

Name George M. Wheeler
~~By~~ Rt 2, Box 471
 Address Klamath Falls, Oregon

Application No. U-329
Permit No. U-303
Certificate No. 22856

Stream Index, Page No. 14-16A

Date filed September 30, 1949
Priority September 30, 1949
Action suspended until _____

Returned to applicant _____
Date of approval February 21, 1950

CONSTRUCTION

Date for beginning February 21, 1951
Date for completion October 1, 1952
Extended to _____

Date for application of water October 1, 1953
Extended to _____

PROSECUTION OF WORK

Form "A" filed January 11, 1951
Form "B" filed January 11, 1951
Form "C" filed January 30, 1952

FINAL PROOF

Blank mailed August 1, 1952
Proof received
Date certificate issued JUL 12 1957

39/10 - 6 P (1)

FEE PAID

Date	Amount	Receipt No.
10/10/49	16.65	7663
	B. P. Fee	
8-1-56	\$1 Cert. Fee	8014

FEES REFUNDED

Date	Amount	Check No.
10/1/2010	100.00	1001
10/2/2010	200.00	1002
10/3/2010	300.00	1003
10/4/2010	400.00	1004
10/5/2010	500.00	1005
10/6/2010	600.00	1006
10/7/2010	700.00	1007
10/8/2010	800.00	1008
10/9/2010	900.00	1009
10/10/2010	1000.00	1010
10/11/2010	1100.00	1011
10/12/2010	1200.00	1012
10/13/2010	1300.00	1013
10/14/2010	1400.00	1014
10/15/2010	1500.00	1015
10/16/2010	1600.00	1016
10/17/2010	1700.00	1017
10/18/2010	1800.00	1018
10/19/2010	1900.00	1019
10/20/2010	2000.00	1020
10/21/2010	2100.00	1021
10/22/2010	2200.00	1022
10/23/2010	2300.00	1023
10/24/2010	2400.00	1024
10/25/2010	2500.00	1025
10/26/2010	2600.00	1026
10/27/2010	2700.00	1027
10/28/2010	2800.00	1028
10/29/2010	2900.00	1029
10/30/2010	3000.00	1030
10/31/2010	3100.00	1031
11/1/2010	3200.00	1032
11/2/2010	3300.00	1033
11/3/2010	3400.00	1034
11/4/2010	3500.00	1035
11/5/2010	3600.00	1036
11/6/2010	3700.00	1037
11/7/2010	3800.00	1038
11/8/2010	3900.00	1039
11/9/2010	4000.00	1040
11/10/2010	4100.00	1041
11/11/2010	4200.00	1042
11/12/2010	4300.00	1043
11/13/2010	4400.00	1044
11/14/2010	4500.00	1045
11/15/2010	4600.00	1046
11/16/2010	4700.00	1047
11/17/2010	4800.00	1048
11/18/2010	4900.00	1049
11/19/2010	5000.00	1050
11/20/2010	5100.00	1051
11/21/2010	5200.00	1052
11/22/2010	5300.00	1053
11/23/2010	5400.00	1054
11/24/2010	5500.00	1055
11/25/2010	5600.00	1056
11/26/2010	5700.00	1057
11/27/2010	5800.00	1058
11/28/2010	5900.00	1059
11/29/2010	6000.00	1060
11/30/2010	6100.00	1061
12/1/2010	6200.00	1062
12/2/2010	6300.00	1063
12/3/2010	6400.00	1064
12/4/2010	6500.00	1065
12/5/2010	6600.00	1066
12/6/2010	6700.00	1067
12/7/2010	6800.00	1068
12/8/2010	6900.00	1069
12/9/2010	7000.00	1070
12/10/2010	7100.00	1071
12/11/2010	7200.00	1072
12/12/2010	7300.00	1073
12/13/2010	7400.00	1074
12/14/2010	7500.00	1075
12/15/2010	7600.00	1076
12/16/2010	7700.00	1077
12/17/2010	7800.00	1078
12/18/2010	7900.00	1079
12/19/2010	8000.00	1080
12/20/2010	8100.00	1081
12/21/2010	8200.00	1082
12/22/2010	8300.00	1083
12/23/2010	8400.00	1084
12/24/2010	8500.00	1085
12/25/2010	8600.00	1086
12/26/2010	8700.00	1087
12/27/2010	8800.00	1088
12/28/2010	8900.00	1089

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

0.51 cts from a well for the irrigation of 40.7 acres

Form A

Application No. 4329

NOTICE OF BEGINNING OF CONSTRUCTION

I, George M. Wheeler, the holder of Permit No. 4303
to appropriate the public waters of the state of Oregon, began the actual construction of the works described
therein on the 25 day of March, 1949.

