

Application No. P-79346
Permit No.

RECEIVED

DEC 27 1994

WATER RESOURCES DEP.
SALEM, OREGON

STATE OF OREGON
WATER RESOURCES DEPARTMENT

NOTICE OF EXEMPT RESERVOIR

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: Monte G. & Keither K. Boggs

Authorized Agent: (if applicable) Gary G. & Joan K. Remington

Address: 2898 Chapel Drive

Corvallis	OR	97333	(503) 929-4266
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 13, Range 6, in Benton 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: West Fork of Bull Run Creek with Grandfather Water Rights

3. Maximum height of the dam: 10 Feet

4. Maximum water depth in the reservoir: 8 Feet

5. Maximum storage capacity of reservoir: .69 Acre feet

6. Size, description and location of any outlet pipe: 16 inch pipe located on East Side

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.

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: _____

Gary G. Remington *Joan K. Remington*

(Print Name and Title) Gary G. Remington & Joan K. Remington

Date: December 20, 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 79346.

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

SECTION 2 T.13S. R.6W. W.M.
BENTON COUNTY

Application No **P-79344**
Permit No.

13 6 2

REV 8-14-8
CANC 204
1103
102
1201

1" = 400'

SEE MAP 12 6 35

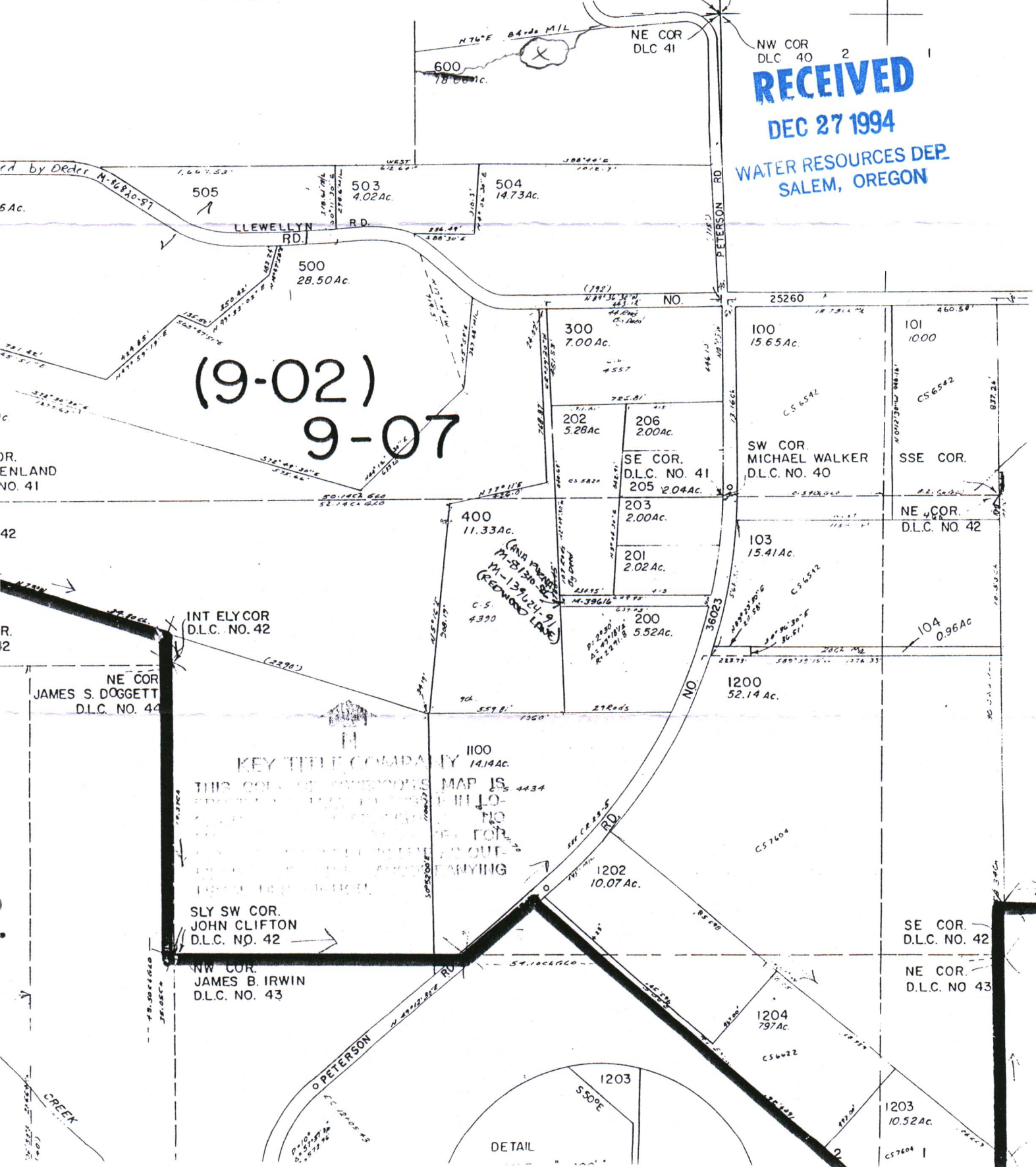
80 0004 020

SE COR
LEVI E. PENLAND
DLC 63

SW COR. 35 36
D.L.C. NO. 64

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WATER RESOURCES DEP
SALEM, OREGON



(9-02)
9-07

**(AND PART OF
M-51 210 AC
M-137 214.91
REDWOOD LAKE)**

KEY TITLE COMPANY
THIS COPY OF SURVEY MAP IS
THE PROPERTY OF THE COMPANY
AND IS TO BE RETURNED TO THE
COMPANY UPON REQUEST.
NO OTHER COPIES TO BE
MADE OR DISTRIBUTED
WITHOUT THE WRITTEN
CONSENT OF THE COMPANY.

INT ELYCOR
