

State Printing 45649

App'l indicates  $b = 12'$  - As above - OK.  
Small Dams sheet -  $b = 6'$  - Too small.

Form A

Application No. R-39284  
39285

NOTICE OF BEGINNING OF CONSTRUCTION

I, Samuel Werner, the holder of Permit No. R-3945 <sup>2949</sup>

to appropriate the public waters of the state of Oregon, began the actual construction of the works described herein on the 18<sup>th</sup> day of August, 1964

Remarks: Had bulldozed build dam, but the outlet is not completed. The flood of January did considerable damage; this also must be repaired.  
The appropriator should state the manner of beginning construction work, number of men employed, the amount of work completed up to the date of this statement, and any additional information which may tend to show the beginning of work in good faith.

IN WITNESS WHEREOF, I have hereunto set my hand this 15<sup>th</sup> day of May, 1965

Samuel Werner  
(Signature of Applicant)

Merlin, Oregon  
(Address)

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



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

## Ownership Update For Certificated Rights Only

### NO FEES ARE REQUIRED TO SUBMIT THIS FORM

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

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

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

#### Current Landowner Information

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

#### Property Description

County: Josephine Township: 35 S Range: 6 W Section: 28  
Taxlot Number(s): 400

Street Address of water right property: 816 McIn Sanitarium Rd. AKA 816 Sanitarium Rd.  
Water Right Information: Application: R-39284 Permit: R-3945 Certificate #: 54495

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

Name of individual completing this form: Jessica Galizia Phone: 541-200-4174  
Signature of requestor: [Signature] Date: 4-26-19

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

## 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

RECEIVED

JUN 18 2019

OWRD

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

## 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  
an unnamed stream and Werner Reservoir No. 3, constructed under Permit R-5062

a tributary of Ewe Creek for the purpose of  
supplemental irrigation of 21.0 acres and fire protection

under Permit No. 32855 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  
August 14, 1967

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  
0.06 cubic foot per second, being 0.05 cfs for supplemental irrigation and 0.01  
cfs 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 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 one-eightieth of one cubic foot per second per  
acre, or its equivalent for each acre irrigated from  
direct flow and shall be further limited to a diversion of not to exceed 4.5  
acre-feet per acre for each acre irrigated during the irrigation season of each  
year, from direct flow and storage from Werner Reservoir No. 3 constructed  
under permit R-5062,

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:

## RESERVOIR ONLY

Fire protection and 16.0 acres NW 1/4 NW 1/4

## CREEK ONLY

Fire protection NE 1/4 NW 1/4  
Fire protection and 4.9 acres NW 1/4 NW 1/4  
0.1 acre SW 1/4 NW 1/4  
Fire protection SE 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

RECEIVED

JUN 18 2019

OWRD

STATE OF OREGON  
COUNTY OF JOSEPHINE  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That** DR. SAMUEL WERNER

of Merlin Sanitarium, Merlin, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of unnamed stream & reservoir constructed under App. No. R-24336, Permit No. R-1036 a tributary of Jumpoff Joe Creek Watershed for the purpose of irrigation under Permit No. 19447 of the State Engineer, 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 12, 1949

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 0.4 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 21, Township 35 South, Range 6 West, W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed  $\frac{1}{2}$  acre feet per acre for each acre irrigated during the irrigation season of each year, from April 2 to October 31, from direct flow and storage from reservoir constructed under Permit No. R-1036.

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:

16.0 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 28  
Township 35 South, Range 6 West, W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 7th day of March, 1957

