

Name JOHN G. WARD
By _____
Address 2043 De Moro St.
Klamath Falls, Oregon 97601

Date filed July 31, 1970
Priority July 31, 1970
Action suspended until OK Cut

Returned to applicant _____
Date of approval July 2, 1971

CONSTRUCTION

Date for beginning July 2, 1972
Date for completion October 1, 1973
Extended to _____

Date for application of water _____
Extended to _____

PROSECUTION OF WORK

Form "A" filed August 18, 1971
Form "B" filed June 16, 1972
Form "C" filed March 26, 1973

FINAL PROOF

Blank mailed May 6, 1975 MAR 14 1977
Proof received _____
Date certificate issued APR 13 1977

^{R-}
Application No. 47328
Permit No. R 5648
Certificate No. 44301
Stream Index, Page No. 15-36

FEES PAID

Date	Amount	Receipt No.
<u>7/31/70</u>	<u>20.00</u>	<u>20265</u>
<u>3-17-77</u>	<u>\$2 Cert. Fee</u>	<u>\$9130</u>

FEES REFUNDED

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

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
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REMARKS

Home Ranch Reservoir and storage of 1.0 af from Tyler Creek
for recreation and stock, and further limited to storage during
the period between November 1 and March 30 of each year being
0.8 af for recreation and 0.2 af for stock.

NOTICE OF BEGINNING OF CONSTRUCTION

I, JOHN GORDON WARD, the holder of Permit No. R-5648

appropriate the public waters of the state of Oregon, began the actual construction of the works described herein on the 15TH day of JULY, 1971.

Remarks: EXCAVATION FOR BASE OF DAM COMPLETED AND 7 CUBIC YARDS
The appropriator should state the manner of beginning construction work, number of men employed, the amount of work completed

STONE MASONRY HAVE BEEN LAID COMPRISING BASE AND APRON. WORK IS
the date of this statement, and any additional information which may tend to show the beginning of work in good faith.

CONTINUING ON THE BUTTRESSES.

IN WITNESS WHEREOF, I have hereunto set my hand this 9 day of AUGUST, 1971.

John G. Ward
(Signature of Applicant)

2043 Del Moro, Klamath Falls, ORE.
(Address)

Fill out, detach and mail to the State Engineer, Salem, Oregon 97310, when construction work is begun.

SP-44006-119

RECEIVED

AUG 13 1971

STATE ENGINEER
SALEM, OREGON

Form B

NOTICE OF COMPLETION OF CONSTRUCTION

Application No. R 47328

I, JOHN G. WARD, the holder of Permit No. R 5648

appropriate the public waters of the state of Oregon, completed the construction of the works described herein on the 10 day of JUNE, 1972

Remarks: NONE

If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you

state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 12 day of JUNE, 1972

John G. Ward
(Signature of Applicant)

2043 Del Moro, Klamath Falls, Ore.
(Address)

Fill out, detach and mail to the State Engineer, Salem, Oregon 97310, when construction work is completed.

RECEIVED

JUN 16 1972

STATE ENGINEER
SALEM, OREGON

Form C

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

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

Fill out, detach and mail to the State Engineer, Salem, Oregon 97310, when all of the water has been applied.

Application No. R 47328

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

JOHN G. WARD, the holder of Permit No. R 5648

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 22 day of MARCH, 1973

Remarks:

IN WITNESS WHEREOF, I have hereunto set my hand this 23 day of MARCH, 1973

John G. Ward
(Signature of Applicant)

2043 Del Moro, Klamath Falls, ORE
(Address)

RECEIVED

MAR 23 1973

STATE ENGINEER
SALEM, OREGON

STATE OF OREGON

COUNTY OF JACKSON

Proof of Appropriation of Water

JOHN G. WARD

of 2043 DelMoro St., Klamath Falls, State of Oregon, 97601, has
constructed a reservoir to store the waters of
Tyler Creek, tributary of Emigrant Creek in Home Ranch Reservoir

recreation and stock for the purposes of
under Reservoir Permit No. R-5648, and that the storage of said waters has been
completed within the terms of said Permit; that the priority of the right dates from

July 31, 1970

that the amount of water entitled to be stored each year under such right, for the purposes afore-
said, shall not exceed 1.0 acre feet, being 0.8 a.f. for recreation and 0.2 a.f.
for stock, being further limited to storage during the period between *
The reservoir is located in

SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 5
T. 40 S., R. 3 E., W. M.

*November 1 and March 30 of each year.

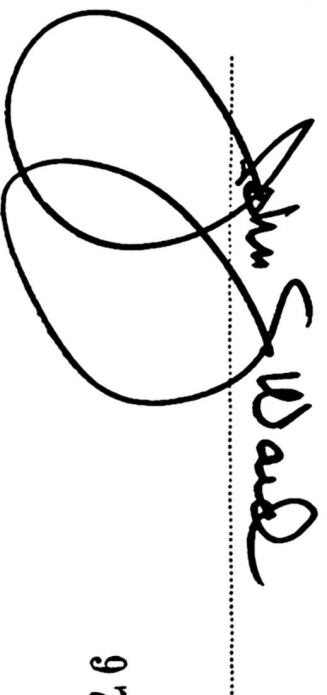
RECEIVED

MAY 17 1977

WATER RESOURCES DEPT
SALEM, OREGON

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 15th day of March,
1977.



MAP TO ACCOMPANY
APPLICATION OF JOHN G.
WARD TO STORE WINTER
RUNOFF FOR RECREATIONAL
PURPOSES AND STOCK
WATERING.

