

May 3, 1996

Oregon

JOHN G ROSECRANS
ROSECRANS, JANNE C
21000 COVE ORCHARD RD
YAMHILL, OR 97148

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-81114;

Notice of Exempt Reservoir (Pond)

This is to let you know that we have received your Notice of Exempt Reservoir and assigned it the number listed above. Please refer to this number if you need to contact us about the notice. As required by law, your Notice of Exempt Reservoir filing will appear in our weekly public notice within 90 days from the time it was filed.

We have determined that your reservoir appears to meet the general criteria for exemption from the requirement to obtain a permit. However, we feel it is important to tell you that the Department must accept comments until August 1, 1997 on whether the reservoir poses a threat to fishery resources or existing water right holders. After the August 1, 1997 deadline, the Department has 180 days to assess comments. Any such comments will be reviewed and you will be notified only if any action on your part is necessary.

If no comments are received or the Department's assessment shows your pond does not cause injury, your pond will be considered exempt. You are advised that this exemption is limited to the amount of water that had been stored prior to January 1, 1995. Any increase in the storage or use of the stored water after that date must be authorized under a permit issued by this Department.

If you have any questions, please write to use at the address below, or call the Water Rights Information Group at (503)378-8455 ext. 499 or toll free in Oregon, 1-800-624-3199 ext. 499.

Sincerely,



Anita McCloud
Water Rights Specialist
Water Rights Division

cc: Watermaster District 11e



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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIVED
DEC 27 1994

NOTICE OF EXEMPT RESERVOIR WATER RESOURCES DEP
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 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.

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Landowner: John and Janne Rosecrans APR 26 1996

Authorized Agent: (if applicable) _____ WATER RESOURCES DEPT.
SALEM, OREGON

Address: 21000 Cove Orchard Rd
Yamhill Oregon 97148 503-662-3101
City State Zip Telephone No.

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

NOTE: Multiple reservoirs may be included in a single notification. For items 1-6 below, attach extra sheets for additional reservoir descriptions.

1. The reservoir is located in Section 26, 27, Township 25 R2, Range 426 4W, in Yamhill 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: runoff.

3. Maximum height of the dam: 8 ft.

4. Maximum water depth in the reservoir: 6 ft.

5. Maximum storage capacity of reservoir: 0.96 acre-feet.

6. Size, description and location of any outlet pipe: 2 inch pipe 6 feet below top of dam; in center.

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 must 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.

Application No. R-8114
Permit No.

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 690-11-014 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 690-11-014 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: Janne C. Rosecrans

(Print Name and Title) John and Janne Rosecrans, owners

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 received on _____, 1994 and assigned FILE NUMBER _____.

cc: Watermaster District # _____

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DEC 27 1994

**WATER RESOURCES DEP.
SALEM, OREGON**

December 22, 1994

RECEIVED

APR 26 1996

**WATER RESOURCES DEPT.
SALEM, OREGON**

To whom it may concern:

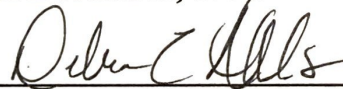
I, Janne Rosecrans, hereby declare that one pond, as described on attached notice, was in existence on the property of section 801 Township R2 Range 426, in Yamhill County, Oregon at the time of our purchase of said property in July, 1991.



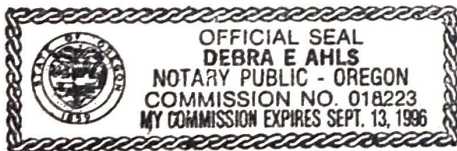
Janne Rosecrans

County of Yamhill
State of Oregon

Subscribed and sworn before me this 22 day of December, 1994



Debra E. Ahls
Notary Public for the
State of Oregon
My commission expires
September 13, 1996





Oregon Water Resources Department Notice of Exempt Reservoir

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APR 26 1996

For reservoirs built before January 1, 1995, that:

- Store less than 9.2 acre-feet of water, or
- Have a dam less than 10 feet high.

WATER RESOURCES DEPT.
SALEM, OREGON

The deadline for submitting a Notice of Exempt Reservoir is January 31, 1997.

Landowner: Rosecrans, John G
Last name First name MI

Authorized Agent: Rosecrans, Janne C
Last name First name MI

Address: 21000 Cove Orchard Rd

Yamhill OR 97148
City State Zip

Phone: 503-662-3101 640-9140, pager 295-4739
Home Work

FAX: _____ E-Mail Address: _____

A. County of use: Yamhill . B. River basin (see reverse): Willamette .

C. Legal description of reservoir location:

Township	Range	Section	Quarter/Quarter	Tax Lot #
<u>R2S</u>	<u>42E</u>	<u>26</u>	<u>(109 Ac.) NW/SW</u>	<u>2426-00800</u>

D. Name, if any, of reservoir: 4 west 1/4 NE 85, 27 pond . E. Reservoir in existence since: 8/1/91 .
MM DD YY

F. Source of water: hillside runoff which flows into unknown .
Name of river or creek Name of river or creek

G. Maximum height of dam: 8 feet.

H. Quantity of water stored in reservoir at maximum capacity (see reverse): 0.96 acre-feet.

I. Water stored in reservoir is used for (see reverse): occasional stockwater no regular use .

J. Rate and area of use—Refer to chart on the back of this form. For each type of water use listed in Item I., show the quantity of water used and, if applicable, the number of acres on which water is used.

