 acre feet of stored water from an unnamed stream. This reservoir is reported completed although it is included in the area of the larger reservoir under a later permit.

Permit number 29349 describes the appropriation of 9.0 acre feet of stored water in the reservoir for supplemental irrigation of 16.0 acres and primary irrigation of 5.0 acres. The time limit to complete the use of water under this permit is October 1, 1969, and no completion notice was submitted so our certified letter dated February 3, 1970, was sent.

If you completed the irrigation of 16.0 acres having an earlier right and the primary irrigation of 5.0 acres from water stored in a reservoir prior to the construction of the new reservoir you should submit notice of this. There is an earlier right for the irrigation of 16.0 acres and we are only concerned here with the use of the 9.0 acre feet of water stored in reservoir number three as initially constructed. If no use of the stored water when reservoir number three was made the permits should be canceled.

Very truly yours,

Trevor Jones
Assistant

TJ:mfb

cc Robert B. Steimer, Watermaster
525 N. W. 5th Street
Grants Pass, Oregon 97526



**STATE
ENGINEER**

WATER RESOURCES DEPARTMENT

RECEIVED
FEB 10 1970
STATE ENGINEER
SALEM, OREGON

525 NW 5th ST. • • GRANTS PASS, OREGON • • 97526 • • Ph. 476-6828

TOM McCALL
GOVERNOR

CHRIS L. WHEELER
State Engineer

February 9, 1970

FILE NO.

Chris L. Wheeler
State Engineer
Salem, Oregon

43931

Att: Trevor Jones, Asst.

Dear Mr. Jones:

Dr. Samuel Werner called me concerning a mimeographed letter he received from you. It referred to file 39285, permit 29349 and indicated that complete application of water was to have been made by October 1, 1969 from a reservoir source.

Dr. Werner says as far as he knows his new reservoir filing is in excess of 100 a.f. and this must be something left over from an older filing on a 9 a.f. reservoir and is probably no longer valid. He said they used water for the garden but he is under the impression that this is on an older water right and not on this one. He asked me if I would write to you and let you know about this permit.

Very truly yours,

Robert B Steimer

Robert B. Steimer
Watermaster, Dist. #14

RBS:dc

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

53857

INSURED NO.

DATE DELIVERED

1

Dr. Samuel Werner

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Fred Swederosky

3

SHOW WHERE DELIVERED *(only if requested)*

2-5-70

MFB 39285

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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

POSTMARK OF
DELIVERING OFFICE

MERTON
FEB 5
AM
1970

RETURN
TO

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

NAME OF SENDER

**CHRIS L. WHEELER
STATE ENGINEER
SALEM. OREGON**

STREET AND NO. OR P.O. BOX

CITY, OFFICE, STATE, AND ZIP CODE

c55-16-71548-10

811 Apr. 1967

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

54172

1

DR. SAMUEL W. KATZ

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

3

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

1-31-69



STATE OF OREGON

STATE ENGINEER
WATER RESOURCES DEPARTMENT
516 PUBLIC SERVICE BUILDING
SALEM 97310

REFER TO
FILE NO. 39285

February 3, 1970

Dr. Samuel Werner
Merlin
OR 97532

Dear Dr. Werner:

According to the terms of your permit No. 29349, for the appropriation of 9.0 acre feet of stored water only from a reservoir for irrigation,

complete application of water was to have been made by October 1, 1969.

Complete application of water means the application of water to beneficial use under the permit to the full extent intended. In the case of irrigation, it means beneficial irrigation of all the lands the permittee intends to cover under the terms of the permit. If water has been used, you should promptly submit notice describing the extent of completion as set forth in the letter accompanying your permit and also in our postal card of October 28, 1969.

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

In accordance with the provisions of ORS 537.260, you are hereby notified that unless proof of beneficial use is received within 60 days from the date of this letter, the permit(s) may be canceled without further notice.

If for any reason you are no longer interested in the project described by the permit, we would appreciate it if you would so advise. If the property involved has changed hands and any part of the project has been completed, you should immediately assign the permit to the new owner and advise us of his name and address. An assignment form will be furnished upon request.

Very truly yours,

CHRIS L. WHEELER
State Engineer

Form 100
Certified
Return receipt requested
mfb

R-39284
39285

July 30, 1969

Dr. Samuel Werner
Merlin
Oregon 97532

Dear Dr. Werner:

I apologize for the delay in responding to your application for extension of time to complete the use of water under permit 39349. The application also lists permit R-3495 but the record indicates that the reservoir described in this permit was completed and the enlargement is under permit R-5062. A fee of \$5.00 was submitted for one permit and our receipt No. 13185 covering this is enclosed.

Considering the small size of the project and only five acres of primary irrigation with the balance irrigated under a previous right, it is questionable that reasonable diligence can be shown in carrying out the project. However, because storage was restricted for construction of the enlargement, the time limit to complete the application of water under permit 29349 will be extended, to October 1, 1969.

Also acknowledged is the notices of beginning of construction in connection with permits R-5062 and 32855. Under the terms of these permits, construction must be completed by October 1, 1970.