D.L.C. NO. 42

NE COR
JAMES S. DOGGETT
D.L.C. NO. 44

SW COR.
JOHN CLIFTON
D.L.C. NO. 42

NW COR.
JAMES B. IRWIN
D.L.C. NO. 43

DETAIL

RECEIVED

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**WATER RESOURCES DEP.
SALEM, OREGON**

AFFIDAVIT

STATE OF OREGON,)
) ss.
County of Benton.)

I, Monte G. Boggs and I, Keith K. Boggs, the landowners on the Notice of Exempt Reservoir, attached hereto, each being first duly sworn, depose and say:

That the reservoir referred to in the attached notice, located in Section 2, Township 13 South, Range 6 West, in Benton County, Oregon, existed before January 1, 1993. The reservoir was built in 1931 by Leon Boggs our uncle.

Monte G Boggs

Keith K Boggs

Subscribed and sworn to before me this 12/19 day of December, 1994.

Mary Jo Collins
Notary Public for Oregon



March 9, 1995

Oregon

MONTE G BOGGS
BOGGS, KEITHER K; REMINGTON, GARY G AND JOAN K
2898 CHAPEL DR
CORVALLIS, OR 97333

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-79346;
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.

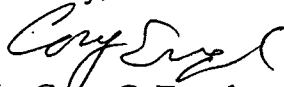
To avoid any misunderstanding, we feel it is important to tell you that although we have received and filed your notice, we have not yet determined whether you are exempt from water right requirements. The watermaster responsible for the area in which the pond(s) is (are) located will help us apply the 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

MINIMUM APPLICATION REQUIREMENTS TO FILE:

HB 2153 - existing, small, EXEMPT ponds

DB 2/2/95
(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

FILE#: P 79346

MONTE G BOGGS
BOGGS, KEITHER K; REMINGTON, GARY G A
2898 CHAPEL DR
CORVALLIS, OR 97333

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Application No.

79346

Permit No.