T 40 S R 3 E WM

SCALE: 1" = 400 FEET

RECEIVED

JUL 31 1970

STATE ENGINEER
SALEM, OREGON

RECEIVED

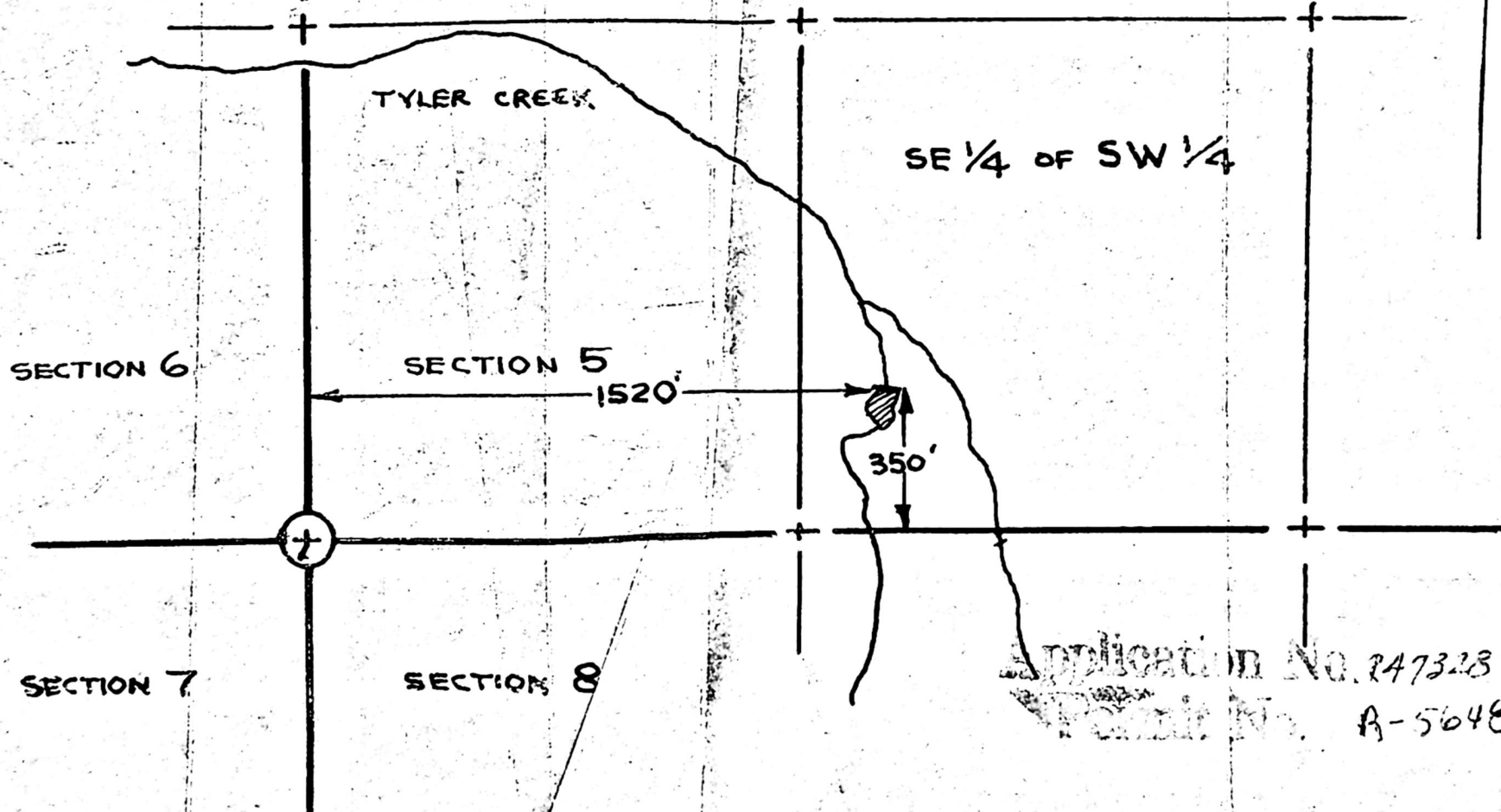
MAR 8 1971

STATE ENGINEER
SALEM, OREGON

RECEIVED

JUN 4 1971

STATE ENGINEER
SALEM, OREGON

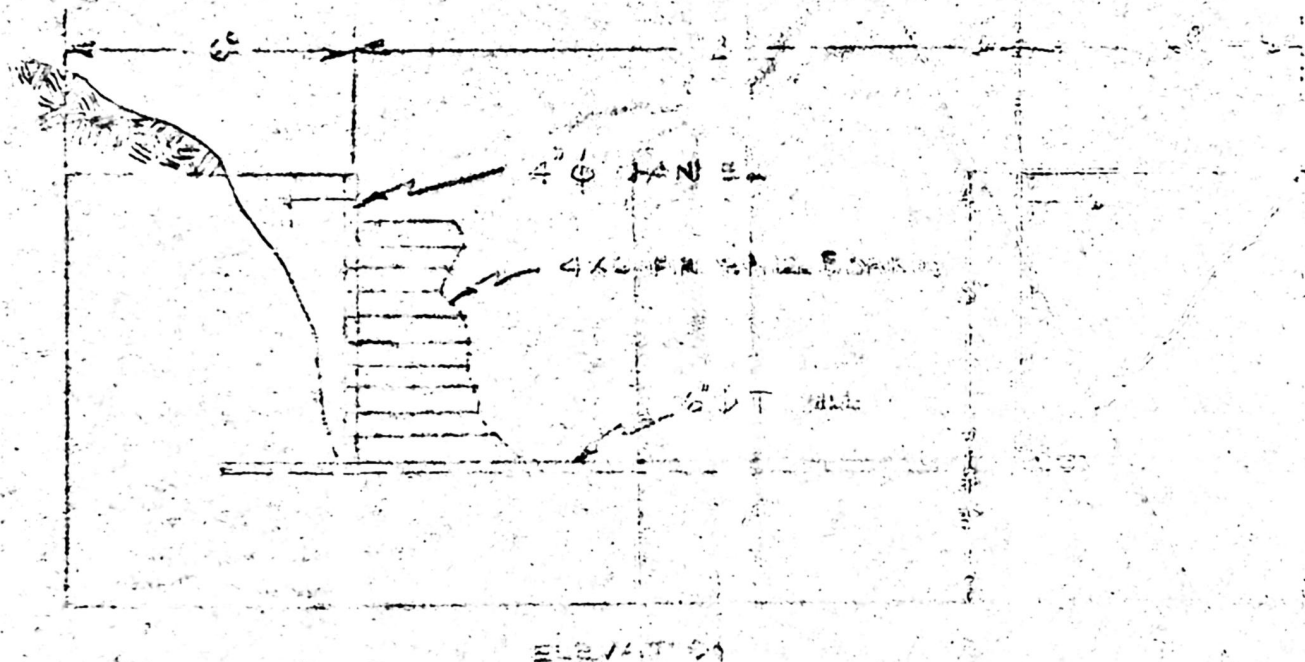


SE 1/4 of SW 1/4

Application No. 247323

Project No. A-5648

PROPOSED DAM ON TYLER CREEK



MATERIALS: STONE FILLMENT WITH TYPICAL VIBRATORY
REINFORCED CONCRETE CURBS & FILL

HYDROLOGY: OPEN CHANNEL AREA 1/2 SQ. FT.
SLIP CURVE 1/2 IN. 100 YDS. DOWN
DOWN CHANNEL FLOW TYPICAL & HOBBART
IS 2' DIAMETER 23 SQ. FT.

LOCATION: 65 1/4 OF 31 1/4 SEC 5, TWN 40 S, R.
JACKSON COUNTY, OREGON.

RECEIVED
JAN 5 1971
STATE ENGINEER
SALEM, OREGON

RECEIVED
JUL 31 1970
STATE ENGINEER
SALEM, OREGON

Application No. 47328
Permit No. R-5648

SEE
EKS

1E

John W. [Signature]
JUL 31 1970

STATE OF OREGON
ROUTE SLIP

Date _____

TO:

TREVOR

FROM:

John

CHECK

☐ Approval

☐ Investigate

☐ Necessary Action

☐ Confer

☐ Prepare Reply

☐ Per Telephone
Conversation

☐ For My Signature

☐ For Your
Information

☐ Your Signature

☐ As Requested

☐ Comment

☐ Note and File

☐ Initial and Return

☐ Return With
More Details

COMMENTS:

PLEASE file AS PER YOUR
LETTER.
THANKS

CANCELLATION
9-19-74
R.G.M.

Certificate No.

John G. Ward -

2043 DelMoro Street -

Klamath Falls, Oregon 97601

Tyler Creek, trib. Emigrant Creek

~~Storage in Home Ranch Reservoir from Tyler Creek for recreation and stock and further limited to storage during~~ *

~~DAM LOCATED: SE 1/4 SW 1/4, Sec. 5, T. 40 S., R. 3 E., N. H.,
County of Jackson~~



July 31, 1970

1.0 a.f., being 0.8 a.f. for recreation and 0.2 a.f. for stock. *

~~July 23, 1972~~

~~40-179~~ extended to

extended to

extended to

NOTE Needs map of Rec. loc. if
this has to be R.-checked

We inspected this. We found the dam on the stream
channel constructed ^{approx.} as plans show.

Creek channel ~~is~~ is washed out completely on left side ^{of dam} down to
stream bed. The concrete floodbank structure is still intact.