Very truly yours,

Trevor Jones
Assistant

TJ:slh

Enclosure

RECEIVED
FEB 10 1969

STATE ENGINEER Application No.
SALEM, OREGON

Application for Extension of Time

R-39284
39285

To the State Engineer of Oregon:

I, Samuel Werner, of Merlin, Oregon 97532
state of Oregon, am the owner and holder of Permit No. R-3945 & 29349, 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, 1967, 19 , and complete application of water is required to be
made on or before October 1, 1968.

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

Cleared dam site, and raised hight of dam to comply with permit #R-5062
Installed conduit with valve

and did the following work prior to last year: cleared ground and moved earth

costing \$ 5000⁰⁰, and I estimate the cost of completion to be \$ 5000⁰⁰.

I have heretofore used water under said permit to the following extent: Pumped from creek
which is fed by the water in question to irrigate a portion of the land and
also the water is available in case of fire

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: Construction site involved is covered by permit number R-5062 and work
has not been completed, and it necessitates a relocation of the conduit
to the area to be irrigated.

I hereby request another year extention.

\$5.00 FEE PAID

REC. NO. 13185

DATE 2-10-69

(If additional space is required, attach separate sheet)

(A fee of ~~5.00~~ for each permit involved must accompany this application.)

(OVER)

7838
29349
only

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

{ ~~completion of construction work~~ } under said permit to Feb. 7, 1970
{ complete application of water }
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon
County of Josephine } ss.

I, Samuel Werner, 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 7th day of February, 1969.

Subscribed and sworn to before me this 7th day of February, 1969.

[Notarial Seal]

Samuel Werner
Muriel Y. Finley
Notary Public for Oregon

My commission expires MURIEL Y. FINLEY, NOTARY PUBLIC
My Commission Expires Feb. 17, 1971



STATE OF OREGON

STATE ENGINEER
WATER RESOURCES DEPARTMENT
516 PUBLIC SERVICE BUILDING
SALEM 97310

January 30, 1969

R-39284
REFER TO
FILE NO. 39285

Dr. Samuel Werner
Merlin
Oregon 97532

Dear Sir:

According to the terms of your permit No.s R-3945 & 29349 which is for the storage of 9.0 a.f. and the appropriation of 9.0 a.f. from Reservoir #3 for the irrig. & supplemental irrig. of 21.0 acres & fire protection; being 8.0 a.f. for irrig. & supplemental irrig. & 1.0 a.f. for fire protection complete application of water was to have been made by October 1, 1968.

Complete application of water means the application of water to beneficial use under the permit to the full extent intended. In the case of irrigation, it means beneficial irrigation of all the lands the permittee intends to cover under the terms of the permit. If water has been used, you should promptly submit notice describing the extent of completion as set forth in the letter accompanying your permit and also in our postal card of October 2, 1968.

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

In accordance with the provisions of ORS 537.260, you are hereby notified that unless proof of beneficial use is received within 60 days from the date of this letter, the permit(s) may be canceled without further notice.

If for any reason you are no longer interested in the project described by the permit, we would appreciate it if you would so advise. If the property involved has changed hands and any part of the project has been completed, you should immediately assign the permit to the new owner and advise us of his name and address. An assignment form will be furnished upon request.

Very truly yours,

Chris L. Wheeler
CHRIS L. WHEELER
State Engineer

Form 100
Certified
Return receipt requested
ks

R-39284
39285

April 16, 1968

Dr. Samuel Werner
752 N.W. 6th Street
Grants Pass, Oregon 97526

Dear Dr. Werner:

This will acknowledge your application for an extension of the time limits in which to complete construction under the terms of your permit No. R-3945 and complete construction and make complete application of water under the terms of your permit No. 29349 and your check in the amount of \$5.00 for which our receipt No. 8490 is enclosed.

The application indicates reasonable diligence has been exercised toward completion of the proposed project; therefore, the time limits to complete construction under the terms of permit No. R-3945 and complete construction and make complete application of water under the terms of permit No. 29349 are being extended to October 1, 1968.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones
Assistant

slh

Enclosure

R-39284
39285

April 11, 1968

Dr. Samuel Werner
752 N.W. 6th Street
Grants Pass, Oregon 97526

Dear Dr. Werner:

I should have looked more closely at the application you submitted for extension of the time limits under permits numbered R-3945 and 29349 when you were in this office last week. The application only lists permit 29349, but the application is obviously in reference to permit R-3945 as well. It is permissible to include both permits on one application, but for each permit we require the fee of \$5.00. I did not notice when you were in that the fee had only been paid for one permit.

If you will submit the additional fee of \$5.00, proper action will be taken on the application. Our receipt No. 7118 covering the \$5.00 you submitted is enclosed.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones
Assistant

TJ:slh

Enclosure

RECEIVED
DEC 20 1967
STATE ENGINEER
SALEM, OREGON

Application No. 39285

Application for Extension of Time

To the State Engineer of Oregon:

I, Samuel Werner, of Grants Pass, Oregon,
state of Oregon, am the owner and holder of Permit No. 29349, 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 67.