MONTE G BOGGS
BOGGS, KEITHER K; REMINGTON, GARY G A
2898 CHAPEL DR
CORVALLIS, OR 97333

Assigned

Address

Beginning construction

Completion of construction

Extended to

Complete application of water

Extended to

Watermaster HB-2155
Check-List

March 9, 1995

MONTE G BOGGS
BOGGS, KEITHER K; REMINGTON, GARY G AND DAN K
2898 CHAPEL DR
CORVALLIS, OR 97333

REFERENCE: File(s) P-79346

- 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-79346. My determination is based on review of the information and field visit to the site and/or personal knowledge.

Chad Brady
Signature

11/8/95
Date

March 9, 1995

Oregon

MONTE G BOGGS
BOGGS, KEITHER K; REMINGTON, GARY G AND JOAN K
2898 CHAPEL DR
CORVALLIS, OR 97333

WATER
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DEPARTMENT

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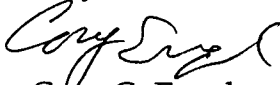
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Address: 2898 Chapel Drive

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City	State	Zip	Telephone No.

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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 G. Remington & Joan K. Remington

(Print Name and Title) Gary G. Remington & Joan K. Remington

Date: December 20, 1994

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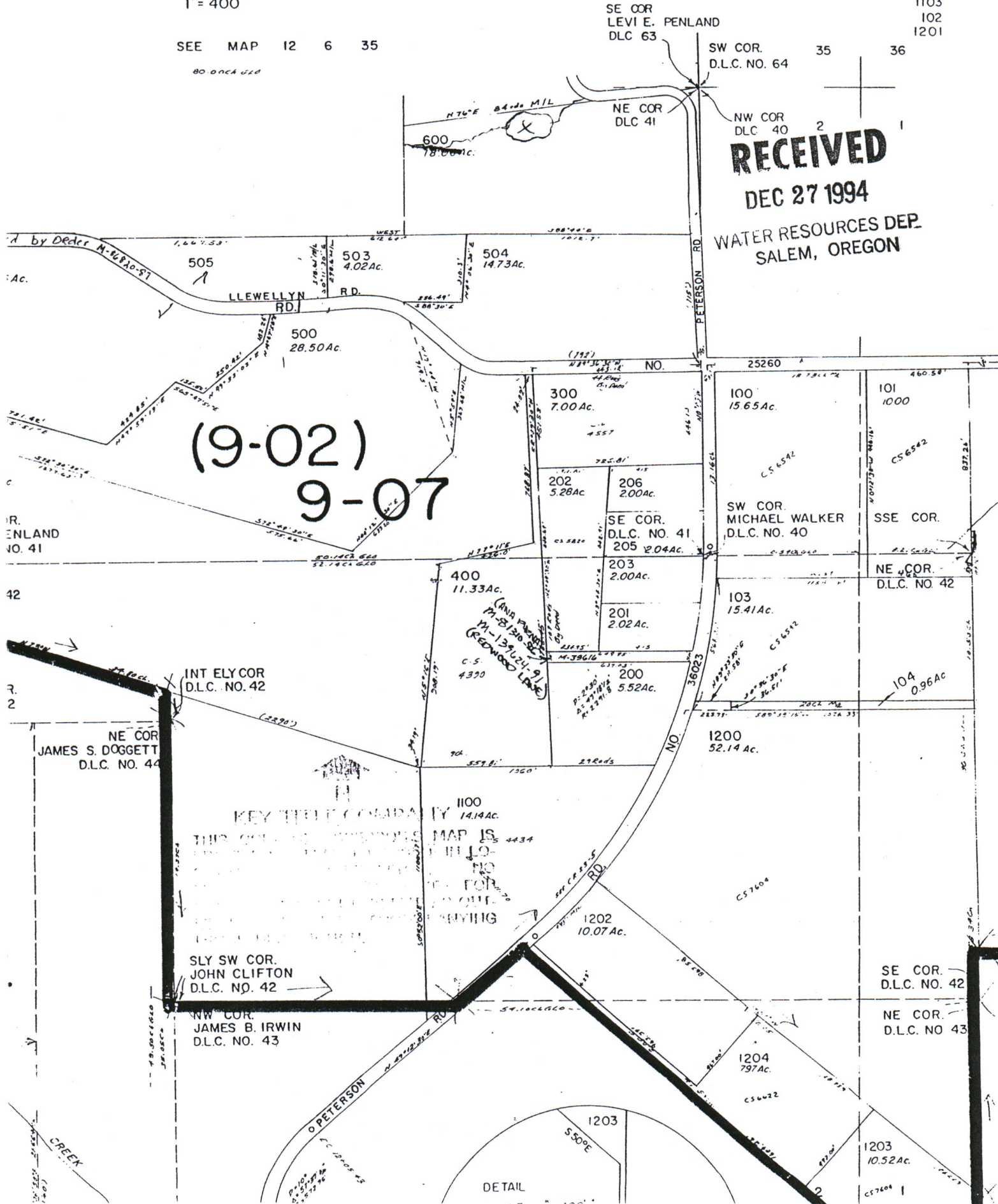
cc: Watermaster District # _____
To Data Center (date) _____