LEWIS A. STANLEY

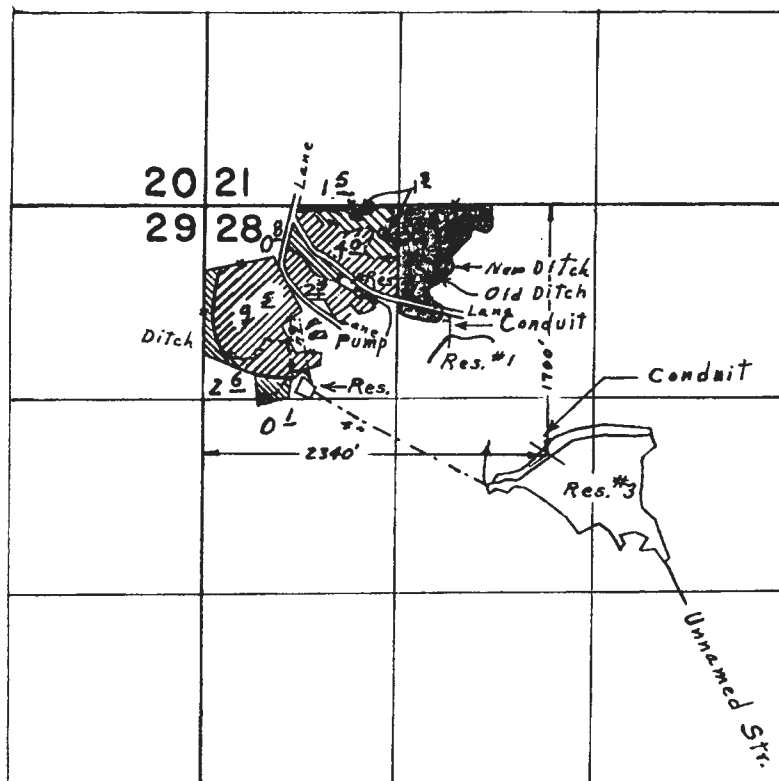
State Engineer

RECEIVED

JUN 18 2019

OWRD

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



 PRIMARY  
 SUPPLEMENTAL } PERMIT 29349

RECEIVED

JUN 27 1986

WM DIST. 16  
GRANTS PASS CO.

# 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

RECEIVED

JUN 18 2019

OWRD

1. Samuel Werner

(Name of Applicant)

of Marlin Oregon

(Mailing Address)

State of Oregon, do hereby make application for a permit to construct the following described reservoir and to store the unappropriated waters of the State of Oregon, subject to existing rights.

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

1. The name of the proposed reservoir is #3

2. The name of the stream from which the reservoir is to be filled and the appropriation made is unnamed

tributary of Eene Creek

3. The amount of water to be stored is 9 acre feet.

4. The use to be made of the impounded water is Irrigation + fire control  
(Irrigation, power, domestic supply, etc.)

5. The location of the proposed reservoir will be in Sec. 28  
(Give sections or townships to be submerged)

Tp. \_\_\_\_\_ R. \_\_\_\_\_ W.M., in the county of Josephine

(a) State whether situated in channel of running stream and give character of material at outlet

not channel type around stream, material is of Clay & decomposed granite

(b) If not in channel of running stream, state how it is to be filled. If through a feed canal, give

name and dimensions Spring Run off

6. The dam will be located in SE 1/4 NW 1/4 Sec. 28  
(Smallest legal subdivision)

Tp. 35 S R. 6 W W.M. The maximum height will be 10 feet above stream bed or ground

surface on center line of dam. The length on top will be 200 feet; length on

bottom 180 feet; width on top 16 feet; slope on front

or water side 1:4 slope on back 1:3 height of dam above water line  
(Feet horizontal to 1 vertical) (Feet horizontal to 1 vertical)

when full 2 1/2 feet.

\* A different form of application should be used for the appropriation of stored water to beneficial use. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

and clay

8. The location of wasteway with dimensions are as follows: 12 ft wide around  
down end of dam.  
(State whether over or around the dam)

9. The location of outlet from the proposed reservoir, with character of construction and dimensions, are as follows: at end of dam on south end  
8" steel pipe with gate.  
(All dams across natural stream channels must be provided with an outlet conduit, of such capacity and location to pass the normal flow of the stream at any time)

10. The area submerged by the proposed reservoir, when full, will be 2 acres,  
with a maximum depth of water of 6 feet; and approximate mean depth of water  
4 1/2 feet.

11. The estimated cost of the proposed work is \$ \$800

12. Construction work will begin on or before as soon as permit is issued  
on Dec 13 1963

13. Construction work will be completed on or before in fall 1963

Samuel Werner  
(Signature of applicant)  
Merlin, Oregon

STATE OF OREGON, }  
County of Marion, } ss.

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

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before 19

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

STATE ENGINEER

By \_\_\_\_\_ ASSISTANT

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 the following limitations and conditions: The right herein granted is limited to the construction of reservoir No. 3 and storage of water from an unnamed stream to be appropriated under application No. 39285, permit No. 29349 for 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.

The right hereunder shall be limited to the storage of 9.0 acre feet.

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.

WITNESS my hand this 1st day of May 1964.

  
STATE ENGINEER

Extended to Oct. 1, 1968

Application No. R-39284

Reservoir Permit No. R-3945

## PERMIT

To construct a reservoir and store for beneficial use the unappropriated 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 4:59 o'clock P. M.