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

Constructed portion of dam, with compaction of base and sealing off underground
water by means of deep trench and filling with clay material, and also filling
and compacting bottom of reservoir with clay material after first having
removed top soil and silt. Instilling conduit with temporary valve.
Also application pending for a larger dam to impound more water at same site

and did the following work prior to last year: Cleared brush,

costing \$ 3,000, and I estimate the cost of completion to be \$ 4,000.

I have heretofore used water under said permit to the following extent: supplimental
irrigation on N.W. 1/4 of N.W. 1/4 Section 28 T35 S. R6 W. 10M

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

reasons, to wit: Have application pending for your reconsideration for larger dam

(If additional space is required, attach separate sheet)

\$5.00 FEE PAID

(A fee of ~~50~~ for each permit involved must accompany this application.)

REC. NO. 7118

(OVER)

DATE 12-20-67

3943

\$5.00 FEE PAID

REC. NO. 8490

DATE 4-15-68

Application for Extension of Time

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

{ completion of construction work }
{ complete application of water } under said permit to ~~29342~~ October 1, 1968.
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF OREGON
County of Josephine } ss.

I, Samuel Werner, 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 19th day of December

19 67.

Samuel Werner

Subscribed and sworn to before me this 19th day of December, 1967.

[Notarial Seal]

Grace Troth

Notary Public for Oregon

My commission expires June 24, 1968



STATE OF OREGON

STATE ENGINEER

WATER RESOURCES DEPARTMENT

516 PUBLIC SERVICE BUILDING

SALEM 97310

December 13, 1967

REFER TO
FILE NO.

39285

Samuel Werner, M.D.
752 N. W. 6th Street
Grants Pass, Oregon 97526

Gentlemen:

Pursuant to your request I am enclosing a form for use in making application for an extension of time limits under permit No. 29349.

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 \$5 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

py

SAMUEL WERNER, M. D.
PHYSICIAN AND SURGEON
752 N. W. 6TH STREET
GRANTS PASS, OREGON

RECEIVED
DEC 11 1967
STATE ENGINEER
SALEM OREGON

Grants Pass, Oregon.

December 8, 1967.

Chris L. Wheeler, State Engineer,
Salem, Oregon.

Dear Sir:

Re; Permit #29347
App. No. 39285

Because of circumstances and the new proposed dam
I would like to extend the above permits.

Very truly yours,

Samuel Werner M.D.

Wheeler

December 16, 1966

Dr. Samuel Werner
Merlin, Oregon

Dear Dr. Werner:

Mr. Steimer recently contacted me regarding your upper reservoir and advised that it is your intention to increase the size of this reservoir to approximately 60 acre feet which would involve raising the dam approximately 20 feet. As I recall, from an inspection last spring, this structure was not too well constructed. Seepage was flowing below the structure and a rather large tree had been incorporated in the fill.

Mr. Steimer advises that you have done some work to cut off this seepage. If it is your intention to, at some future time, enlarge this structure to a height that requires plans and specifications, I would suggest that you do any remedial construction under the supervision of a registered professional engineer so that there can be no doubt in his mind as to the conditions that were encountered or corrected. If you intend to have this work accomplished by the Soil Conservation Service, I would imagine that they too would like to supervise or be aware of conditions that you have encountered.

I would like again to reiterate that if you intend to enlarge this structure, it will be necessary that applications for this enlargement be made with the State Engineer and a permit received from the State Engineer before any enlargement construction is initiated. It will further be necessary that plans and specifications be submitted and the construction be supervised by a registered professional engineer or an authorized representative of the Soil Conservation Service or other Federal agency. Engineers from this office would be available to work with your engineer to insure compliance with state requirements.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
A. M. Petska
Engineer

AMP:sh

cc: Robert B. Steimer

December 7, 1966

Dr. Samuel Werner
Merlin
Oregon

Dear Dr. Werner:

It is evident from your letter dated November 28, 1966, that construction to store and make use of water under your permits No. R-3945 and 29349 has not been completed. The time limit to complete construction under both permits is October 1, 1966. In order to consider construction complete under the reservoir permit R-3945 you must complete the dam and store water to its intended capacity. In order to consider construction complete under permit 29349 you must complete the necessary facilities to irrigate the land intended. If you have made reasonable progress on this project you could make application for an extension of the time limit to complete construction. I am enclosing the proper forms for your use. These forms must be filled out in sufficient detail to describe what has been done and what remains to be done.

If your reference to build the dam higher to impound more water means that you intend to go beyond that described in your application and impound more than 9.0 acre feet of water, you should make application for a new permit and submit plans prepared by your engineer.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones
Assistant

TJ:hl
Enclosures

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

REFER TO R-39284
FILE NO. 39285

May 27, 1965

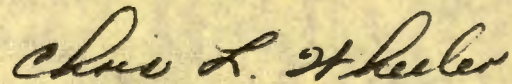
Dr. Samuel Werner
Merlin,
Oregon

Dear Dr. Werner:

This will acknowledge the notice of beginning of construction under the terms of permit No. R-3945 and 29349.

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, 1966.

Very truly yours,



CHRIS L. WHEELER
State Engineer

Form 118

pj

R-39284
39285

May 26, 1964

Dr. Samuel Werner
Merlin
Oregon

and 29349 with blueprint.

