

RECEIVED

STATE OF OREGON
WATER RESOURCES DEPARTMENT

JUN - 2 1994

WATER RESOURCES DIVISION
SALEM, OREGON

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: Chris J & Kathryn A Barkus

Authorized Agent: (if applicable) _____

Address: 81462 Territorial Rd

Eugene OR 97405 (503) 942-8912
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 36, Township 19, Range 05, in Lane 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 fed

3. Maximum height of the dam: N/A (Pond is located in a depression)

4. Maximum water depth in the reservoir: 8 feet

5. Maximum storage capacity of reservoir: 8 acre feet

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

none

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: Chris J. Barker
Kathryn A. Barker

(Print Name and Title) Chris J. Barker (Landowner)
Kathryn A. Barker (Landowner)

Date: 5/24/94

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) _____

August 15, 1994

Oregon

CHRIS J BARTELS
BARTELS, KATHRYN A
81462 TERRITORIAL RD
EUGENE, OR 97405

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-74147;
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.

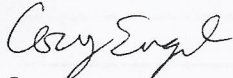
To avoid any misunderstanding, we feel it is important to tell you that although we have received and filed your notice, we have not yet determined whether you are exempt from water right requirements. The watermaster responsible for the area in which the pond(s) is (are) located will help us apply the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

Watermaster HB-2153
Check-List

Wm #2

Oregon

WATER
RESOURCES
DEPARTMENT

August 15, 1994

CHRIS J BARTELS
BARTELS, KATHRYN A
81462 TERRITORIAL RD
EUGENE, OR 97405

REFERENCE: File(s) P-74147

☒ Reservoir qualifies as exempt

☐ Reservoir does not qualify as exempt

Reservoir is off channel

YES NO
> 10.0 Ft

Height of Dam

Capacity of Reservoir

YES NO
> 9.2

Constructed before 1/1/1993

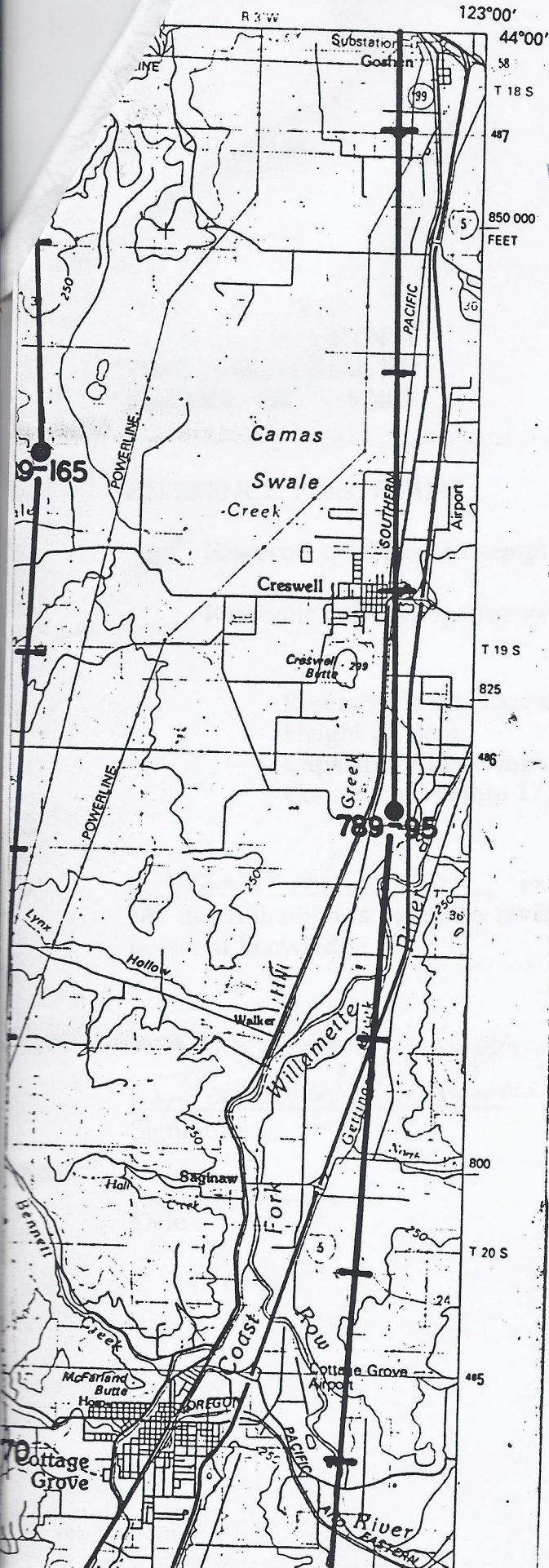
I LEON G. MCGINNIS examined the information included with the file P-74147.
My determination is based on review of the information and field visit to the site and/or
personal knowledge.