Returned to applicant:

Approved:

May 1, 1964

Recorded in Book No. 14 of  
Reservoirs, on Page 3945

CHRIS L. WHEELER

State Engineer

Drainage Basin No. 15 page 78X

Fees \$15.00

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, 1986,  
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

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

SAMUEL WERNER

of 752 NW 6th Street, Grants Pass

, State of OR 97526

, has

constructed a reservoir to store the waters of

an unnamed stream, tributary Ewe Creek, appropriated under Permit 29349 in  
Werner Reservoir No. 3

for the purposes of

irrigation and fire protection

under Reservoir Permit No. R-3945

, and that the storage of said waters has been

completed within the terms of said Permit; that the priority of the right dates from

December 4, 1963

that the amount of water entitled to be stored each year under such right, for the purposes afore-

said, shall not exceed 9.0 acre-feet, being 8.0 a.f. for irrigation and  
supplemental irrigation and 1.0 a.f. for fire protection.

The reservoir is located in

SW 1/4 NE 1/4

SE 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 11<sup>th</sup> day of March.

1986

Samuel Werner

(COPY)

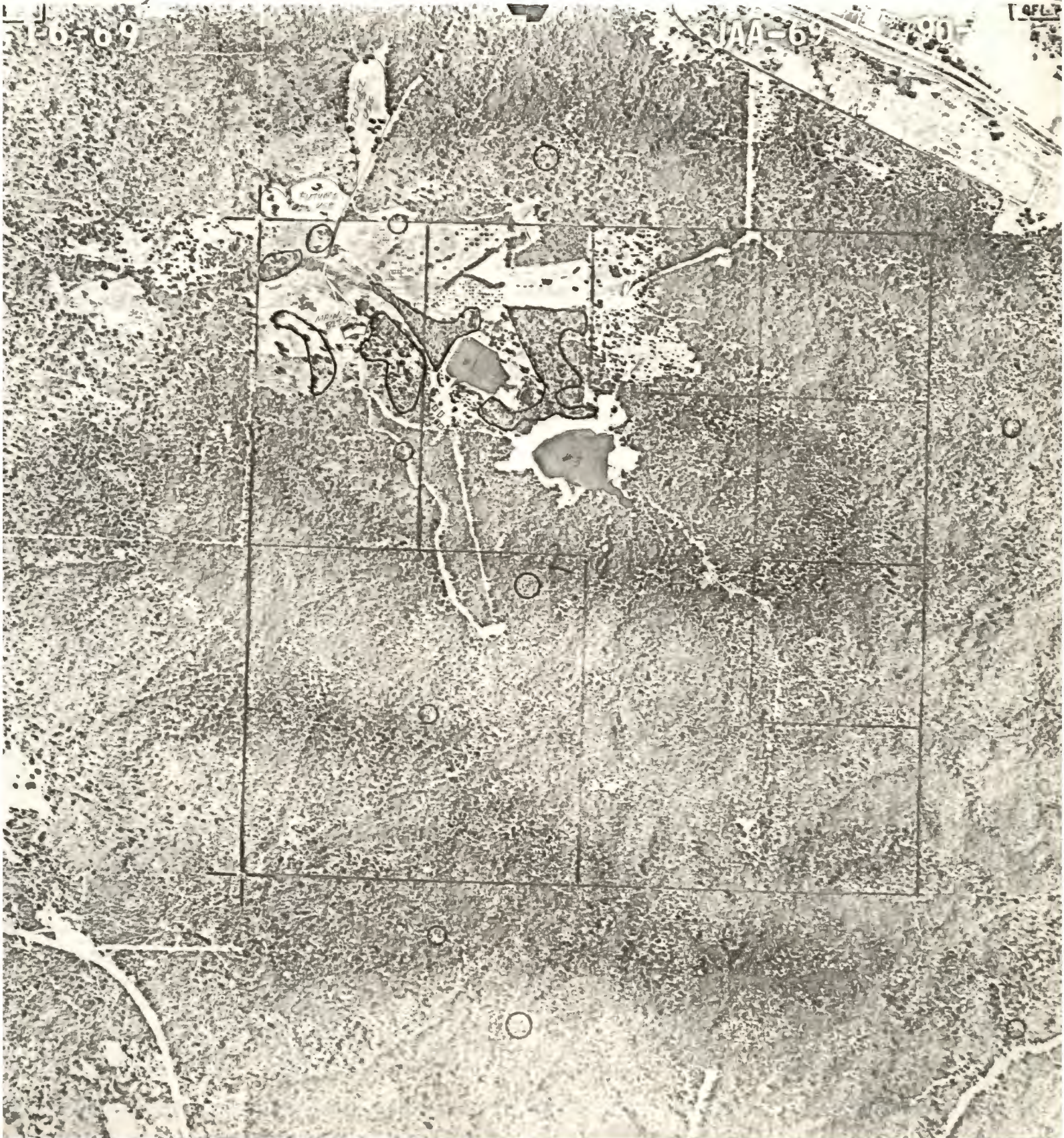
1" = 1250'

