

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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NOV 15 1994

NOTICE OF EXEMPT RESERVOIR

WATER RESOURCES DEPT.
SALEM, OREGON

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

Landowner: GARY + Audrey Sander



Valley View Tree Ranch
Gary & Audrey Sander
24274 Neuman Road
Corvallis, OR 97338

Authorized Agent: (if applicable) _____

Address: 24274 Neuman Rd
Corvallis OR 97333 929-5838
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 2, Township 13S, Range 6W, in BEN TAN 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: Spring + run off.

3. Maximum height of the dam: 10'

4. Maximum water depth in the reservoir: 8' (Some years it is 4'-6')

5. Maximum storage capacity of reservoir: 1/5 Acre surface area.

6. Size, description and location of any outlet pipe: Several outlet pipes at 8'

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;

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.

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Declaration by Owner/Authorized Agent:

Each of the reservoirs described herein stores less than 9.2 acre feet of water with a dam less than 10 feet in height, is located off-channel, does not divert water directly from a natural stream, lake or channel and is outside the riparian area.

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: *Gary H. Sander*

(Print Name and Title) Gary H. Sander

Date: NOV. 8, 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 _____.

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

Sec 2 T135 P6W.

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NOT TO SCALE

NOV 1 1984

WATER RESOURCES DIVISION
SALEM, OREGON

L10 Low
1990
photo

Application No. P-78053
Permit No.

1/21.1

T740

1/14.3

3/2.8

34 35

3 2

2/9.3

T747

1/44.3

T7849

1/28.0

T769

T1278

1/41.7

Pond

1/8.6

T252

T791

T790

Pond established mid 1970's

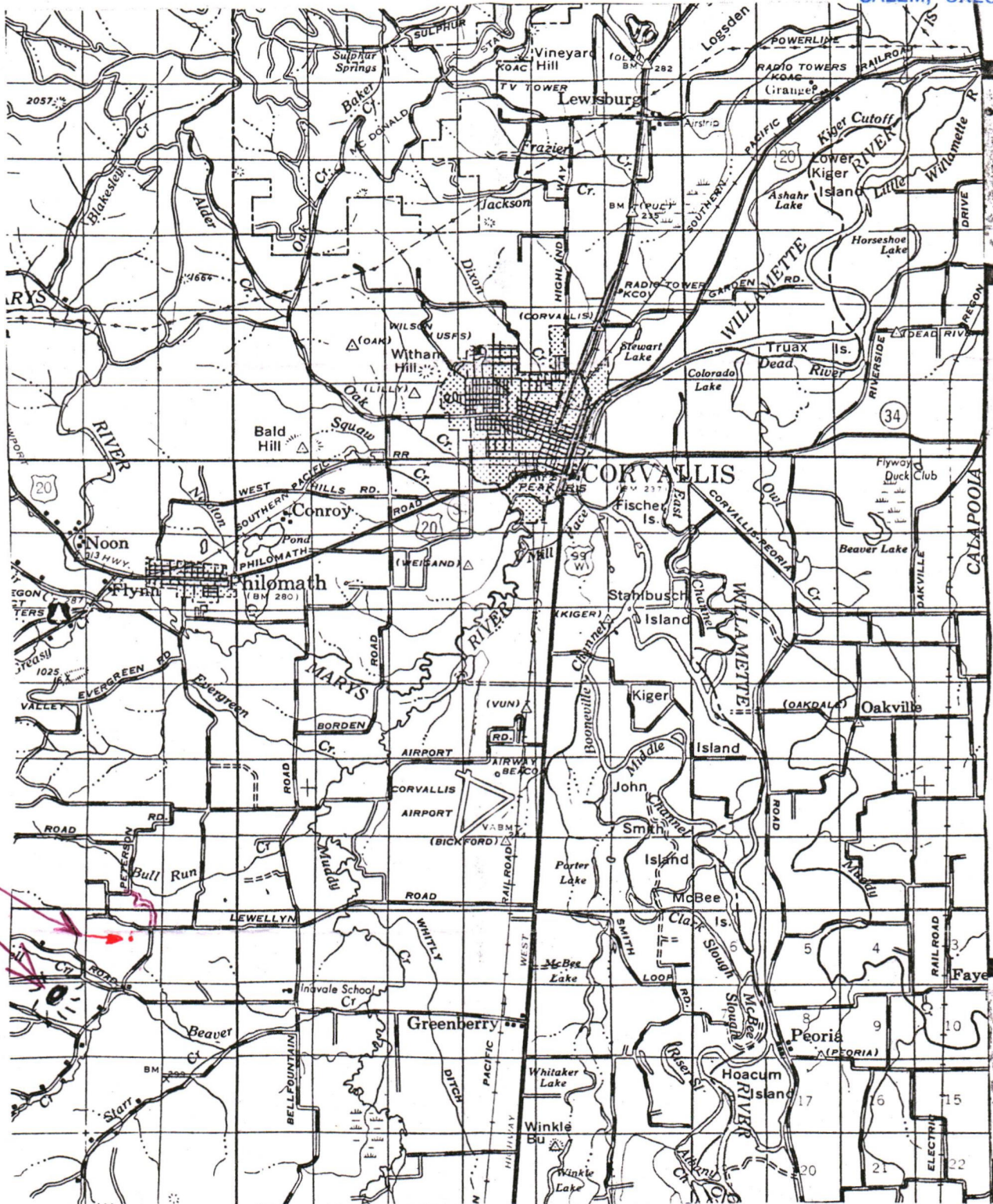
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1.