R-39284, 39285, permit Nos. R-3945

March 19, 1964

Dr. Samuel Werner
Merlin
Oregon

Dear Doctor Werner:

This will acknowledge receipt of recording fees in the sum of \$10 to accompany your application numbered 39285. Our receipt numbered 344 is enclosed.

Your applications numbered R-39284 and 39285 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

egw

Enclosure

March 4, 1964

Dr. Samuel Werner
Merlin
Oregon

Dear Doctor Werner:

This will acknowledge your reply to our letter of February 21, 1964, regarding the legal description of lands upon which water is to be used under the terms of a permit issued in approval of your application numbered 39285.

If you are the legal owner of all of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, Township 35 South, Range 6 West, as you have indicated, the legal description which you have submitted is satisfactory.

Upon review of your application, it is noted that you propose to appropriate one acre foot of water from storage for fire protection. This will require an additional recording fee in the sum of \$10. We may proceed toward approval of your applications numbered 39284 and 39285 upon the receipt of the additional recording fee.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Walter N. Perry, Assistant

WNP:egw



STATE OF OREGON

STATE ENGINEER
WATER RESOURCES DEPARTMENT
516 PUBLIC SERVICE BUILDING
SALEM 97310

REFER TO
FILE NO. 39285

February 21, 1964

Dr. Samuel Werner
Merlin
Oregon

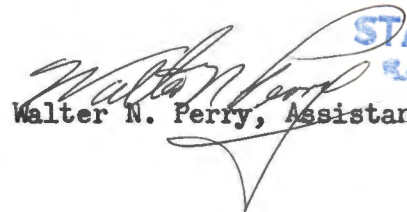
Dear Doctor Werner:

Upon review of the files in this office, it is noted that your applications numbered R-39284 and 39285 are being held without action pending receipt of a legal description of the property upon which you propose to use water under the terms of permits issued in approval of your applications. If you will submit a legal description of your property copied word for word from the deed, abstract, title insurance policy, or sales contract, we may proceed toward approval of your application by issuance of permits.

If we do not receive the description within ten days from the date of this letter, it will be necessary that we return your applications to you for completion by submission of the requested legal description.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By 
Walter N. Perry, Assistant

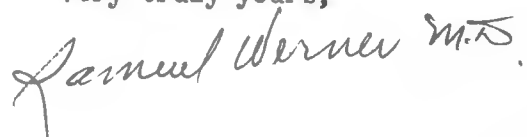
RECEIVED
FEB 23 1964
STATE ENGINEER
SALEM, OREGON

WNP:egw

Dear Sir:

I filled in the above information a few weeks ago after you returned the above application. It should be on file in your office. The legal description on which the water is to be used for the proposed dam is on the north west quarter of the northwest quarter of section 28. township 35 south range 6 west in Josephine county in state of Oregon.

Very truly yours,

 M.D.

February 21, 1964

Dr. Samuel Werner
Merlin
Oregon

Dear Doctor Werner:

Upon review of the files in this office, it is noted that your applications numbered R-39284 and 39285 are being held without action pending receipt of a legal description of the property upon which you propose to use water under the terms of permits issued in approval of your applications. If you will submit a legal description of your property copied word for word from the deed, abstract, title insurance policy, or sales contract, we may proceed toward approval of your application by issuance of permits.

If we do not receive the description within ten days from the date of this letter, it will be necessary that we return your applications to you for completion by submission of the requested legal description.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Walter N. Perry, Assistant

WNP:egw

January 22, 1964

Dr. Samuel Werner
Merlin
Oregon

Dear Doctor Werner:

This will acknowledge receipt of your returned application numbered 39285 which has been re-examined and appears to have been completed in satisfactory form.

It is noted, however, that you did not submit a legal description of the property upon which the water is to be used. Please submit a copy of the legal description of your property copied word for word from your deed, abstract, title insurance policy, or sales contract. We may then proceed toward approval of your applications numbered R-39284 and 39285.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Walter N. Perry, Assistant

WNP:egw

January 10, 1964

Dr. Samuel Werner
Merlin
Oregon

Dear Doctor Werner:

Since we have not received a reply to our letter of December 11, 1963, in which we requested that you submit a legal description of the property upon which the water is to be used under your application numbered 39285, we are returning the application for completion by submission of this information. We also requested a description of the equipment and provisions which will be made for use of the water for fire protection.

Application numbered 39285 has been endorsed so that in order to retain its date of priority, it must be returned to this office on or before March 10, 1964.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Walter N. Perry, Assistant

WNP:egw

Enclosure

December 11, 1963

Dr. Samuel Werner
Merlin
Oregon

Dear Doctor Werner:

This will acknowledge receipt of two applications; one for a permit to construct Reservoir No. 3 for the storage of 9 acre feet of water from an unnamed stream for irrigation and fire control, and one for a permit to appropriate 8 acre feet of water from Reservoir No. 3 for the irrigation of 21 acres, the accompanying map, small dam description, and fees in the sum of \$30 for which our receipts numbered 40404 and 40405 were handed to you.

Your applications have been examined and filed under file numbers R-39284 and 39285. Upon examination of your applications, it is found that we do not have in our records a legal description of the property upon which the water is to be used. It is requested that you supply us with a copy of your legal description copied word for word from your deed, abstract, title insurance policy, or sales contract.