~~It appears~~ Now, the res. area is approx. $\frac{1}{2}$ filled in
with rock washed down into it. It appears that before
flood, water backed up only 70' in a very narrow channel.

I doubt if res. will be re-built & cleaned out
because of inaccessibility.

Should send out cancellation notice & see if they reply?

9-19-74

F.E.

R.G. Mucken

PROPOSED DAM ON TYLER CREEK

RECEIVED

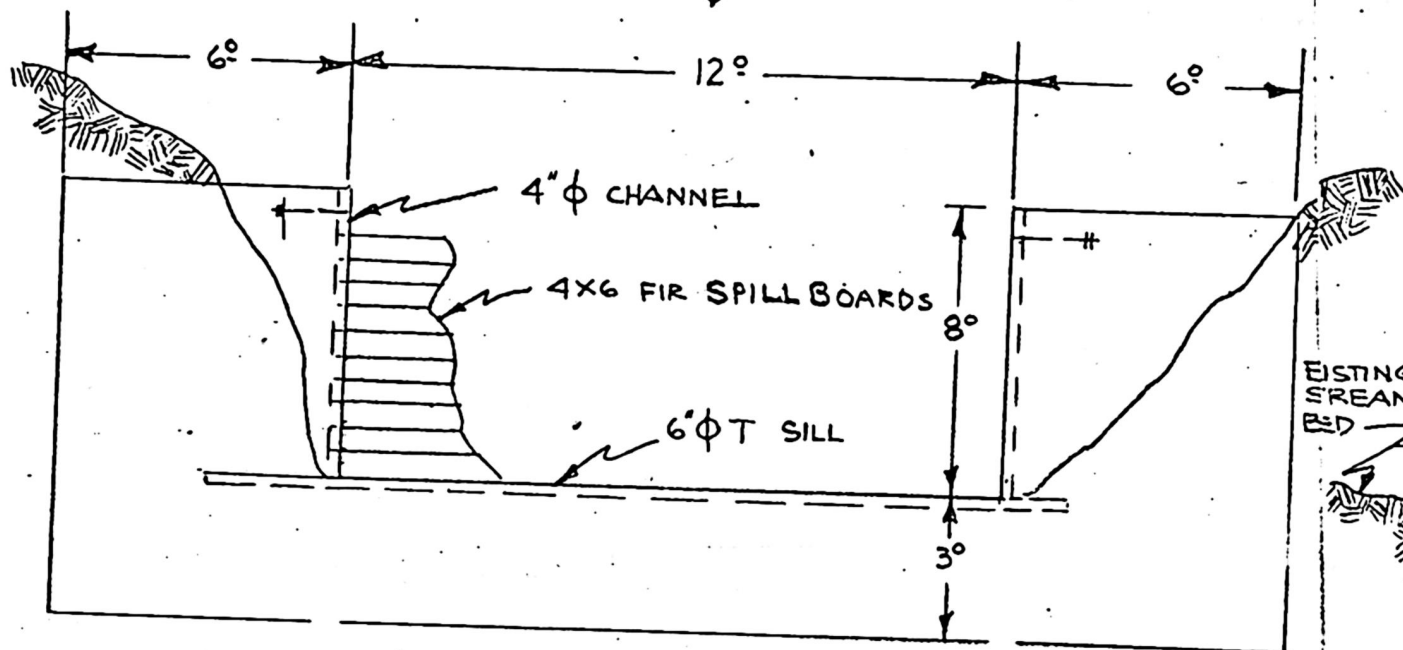
JAN 5 1971

STATE ENGINEER
SALEM, OREGON

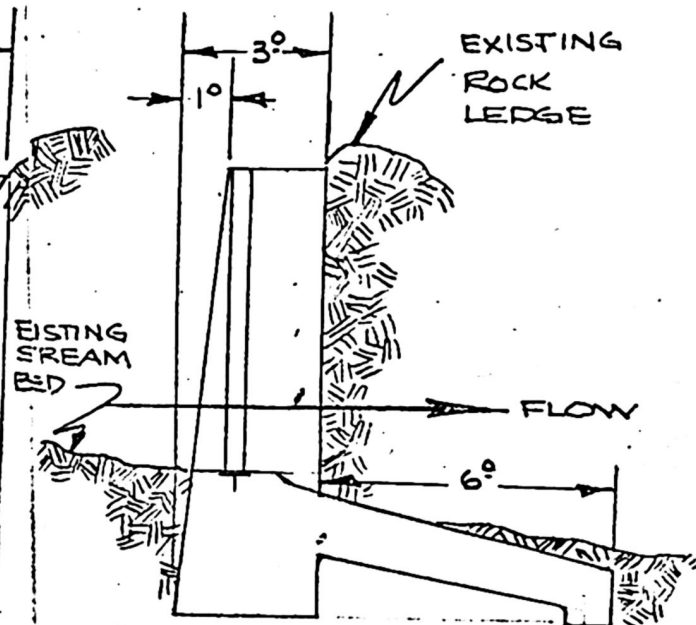
RECEIVED

JUL 31 1970

STATE ENGINEER
SALEM, OREGON



ELEVATION



SECTION

MATERIALS: STONE & CEMENT MORTAR MASONRY
REINFORCED W/ ϕ CABLE & ROD

HYDROLOGY: OPEN CHANNEL AREA = 72 SQ. FT.
BLM CULVERT SIZING 100 YDS. DOWNSTREAM
FOR COMBINED FLOW TYLER & HOBART CREEKS
IS 6" DIAMETER = 28 SQ. FT.

LOCATION: SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ SEC 5, TWN 40 S, RGE 3 E
JACKSON COUNTY, OREGON

Application No. 247328

D permit No. R-5648

John Ward
JULY 27, 1970

MAP TO ACCOMPANY
APPLICATION OF JOHN G.
WARD TO STORE WINTER
RUNOFF FOR RECREATIONAL
PURPOSES AND STOCK
WATERING.