Remarks:

The well was dug years ago for a golf course.
I purchased that place & am using well for irrigation on
farm.
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 8 day of January, 1951

(Signature of Applicant)

(Address)

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

STATE PRINTING DEPT.

Form B

Application No. 4329

NOTICE OF COMPLETION OF CONSTRUCTION

I, George M. Wheeler, the holder of Permit No. 4303
to appropriate the public waters of the state of Oregon, completed the construction of the works described
therein on the 19 day of April, 1950.

Remarks:

I use sprinkler on all ground including
that above well.
If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you
should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 8 day of January, 1951

(Signature of Applicant)

(Address)

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

Add sprinkler

Form C

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

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the State Engineer until all of the land described
in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.
Fill out, detach, and mail to the State Engineer, Salem, Oregon, when all of the water has been applied.

Application No. 4329

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Geo. M. Wheeler, the holder of Permit No. 4303
to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in
accordance with the terms of said permit, on the 23 day of May, 1951.

Remarks:

We do not intend to irrigate that ground
south of the well that is marked sprinkled on the
map. There is approximately 3 acres in it.

IN WITNESS WHEREOF, I have hereunto set my hand this 30 day of January, 1952

(Signature of Applicant)

(Address)

RECEIVED
JAN 31 1951
STATE ENGINEER
SALEM, OREGON

R# 2 Box 471 R. Falls Ore.

JAN 18 1955 FORM 125 WELL

FEB 8 1956 FORM 125 WELL

October 8, 1986

Mr. and Mrs. Robert Hirschbock
7655 Hillyard Avenue
Klamath Falls, OR 97603

Dear Mr. and Mrs. Hirschbock:

I am responding to your letter dated September 23, 1986, in which you comment on use of water from another well and its effect on the use of water from your well.

The right to use of water from the well is described in Certificate 22856 which confirms the use of 0.44 cubic foot per second of water for the irrigation of 35.2 acres with a date of priority of September 30, 1949.

If the use of water was abandoned for five or more consecutive years, by statute the right is subject to forfeiture, even if use is later resumed. If the use of water was in fact abandoned for five or more years, the abandonment proceedings are initiated by submission of affidavits to this office from people with personal knowledge of the non-use, stating the circumstances and the fact that they would be willing to testify in the event of a hearing.

If this right in question is not subject to cancellation, use could not be made for any purpose other than irrigation without the owner submitting an application for a transfer in the nature of use from irrigation to domestic. I have placed your letter in the file, and should such an application be received, you will be notified and at that time would have the opportunity to protest the granting of a transfer.

In answer to your last question, if there is insufficient water to satisfy the needs of all users utilizing that water source, the water is distributed on the basis of priority. In the case of wells, if a determination is made that water is available and a well is not of sufficient depth to take advantage of the available supply, then the landowner may be required to take the necessary steps to increase the efficiency of well.

I hope that I have been able to answer your questions.

Sincerely,

RALPH H. JACKSON, Supervisor
Application/Permit Section

RHJ:wpc
694117

RECEIVED

OCT - 2 1986

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

SEP 24 1986

WATER RESOURCES DEPT
SALEM, OREGON

September 23, 1986

Dear Sirs,

We are concerned about our water well located at 7655 Hilgard, Klamath Falls, OR. Our well is 193 ft deep and serves us very well except in the summer when one of two wells above us on a hill is used for irrigation. We understand these wells are owned by the City of Klamath Falls. We understand this is the legal description of one of the wells.

Application U-329, Permit U-303,
Certificate 22856

Now they are wanting to subdivide 49 acres and use those wells to furnish water which would leave us with nothing but problems with our well.

Would appreciate you keeping this for further information on the well.

(over)

Mr. & Mrs Robert Hirschbock
7655 Hilgard Ave
Klamath Falls, OR 97603

RECEIVED

OCT 2 1968

P.S.