During the filing of your applications, I recall that we discussed the use of water for fire protection purposes and the facilities that would be provided in connection with this use. It seems that we failed to put this information in writing so that it would be a part of the application. It is requested that you advise by letter of the provisions which will be made for actual use of the water for fire protection purposes. You should list any pumps that will be maintained on a stand-by basis, whether or not an access road will be built to allow pumper trucks to take water from the reservoir, and any other features of your project which would apply to this use.

We will withhold further action on your applications pending your reply.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Walter N. Perry, Assistant

WNP:egw

Application No. R-39284, 39285
 Permit No.

Supposed

Sec 28

28

pitch
 Pipe
 Res.

16:10 Bopp.
 5:10 Runway



Sec. 21

T203.355
 R. 6 in W

4" = 1 mile

STATE OF OREGON

COUNTY OF

JOSEPHINE

RECEIVED

MAR 13 1986

WATER RESOURCES DEPT
SALEM, OREGON

Proof of Appropriation of Water

SAMUEL WERNER

of 752 NW 6th Street, Grants Pass, State of OR 97526,
has applied beneficially the waters of
Werner Reservoir, constructed under Permit No. R-3945

a tributary of Ewe Creek for the purpose of
irrigation of 5.0 acres, supplemental irrigation of 16.0 acres, and fire
protection
under Permit No. 29349 and that the use of said waters has been completed under the
terms of said permit; that the priority of the right dates from

December 4, 1963

that the amount of water for the purposes aforesaid, has been actually beneficially used in the
amount of

9.0 acre-feet stored water only; 8.0 a.f. for irrigation and supplemental
irrigation and 1.0 a.f. for fire protection

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 NW 1/4, Section 28, T35S, R6W, WM;
1700 feet South and 2340 feet East from the NW corner Section 28.

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 ~~of one cubic foot per second~~
~~per acre,-----~~ a diversion of not to exceed 4.5 acre-feet per acre for
each acre irrigated during the irrigation season of each year,

and shall
conform to such reasonable rotation system as may be ordered by the proper state officer.

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

PRIMARY

4.9 acres NW 1/4 NW 1/4
0.1 acre SW 1/4 NW 1/4

SUPPLEMENTAL

16.0 acres NW 1/4 NW 1/4
Section 28
Township 35 South, Range 6 West, WM

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 11th day of March.

1986

Samuel Werner.

STATE OF OREGON,

County of Josephine

} ss.

FORM NO. 23 — ACKNOWLEDGMENT
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

BE IT REMEMBERED, That on this 11 day of March, 19 86,
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within
named Samuel Werner

known to me to be the identical individual.... described in and who executed the within instrument and
acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.