Leon G. McGinnis
Signature

Date

Watermaster Building
100 N. 12th Street NW
Salem, OR 97310-4200
503/754-7339
TDD 503/754-7339

MAPS (TOPOGRAPHIC)



INDEX TO AERIAL PHOTOGRAPHY

UNITED STATES DEPARTMENT
OF AGRICULTURE

RECEIVED

JUN - 2 1994

Secured For Use By

AGRICULTURAL STABILIZATION
AND CONSERVATION SERVICE

Project I.D.: WESTERN OREGON

Code: 41000

Date of Photography: 1990

Film Scale: 1:40 000

Film Type: 2405 B-W NEGATIVE

Calibrated Focal length: 153.48 mm.

Direction of Flight: NORTH - SOUTH

Solicitation No.: ASCS 19-89 SLC

Contractor: HARRIS AERIAL SURVEYS, INC.

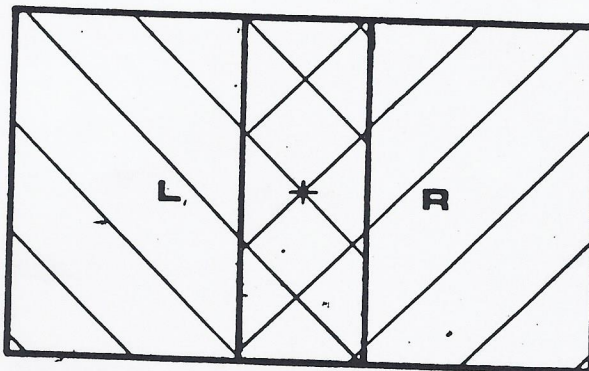
Roll Numbers: 589,689,789,889,999,1089,1289
2089

LINE INDEX TO AERIAL PHOTOGRAPHY
Photographs and line indexes may be
purchased from: AERIAL PHOTOGRAPHY
FIELD OFFICE, P.O. BOX 30010,
SALT LAKE CITY, UTAH 84130-0010

ORDER FOR REPRODUCTIONS SHOULD
INCLUDE PROJECT CODE, ROLL, AND
EXPOSURE NUMBER.