WATER RESOURCES DEPT.
SALEM, OREGON

In case anyone files for use on these wells I would like to be notified. The wells have sat without use for years until the last 2^{or 3} when they started using them for irrigation.

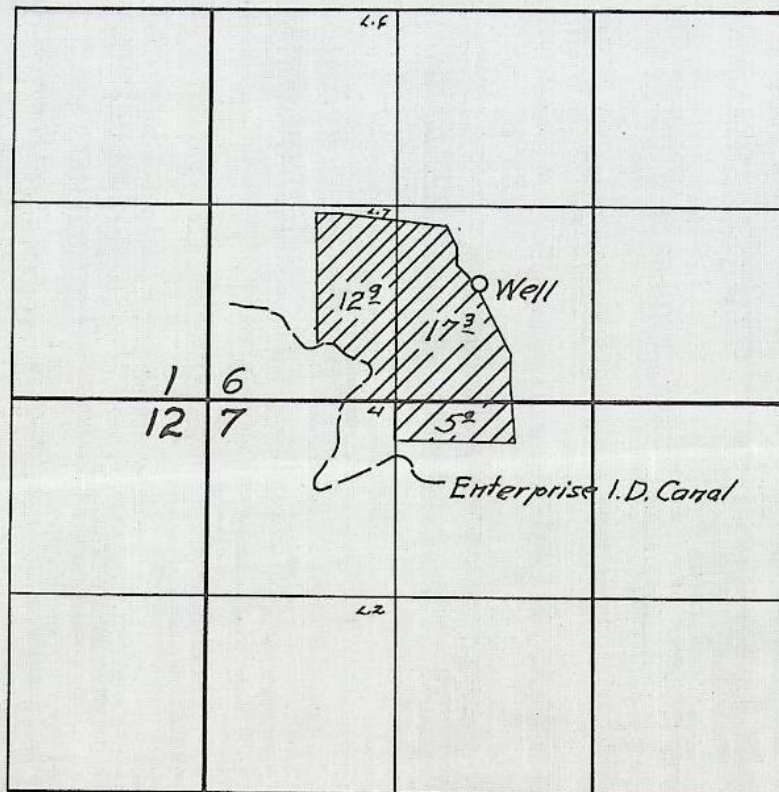
Also, I was wondering about a guarantee on our water in the event these wells are used & our well is drained.

Mr. + Mrs. Robert Hirschbach
7655 Hilgard Ave.
Klamath Falls, OR. 97603



Water Resource Dept.
3850 Portland Rd. N.E.
Salem, Oregon 97310

T.395, R.9 & 10 E.W.M.



FINAL PROOF SURVEY

UNDER

Application No. U-329 Permit No. U-303
IN NAME OF

GEORGE M. WHEELER

Surveyed 19 May 1955, by H.H. Coffman

CNO-61K-14 *ROE*

Permit No. U-303

Application No. U-329

County Klamath

Proof of Appropriation of Water

RECEIVED
AUG 1 1956

STATE ENGINEER

SALEM, OREGON

1. Name George M. Wheeler 2. Address Rt. 2, Box 471, Klamath Falls, Ore.
3. Source of supply a well, in Lake Ewauna and Klamath River
- Tributary of _____
4. Amount of water 0.44 cfs 5. Priority date September 30, 1949
6. Use irrigation 1/30th & 3 a.f.
7. Location of point of diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 6, Twp. 39 S, Range 10 E, W. M.
(Legal Subdivision)
8. The description of land given below corresponds to that found in your permit covering land to be irrigated, or, if for other purposes, the place of use.

Township	Range	Section	Legal Subdivision	No. Acres Actually Irrigated
39 S	10 E	6	SE $\frac{1}{4}$ SW $\frac{1}{4}$	17.3
			E $\frac{1}{2}$ Lot 7 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)	12.9
		7	N $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$	5.0
				35.2

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 31 day of July,

1956

George M. Wheeler

Permit No. U- 303

Application No. U-329

County KLAMATH

Preliminary Data for Proof of Appropriation of Water

1. Name George M. Wheeler 2. Address Rt. 2, Box 471, Klamath Falls, Ore.
3. Source of supply a well, in Lake Ewauna and Klamath River
- Tributary of _____
4. Amount of water 0.51 c.f.s. 5. Priority date September 30, 1949
6. Use Irrigation

7. Location of point of diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 6 Tp. 39 S. Rg. 10E, W. M.
(Legal Subdivision)
8. The description of land given below corresponds to that shown in the permit covering land to be irrigated, or, if for other purposes, the place of use.

