

March 1, 1995

Oregon

STANLEY M BENNETT

14077 E ANTELOPE RD
EAGLE POINT, OR 97524

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-78116;
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.

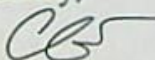
To avoid any misunderstanding, we feel it is important to tell you that although we have received and filed your notice, we have not yet determined whether you are exempt from water right requirements. The watermaster responsible for the area in which the pond(s) is (are) located will help us apply the 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-78116
Permit No.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

DEC 19 1994

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: STANLEY M. BENNETT

Authorized Agent: (if applicable) _____

Address: 14077 E. Antelope Rd., Eagle Point, OR 97524

<u>Eagle Point</u>	<u>OR</u>	<u>97524</u>	<u>(503) 826-2237</u>
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 31, Township 37 S, Range 2 E, in Jackson 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: Surface water from surrounding area.

3. Maximum height of the dam: 7'0".

4. Maximum water depth in the reservoir: 5'6".

5. Maximum storage capacity of reservoir: 1.67 Acre Feet.

6. Size, description and location of any outlet pipe: 12 inch by 20 feet galvanized culvert pipe located to left center of structure when facing down slope. Excess water flows into a natural draw below the structure. Pond is used for stock watering and wildlife.

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.

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: Stanley M. Bennett

(Print Name and Title) STANLEY M. BENNETT - LANDOWNER

Date: December 13, 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 _____.

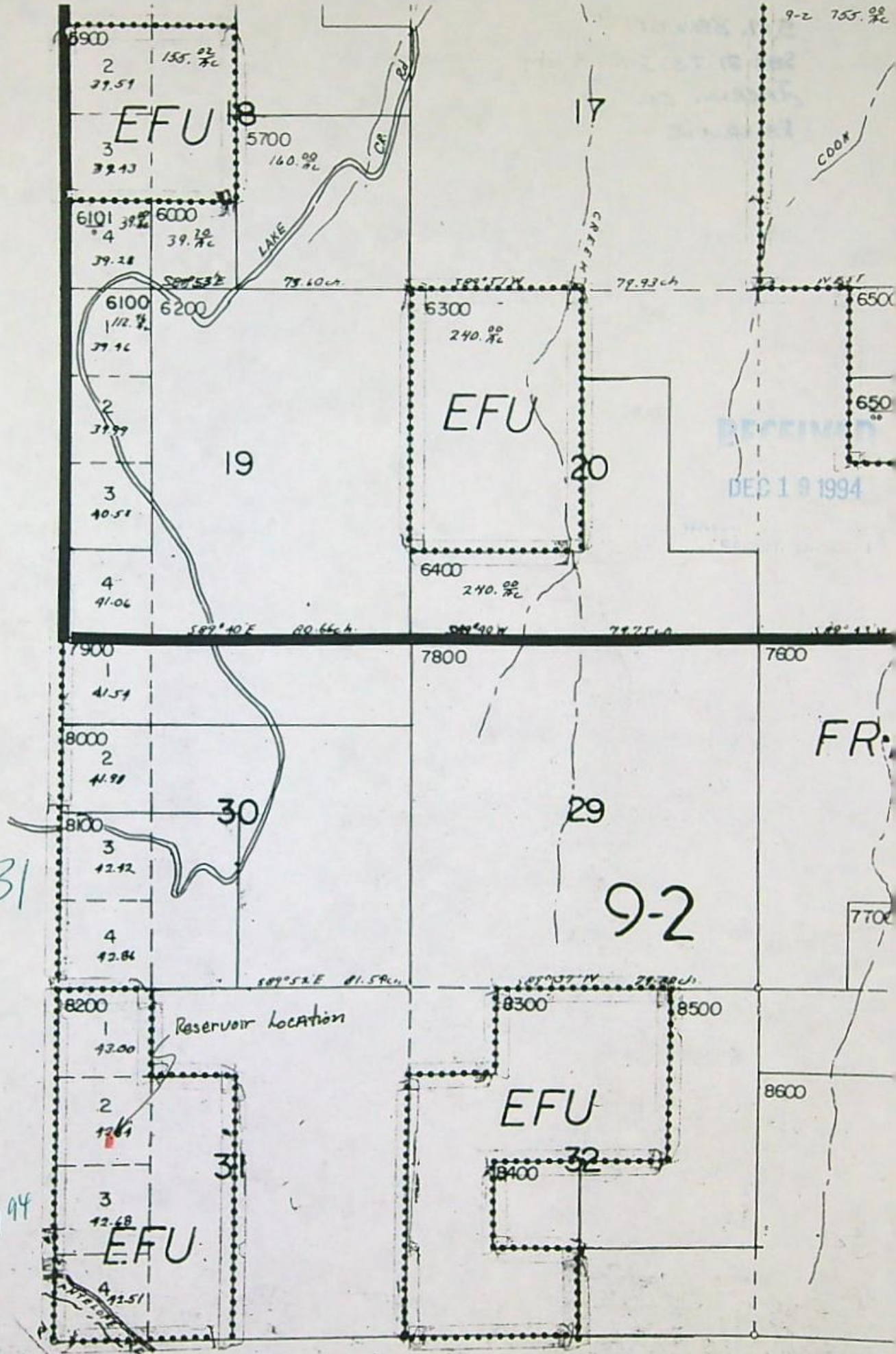
cc: Watermaster District # _____

Application No. P-78116
Permit No.

