

Water Resources Department
Watermaster District # 4
P. O. Box 261
Canyon City, OR 97820
Phone (503) 575-0119

September 18, 1995

Ralph J. Hutchison
P.O. Box 728
Pilot Rock, Or. 97868

Reference: File #79324; Notice of Exempt Reservoir (Pond)

Dear Mr. Hutchison:

The department has now reviewed the exempt reservoir notice that you filed with us. We are pleased to tell you that from examining your notice and the accompanying data, we have determined that ponds number 6 and 7 qualify as exempt under our administrative rules and you need not apply for a water right for these ponds.

A careful review of the information included with the exempt notice indicates that ponds number 3, 5, and 8 appear to be on channel. Ponds 1, 2, and 4 appear to be on channel due to the location of the ponds on the map or a combination of the ponds not being located properly on the map and remarks noted in the description of the ponds.

Ponds 1, 2, 3, 4, 5 and 8 will be referred back the Water Resources Department (WRD) in Salem. The 1995 legislative session passed a new ponds bill (HB 2376) which may allow exemption of the pond. You can expect to receive more information at a later date.

We encourage you to keep this letter with the other important property records that you keep.

If you have any questions, please contact my office at the address or telephone number noted in the heading of this letter.

Sincerely,



Kelvin G. Rise
Watermaster, District 4

Enclosure: Copy of accepted notice

cc: Salem File
Region Office

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JUL 16 2013

WATER RESOURCES DEPT
SALEM, OREGON

Watermaster HB-2153
Check List

WM 8/7

March 9, 1995

RALPH J HUTCHISON

PO BOX 728
PILOT ROCK, OR 97868

REFERENCE: File(s) P-79324

#6 & 7 Reservoir qualifies as exempt

Reservoir does not qualify as exempt

Reservoir is off channel
Height of Dam
Capacity of Reservoir
Constructed before 1/1/1993

YES NO
less than 10 feet
Less than 9.2 acre feet.
 YES NO - see Affidavit.

I Kelvin Riese examined the information included with the file P-79324.
My determination is based on review of the information, ~~and field visit to the site and/or~~
~~personal knowledge.~~

Kelvin Riese
Signature

9/18/95
Date

RECEIVED
JUL 16 2013
WATER RESOURCES DEPT
SALEM, OREGON

March 9, 1995

Oregon

RALPH J HUTCHISON

PO BOX 728
PILOT ROCK, OR 97868

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-79324;
Notice of Exempt Reservoir (Pond)

Your exempt reservoir notice has been received by the Department and has been assigned the above-referenced file number. We would like to ask you to refer to this number if you should need to contact us about the notice, your pond, or ponds if you have more than one.

To avoid any misunderstanding, we feel it is important to tell you that although we have received and filed your notice, we have not yet determined whether you are exempt from water right requirements. The watermaster responsible for the area in which the pond(s) is (are) located will help us apply the Water Resources Commission's administrative rules to your situation. These rules set the standards that determine which ponds require water rights and which are exempt. We will let you know the results as soon as we are able to complete our review of your pond(s)'s nature.

Since the department must rely initially on the information you submit to us, it is very important that the information be complete and accurate. If inspections show that your pond(s) does (do) not qualify as exempt, you could be asked to drain the pond(s) or submit a water right application or both. If you submit your application after January 1, 1995, it will be processed like any other application, since that is the deadline for filing water rights under the pond amnesty program.

The department will process your information as quickly as possible. However, because water right processing staff members are working hard to reduce a backlog of applications, it may be some weeks before you hear from us.

If you have questions, you may contact your watermaster. The enclosed brochure lists watermaster names, telephone numbers and addresses by county.

Sincerely,



Mr. Cory C. Engel
Water Rights Research Assistant
Water Rights/Adjudication Division

Enclosure: New Water Right Law for Pond Owners Brochure



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

Application No. P-79324
Permit No.

HB - 2153

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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DEC 30 1994

NOTICE OF EXEMPT RESERVOIR

WATER RESOURCES

This notice is submitted pursuant to ORS 537.141, which provides that a water right is not needed for certain ponds/reservoirs which were in existence before January 1, 1993, are located off-channel and store less than 9.2 acre-feet of water or have a dam less than 10 feet in height.