Township	Range	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
39 S	10E	6	SE $\frac{1}{4}$ SW $\frac{1}{4}$	21.5	17 $\frac{3}{4}$
			Lot 7 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)	12.6	12 $\frac{1}{2}$
		7	NE $\frac{1}{4}$ NW $\frac{1}{4}$	6.6	5 $\frac{1}{2}$
				40.7	35 $\frac{1}{2}$
If for irrigation, this appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of the year,					

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

REPORT OF PERSON MAKING INSPECTION

Description of works:

Well- 333° X 10" - Static level not determined
 base reduced to unknown size thought 6" at 156°
 Well pump Johnson turbine Deep well. 5x6 inch
 to Jap elec. - Column 156° x 5" dia 4"
 8" bore
 direct to Berkeley Cent. FERE Direct to 15 H.P.
 5" x 4" to 6" Steel main line 1250° ±
 320° 3 1/2" al, 840° 3 1/2" al, 140° 3" al
 39 #40 RB. 35- 3/16 x 3/32 3, 3/16 x 3/16 1- 1/4 x 3/32
 D=5" X=10 1/2" Y=9" F.B.=1"
 Crop Grain Alpha.
 Sub Main wheel
 Earth on main could. but not used
 all irrigating by sprinkling system

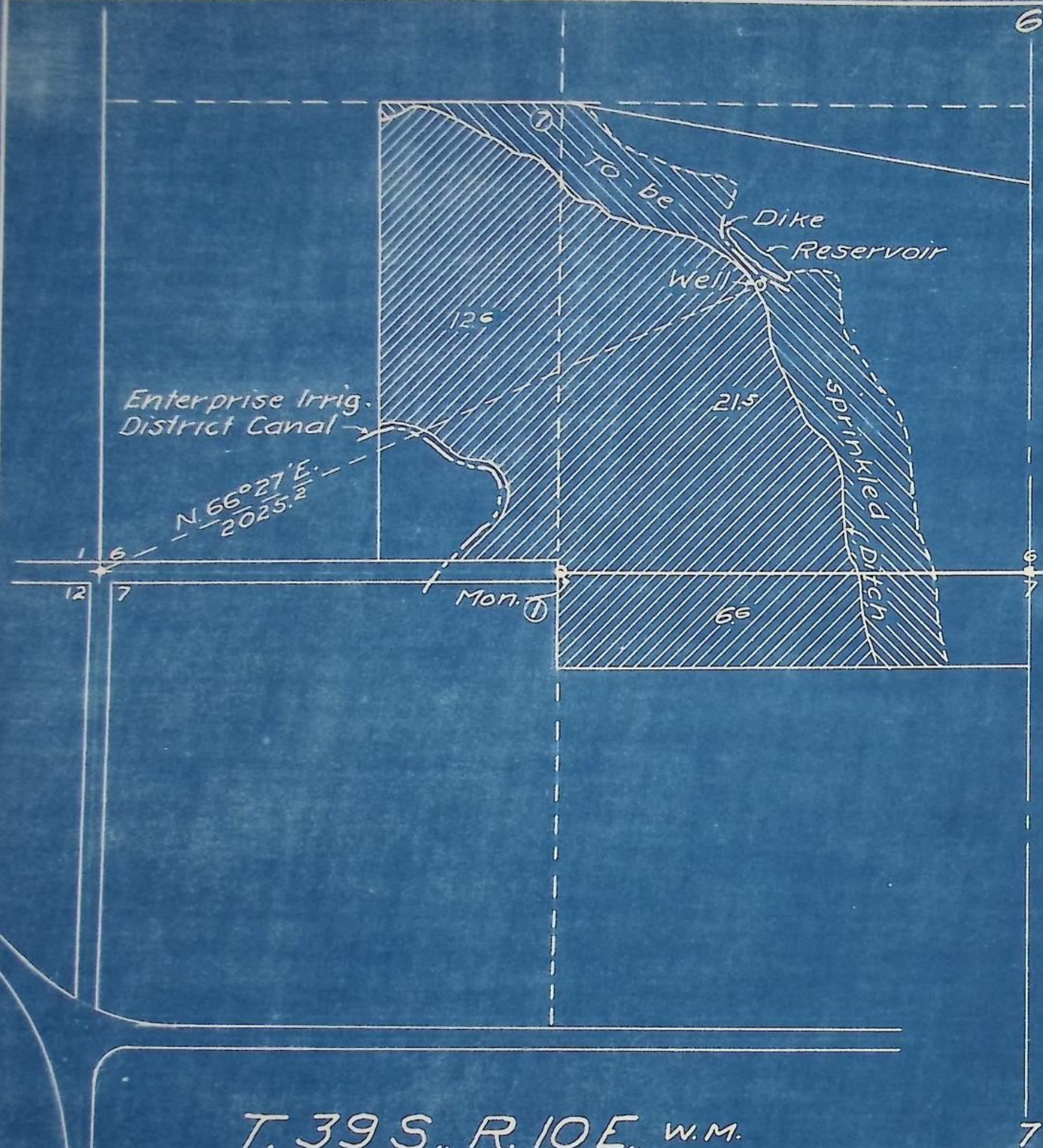
I, H. P. C. Huan, do hereby certify that I have made
 an inspection of the works described herein and in Permit No. 4-323, on the 19 day
 of May, 1955, and found the foregoing statements and descriptions of works to
 be accurate. In my opinion the appropriation has been completed to the extent of
 and I recommend the issuance of water right certificate for this amount, (Quantity of water in
second-feet or acre-feet)