(NOT TO SCALE)

100-69

IAA-69

QFL



72

Application No. **R-39284** ✓ Certificate No.

Samuel Werner

MERLIN SANITARY CO.

752 N.W. 6th St

~~North~~regon, 27526

### Source of water supply

Grants Pass

✓ ~~Unnamed stream, trib. Blue Creek, to be appropriated under~~  
application No. 39285; permit No. 29349 ✓

## Use

Storage in Reservoir No. 3 for irrigation and supplemental irrigation and fire protection.

### Point of diversion

~~Sec. 20, T. 35 N., R. 6 W., N.M., in the county~~  
~~of Josephine~~

Number of acres

### DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

| Twp. | Range | Sec. | NE 1/4                        |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        |
|------|-------|------|-------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4                        | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |
|      |       |      | <del>RESERVOIR LOCATED:</del> |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
| 35N. | 6 W.  | 20   | S. W. 1/4 N. E. 1/4 -         |        |        |        | X      |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      | S. E. 1/4 N. W. 1/4 -         |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      | Survey Regardless             |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Priority date

December 4, 1963

Amount of water

9.0 a.f., stored water only, being 5.0 a.f. for irrigation and supplemental irrigation & 1.0 a.f. for May 1, 1965

### Time limit to begin construction

### Time limit to complete construction

~~10/5/66~~ extended to

extended to

### Time limit to completely apply water

extended to

extended to

Remarks:

\*fire protection

10<sup>6</sup> ac. S.A.

O.K. for 9 A.F.

A.M. Peters

3/18/80-

R-43931 OK for 60 acf

11/14/83

7D

**Dasin 15 Vol.**

Talked to Mr. Werner by phone. He says that they have some finishing touches to ~~put~~ on the the enlargement of the dam & says that they have inv. 5 to 10 ac. from it. Res. has been used by Forest Service for fire protection.

Was this extended beyond 1971?

APPL. R-43931

4-13-72

CLO. ENGR.

R. S. Mucken

Info: Mr. Charles Werner also Mr. Samuel Werner

Max. 101.0'

Elevations:

Crest of Dam Min. 100.0' Assumed

H. B. M. - 98.0'

S. A. = 10.8 Acres

P. W. L. - 98.0'

10.8 X 24.5 X .4 = 105.84 Ac. Ft.

Crest of Spillway - 98.0'

Dn. Str. end Conduit - 70.5'

Note: up str. end Conduit said to be 2' higher Than dn. str. end.

Dam:

Length of Crest - 1200'

Width of " - Varies from 20' to 80'

Slope of sides - 3:1 Up Str.

" " " - 2:1 Dn. "

Condition - Good.

Spillway: Location - At Left end Dam

Note: 1st 50' is concrete, Shape -  rest of spillway is excavated ditch. Slope - 5' 1st 20', 3' next 50', 6' 50', 6' 50'.

Conduit: 10" Steel located 500' from Left end Dam

Approx. 230' long.

Sliding gate @ upstream end.

Control: Incline screw.

Tie: To N.W. Cor. Sec. 28 (I.P.)

April 22, 1974, L. C. Gould

Field Engineer

Note: It is impossible to determine outline of original Res. before enlargement.

APPL'S: R-39284, 39285  
R-43931, 43932

INFO: DR. CHARLES WERNER (SON), &  
MR. SAMUEL WERNER

MET WITH THE WERNER'S AND THOROUGHLY DISCUSSED AND  
REVIEWED THE ABOVE APPL'S, AND MADE A FIELD  
INSPECTION WITH A BORROWED 1969 AERIAL PHOTO.