Landowner: Ralph J. Hutchison

Authorized Agent: (if applicable) _____

Address: P.O. Box 728 Hwy 3955

Pilot Rock OR 97868 503-443-7771
City State Zip Telephone No.

I/WE SUBMIT NOTICE OF THE FOLLOWING RESERVOIR(S):

NOTE: Multiple reservoirs may be included in a single notification, provided the reservoirs are within the same ownership, on contiguous property and within the same drainage basin. For items 1-6 below, attach extra sheets for additional reservoir descriptions.

1. The reservoir is located in Section 28, Township 45, Range 31E, in Umatilla County. (Enclose a US Geological Survey topographical map or a tax lot map showing the location of the reservoir(s). Copies of portions of the maps are acceptable, provided information on the copy verifies the correct legal description.)

2. Source of water: Snow melt

3. Maximum height of the dam: 6'

4. Maximum water depth in the reservoir: 4'

5. Maximum storage capacity of reservoir: _____

6. Size, description and location of any outlet pipe: _____

7. Enclose evidence that the reservoir(s) existed before January 1, 1993, such as one or more of the following:

- 7.1 A dated aerial photograph which shows the immediate area above, below and surrounding the reservoir(s);
- 7.2 An affidavit signed by the landowner or other knowledgeable person (signature needs to be notarized);
- 7.3 A dated map prepared by a local, state or federal agency showing the location of the reservoir; or
- 7.4 Construction receipts or other forms of documentation.

Listed on Separate Sheet

Declaration by Owner/Authorized Agent:

Each of the reservoirs described herein was in existence before January 1, 1993, is located off-channel and stores less than 9.2 acre-feet of water or has a dam less than 10 feet in height.

I/We believe the reservoir(s) qualifies under ORS 537.141 and OAR 690-11-041 for exemption from Oregon's water right filing requirements.

Notice to Owners/Authorized Agent:

Reservoirs that qualify for exemption under ORS 537.141 and OAR 690-11-041 shall be subject to the following conditions:

1. The right to store or use water in the reservoir shall not have priority over any water right; and
2. The right to store and use water in the reservoir(s) shall be subordinate to all future permitted or certificated water rights.

THE UNDERSIGNED VERIFIES THAT TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF THE INFORMATION CONTAINED IN THIS NOTICE IS TRUE, CORRECT AND COMPLETE.

Landowner/agent signature: Ralph J. Hutchison

(Print Name and Title) Ralph J. Hutchison, Owner

Date: December 28, 1994

FOR WATER RESOURCES DEPARTMENT USE ONLY

The foregoing Notice and accompanying data have been examined by authorized staff of the Water Resources Department. Based on review of the information submitted, this Notice is accepted on _____, 1994 and assigned FILE NUMBER 79324.

cc: Watermaster District # _____
To Data Center (date) _____

Application No. P-79324
Permit No.

Ralph Hutchison

RECEIVED

DEC 30 1994

WATER RESOURCES
SALEM, OREGON

Off-Channel Nature of Ponds

- #1 Water drains off roadway parallel to small draw which leads water to pond. No trees or brush in area.
- #2 Small pond in small draw sometimes not filling with water.
- #3 Small pond in upper end of draw. Pond surrounded with trees. Summer elk habitat.
- #4 Large pond collecting from old road and slope of terrain above pond.
- #5 Large pond collecting from several leads or fingers extending above pond. Fills only after normal or above rain + snowmelt.
- #6 Pond of small size built on side of draw. Retains water from Spring and pond overflows through pipe into drainage area below pond.
- #7 Small pond in fan shaped area - seldom fills except in years of heavy snowfall.
- #8 Spring fed and built off-channel but drains into channel but only after snowmelt.