NOTICE TO INSPECTORS

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

(Name)

(Title)



I, William L. Wales, of Klamath Falls, Oregon, do hereby certify that this map was made from notes taken during an actual survey made by me on Sept. 2, 1949, that the monument shown on this map consisting of a $\frac{5}{8}$ " steel reinforcing bar 30" long, driven in the ground 24", is N. 89° 49' E., 1286.2 feet from the S.W. corner of Section 6, T. 39 S., R. 10 E., W. M.

Oregon No 1347

William L. Wales
Registered Professional Engineer.
Date of Registration Aug. 4, 1924.

T. 39 S., R. 10 E., W. M.

Application No. U-329
Permit No. U-303

William L. Wales

MAP OF
LANDS TO BE IRRIGATED
BY
GEO. M. WHEELER
KLAMATH CO., OREGON.
Scale 1" = 400'

Survey & Map by
William L. Wales & Son,
Klamath Falls, Oregon.

County Klamath

(Attach separate sheet if necessary)

DESCRIPTION OF WORKS

9. (a) If a dam has been constructed, give description: Height, ft.; length on top, ft.;
length on bottom, ft.; material used and character of construction,
.....
- (b) Give description of headgate: Width, ft.; depth, ft.; material used and character
of construction,
.....
- (c) Size of canal: Width on top (at waterline), ft.; width on bottom, ft.; depth of
water, ft.; grade, ft. fall per 1,000 ft. Actual capacity, sec.-ft.
Give general description:
.....
- (d) Pipe line: Description of intake,
.....
Length of pipe, ft.; size at intake, in.; size at ft. from intake, in.; size
at place of use, in. Difference in elevation between intake and place of use, ft.
Is grade uniform? Actual capacity of pipe line, sec.-ft.
Give general description:
(Material: Steel, wrought, cast iron, wood stave, etc.)
.....
- (e) Pumping plant: Give size and type of pump,
Suction lift, ft.; discharge lift, ft. Type of motor used
Horsepower rating, H. P. Actual capacity of pump, sec.-ft.
10. During what months is water beneficially used?
11. State character of soil
Kind of crops raised
12. Does the accompanying map, filed with your application, show correctly the point of diversion, area
of land irrigated, or place of use?
13. If not, wherein is such map in error?
.....
14. Domestic use: Give number of families actually using water at this itme
15. If for power, mining, municipal, manufacturing, storage or any other purpose than irrigation, give
extent and method of such use
.....

AFFIDAVIT OF APPROPRIATOR

STATE OF OREGON,
County of } ss.

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

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

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

Notary Public for Oregon

[Notarial Seal]

My commission expires

AFFIDAVIT OF WITNESSES

STATE OF OREGON,
County of } ss.