T 40 S R 3 E WM

SCALE: 1" = 400 FEET

RECEIVED

JUL 31 1970

STATE ENGINEER
SALEM, OREGON

RECEIVED

MAR 8 1971

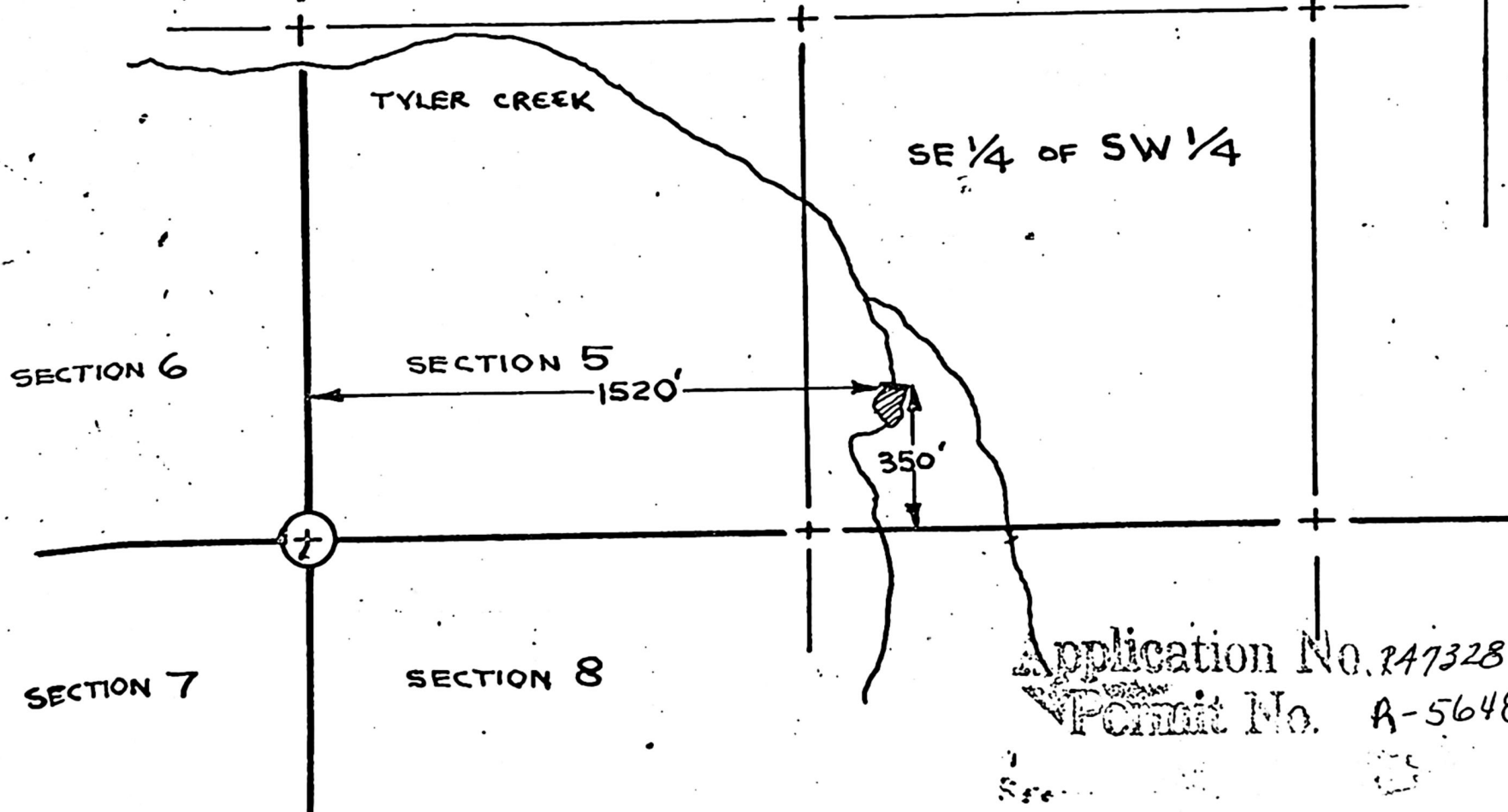
STATE ENGINEER
SALEM, OREGON

RECEIVED

JUN 4 1971

STATE ENGINEER
SALEM, OREGON

N



June 20, 1975

R-47328

Mr. John G. Ward
2043 Del Moro Street
Klamath Falls, Oregon 97601

Dear Mr. Ward:

I have not received the proof of appropriation in connection with your stockwater development transmitted with my letter of May 5, 1975. If the proof has been misplaced or lost, please advise and I will have another one prepared. Effective July 1, 1975, the fee for recording the certificate in the county records was increased by the Legislature to \$2.

Sincerely,

Chris L. Wheeler
State Engineer

CLW:eh

cc:Senator Fred W. Heard

Robert W. Straub

May 5, 1975

R-47328

Mr. John G. Ward
2043 Del Moro Street
Klamath Falls, Oregon 97601

Dear Mr. Ward:

In response to your letter, it is not my policy to require an extension of time for completion of construction when a project has been completed under the terms of the permit and then suffers a failure which must be repaired. An extension of time is required when for one reason or another the project is not completed within the time set and the individual still wishes to do so.

Since the reports indicate the project was completed prior to its failure in the flood and your letter states that you have repaired the dam, Mr. Garner's letters concerning extensions of time were in error.

The enclosed proof of appropriation is based on the locations shown in your application and the records indicating the project has been completed in accordance with the plans. Please check the proof, date and sign it at the bottom of the page, and return it to this office with the recording fee of \$1.50. We will then issue the certificate and mail it to the county for recording, after which it will be sent to you.

Please accept my apologies for any inconvenience caused by the misunderstanding.

Sincerely,

Chris L. Wheeler
State Engineer

CLW:eh
enclosure
cc: Senator Fred W. Heard

RECEIVED

APR 28 1975

STATE ENGINEER
SALEM, OREGON

April 24, 1975
2043 Del Moro Street
Klamath Falls, OR 97601

Chris L. Wheeler, State Engineer
1178 Chemeketa Street, N.E.
Salem, OR 97310

Refer to File No. R-47328

Dear Mr. Wheeler:

Please allow a somewhat beleaguered citizen to respond to Mr. Garner's March 6, 1975 request for a notarized request for time extension to "complete" my reservoir to be accompanied by a \$5.00 filing fee.

As your correspondence file reflects, application was begun in 1970. Permission to construct was received August 19, 1971 with notice of completion filed March 22, 1973. Beneficial application of water occurred during summer of 1973. Little did I realize the casual phrase "in line with general practice of this office, a survey will be made at a later date" in your March 28, 1973 letter in fact meant an 18 month delay until September 19, 1974 to inspect the reservoir. Your form letter (No. 115) notes I must demonstrate "due diligence" to comply with the law and receive a time extension. May I not inquire if there is no requirement for your agency to evidence due diligence? In fact your agency had well over a year to inspect a completed, functioning reservoir.

As it happened, there was an untimely flood, the results of which your inspector accurately observed on September 19, 1974, and which Mr. Garner conveyed in his October 9, 1974 letter. But as it also happened, the damage was repaired on September 21-22, 1974. It will take some time to fully complete removal of all the rock deposited in the reservoir by flood, and until that is accomplished the holding capacity will remain somewhat below 1.0 acre feet. Legally I cannot install the spill boards after April 15, 1975, nor am I inclined to do so while our unusually late spring continues to bring fresh quantities of stone and silt into the reservoir.

At this time, my position seems to be the following:

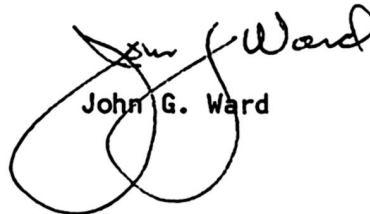
1. Due to a lack of diligence by the State Engineer's office, delays occurred which precluded timely observation of a completed structure and beneficial application of water in 1973.

April 24, 1975

2. Events occurred in 1974 which, for a period, made proof of storage for beneficial use impossible.
3. During 1975 I anticipate storage of some water for beneficial use, though less than design capacity.
4. I am reluctant to prepare a notarized request for extension of time to complete repairs which were completed six months ago--within, I might add, the expiration date of October 1, 1974 noted in your Form 119 letter to me dated June 19, 1972, and not October 1, 1973 mentioned in Mr. Garner's letter of October 9, 1974.

After reviewing the above, your comments would be appreciated.

Very truly yours,


John G. Ward

JGW:jm

cc: Vestal R. Garner, Assistant
Honorable Fred W. Heard
Oregon State Senator

Robert W. Straub
XXXXXXXXXXXX

R-47328

March 6, 1975

John G. Ward
2043 De Moro Street
Klamath Falls, OR 97601

Dear Mr. Ward:

On October 22, 1974, we sent to you a form for making application for additional time to complete repairs in regard to your reservoir described by permit numbered R-5648.

This permit describes the construction of Home Ranch Reservoir and storage of 1.0 acre foot of water from Tyler Creek for recreation and stock watering purposes.

If it is still your intention to complete the repairs of this reservoir and obtain a right to store and use the water, it will be necessary that your application for additional time be submitted.