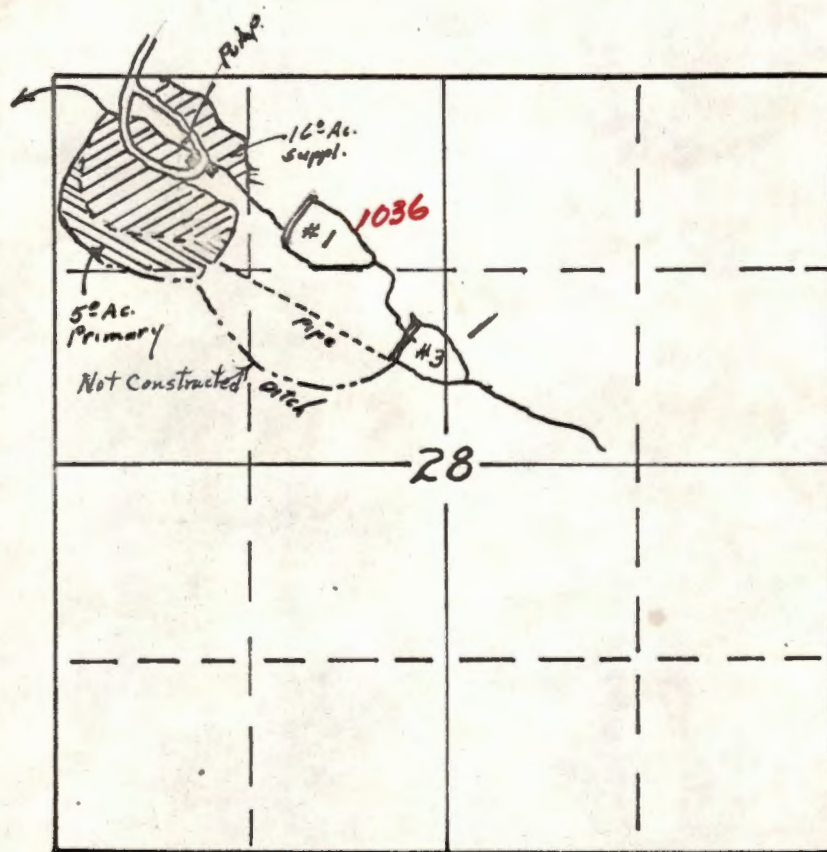
JOYCE ARNOLD
NOTARY PUBLIC - OREGON

My Commission Expires _____

Joyce Arnold
Notary Public for Oregon.
My Commission expires 9/2/89

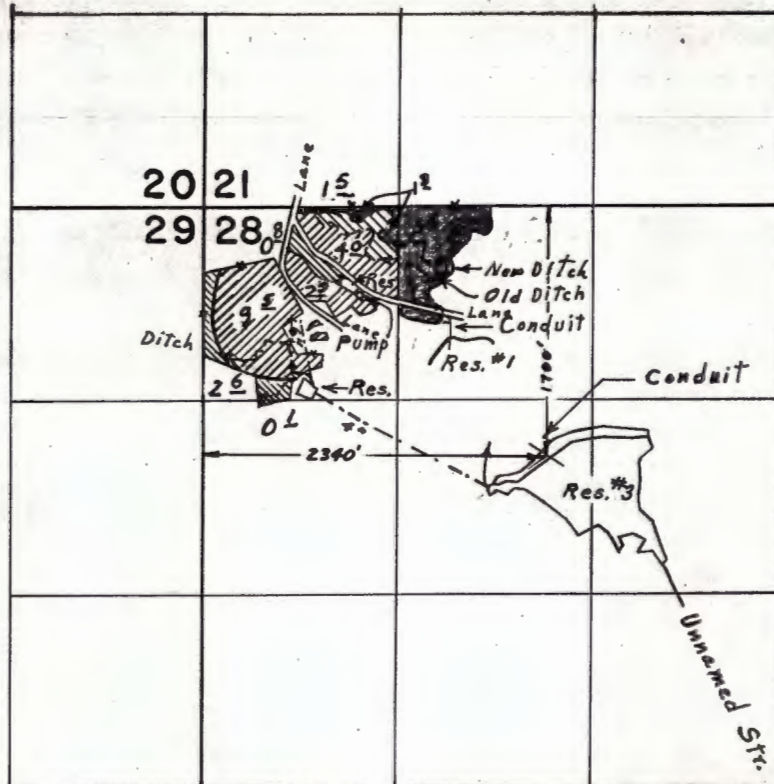
Twp 35 South, Range 6 West.

scale 4" = 1 mile



Application No. R-39284, 39285
Permit No. R-3945, 29349

T.35S. R.6W. W.M.



PRIMARY
 SUPPLEMENTAL } PERMIT 29349

*irrigation of 5.0
9.5 acres*

**FINAL PROOF S
UNDER**

R-43931

43932

R-39284

Application No. 39285 Permi

IN NAME OF

DR. SAMUEL WEI

Surveyed April 22 1974, by ..

Inspection September 28, 1982 by

limited to

*of one -- etc white out or its
equivalent for each acre irrig. & shall be limited to
a diversion of not to exceed*

*also address
NW 6th
change equipment*

700

Page 15, Vol.

Info: Mrs. S. Werner, Mr. Charles Werner
also Mrs. Samuel Werner

Div. Pt.: Water is let out from Res. #3 & runs
(Through Res. #1)
down str. to a pond. Pond approx. 30' x 100' x 10' Deep
Note: Water also runs through 4" A.B.S. from Res. #3 to Pond Near S. Field.

Pump: $7\frac{1}{2}$ H.P. G.E., 1 phase, 3480 R.P.M.

Dir. Dr. Berkeley Cent. $2\frac{1}{2}" \times 2"$

Pipe: ~~200'~~ 4" P.V.C. 500' 3"-1" Plastic
700' 6" " (Underground)
500' 4" Alum. Lawns around
500' 3" " Sanitarium
200' 2" "
1400' 4" A.B.S.

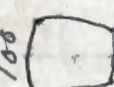
Heads: 12 R.B. # 30 - $\frac{3}{16} \times \frac{3}{32}$ 7 Buckner 185 - $\frac{3}{16}$

All 12 R.B. operate at 1 time max. or

50 Homart - $\frac{1}{8}$

All 50 Homart

" " " "

A 1400' 4" A.B.S. pipe runs from Res. #3 to
a pond located above Southernmost field. A 6"
P.V.C. pipe leads from this pond  to 700'
Westward & is used to let water 100' into
ditch system or sprinkler system for irrigating
the S. field.

Use: Irrig., Supp. Irrig. & Fire Protection.

Fire protection: Above mentioned 6" P.V.C.

pipe supplies 1 Fire Hydrant in front of Sanitarium,
also Res. #3 supplies water for Helicopter for U. S. & State
Forest Service.

Loc: To N.W. Cor. Sec. 28 (1. R.)

April 19, 1974, D. E. Gould
Field Engineer

Note: It appears as though some of original 16.0 Acres is no longer irrigated.

STATE OF OREGON

COUNTY OF

JOSEPHINE

Proof of Appropriation of Water

SAMUEL WERNER

of 752 SW 6th Street, Grants Pass, State of OR 97526,
has applied beneficially the waters of
Werner Reservoir, constructed under Permit No. R-3945

a tributary of Ewe Creek for the purpose of
irrigation of 0.5 acres, supplemental irrigation of 16.0 acres, and fire
protection
under Permit No. 29349 and that the use of said waters has been completed under the
terms of said permit; that the priority of the right dates from

December 4, 1963
that the amount of water for the purposes aforesaid, has been actually beneficially used in the
amount of
9.0 acre-feet stored water only; 8.0 a.f. for irrigation and supplemental
irrigation and 1.0 a.f. for fire protection

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 NW 1/4, Section 28, T35S, R6W, WM;
1700 feet South and 2340 feet East from the NW corner Section 28.