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

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

Notary Public for Oregon

[Notarial Seal]

My commission expires

REPORT OF PERSON MAKING INSPECTION

(For use by Representative of State Engineer)

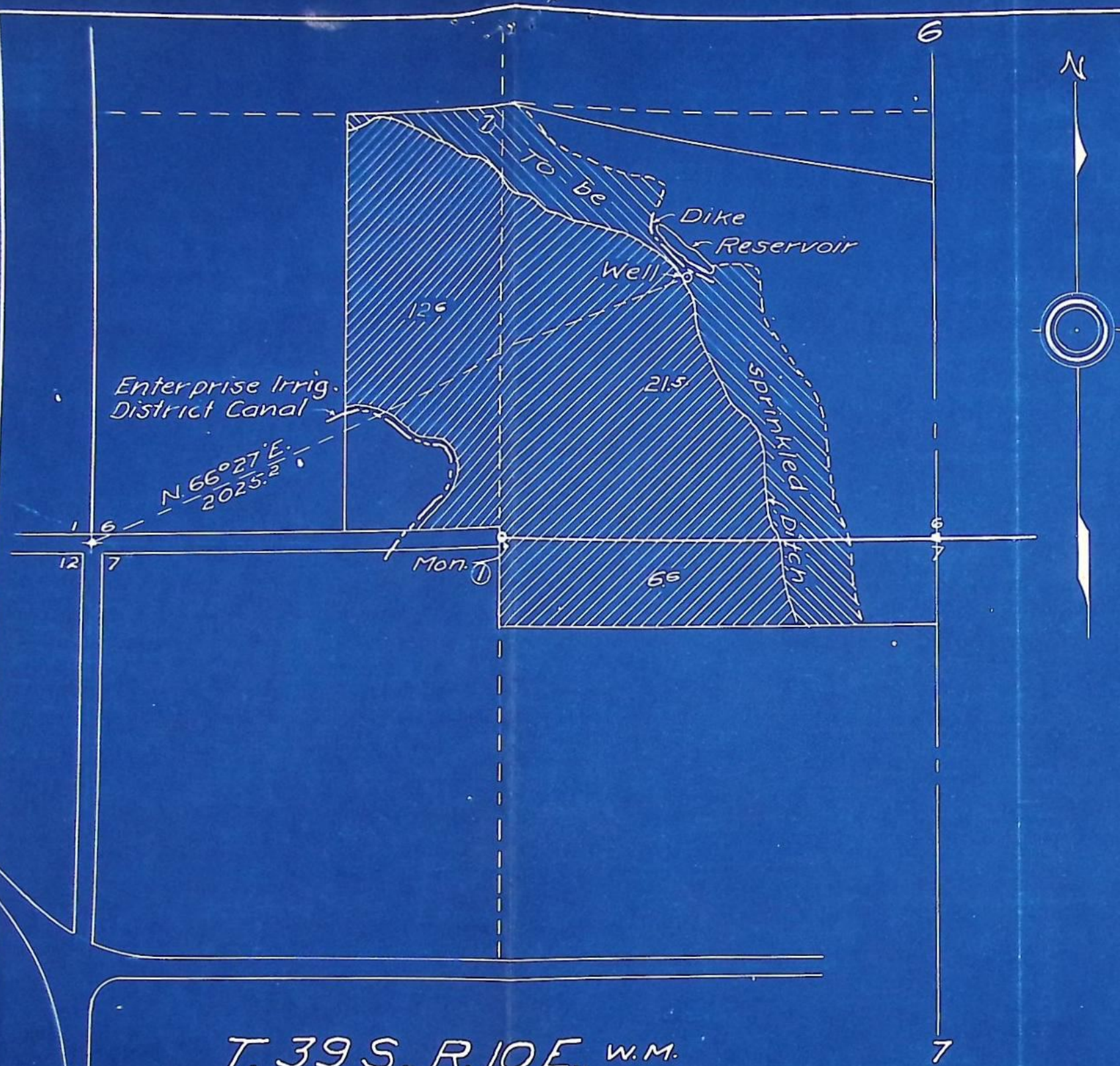
I, _____, do hereby certify that I have made an inspection of the works described herein and in Permit No. _____, on the _____ day of _____, 19_____, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of _____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

NOTICE TO INSPECTORS

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

(Name)

(Title)



T. 39 S., R. 10 E., W. M.

Application No. U-329
Permit No. U-303

I, William L. Wales, of Klamath Falls, Oregon, do hereby certify that this map was made from notes taken during an actual survey made by me on Sept. 2, 1949, that the monument shown on this map consisting of a $\frac{5}{8}$ " steel reinforcing bar 30" long, driven in the ground 24", is N. 89° 49' E., 1286.2 feet from the S.W. corner of Section 6. T. 39 S., R. 10 E., W. M.