RESERVOIR NAME/ NUMBER	TOWN SHIP	RANGE	SECTION	COUNTY	SOURCE	MAXIMUM HEIGHT OF DAM	MAXIMUM WATER DEPTH	STORAGE CAPACITY (STATE UNITS)	OUTLET PIPE (LOCATION, DESCRIPTION, SIZE)
# 1	45	31E	28 SE 1/4 NW 1/4	Umatilla	Snowmelt	8'	5'	0.35 A.Ft.	8' x 2' Spillway
# 2	45	31E	30 NE 1/4 SE 1/4	Umatilla	Snowmelt	5'	3'	0.055 2400 cu.ft.	4' x 2' Spillway
# 3	45	31E	30 NW 1/4 SE 1/4	Umatilla	Snowmelt	5'	4'	4500 C.Ft. 0.103	5' x 2' Spillway
# 4	45	3E	32 NW 1/4 NE 1/4	Umatilla	Snowmelt	8'	6'	2.25 A.Ft.	6' x 2' Spillway
# 5	45	31E	31 SW 1/4 SW 1/4	Umatilla	Snowmelt	8'	6'	3.0 A. Ft.	6' x 2' Spillway
# 6	45	31E	31 SW 1/4 SE 1/4	Umatilla	Springfed	6'	4'	3000 C.Ft. 0.068	3/4" pipe overflow
# 7	45	30E	26 SE 1/4 SE 1/4	Umatilla	Snowmelt	5'	4'	6000 C.Ft. 0.137	6' x 2' Spillway
# 8	45	30E	35 NW 1/4 SW 1/4	Umatilla	Springfed	7'	2'	6000 Cu.Ft. 0.137	5' x 2' Spillway

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DEC 30 1994
WATER SALES
OREGON

Application No. P-79324
Permit No.

RECEIVED

DEC 30 1994

December 28, 1994 WATER RESOURCES DEPT.
SALEM, OREGON

Application No. P-79324
Permit No.

Water Resources Dept.
158 12th NE
Salem, OR 97310

Gentlemen:

This is to certify that all ponds
listed for exemption were built or
existed prior to Jan. 1, 1993.