RECEIVED

NOV 15 1994

WATER RESOURCES DEPT.
SALEM, OREGON



Pond
Home!

Application No. 0-78053
Permit No.

Watermaster HB-2153
Check-List

WM 16

off channel

February 24, 1995

GARY SANDER
SANDER, AUDREY
24274 NEWMAN RD
CORVALLIS, OR 97333

REFERENCE: File(s) P-78053

- Reservoir qualifies as exempt
- Reservoir does not qualify as exempt

Reservoir is off channel	<u>YES</u>	<u>NO</u>
Height of Dam	_____	_____
Capacity of Reservoir	_____	_____
Constructed before 1/1/1993	<u>YES</u>	<u>NO</u>

I Chad Brady examined the information included with the file P-78053. My determination is based on review of the information and field visit to the site and/or personal knowledge.

Chad Brady
Signature

11/6/95
Date

November 8, 1995

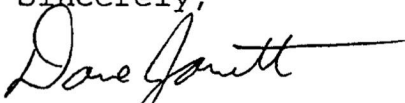
REFERENCE: Notice of Exempt Reservoir (Pond)

Dear Pond Owner:

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 your pond(s) qualifies (qualify) as exempt under our administrative rules and you need not apply for a water right for your pond(s). We encourage you to keep this letter with other property records that you keep. The attached sheet includes a file number which corresponds to the file assigned to your notice and any questions about the file should reference that number.

If you have any questions, please contact Chad Brady at 378-8455 x291, or me at 378-8455 x220.

Sincerely,



Dave Jarrett
Watermaster, District 16

Enclosure: Copy of accepted notice

cc: OWRD



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

June 27, 1995

Oregon

GARY SANDER
SANDER, AUDREY
24274 NEWMAN RD
CORVALLIS, OR 97333

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-78053;
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,

Ms. Anita M. Mc Loud
Water Rights Specialist
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

NUMBER 98005

Check 10. NO Cash

- Surface Application
- Reservoir Application
- Ground Water Application
- Transfer Application
- Power Claim
- Hydroelectric Examination
- Hydroelectric License
- Copying
- Assignment
- Extension of Time
- Other
- P-6
- Quadrangle
- Basin
- Protest
- Constructors Examination
- Constructors License
- Adjudication

*Return
- No Fee required
~~for this~~
File Notice*

Valley View Tree Ranch
Gary & Audrey Sander
24274 Newman Road
Corvallis, OR 97333

*Water Rights & Adjudication Div.
Water Resource Dept.
Commerce Building
158 13th Street NE
Salem, Oregon 97310*



Application No. P-78053
Permit No.

Name GARY SANDER
SANDER, AUDREY
Address 24274 NEWMAN RD
CORVALLIS, OR 97333

Assigned
Address
Beginning construction
Completion of construction
Extended to
Complete application of water
Extended to

PRE-TR APPLICATION PROCESSING OUTLINE

Application File # P-78053

MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

DATE

INITIAL

- _____ Name and mailing address of applicant
- _____ Source of water
- _____ Quantity of water
- _____ Map showing location of POD & POU
- _____ Use of water
- _____ Names and addresses of legal owners
- _____ Signature of applicant
- _____ Oath
- _____ Application date stamped per money receipt date
- _____ Land use approved _____ pending _____
- _____ If reservoir < 5 AF \$ _____, if > 5 AF \$ _____
- _____ HB 2153/HB 2107 APPLICATION -- SEE REVERSE
- _____ Route to Data Center (Unless 2153/2107)

DATA CENTER

_____ Stream Code _____
 _____ Entered into WRIS

SUPPORT SERVICES

3/22/95 PX Stamp contents with application number
 _____ Mail ack letter (provided by Data Center) with
3/24/95 PX receipt to applicant, cc to CWRE and file
 _____ Place label on file and calender card

APPLICATION SECTION

_____ Stream Indexed Basin # _____
 _____ Plat Carded and copy made YES NO
 _____ If dam is over 10 feet or storage exceeds 9.2
 _____ AC-FT, route file to Dam Safety Section

TR CASEWORKER

_____ TR Checklist complete YES NO
 _____ Within Irrigation District _____
 _____ District Notified _____
 _____ District excerpt received _____

_____ TR Mailed DATE _____

_____ Public Interest Checklist complete _____

_____ Management Codes _____

REMARKS: _____

MINIMUM APPLICATION REQUIREMENTS TO FILE:

HB 2153 - existing, small, EXEMPT ponds

11-15-95

2-15-95 JES
(date & initials)

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

JES 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).

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

JES 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