372E 31

AS
12/31/94

37 E



RECEIVED
DEC 19 1994

FR.

9-2

9-2 755.00

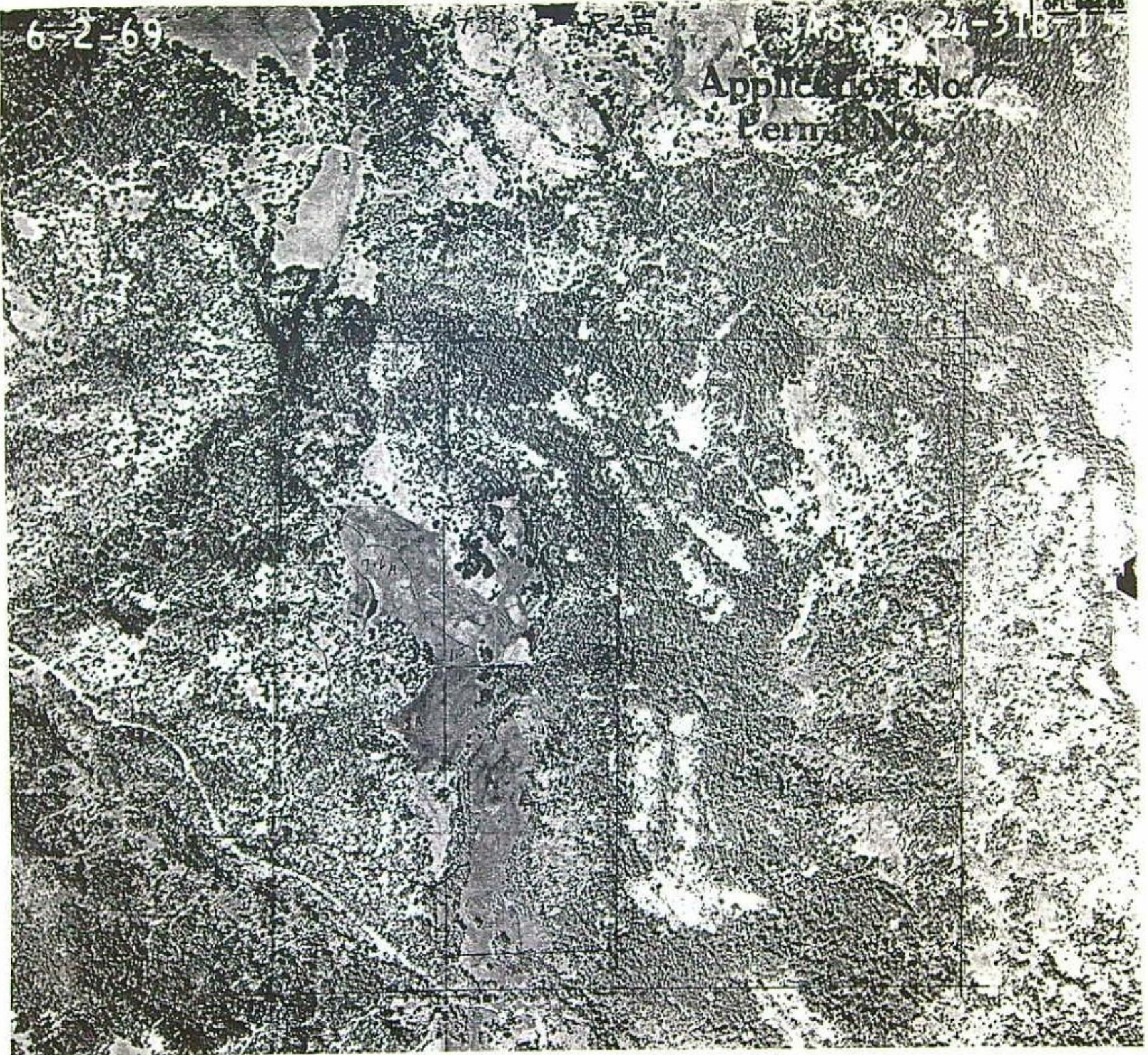
6-2-69

7378

AS-69-24-318-1

OFL-004-03

Application No. 7
Permit No. 7



S.M. BENNETT
SEC 31 T37S R2E WM
JACKSON CO.
RESERVOIR

SCALE
1" = 1000' Approx

DEC 10 1994

APPROX
Center
SEC 31

RESERVOIR
APPROX $\frac{1}{4}$ COR SEC 31
SE Cor. Lot 2 SEC 31 T37S R2E WM

S
Cor. Sec. 31 T37S R2E WM
Sec 6 T37S R2E WM

FILE#: P 78116

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14077 E ANTELOPE RD
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Application No. P-78116

Permit No.

Name STANLEY M BENNETT

14077 E ANTELOPE RD

Address EAGLE POINT, OR 97524

Assigned

Address

Beginning construction

Completion of construction

Extended to

Complete application of water

Extended to

PRE-TR APPLICATION PROCESSING OUTLINE 78116

Application File # _____

MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

<u>DATE</u>	<u>INITIAL</u>	
_____	_____	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

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

APPLICATION SECTION

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

TR CASEWORKER

_____	_____	TR Checklist complete	<u>YES</u> <u>NO</u>
_____	_____	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

12-17-94

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).

JES

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