THE IRRIGATION SYSTEM HAS NOT CHANGED, EXCEPT FOR  
SOME UPDATING IN SPRINKLERS, & A DECORATIVE WATER  
FOUNTAIN IN FRONT OF THE MAIN BUILDING.  
ALL LAND THAT WAS SURVEYED (PTS-1974-K) IS BEING  
IRRIGATED AND HAS BEEN SINCE LATE 1960'S. MOST  
THE IRRIGATION IS DONE BY FLOOD IRRIGATING THROUGH  
THE DITCHES. LAWNS AROUND BUILDINGS ARE SPRINKLED.  
DRINKING WATER IS FROM A GROUND WATER WELL.  
USE OF IRRIGATION INCLUDES PASTURE, GARDENS, ORCHARD  
& LAWN.

RESIVOIR NO. 3 IS ALSO USED FOR FIRE PROTECTION WITH  
THE INDOOR SPRINKLER SYSTEM THROUGH-OUT THE  
SANITARIUM BUILDINGS. RES. #3 WAS SURVEYED AT  
FULL CAPACITY THAT EXISTS TODAY.

9-28-82

B. Suzie Janner  
ENGINEERING TECH. I

**RECEIVED**  
OCT 4 1982  
WATER RESOURCES DEPT.  
SALEM, OREGON

STATE OF OREGON  
WATER RESOURCES DEPT

OCT 14 1985

RECEIVED

RECEIVED

OCT 4 1982

WATER RESOURCES DEPT.  
SALEM, OREGON

R- 39284

39285

R- 43931

43932

BRUCE,

YOU NEED TO GO OUT AND DO A  
QUICK INSP. VERN SURVEYED THE FIRST  
PERMIT IN 1974 THEN THIS GOT HOLD  
UP BECAUSE OF SOME PROBLEMS WITH  
RES. CONSTRUCTION. NEED TO CHECK TO SEE  
IF LAND STILL BEING IRRIGATED AND IF  
THERE ARE ANY PHYSICAL CHANGES IN  
PROJECT. I THINK ~~THE~~ VERN'S REPORT WILL  
WORK FOR THE NEWER PERMITS ON THE  
ADDITIONAL WATER STORED IF THERE ARE  
NO CHANGES IN THE PROJECT.

## INSPECTION REPORT

Dr. Werner Reservoir  
Josephine County

March 29, 1967

At the request of Mr. Petska, I inspected the elevation of the water surface of this reservoir in the company of Bob Steimer, Watermaster of this district. The State Engineer has specified a minimum of 2 feet of freeboard be maintained in this dam for safe operation.

I measured with a hand level and steel tape 1.8 feet between the water surface and a low spot at a narrow crest section of the dam near the right abutment. Water was flowing over the spillway splashboards approximately 0.1 feet to give a total freeboard of 1.9. This should be sufficient safe freeboard for expected flows at this time of year.

  
Gary A. Gasaway  
Engineer

GAG:sh

# Application for a Permit to Construct a Reservoir and to Store for Beneficial Use the Unappropriated Waters of the State of Oregon

1. Samuel Werner  
(Name of Applicant)

of Merlin Oregon  
(Mailing Address)

State of Oregon, do hereby make application for a permit to construct the following described reservoir and to store the unappropriated waters of the State of Oregon, subject to existing rights.

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

1. The name of the proposed reservoir is #3

2. The name of the stream from which the reservoir is to be filled and the appropriation made is

unnamed

tributary of Eene Creek

3. The amount of water to be stored is 9 acre feet

4. The use to be made of the impounded water is Irrigation + domestic supply  
(Irrigation, power, domestic supply, etc.)

5. The location of the proposed reservoir will be in Sec. 28  
(Give sections or townships to be submerged)

Tp. 35 S, R. 6 W, W.M., in the county of Josephine

(a) State whether situated in channel of running stream and give character of material at outlet

not channel proper around stream, material is clay & decomposed granite

(b) If not in channel of running stream, state how it is to be filled. If through a feed canal, give name and dimensions Spring Run

6. The dam will be located in SE 1/4 N 1/4, Sec. 28  
(Specify legal subdivision)

Tp. 35 S, R. 6 W, W.M. The maximum height will be 10 feet above stream bed or ground

surface on center line of dam. The length on top will be 200 feet; length on

bottom 180 feet; width on top 16 feet; slope on front

or water side 1:4; slope on back 1:3; height of dam above water line

when full 2 1/2 feet.  
(Feet horizontal to 1 vertical) (Feet horizontal to 1 vertical)

\* A different form of application should be used for the appropriation of stored water to beneficial use. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

7. The construction of dam, the material of which it is to be built, and method of protection from  
erosion are as follows: Earth, soil mixture & granite

and clay

8. The location of wasteway with dimensions are as follows:

at right side around  
down end of dam.