If the application is not submitted and additional time granted, we cannot consider the permit as being valid, therefore, you will not have the right to store water.

In case the application previously provided to you has been misplaced, a new one is enclosed. The form, after being completed and signed before a notary-public, should be submitted to this office along with a \$5.00 examination fee.

Very truly yours,

VESTAL R. GARNER
Assistant

VRG:tml
Enclosure

**STATE
ENGINEER**

WATER RESOURCES DEPARTMENT

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

John G. Ward
2043 De Moro Street
Klamath Falls, Oregon 97601

File No. R 47328

Dear Mr. Ward:

Pursuant to your request I am enclosing a form for use in making application for an extension of time limits under permit No. R 5648.

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 \$5.00 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

Enclosure
Form 115

X-47328

Dear Sirs; ~~=====~~ ~~=====~~ ~~=====~~ 16

In Early ~~Oct.~~ ^{Nov.} we did start clearing the Creek & repairing the Dam. Our tractor broke down & the work is only half completed. please send us the form you mentioned in yr letter of 10/19/74 to request additional time to complete the repairs.

Thank You
Mrs J Ward
2043 Del Moro st
K Falls, Ore 97601

October 9, 1974

R-47328

John G. Ward
2043 DelMoro Street
Klamath Falls, OR 97601

Dear Mr. Ward:

On September 19, 1974, a representative of this office inspected the reservoir described by permit numbered R-5648. This permit, in your name, describes the storage of 1.0 acre foot of water from Tyler Creek in Home Ranch Reservoir for recreation and stock watering purposes.

According to the report of our engineer, the reservoir appears to have been constructed. However, the stream has washed the channel around the left side of the dam. Our engineer further reports that the reservoir area has filled approximately half full of rock which appears to have been washed in by flood.

According to the report of our field engineer it does not appear that any attempt has been made to repair the dam so as to beneficially store water. According to the report of our engineer, proof of storage for beneficial use cannot be made, therefore, this permit serves no purpose and should be canceled.

Enclosed is a form for your use in authorizing the State Engineer to cancel this permit. This would avoid the necessity for further notices or correspondence.

If it is your intention to repair the reservoir and store water for beneficial use, you should submit an application requesting additional time to complete construction of the repairs. These forms are available upon request of this office. According to the terms of your permit as it now stands, the time limit to complete construction of the reservoir is October 1, 1973.

Very truly yours,

VESTAL R. GARNER
Assistant

VRG:ml
Enclosure

**STATE
ENGINEER**

WATER RESOURCES DEPARTMENT

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

March 28, 1973

File No. R-47328

John G. Ward
2043 DelMoro Street
Klamath Falls, OR 97601

.Dear Sir:

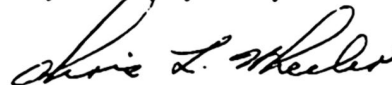
This will acknowledge receipt of your notice to the effect that complete application of water has been made under permit No. R-5648.

Pursuant to your report and in line with the general practice of this office, a survey will be made at a later date.

After this survey, proof may be made and certificate issued covering the actual use of water as found by the engineer. In case of irrigation, any lands described in the permit that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the permit which you hold will be valid evidence of the water right in question so long as you continue to use the water.

Very truly yours,



CHRIS L. WHEELER
State Engineer

Form 128
gkd

**STATE
ENGINEER**

WATER RESOURCES DEPARTMENT

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

June 19, 1972

File No. R-47328

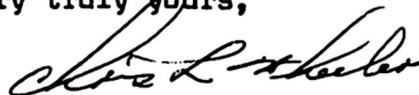
John G. Ward
2043 De Moro Street
Klamath, Falls, OR 97601

Dear Mr. Ward:

This will acknowledge the notice of completion of construction under the terms of permit No. R-5648.

Under the provisions of the permit, the time limit for completion of the appropriation by accomplishing the authorized beneficial use of water to the full extent intended will expire October 1, 1974. (In the case of irrigation, completion of the appropriation means at least one beneficial irrigation of all the land to be irrigated under the subject permit.)

Very truly yours,



CHRIS L. WHEELER
State Engineer

Form 119
gkd

**STATE
ENGINEER**

WATER RESOURCES DEPARTMENT

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

File No. R-47328

August 19, 1971

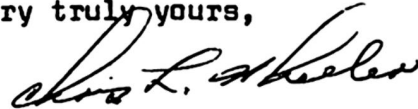
Mr. John G. Ward
2043 De Moro St.
Klamath Falls, Oregon 97601

Dear Mr. Ward:

This will acknowledge the notice of beginning
of construction under the terms of permit No. R-5648.

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, 1973.

Very truly yours,



CHRIS L. WHEELER
State Engineer

Form 118

reg

August 2, 1971

R-47328

John G. Ward
2043 De Moro Street
Klamath Falls, Oregon 97601

R-47328, permit No. R-5648 with

maps.

R-47328

June 25, 1971

John G. Ward
2043 De Moro St.
Klamath Falls, Oregon 97601

Dear Mr. Ward:

This will acknowledge your authorization to amend item number 4 on your application number R-47328 to indicate that 0.8 acre foot of water is for recreational purposes and 0.2 acre foot of water is for stock watering.

Applications can only be accepted and permits issued for the construction of reservoirs and the storage of water from Bear Creek and its tributaries as mentioned in the State Engineer's order dated January 22, 1959. This order further provided that water could only be appropriated from the streams for storage in reservoirs from November 1 to March 30. Therefore, there must be provisions in the construction of your reservoir to allow for the passage of the quantity of water in the stream from April 1 through October 30 of each year.

Your application is now in satisfactory form for approval by issuance of a permit.

Very truly yours,

WAYNE J. OVERCASH
Assistant

WJO:reo

JUNE 10, 1971

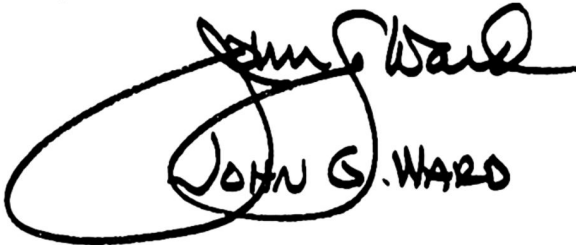
MR. LARRY JEBOUSEK
STATE WATER RESOURCES DEPT.
SALEM, ORE.

RECEIVED
JUN 15 1971
STATE ENGINEER
SALEM, OREGON

DEAR MR. JEBOUSEK:

IN CONNECTION WITH OUR APPLICATION NO.
R-47328 FOR A SMALL DAM ON TYLER CREEK,
YOU ARE HEREBY AUTHORIZED TO AMEND ITEM 4
TO INDICATE THAT OF THE 1.0 ACRE-FOOT OF
WATER STORED, 0.8 ACRE-FOOT IS FOR RECREATIONAL
PURPOSES AND 0.2 ACRE-FOOT IS FOR STOCK WATERING.
ALTHOUGH IT IS IMPROBABLE THAT TYLER CREEK WILL
NOT HAVE YEAR-ROUND FLOW, STILL THERE MAY
BE SOME DRY YEARS. THIS AMMENDMENT
SHOULD COVER THAT POSSIBILITY.

THANKS AGAIN FOR YOUR HELP.


JOHN G. WARD

MAY 29, 1971

RECEIVED

JUN 4 1971

STATE ENGINEER
SALEM OREGON

DEAR MR. JERBOUSEK;

THANK YOU FOR YOUR REPLY OF MAY 18.