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 ----- of one cubic foot per second
per acre, or its equivalent for each acre irrigated and shall be
further limited to a diversion of not to exceed 4.5 acre-feet per acre for
each acre irrigated during the irrigation season of each year,

and shall
conform to such reasonable rotation system as may be ordered by the proper state officer.

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

PRIMARY

4.9 acres NW 1/4 NW 1/4
0.1 acre SW 1/4 NW 1/4

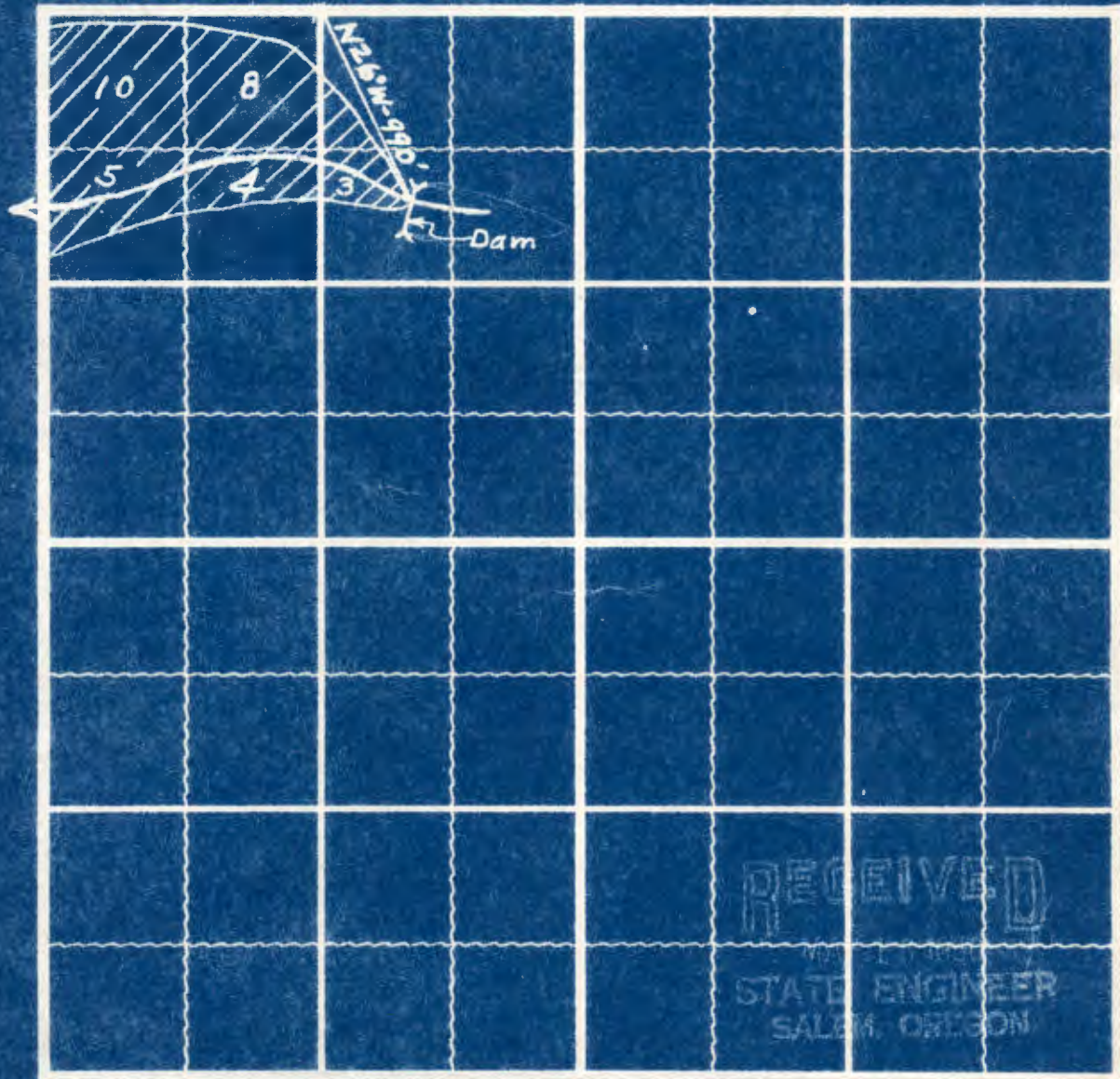
SUPPLEMENTAL

16.0 acres NW 1/4 NW 1/4
Section 28
Township 35 South, Range 6 West, WM

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 day of,
19.....

Sec. 21 Twp. 35 S R. 6 W, W.M.