(State whether over or around the dam.)

9. The location of outlet from the proposed reservoir, with character of construction and dimensions, are as follows: at end of dam on south end.

8" steel pipe with gate.  
(All dams across natural stream channels must be provided with an outlet conduit, of such capacity and location to pass the normal flow of the stream at any time.)

10. The area submerged by the proposed reservoir, when full, will be 4 1/2 acres,  
with a maximum depth of water of 6 feet; and approximate mean depth of water  
4 1/2 feet.

11. The estimated cost of the proposed work is \$ 7500.

12. Construction work will begin on or before as soon as permit is given

13. Construction work will be completed on or before as soon as possible

James H. Wilson  
Signature of applicant  
William C. Clegg

STATE OF OREGON, }  
County of Marion, } ss.

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

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before ....., 19.....

WITNESS my hand this ..... day of ....., 19.....

STATE ENGINEER

By ..... ASSISTANT

STATE OF OREGON, }  
 County of Marion, }

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: The right herein granted is limited to the construction of reservoir No. 3 and storage of water from an unnamed stream to be appropriated under application No. 39285, permit No. 29349 for 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.

The right hereunder shall be limited to the storage of 8.0 acre feet.

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.

WITNESS my hand this 1st day of May, 1964

*Chas. T. White*  
 STATE ENGINEER

SARY  
AL:-

10/11/78  
9/12/75

I believe the prop & survey under  
permits R-3945 & 29349 adequate  
for prop & survey under permits  
R-5062 & 32855

Permit 5062 is enlargement of  
3945 - and should be  
approved for capacity less 9.0  
at allowed under R-3945, not to  
exceed 60.0 of. as per permit.

As soon as storage is approved  
under permit R-5062 I'll issue  
all 4 cuts -

As of this date no new filing  
on other res's.

Yes. 10/11

Before Cuts are issued an inspection  
will be made to make sure still in use.

**COPY**

June 8, 1973

R-24336  
24337

R-39284  
39285

R-43931  
43932

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

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



# STATE ENGINEER

## WATER RESOURCES DEPARTMENT

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

TOM McCALL  
GOVERNOR

CHRIS L. WHEELER  
State Engineer

January 8, 1973

File No.

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

Application No.

R-43931  
43932

**COPY**

Dear Mr. Zimmerlund:

This is to confirm our inspection of January 4, 1973, regarding the "as built" plans and engineering report of the Doctor Werner Project.

As we discussed, your drawings should be complete and accurately portray what Doctor Werner has constructed. Your report should include a summation of all engineering tests conducted to determine the adequacy of the material used in construction, and state your opinion of the structure to perform as a dam. Regarding the earthen material used, as we discussed, you should open the fill to a depth of six or so feet, make a density determination, and if adequate, I do not feel that boring the embankment would be a necessity.

On my way to Salem, I stopped at Mr. Chickering's office in Eugene, and again discussed with him the requirements of the topographic map and the computation of area and compacity curves therefrom.

Very truly yours,

A. M. PETSKA  
Engineer

AMP:gb

cc: Samuel Werner

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.

Chickering and Associates  
1190 West Seventh Avenue  
Eugene, Oregon 97401

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

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

Copy



# 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

Copy

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.

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

COPY

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

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



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

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

INSPECTION REPORT

Dr. Werner Reservoir  
Josephine County

March 29, 1967

At the request of Mr. Petska, I inspected the elevation of the water surface of this reservoir in the company of Bob Steimer, Watermaster of this district. The State Engineer has specified a minimum of 2 feet of freeboard be maintained in this dam for sage operation.

I measured with a hand level and steel tape 1.8 feet between the water surface and a low spot at a narrow crest section of the dam near the right abutment. Water was flowing over the spillway splashboards approximately 0.1 feet to give a total freeboard of 1.9. This should be sufficient safe freeboard for expected flows at this time of year.

Gary A. Gasaway  
Engineer

GAG:sh

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. Petaka  
Engineer

AMP:sh

cc: Robert B. Steimer

WATERMASTER DISTRICT NO. 14  
COUNTY COURTHOUSE  
GRANTS PASS 97526  
TEL. 476-6827



STATE OF OREGON  
STATE ENGINEER  
WATER RESOURCES DEPARTMENT

WATER DISTRIBUTION  
HYDROGRAPHIC SURVEYS  
SNOW SURVEYS

REFER TO  
FILE NO. \_\_\_\_\_

December 14, 1966

**RECEIVED**  
DEC 16 1966  
STATE ENGINEER  
SALEM OREGON

R-39284

Chris L. Wheeler  
State Engineer  
Salem, Oregon

Att: Al Petska, Asst.