BEFORE YOU SIGN AND SUBMIT THIS APPLICATION . . . HAVE YOU:

Answered each question on this form as completely as possible?

Attached a legible map showing township, section, range, quarter-quarter & tax lot number?

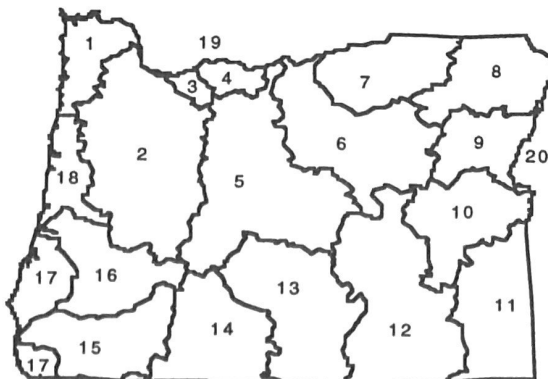
By my signature below, I swear that all statements made and information provided in this application are true to the best of my knowledge.

Janne C. Rosecrans Janne C. Rosecrans, owner 4/19/96
(Signature of Landowner/Agent) (Printed name and title) (Date)

For Department Use P-81114 4/26/96 10-95
File # Date received

Oregon's major river basins:

- | | | |
|---------------|-----------------|--------------|
| 1-North Coast | 8-Grande Ronde | 15-Rogue |
| 2-Willamette | 9-Powder | 16.Umpqua |
| 3-Sandy | 10-Malheur | 17-S. Coast |
| 4-Hood | 11-Owyhee | 18-Mid Coast |
| 5-Deschutes | 12-Malheur L. | 19-Columbia |
| 6-John Day | 13-Goose/Summer | 20-Snake |
| 7-Umatilla | 14-Klamath | |



One acre-foot is the volume of water that would cover one acre with one foot of water. To find out how much water your pond stores, multiply the surface area by the average depth. This will give you a rough estimate of cubic feet. One acre-foot equals 43,560 cubic feet. You can submit a Notice of Exempt Reservoir if your pond stores less than 400,752 cubic feet—43,560 X 9.2.

Rate and Area of Use

cfs—cubic feet per second gpm—gallons per minute

Agriculture, Land Management

Gen. Agriculture	cfs/gpm	# acres	Cranberry	cfs/gpm	# acres
Irrigation	cfs/gpm	# acres	Nursery Operatn.	cfs/gpm	# acres
Stockwater	cfs/gpm	# acres	Temp. Control	cfs/gpm	# acres
Aquatic Life	cfs/gpm	# acres	Forest/Range Mgt	cfs/gpm	# acres
Other:	cfs/gpm	# acres	Other:	cfs/gpm	# acres

Industrial/Commercial Uses

Industrial	cfs/gpm	_____	Commercial	cfs/gpm	_____
Fire Protection	cfs/gpm	_____	Mining	cfs/gpm	_____
Power Dev.	cfs/gpm	_____	Other:	cfs/gpm	_____

Drinking Water Supply

Human Consumption	cfs/gpm	_____	Domestic	cfs/gpm	_____
Domestic	cfs/gpm	_____	Other:	cfs/gpm	_____
Expanded	cfs/gpm	_____			

Community Water Supply

Municipal	cfs/gpm	_____	Quasi-Municipal	cfs/gpm	_____
Group Domestic	cfs/gpm	_____	Storm Water Mgt	cfs/gpm	_____
Other:	cfs/gpm	_____	Other:	cfs/gpm	_____

Environmental Benefits

Pollution Abatement	cfs/gpm	_____	Recreation	cfs/gpm	_____
Wetland Enhancement	cfs/gpm	_____	Wildlife	cfs/gpm	_____
Other:	cfs/gpm	_____	Other:	cfs/gpm	_____

County Surveyors office - legal description
Dan Linschide

December 7, 1995

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APR 26 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Oregon

WATER
RESOURCES
DEPARTMENT

Dear Applicant,

A 1993 law created a temporary process allowing the owner of an existing pond to apply for a water right and continue use of water while the Water Resources Department reached a decision on the application. It also exempted some existing ponds from permitting requirements. Your Notice of Exempt Reservoir was among the over 6,000 applications and notices we received in response to HB 2153.

The 1995 Legislature passed HB 2376 which extended the period for obtaining exemptions for qualifying existing ponds until January 31, 1997. Ponds constructed before January 1, 1995, which store less than 9.2 acre-feet of water or have dams of less than 10 feet high (**including those located "on-channel"**) may now qualify for exemption.