RECEIVED
MAY 1 1947
STATE ENGINEER
SALEM, OREGON

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 NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21, T35S, R6W, W.M.				
8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ " " " " "				
5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ " " " " "				
4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ " " " " "				
3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ " " " " "				

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

Ray N. Bruden
Registered Engineer No. 2016

Application No. 24337
Permit No. E-1036
19447

*APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Samuel Werner,
 of Merlin, Oregon,
 State of Oregon, do hereby make application for a permit to appropriate the following described public waters of the State of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation

1. The source of the proposed appropriation is Proposed dam #3
 a tributary of Ewe Creek watershed
2. The amount of water which the applicant intends to apply to beneficial use is 9 acre feet
 cubic feet per second.
3. The use to which the water is to be applied is Irrigation + fire protection
8 cfs for irrigation 1 acre foot for fire protection
4. The point of diversion is located 2340 ft. E and 1840 ft. S from the N.W.
 corner of Sec. 28

1540 Westwardly direction 10 degrees northwardly direction
 (If preferable, give distance and bearing to section corner)

- being within the SE 1/4 of NW 1/4 of Sec. 28 Tp. 35 S.
 R. 6 W. W. M., in the county of Josephine
5. The Pipe line or ditch on center to be 1540 feet
 in length, terminating in the NW 1/4 of NW 1/4 of Sec. 28 Tp. 35 S.
 R. 6 W. W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 12 feet, length on top 200 feet, length at bottom 180 feet; material to be used and character of construction Earth fill
wasteway around end of dam.
- (b) Description of headgate Steel Valve
- (c) If water is to be pumped give general description

*A different form of application is provided where storage works are contemplated.

**Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

Canal System or Pipe Line—

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(b) At miles from headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(c) Length of pipe, ft.; size at intake, in.; size at ft. from intake in.; size at place of use in.; difference in elevation between intake and place of use, ft. Is grade uniform? Estimated capacity, sec. ft.

8. Location of area to be irrigated, or place of use

Township North or South	Range E. or W. of Williamsburg Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
✓ 35 S	6 W.	28	NW 1/4 of NW 1/4	Supplemental to 16a and additional 5 also fire protection

(If more space required, attach separate sheet)

(a) Character of soil

(b) Kind of crops raised

Power or Mining Purposes—

9. (a) Total amount of power to be developed theoretical horsepower.

(b) Quantity of water to be used for power sec. ft.

(c) Total fall to be utilized feet.
(Head)

(d) The nature of the works by means of which the power is to be developed

(e) Such works to be located in of Sec.
(Legal subdivision)

Tp. R. W. M.
(No. N. or S.) (No. E. or W.)

(f) Is water to be returned to any stream?
(Yes or No)

(g) If so, name stream and locate point of return

..... Sec. Tp. R. W. M.
(No. N. or S.) (No. E. or W.)

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

10. (a) To supply the city of _____

(Name of)

County, having a present population of _____

and an estimated population of _____ in 19____

(b) If for domestic use state number of families to be supplied _____

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ _____

12. Construction work will begin on or before

Jan 1, 1964

13. Construction work will be completed on or before

Jan 1, 1965

14. The water will be completely applied to the proposed use on or before

Jan 1, 1966

Samuel Werner MD

(Signature of applicant)

Remarks: SEE File 24337

We propose to run a 4 inch plastic line, or run the ditch on a contour to an elevation located in ~~section~~ the west half of section 28, B35 S. R. 6 W. W.M. At the present we have a storage tank of 30,000 gallon, but propose to put a pond with possibly 100,000 gallon more or less. There is a six inch transite line to the existing building of Merlin Sanitarium below which there is a booster pump for automatic sprinkling system.

L.D. NW 1/4 NW 1/4 of Section 28, T35 S, R6 W, W.M.
see Ltr. (reply) Feb 21, 1964

STATE OF OREGON,

County of Marion,

{ 35.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before March 10, 1964.

WITNESS my hand this 10th day of January 1964.

RECEIVED
JAN 10 1964

CHRIS L. WHEELER

STATE ENGINEER

By

[Signature]

ASSISTANT

PERMIT

STATE OF OREGON,

County of Marion,

ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use 9.0 acre feet stored water only and shall not exceed ~~cubic feet per second~~ measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from a reservoir to be constructed under application No. R-39284, permit No. R-3945.

The use to which this water is to be applied is irrigation and supplemental irrigation and fire protection, being 8.0 acre feet for irrigation and supplemental irrigation and 1.0 acre foot for fire protection.

If for irrigation, this appropriation shall be limited to a diversion of 4½ acre feet ~~of available water per second or its equivalent~~ for each acre irrigated during the irrigation season of each year; 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.

The priority date of this permit is December 4, 1963

Actual construction work shall begin on or before May 1, 1965 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1966

Complete application of the water to the proposed use shall be made on or before October 1, 1967

WITNESS my hand this 1st day of May, 1964

Chris L. Wheeler

STATE ENGINEER

Application No. 39285

Permit No. 29349

PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 4th day of December, 1963, at 4:57 o'clock P. M.

Returned to applicant:

Approved:

May 1, 1964

Recorded in book No. 82 of

Permits on page 29349

CHRIS L. WHEELER

STATE ENGINEER

Drainage Basin No. 15 page 757

Fees 25.00