Dear Al:

Dr. Werner called me the other day and asked me to come out and look at his upper reservoir. I went Friday, December 9, 1966.

The old lower reservoir near the house has the spillway completely open as you wanted it and water is spilling. The reason he wanted me to inspect the upper reservoir is he would like to increase the size to about 60 a.f. This would involve raising the dam some 20 feet according to him. I told him he would have to have the plans and specifications engineered and submitted to you for approval.

He has contacted the Soil Conservation Service for the engineering work but they are hesitant and advised him to contact the Watermaster, Al Petska, or the State Engineer.

I contacted the Soil Conservation Service myself. They are hesitant because of the marginal type of material available and also because the job involves an addition to an existing structure. They seem to feel the engineering on the present structure might leave something to be desired.

Dr. Werner seems to have something amiss in his permit. I think he asked for extra time and from my conversation with him I believe his time had run out prior to the date when he asked for an extension. You might check this for me.

Dr. Werner claims to have dug a trench and used a blue clay to seal the seepage that was coming from the dam at the time you inspected it. You may want to look at this for yourself. Possibly you could give me a call and we could discuss it.

Very truly yours,

*Bob*

Robert B. Steimer  
Watermaster, Cistrict #14

RS:dc

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

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

RECEIVED  
NOV 29 1966  
STATE ENGINEER  
OREGON

Grants Pass, Oregon.

November 28, 1966.

State Engineer,  
Salem 10, Oregon.

Dear Sir:

Re: App. No. 39285

App. No. R-39284

Sorry that I am so late to reply to the above application. When Mr. Petzka was down here last spring we looked over the site, and we discussed the advisability of enlarging the dam beginning this coming year. The Soil Conservation engineer also was with us, and finally the state geologist took soil samples, but he was unable to make any definite statement, for the fill depended upon the material and compaction. We went down ten feet below the outlet and sealed what seepage which went through the foundation, and then fortunately after going about twelve feet down on another location found some clay with the proper moisture consistancy and made a core for the new dam. At the present I am waiting to see if the water is completely sealed off, and if so have an engineer draw up a set of plans to build the dam higher to impound more water. It was for this reason that the dam is not completed, but it will be just a matter of a day or two to bring it to the desired hight.

There are three main factors as far as the fill is concerned, number one is the proper material, second the proper moisture content, and third proper compaction for the larger dam. At appears that the water is sealed off, but I am waiting to see after the reservoir is full and then make the inspection.

Very truly yours,

*Samuel Werner*

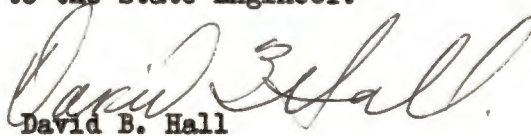
R-39284  
May 12, 1966

MEMORANDUM OF INSPECTION

On Monday, May 9, 1966, with Al Petska, Bob Steimer and Dr. Werner, I inspected the dam covered under Application No. R-39284.

The dam has been constructed with a conduit, without any type of valve, and evidently without any base preparation whatsoever. The fill has been made around a large pine tree some distance away from the right abutement. What compaction there is in the fill was attained only through the use of a crawler-type tractor.

Dr. Werner's intent is to raise the dam considerably higher. For this reason, he was told by Mr. Petska to retain the services of a registered professional engineer and submit the plans and specifications with his application to the State Engineer.

  
David B. Hall  
Engineer

DBH:jb

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

REFER TO R-39284  
FILE NO. 39285

May 27, 1965

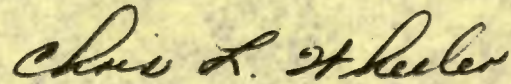
Dr. Samuel Werner  
Merlin,  
Oregon

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

SAMUEL WERNER, M. D.

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

RECEIVED  
MAY 19 1965  
STATE ENGINEER  
SALEM, OREGON

Grants Pass, Oregon.

May 12, 1965.

Office of the State Engineer,  
Salem 10, Oregon.

Dear Sir:

Re: R-39284 39285  
R-394b 29349

The above beginning of construction was started August 1964,  
however it is not completed. There was some flood damage, which  
will delay the completion, but hope to finish it this year.