IN VIEW OF THE DELAYS ASSOCIATED WITH PROCESSING ANOTHER APPLICATION, I WOULD PREFER NOT TO APPLY FOR THE APPROPRIATION OF WATER FROM THE HOMIE RANCH RESERVOIR. STOCK CAN WATER DIRECTLY FROM THE RESERVOIR.

I BELIEVE THE APPLICATION TO CONSTRUCT THE RESERVOIR IS NOW COMPLETED SATISFACTORILY. IF THAT IS CORRECT, I WOULD APPRECIATE YOUR APPROVING THE CONSTRUCTION PERMIT SO THAT WORK CAN BE COMPLETED BY OCT 1, 1971.

THANK YOU.

VERY TRULY YOURS.

A large, stylized handwritten signature, likely "Jim Ward", written in black ink. The signature is written over the words "VERY TRULY YOURS." and extends below the line of the signature.

R-47328

May 18, 1971

John G. Ward
2043 De Moro St.
Klamath Falls, Oregon 97601

Dear Mr. Ward:

This will acknowledge the return of your application No. R-47328, the map and small dam data sheet.

The Tyler Creek designation on the map is correct.

The secondary application for the appropriation of water from the reservoir will be required accompanied by the filing fee of \$25. A secondary application should designate Home Ranch Reservoir as the only source of appropriation.

The map must be further completed to show the proposed location of the stock tank or trough.

I am returning the application and transparency map for completion, endorsed so that in order to retain its priority date, it must be returned to this office on or before July 19, 1971.

Very truly yours,

LARRY W. JEBOUSEK
Assistant

LWJ:klh
Enclosures

RECEIVED
MAR 8 1971

STATE ENGINEER
SALEM, OREGON

Application No. R 47328
Permit No.
FEB 21, 1971

DEAR MR. JERBOUSEK:

I AM RETURNING MY RESERVOIR APPLICATION, SMALL DAM DATA SHEET, AND MAP. ITEM NO. 10 ON THE APPLICATION HAS BEEN MODIFIED TO REFLECT THE 0.25 ACRES SURFACE AREA EXPECTED WHEN THE RESERVOIR IS FULL.

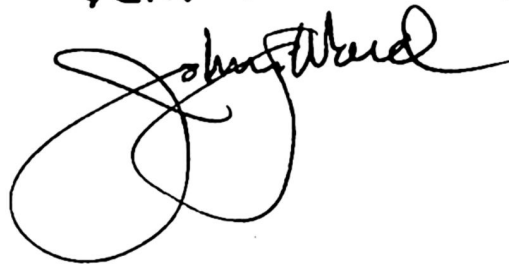
IN CONNECTION WITH THIS APPLICATION YOU WILL NOTE THE RESERVOIR IS DESCRIBED AS BEING ON TYLER CREEK, A TRIBUTARY OF EMMIGRANT CREEK. I HAVE PREPARED A MAP (ENCLOSED) SHOWING MY UNDERSTANDING OF THE CORRECT NAMES FOR THE SEVERAL CREEKS IN THIS VICINITY. CAN YOU VERIFY WHETHER THE NAMES SHOWN ARE CORRECT FOR THE PURPOSES OF MY RESERVOIR APPLICATION? I WOULD APPRECIATE YOUR CORRECTING ANY INACCURACY AND RETURNING THE MAP TO ME.

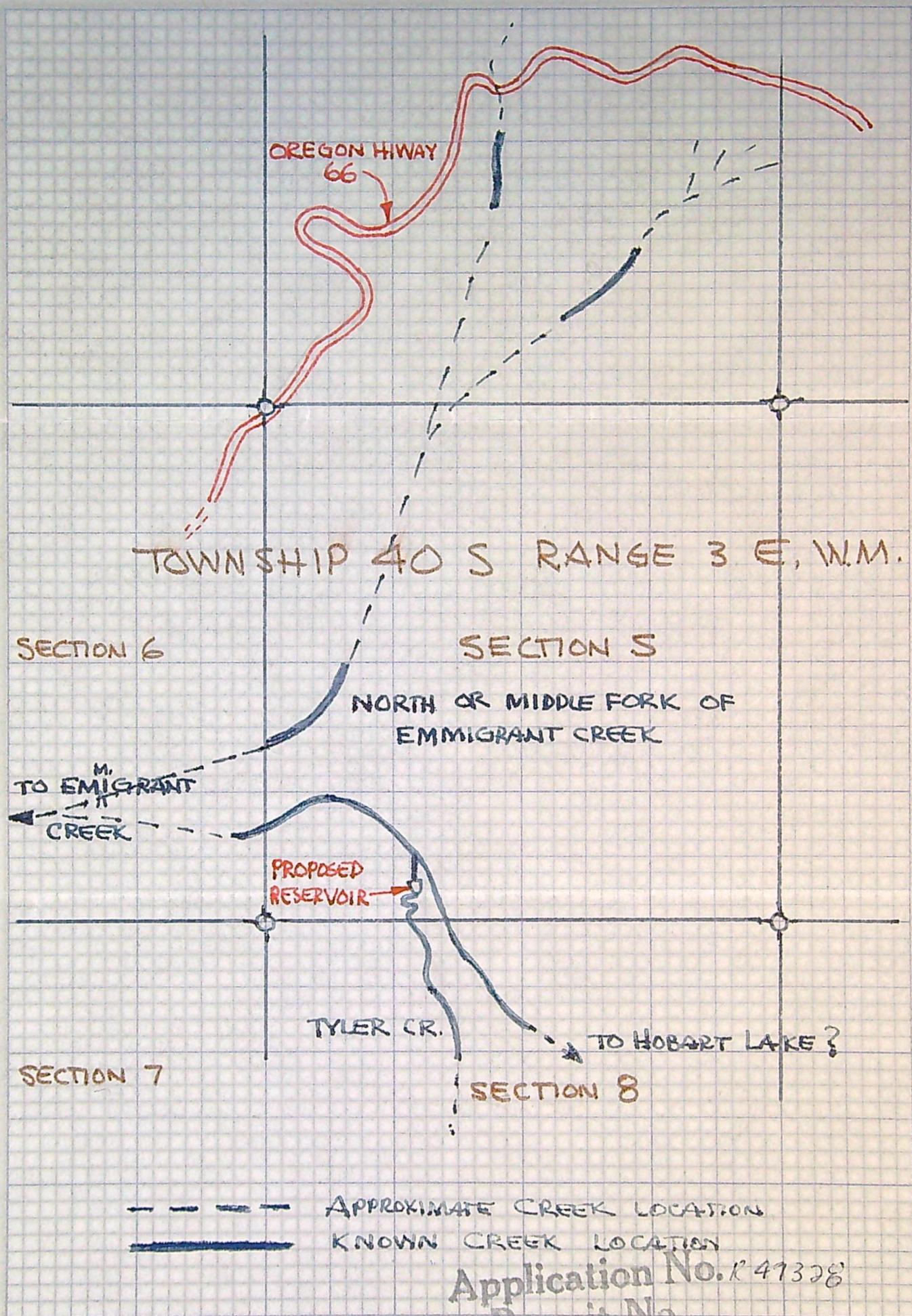
WITH RESPECT TO USING THE RESERVOIR FOR STOCK WATERING, GENERALLY THEY WILL DRINK DIRECTLY FROM THE RESERVOIR. AT TIMES, HOWEVER, DUE TO FENCES THE LIVESTOCK DO NOT HAVE DIRECT ACCESS. AT SUCH TIMES IT WOULD BE CONVENIENT TO PIPE WATER BY GRAVITY FROM THE RESERVOIR TO A WATERING TROUGH. THE AMOUNT OF WATER SO USED WOULD BE 0.0015 CUBIC FEET PER SECOND. A PIPE WITH SUITABLE VALVES COULD BE INCORPORATED INTO THE DAM OR