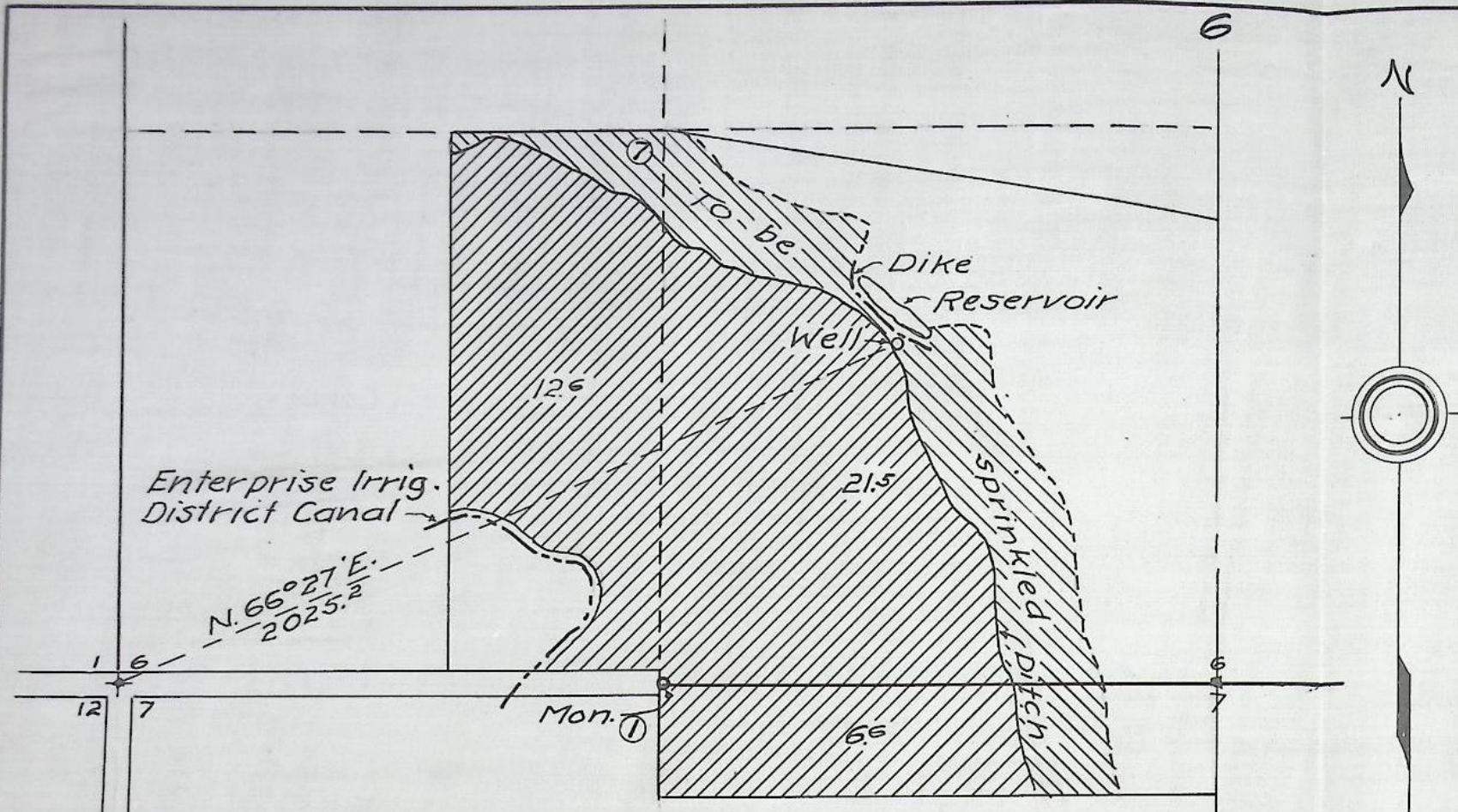
Oregon No 1347

William L. Wales
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Date of Registration Aug. 4, 1924.