Very truly yours,

*Samuel Werner M.D.*

STRATHMORE BOND

BRASSVILLE

R-39284  
39285

May 26, 1964

Dr. Samuel Werner  
Merlin  
Oregon

and 29349 with blueprint.

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

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

Files R-39284

39285

R-43931

R-5062

43932

32855

Howard.

Doc Warner's project has quite a history. Maybe you are aware of these dams.

We already have Al's blessing for GAF for permit R-3945. Can you use same report for approval for permit R-5062? Hope so.

Back to me when you are finished, please.

Tom S

1-11-83

Howard

I talked with Svc James (Tech @ Medford field office) because she made an inspection of the project last Fall.

She looked at most easterly & up stream pond & followed Vern Gould's report. Spillway is 8' wide, but downstream spillway is similar.

Since the as built plans show 20' wide spillway, maybe we should look again. Difficult to accept 105.84 Ac.-ft.

Note Al's letter dated 11-29-79 3rd # where he numbers reservoir in question as No. 2. Maybe this is why as built show No. 2.

I feel Vern's report is on correct pond, but we just don't have enough info.

Tom

11/19/85

Tom: Barry and I will be working with owner to get project cleaned up, however it appears the water has been stored per R 43931 therefore cert. should be issued.

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 1.0 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; and
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 embankment. 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, provided a water-tight joint is obtained between pipe and conduit.
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.

16 ft.



S.E. 1/4 7th. 1/4 Sec. 28

2640  
300  
2340

600 feet

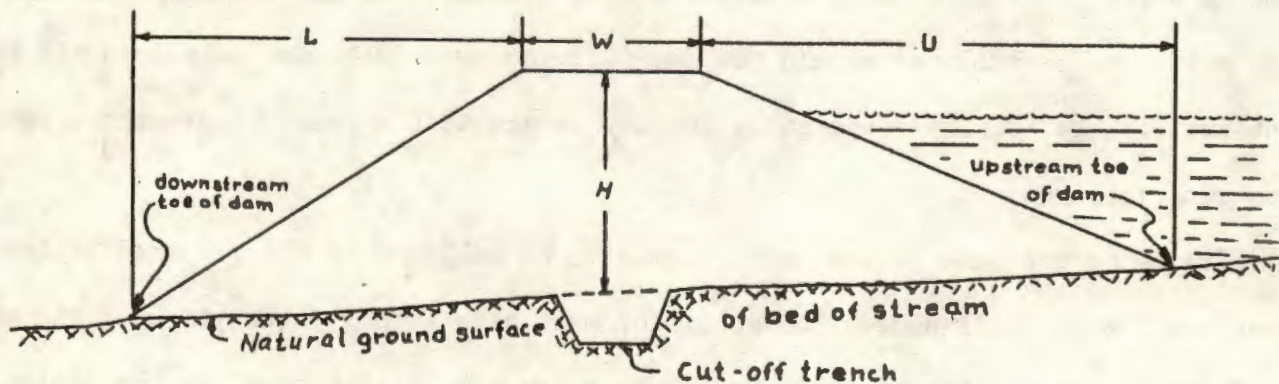
3/8

1320  
1260  
5280

1320  
1260  
2640  
1200  
1440

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



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

**EARTH DAM:**

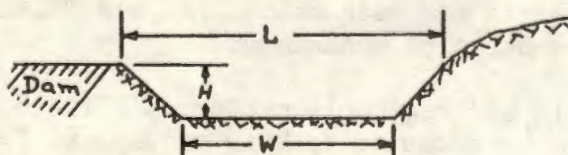
Amount of water impounded 9 acre feet.

Top width of dam indicated on sketch by letter "W" 16 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 10 feet.

The horizontal distance from upstream top of dam to upstream toe indicated on sketch by letter "U" is 40 feet.

The horizontal distance from downstream top of dam to downstream toe indicated on sketch by letter "L" is 30 feet.



**SPILLWAY:**

Approximate drainage area of creek above dam 200 <sup>acres.</sup> ~~square~~ mile.

Bottom width of spillway, indicated on sketch by letter "W" is 6 feet.

Top width of spillway, indicated on sketch by letter "L" is 6 feet.

Distance between top of dam and bottom of spillway at the upper end, indicated on sketch by letter "H" is 4 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 8" steel.

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

Application No. R-39284  
Permit No. R-3945

Samuel Werner MD  
Signature of Applicant