BE MADE A PART OF THE SPILL BOARD. I HAVE IN MIND USING 2-INCH PIPE AND VALVES THROUGH THE DAM. BUSHED DOWN TO $\frac{3}{4}$ -INCH PIPE FOR ABOUT 300 FEET. THE ELEVATION DIFFERENCE IS ABOUT 15 FEET. PLEASE LET ME KNOW WHETHER THIS WOULD REQUIRE A FURTHER REVISION OF THE DESIGN OF THE DAM, AND IF SO, WHETHER I COULD REDRAW THE PLANS WITHOUT AFFECTING MY PRIORITY ON THE RESERVOIR. DO THESE IDEAS I HAVE OUTLINED SEEM CONSISTENT WITH ACCEPTABLE PRACTICE FOR APPROPRIATION OF WATER FOR STOCK WATERING? FINALLY, IS A \$15.00 EXAMINATION FEE AND \$10.00 RECORDING FEE CORRECT?

THANK YOU FOR YOUR HELP.

VERY TRULY YOURS,

A handwritten signature in cursive script, appearing to read "John W. Wood". The signature is written in dark ink and is positioned below the typed name "John W. Wood".



Application No. R 47328
Permit No.

R-47328

January 20, 1971

John G. Ward
2043 De Moro St.
Klamath Falls, Oregon 97601

Dear Sir:

This will acknowledge the return of your application No. R-47328 and the amended drawings of the spillway section.

The small dam data sheet and item No. 3 on the reservoir application describe the storage of one acre foot of water. Item No. 10 on the application indicates that two acre feet of water will be stored if the 0.5 acres surface area and four feet mean depth are correct. Would you please recheck the capacity computations and correct which ever is in error. I am sorry this was overlooked in the earlier correspondence.

In the remarks section of the application, you indicate the reservoir is to be used by thirty head of cattle. Are the cattle to drink directly from the reservoir or is the water to be diverted from the reservoir to a stock watering facility? If water is diverted from the reservoir to a stock trough or tank, a second application will be required for this use. Enclosed is the proper form for this application.

I am returning your application and small dam data sheet and map for correction, endorsed so that in order to retain its priority date, the application must be returned to this office on or before March 22, 1971.

Very truly yours,

Larry W. Jebousek
Assistant

LWJ:reo
Enclosures

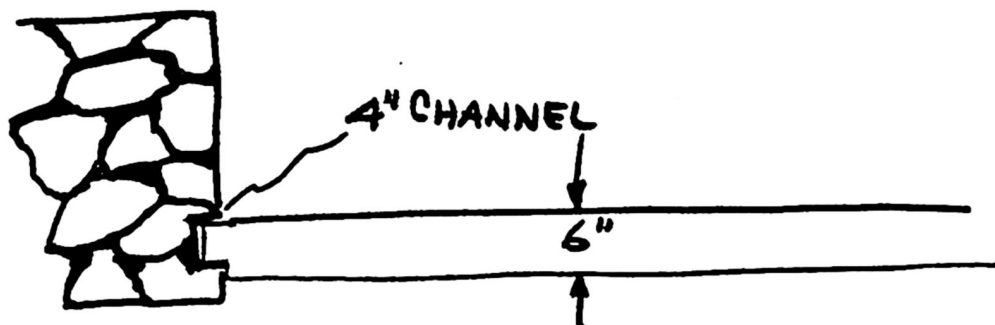
MR. LARRY W. JEBOUSEK
ASST STATE ENGINEER
OREGON WATER RESOURCES DEPT.

JAN 2, 1971

RECEIVED
JAN 5 1971
STATE ENGINEER
SALEM OREGON

DEAR MR. JEBOUSEK:

RE YOUR NOV. 18, 1970 LETTER, I HAVE
REDUCED THE SPILLBOARD LENGTH FROM
14 FEET TO 12 FEET. NOTE THAT THESE
SPILLBOARDS ARE 6" WIDE X 4" HIGH &
ARE INSTALLED THUS:



PER SOIL CONSERVATION SERVICE ENGINEER IN
MEDFORD, 6" WIDTH ON 12 FT SPAN & 6 FT
WATER HEAD SHOULD BE SATISFACTORY.

VERY TRULY YOURS.

R-47328

November 18, 1970

John G. Ward
2043 DeMoro St.
Klamath Falls, Oregon 97601

Dear Mr. Ward:

This will acknowledge the return of your application No. R-47327, the map, small dam data sheet, and drawing of the proposed structure.

Our hydraulic engineer is concerned that the spill boards will break due to the length of the span and depth of water and suggests either an interior support or a shortening of the span.

I am returning your application and the drawing of the structure for this modification. The application is endorsed for correction so that in order to retain its priority date, it must be returned to this office on or before January 18, 1971.

Very truly yours,

Larry W. Jebousek
Assistant

LWJ:klc
Enclosures

R-47328

September 2, 1970

John G. Ward
2043 De Moro St.
Klamath Falls, Oregon 97601

Dear Mr. Ward:

This will acknowledge your application for a permit to construct a reservoir and to store one acre foot therein from Tyler Creek for recreation and stock purposes, a map, small dam data sheet, drawings of the structure, legal description and the fee of \$20.00 for which our receipt No. 20265 is enclosed. Your application has been filed and numbered R-47328.

The height of the dam above the water line when full must be designated in item No. 6 on the application. The demensions of the spillway should be described in item No. 8 on the application and the small dam data sheet when the flashboards are removed and indicate the height to which the flashboards are to be installed. The approximate dates when the flashboards will be installed and removed should be designated in the section provided for remarks.

I am returning your application and small dam data sheet for completion. The application is endorsed so that in order to retain its priority date, it must be returned to this office on or before November 4, 1970.

Very truly yours,

Larry W. Jebousek
Assistant

LWJ:reo
Enclosures

CONTRACT OF SALE

THIS AGREEMENT, made this 22nd day of June, 1970, by and between SCHOOLHOUSE RANCH, INC., an Oregon corporation, herein designated as the First Party, and JOHN GORDON WARD and RAND WARD, husband and wife, herein designated as the Second Party,

WITNESSETH:

1. Property Included. That the First Party herein does hereby agree to sell, and the Second Party herein does hereby agree to purchase, on the terms, stipulations and conditions hereinafter set forth and enumerated, the real property situated in Jackson County, Oregon, and particularly described as follows, to wit:

A tract or parcel of land situated in the South Half of Section 5, in Township 40 South, Range 3 East of the Willamette Meridian in Jackson County, Oregon, and being more fully described as follows:

Beginning at the Quarter Section corner common to Sections 5 and 8, in said Township and Range; thence South 89°41'47" East along the Section line common to Sections 5 and 8, said Township and Range, 1318.16 feet to the southeast corner of the Southwest Quarter of the Southeast Quarter of Section 5, said Township and Range; thence North 0°21'19" East along the west line of the Southeast Quarter of the Southeast Quarter, and the Northeast Quarter of the Southeast Quarter of Section 5, said Township and Range, 2662.49 feet to the northeast corner of the Northwest Quarter of the Southeast Quarter of Section 5, said Township and Range; thence South 45°01'33" West, 1874.98 feet to the northwest corner of the Southwest Quarter of the Southeast Quarter of Section 5, said Township and Range; thence North 89°44'19" West along the north line of the Southeast Quarter of the Southwest Quarter of Section 5, said Township and Range, 1201.23 feet; thence North 0°13'23" East, 314.87 feet to the southerly right of way of the County Road; thence along said right of way South 74°12'42" West, 62.42 feet; thence leaving said right of way South 0°13'23" West, 397.58 feet; thence North 89°46'37" West, 60.00 feet to the east line of the Southwest Quarter of the Southwest Quarter of Section 5, said Township and Range; thence South 0°13'23" West, 1229.28 feet to the southeast corner of the Southwest Quarter of the Southwest Quarter of Section 5, said Township and Range; thence South 89°41'47" East along the Section line common to Sections 5 and 8, said Township and Range, 1318.16 feet to the point of beginning.