SECTION 2 T.13S. R.6W. W.M.
BENTON COUNTY

Application No P-79344
Permit No.

13 6'
REV 8-14-
CANC
204
1103
1201

1" = 400'
SEE MAP 12 6 35
80 0004 410



RECEIVED
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WATER RESOURCES DEP.
SALEM, OREGON

(9-02)
9-07

SE COR. LEVI E. PENLAND
DLC 63

SW COR. D.L.C. NO. 64 35 36

NE COR. DLC 41

NW COR. DLC 40 2

Ac.

SE COR. MICHAEL WALKER
D.L.C. NO. 40

42

2

NE COR. JAMES S. DOGGETT
D.L.C. NO. 44

INT ELY COR. D.L.C. NO. 42

KEY TITLE COMPANY
THIS COPIED MAP IS
FOR INFORMATION ONLY
NO GUARANTEE FOR
ANYTHING

SW COR. JOHN CLIFTON
D.L.C. NO. 42

NW COR. JAMES B. IRWIN
D.L.C. NO. 43

1100 14.14 Ac.

1202 10.07 Ac.

1200 52.14 Ac.

103 15.41 Ac.

201 2.02 Ac.

202 5.28 Ac.

206 2.00 Ac.

300 7.00 Ac.

100 15.65 Ac.

101 10.00

400 11.33 Ac.

(AND PART OF
M-8130-20-50
M-13024-9-10
C.S.
4330
REDWOOD LAKE)

200 5.52 Ac.

104 0.96 Ac.

1203 5.50 Ac.

1203 10.52 Ac.

DETAIL

RECEIVED

DEC 27 1994

**WATER RESOURCES DEP.
SALEM, OREGON**

AFFIDAVIT

STATE OF OREGON,)
) ss.
County of Benton.)

I, Monte G. Boggs and I, Keith K. Boggs, the landowners on the Notice of Exempt Reservoir, attached hereto, each being first duly sworn, depose and say:

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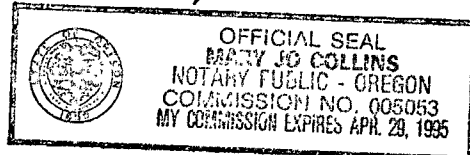
Monte G Boggs