Your Notice of Exempt Reservoir could not be processed because it did not meet the information requirements of the 1993 ponds law. We are returning any materials you submitted in filing under the earlier provisions. We are also sending you a brochure which explains how the new ponds law works and a new Notice of Exempt Reservoir form which meets the requirements of the new law.

Please be aware that you are required by law to obtain a permit or exemption for your pond.

Should you have any questions regarding HB 2376 or the materials listed in the notice, please feel free to call the Water Rights Information Group at 1-800-624-3199, extension 499, or contact your local Watermaster office at the number listed in the brochure.

Thank you for your patience.

tried 4/19/96 3:50 pm left message

Sincerely,

Gerry Clark

Gerry Clark
Completeness Team

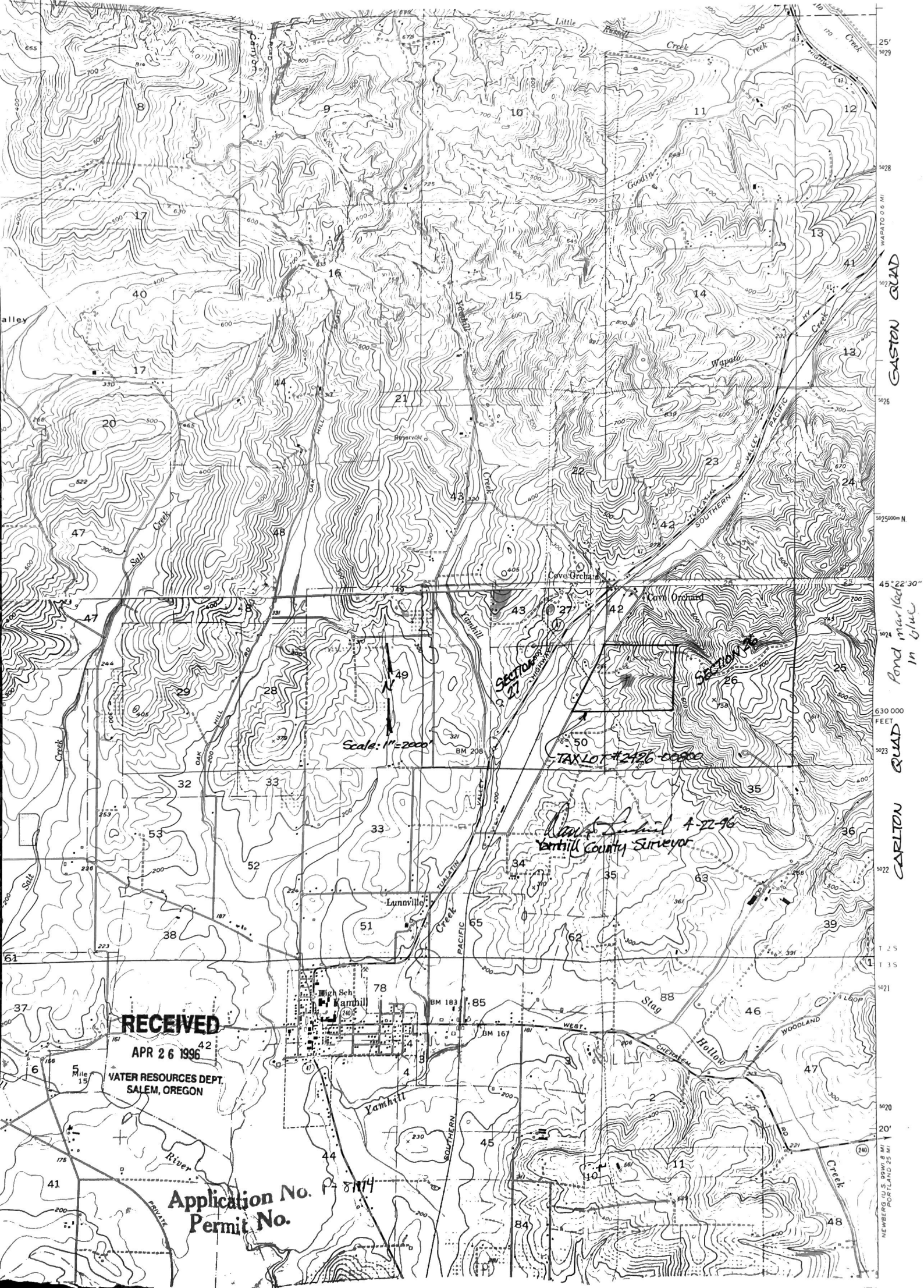
I have attempted to provide all available information after being unable to reach you by phone. - JCR

enclosures
cc: general correspondence

Application No. P-81114
Permit No.



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



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WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 8714
Permit No.

Scale: 1" = 2000'

TAX LOT #2426-00000

David S. Smith 4-22-96
Yamhill County Surveyor

GASTON QUAD

CARLTON QUAD

pond marked in blue

630 000 FEET

1 T 2 S

1 T 3 S

5021

5020

20'

NEWBERG 1/2 S. 99W 1/2 MI

PORTLAND 25 MI

50250000 N

5026

5028

5029

25'