Ralph J. Hutchison

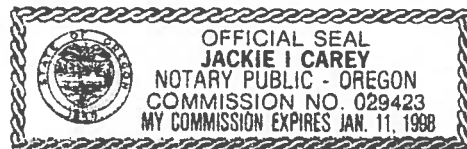
Ralph J. Hutchison
Owner

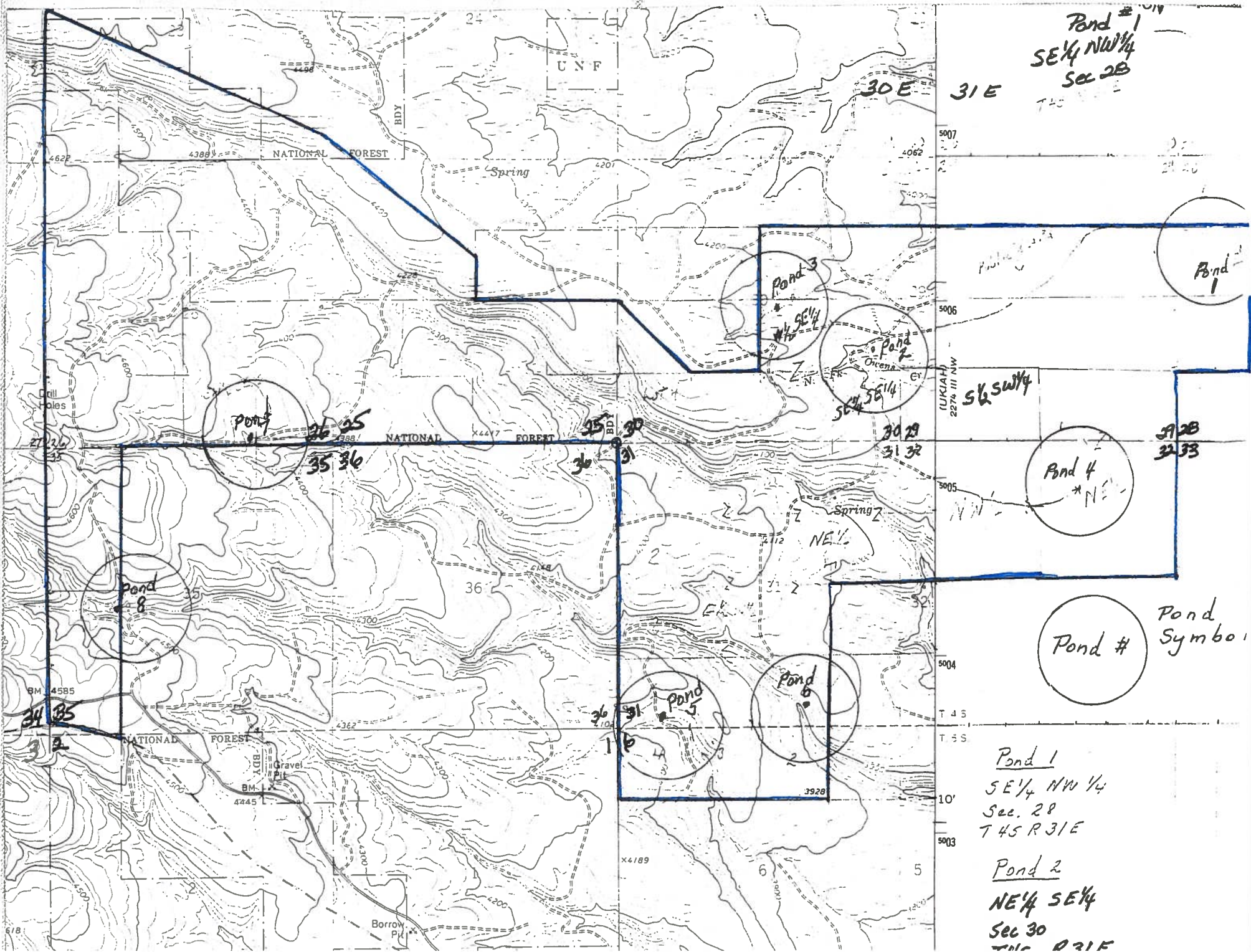
Ralph J. Hutchison

State of Oregon
Umatilla County

This instrument was acknowledged before me on December 28, 1994
by Ralph J. Hutchison