Keith K Boggs

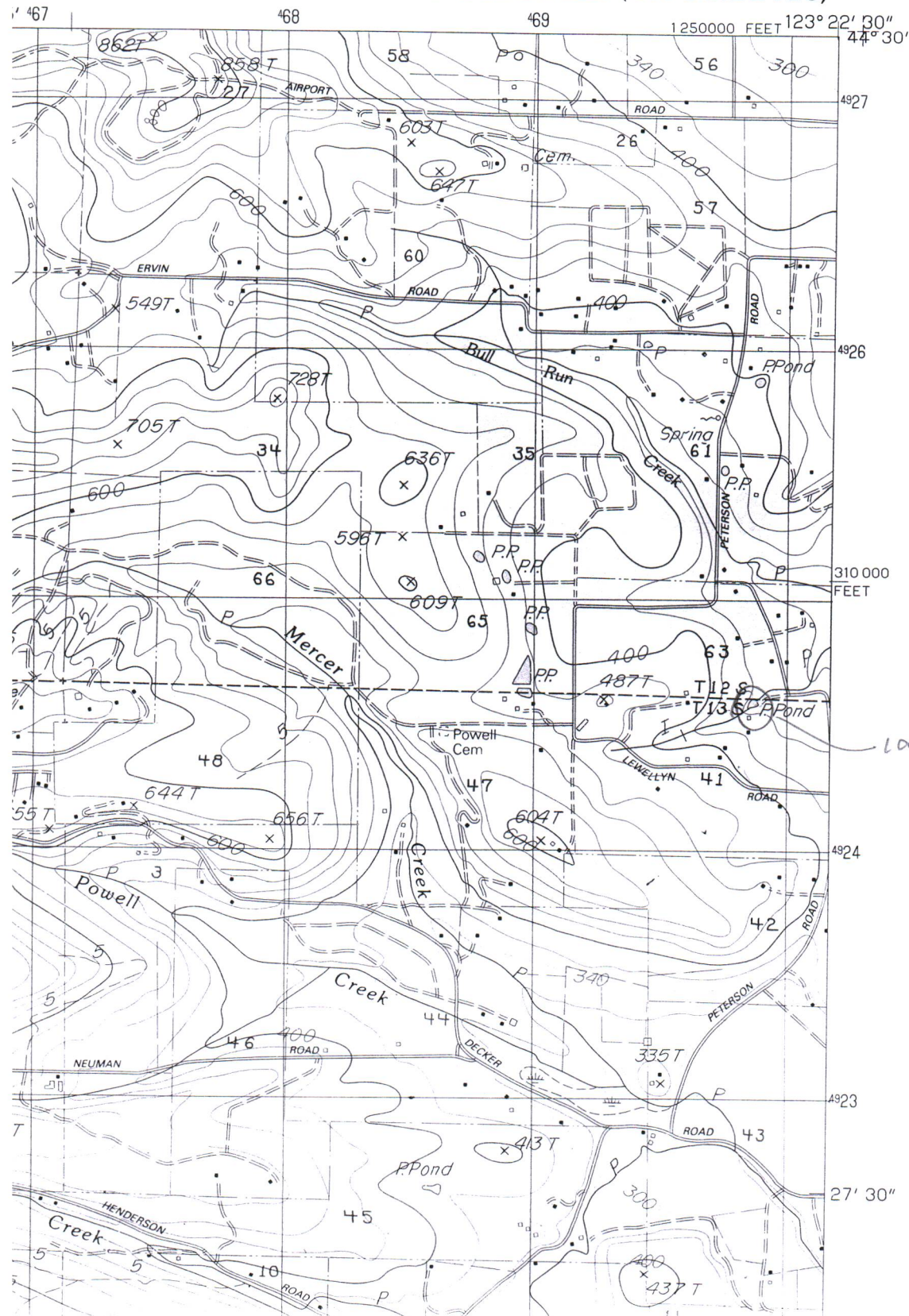
Subscribed and sworn to before me this 12/19 day of December, 1994.

Mary Jo Collins

Notary Public for Oregon



FLAT MOUNTAIN QUADRANGLE
 OREGON-BENTON CO.
 7.5 MINUTE SERIES (TOPOGRAPHIC)



BENTON CO
 T13SR6WSEL2
 FLAT MT. OR 7.5' QUAD

Watermaster HB-2153
Check-List

March 9, 1995

MONTE G BOGGS
BOGGS, KEITHER K; REMINGTON, GARY G AND JOAN K
2898 CHAPEL DR
CORVALLIS, OR 97333

REFERENCE: File(s) P-79346

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

Reservoir is off channel	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Height of Dam	_____
Capacity of Reservoir	_____
Constructed before 1/1/1993	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

I Chad Brady examined the information included with the file P-79346.
My determination is based on review of the information and field visit to the site and/or
personal knowledge.

Chad Brady
Signature

11/8/95
Date