APPROXIMATE AREA COVERED BY ONE NEGATIVE

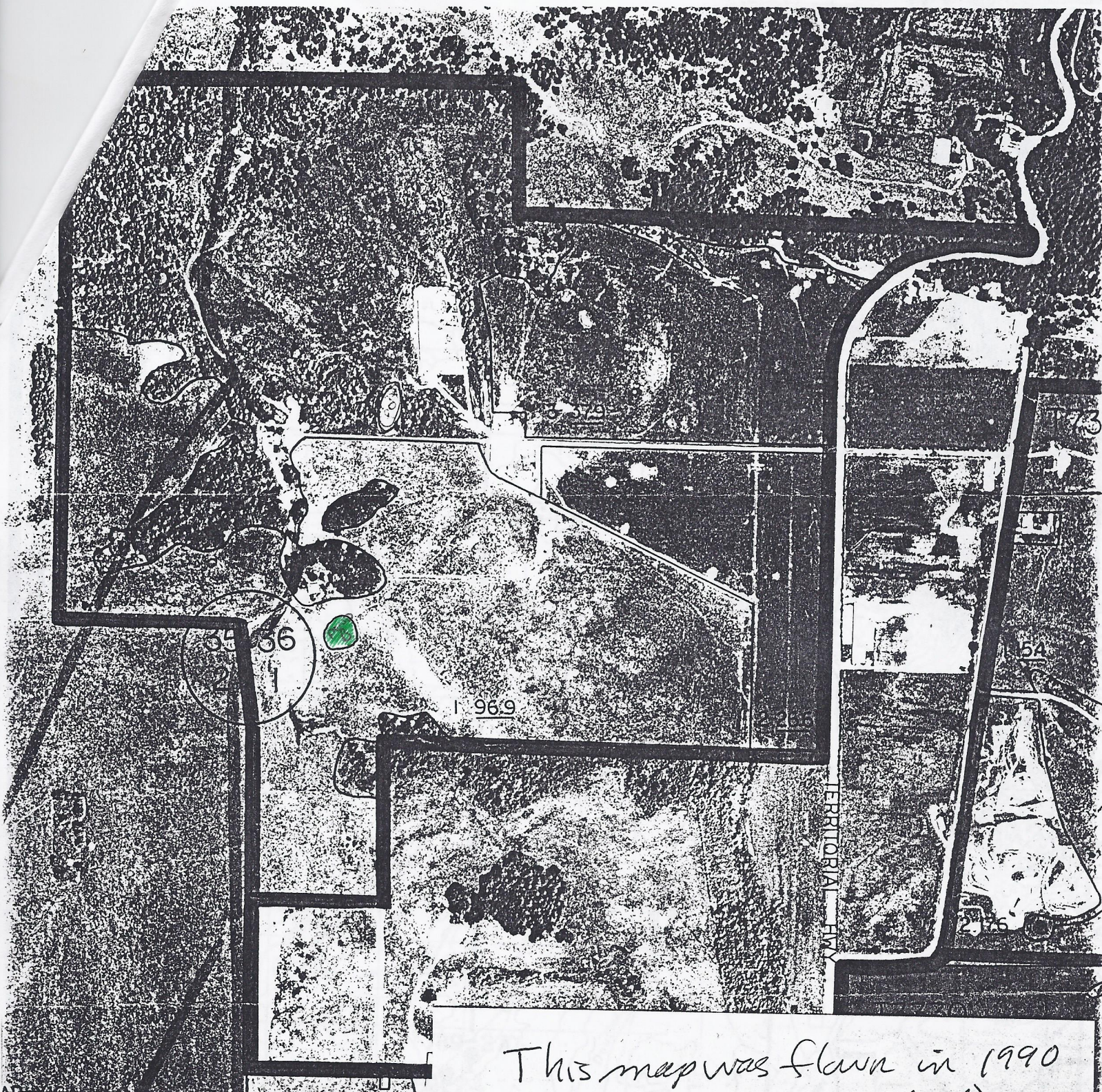
To find area covered by one photo, place
cross over photo center on flight line.



HASH LINES REPRESENT AREAS COVERED BY LEFT
AND RIGHT SECTIONAL ENLARGEMENTS AT THE
SCALE OF 660'/" ON 24 x 24 PAPER.



171n. #



This map was flown in 1990
by ASCS (see attached)

RE: CHRIS BARTELS PROPERTY



AGRICULTURAL STABILIZATION
& CONSERVATION SERVICE

RECEIVED

JUN - 2 1994

RICHARD (RICK) BLOCK
COUNTY EXECUTIVE DIRECTOR

WATER RES
SALEM,

503-465-6442 OFFICE
503-688-7608 HOME

55 OAKWAY CENTER
EUGENE, OREGON 97401

- Richard D Block 5/26/94
County Exec. Director
Lane Co. ASCS office