Jackie I. Carey
Notary Public of Oregon





Pond #1
SE 1/4 NW 1/4
Sec 28
T45 R31E

30 E 31 E

Pond 3
NE 1/4 SE 1/4

Pond 7
Owens
SE 1/4 SW 1/4

SE 1/4 SW 1/4

Pond 1
26 25
35 36

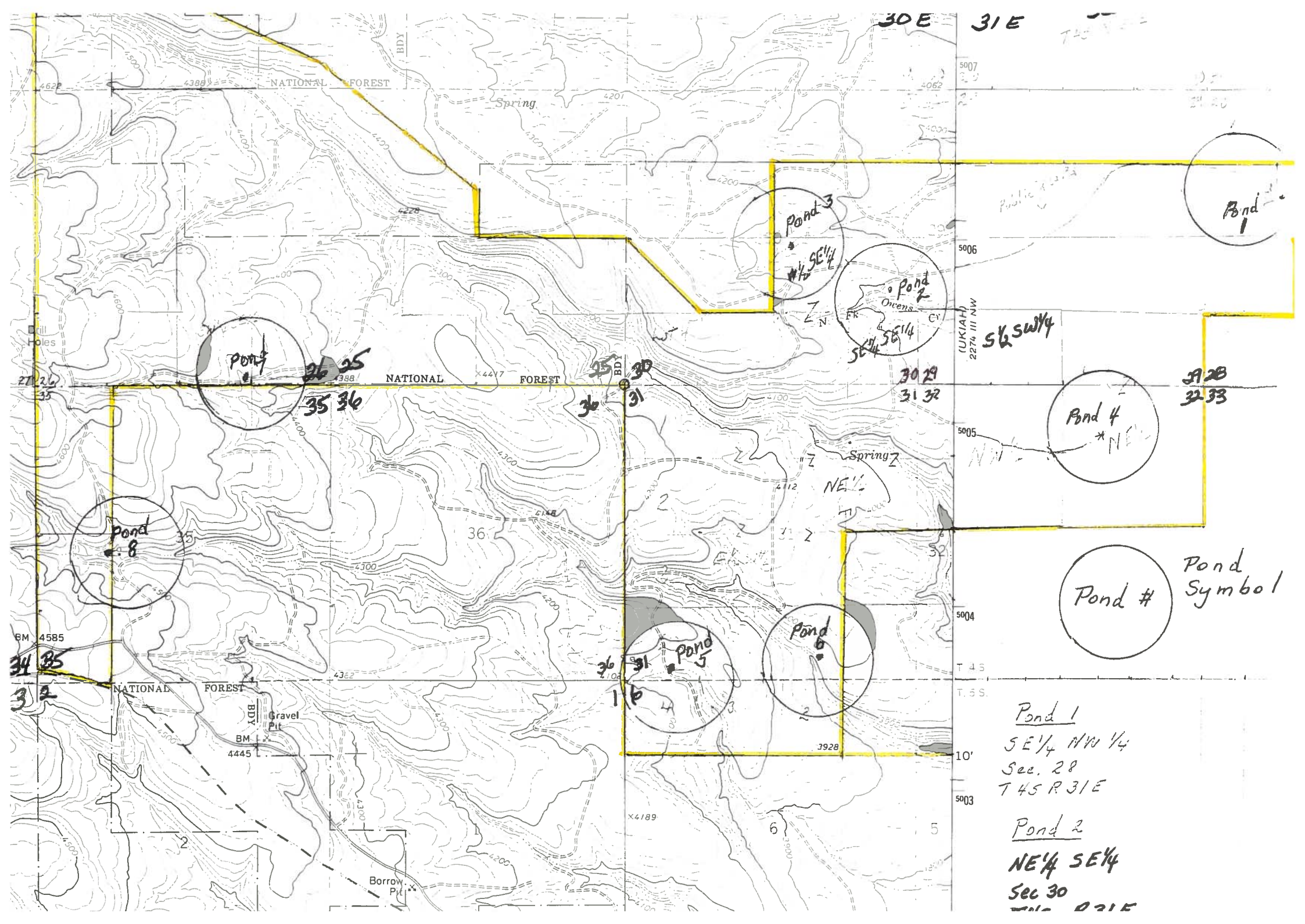
Pond 8

Pond 4
NE 1/4

Pond #
Pond Symbol

Pond 1
SE 1/4 NW 1/4
Sec. 28
T45 R31E

Pond 2
NE 1/4 SE 1/4
Sec 30
T45 R31E



Pond #
Pond Symbol

Pond 1
SE 1/4 NW 1/4
Sec. 28
T 45 R 31 E

Pond 2
NE 1/4 SE 1/4
Sec 30
T45 R31E

MINIMUM APPLICATION REQUIREMENTS TO FILE:

HB 2153 - existing, small, EXEMPT ponds

DB 2/21/95
(date & initials)

NOTICE OF EXEMPT RESERVOIR form (or letter if prior to April 8, 1994).

✓ Appropriate map (see item 1 on form).

✓ Evidence that reservoir existed before January 1, 1993 (one or more of the following: dated aerial photo, NOTARIZED affidavit, dated map from agency, construction receipts or other documentation).

✓ Items 2, 3, 4, 5, and 6 are completed.

✓ Signature (and title, if applicable)

HB 2153 - non-exempt existing ponds (large, on-channel)

Complete Minimum Requirements to File on reverse, except before routing to Data Center, change priority date to 1/1/1993. Also, confirm the following:

Receipt of evidence that reservoir existed before January 1, 1993 (one or more of the following: dated aerial photo, NOTARIZED affidavit, dated map from agency, construction receipts or other documentation)

HB 2107 - wetland, stream restoration and storm water management

Complete Minimum Requirements to File on reverse EXCEPT DO NOT ROUTE TO DATA CENTER, BUT DO ROUTE TO CAROL. Also confirm the following:

_____ Name/address of adjacent property owner
within 1/4 mile
_____ Map with scale not less than 2 in.=1 mi.
_____ CWRE map if > 10 feet dam or > 9.2 AF
_____ Description of proposed use
_____ Condition addressed
_____ Resulting benefits
_____ Public notices (circle) #1 #2