Code 5-2 Account 403E

Tax lot 2600 (part of)
Tax lot 2802 (part of)

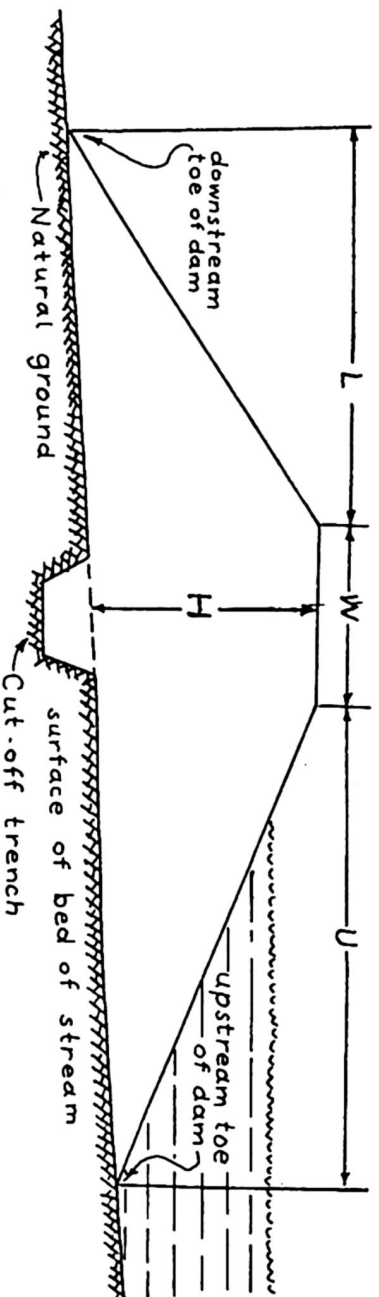
ADDITIONAL INFORMATION TO BE SUBMITTED WITH APPLICATIONS PROPOSING CONSTRUCTION OF DAMS LESS THAN 10 FEET IN HEIGHT OR IMPOUNDING LESS THAN 3,000,000 GALLONS

Under Oregon laws the builder is not required to submit plans and specifications, prepared by a registered professional engineer, for approval of the State Engineer for the construction of dams less than 10 feet in height and storing less than 3,000,000 gallons of water (9.2 acre feet or the amount that will cover 9.2 acres of land 1 foot in depth). It is of much importance to the builder of these small dams that a safe structure be built as should the dam fail the owner will not only lose his investment, but will be legally responsible for any damage to the property of others resulting from such failure.

Following are some of the requirements to be followed by the proposed builders of these small earth fill dams. The applicant must give a full description of the proposed dam in the application which shall be subject to the approval of the State Engineer.

1. Width of crest of dam should be not less than 8 feet.
2. Upstream slope not steeper than 3 horizontal to 1 vertical.
3. Downstream slope not steeper than 2 horizontal to 1 vertical.
4. Spillway channel should be constructed around either end of dam but not over top. It should have at least twice the capacity required to carry heavy winter flows or spring runoffs without overtopping the dam and should be lined, if necessary, to prevent erosion of the channel. The depth of the spillway should be sufficient to maintain a minimum distance of 2 feet from the crest of the dam to the water surface in the reservoir during the maximum flood. (This is important as experience has shown that insufficient spillway capacity is the principal cause of failure of small dams). Water passing over spillway should be returned to creek channel at a sufficient distance downstream to prevent erosion of embankment.
5. All brush, stumps, roots and vegetable matter of all kinds should be cleared from area to be occupied by base of dam and from borrow pits.
6. Asphalt dipped corrugated iron pipe with gate at inlet should be installed to permit draining reservoir. Pipe to be bedded in a trench in the natural ground and not on filled ground. Provision must be made to allow the free passage of the natural flow of the stream at any time. Prefabricated concrete pipe is not acceptable unless encased in concrete.
7. Not less than two cut-off collars should be constructed. These collars should be constructed of concrete with a thickness of not less than 6 inches and should extend from the outside of the pipe a distance of not less than 18 inches in all directions. These cut-off collars should be spaced along the conduit at a minimum spacing of 10 feet. Prefabricated asphalt dipped metal cut-off collars are also satisfactory, providing a water-tight joint is obtained between pipe and collar.
8. Material placed in embankment should be free from brush, stumps, roots, and vegetable matter of all kinds.
9. Material should be brought in and placed in embankment from ends of dam and spread in thin layers not over 6 inches thick and compacted by carryalls, rubber tired equipment, or compacting rollers traveling the length of the dam.

Before a permit is issued approving an application proposing the construction of a dam less than 10 feet high and storing less than 3,000,000 gallons of water, the information following the sketch below must be filed with the State Engineer and must conform with the dimensions and description of the dam given in the application. The height is measured from the lowest point of the ground surface or from the lowest point in the stream bed to the top of the dam on the center line of the dam. The data required is that of the maximum section or at the point where the dam is to be highest above the natural ground surface or stream bed.



All dimensions given below must conform to minimum requirements shown on other side.

EARTH DAM:

Amount of water impounded one acre feet.

Top width of dam indicated on sketch by letter "W" 2 feet.

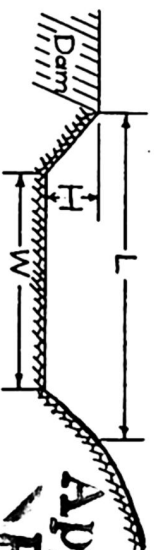
Height of dam measured from top of dam to ground surface or bed of stream on center line of dam or a point $\frac{1}{2}$ the top width of the dam, indicated on sketch by letter "H" is 8 feet.

The horizontal distance from upstream top of dam to upstream toe indicated on sketch by letter "U" is feet.

The horizontal distance from downstream top of dam to downstream toe indicated on sketch by letter "L" is feet.

See sketch on tracing of dam

SPILLWAY:



Application No. R47328
Permit No. 40

Approximate drainage area of creek above dam acres.

Bottom width of spillway, indicated on sketch by letter "W" is 12 feet.

Top width of spillway, indicated on sketch by letter "L" is 12 feet.

Distance between top of dam and bottom of spillway at the upper end, indicated on sketch by letter "H" is 2 1/2 feet.
(Must be at least $2\frac{1}{2}$ feet)

OUTLET:

Size and type of outlet pipe through base of dam which will allow free passage of the natural flow of the stream .

All dams will be inspected by the State Engineer or his assistant before certificate of water right is issued.

The applicant herewith agrees to build the dam in accordance with the above dimensions and the requirements given on other side.

RECEIVED SEP 14 1970 STATE ENGINEER SALEM, OREGON
RECEIVED JUL 31 1970 STATE ENGINEER SALEM, OREGON
Signature of Applicant
RECEIVED MARS 1971 STATE ENGINEER SALEM, OREGON