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BY
GEO. M. WHEELER
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Scale 1" = 400'

Survey & Map by
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T. 39 S., R. 10 E., W. M.

Application No. U-329
Permit No. U-303

RECEIVED
SEP 30 1949
STATE ENGINEER
SALEM, OREGON

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Oregon No 1347

William L. Wales
Registered Professional Engineer.
Date of Registration Aug. 4, 1924.



MAP OF
LANDS TO BE IRRIGATED
BY

GEO. M. WHEELER
KLAMATH CO., OREGON.

Scale 1" = 400'

Survey & Map by
William L. Wales & Son,
Klamath Falls, Oregon.

Mr. George M. Wheeler
Route 2, Box 471
Klamath Falls, Oregon

February 21, 1950

Dear Mr. Wheeler:

Herewith you will find Application No. U-329, Permit No. U-303, together with blueprint.

This application has been approved and recorded in this office.

PLEASE READ CAREFULLY THE FOLLOWING INSTRUCTIONS:

Your permit has been recorded in this office, but you should hold the original as evidence of your water right unless the land described therein is disposed of. In that event you should file an assignment to the new owner for record in this office. Assignment blanks will be furnished upon request.

The permit, which appears on the back page of the application form, limits the time in which you may begin and complete construction of your project. According to law you must begin actual construction work within one year from the date of issuance of the permit or your right will be lost. The State Engineer is authorized to extend the time for completion of the project on proper showing, but has no authority to extend the time limit for beginning of construction work.

Forms are attached to the permit for your convenience in submitting notice when construction begins, when it is completed, and when the water has been completely applied to the proposed use.

Whenever a measuring device becomes necessary for the proper distribution of water the permittee will be required to install one to the satisfaction of the State Engineer as provided by Section 116-501, O.C.L.A.

As soon as the work is completed and the water applied to the proposed use, you should notify the State Engineer who will then take up with you the matter of final proof, after which a water right certificate will be issued.

If your use of water is for irrigation, proof can be made only after you have actually irrigated ALL of the land described in your permit, which you intend to irrigate at any time.

Yours very truly,

Chas. E. Stricklin

CHAS. E. STRICKLIN
State Engineer

October 19, 1949

William L. Wales & Son
Civil and Hydraulic Engineers
Klamath Falls, Oregon

Attention: Mr. William L. Wales

Gentlemen:

This will acknowledge receipt of your letter of September 14 with which you submitted an application in the name of George M. Wheeler for a permit to appropriate 0.9 second-foot of water from a well for irrigation, together with remittance in the amount of \$16.65 for which our Receipt No. 7663 is enclosed.

The application, which has been checked over, has been filed and given No. U-329. It appears to be in satisfactory form and is being placed in line for approval by issuance of a permit.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Geo. V. Naderman, Assistant

GVN:dh
Enc.

RECEIVED

Mr. Stricklin -

STATE

SALES

This man Wheeler must get a loan thru in order to save the equipment that he has bought for the place and must have his permit in order to get his loan. Any help that you can give to expedite the permit will be greatly appreciated.

Wales.

WILLIAM L. WALES AND SON
CIVIL AND HYDRAULIC ENGINEERS

KLAMATH FALLS, OREGON

September

Fourteenth

1949

Mr. Charles E. Stricklin,
State Engineer,
Salem, Oregon.

Dear Sir:

I am enclosing an application for a water right from
a well for Mr. Geo. M. Wheeler, together with his check for \$16.65
determined as follows:

Examination Fee	\$ 10.00	
Recording Fee - 41 acres	<u>6.65</u>	\$ 16.65

The small reservoir shown on the map, has a capacity of approximately two acre feet, is to be used to pump into at odd times. It will in no way affect any surface rights. The dam will have a crest width of 8 feet and slopes of two to one on both sides. Its maximum height will be approximately 5 feet.

Yours very truly,

William L. Wales

WLW:sp

Enc.

RECEIVED
SEP 30 1949
STATE ENGINEER
SALEM, OREGON