

Application No. P 74347

Permit No. _____

Certificate No. _____

Stream Index, Page No. _____

FILE#: P 74347

JUDITH LYN FULLER
PHILLIPS, JERRALD C
5222 DICK GEORGE RD
CAVE JUNCTION, OR

97523

Date filed _____

Priority _____

Action suspended until _____

Return to applicant _____

Date of approval _____

CONSTRUCTION

Date for beginning _____

Date for completion _____

Extended to _____

Date for application of water _____

Extended to _____

PROSECUTION OF WORK

Form "A" filed _____

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received _____

Date Certificate issued _____

[illegible]

ASSIGNMENTS				
Date	To Whom	Address	Volume	Page

REMARKS

August 22, 1994

Oregon

JUDITH LYN FULLER
PHILLIPS, JERRALD C
5222 DICK GEORGE RD
CAVE JUNCTION, OR 97523

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-74347;
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.

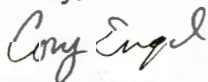
To avoid any misunderstanding, we feel it is important to tell you that although we have received and filed your notice, we have not yet determined whether you are exempt from water right requirements. The watermaster responsible for the area in which the pond(s) is (are) located will help us apply the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

P-74347

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIVED

MAY 16 1994

WATER RESOURCES DEPT.
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: Judith Lyn Fuller + Terrald C. Phillips

Authorized Agent: (if applicable) _____

Address: 5222 Dick George Rd.

<u>Cave Junction</u>	<u>Oregon</u>	<u>97523</u>	<u>503-592-2261</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, 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 01, Township 40, Range 08, in Josephine 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: Rain
3. Maximum height of the dam: No Dam
4. Maximum water depth in the reservoir: 3'
5. Maximum storage capacity of reservoir: 1575 cubic 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;
 - 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: Judith Lyn Fuller

(Print Name and Title)

Judith Lyn Fuller, Tenant in Common

Date:

May 3, 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) _____

RECEIVED

MAY 16 1994

WATER RESOURCES DEPT.
SALEM, OREGON

SEE MAP 40 8

DEMOCRAT
1201
2.67 Ac.

SEE SURVEY OF
U.S. WHITE
S-11-51

GULCH

1800

40.13 Ac.



THIS SKETCH IS FOR LOCATION PURPOSES
ONLY AND NO LIABILITY IS ASSUMED FOR
ANY VARIATIONS DETERMINED BY SURVEY
JOSEPHINE COUNTY TITLE

40-8-1

LOT 6 22.82

4

ALTHOUSE

SW COR.
DLC No 46

801
8.08 Ac.

← Pond

2100
11.53 Ac.
LOT 7

1802

18.03 Ac.

1803

5.26 Ac.

2001
10.35 Ac.

2000

42.88 Ac.

2002

10.35 Ac.

1900
16.50 Ac.

DICK GEORGE
ROAD

11

12

PRE-TR APPLICATION PROCESSING OUTLINE

Application File #

74347

MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

DATE

INITIAL

7/20/94

ck

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

Stamp contents with application number

Mail ack letter (provided by Data Center) with 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

7/30/99 CE
(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

p. 74347 June 28, 1994

Dear Mr. Engle,
Re: Pond lot 801, 40-08-01

We purchased the property
October, 1989. The pond
was on the property at that
time.

Sincerely,

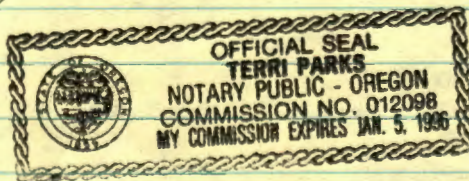
Judith Lyn Fuller
Jerrald C. Phillips

Judith Lyn Fuller
Jerrald C. Phillips

Signed before me this 28th of
June, 1994

Terri Parks

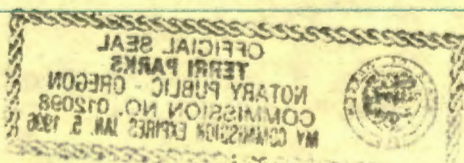
Notary Public for the State of Oregon
County of Josephine
My commission expires 1/5/96



RECEIVED

JUN 3 0 1994

WATER RESOURCES DEPT
SALEM, OREGON



FILE#: P 74346

DR GORDON MYRAH
MYRAH, MRS GORDON
BOX 1199
BROOKINGS, OR

97415

FILE#: P 74346

DR GORDON MYRAH
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BROOKINGS, OR

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PHILLIPS, JERRALD C
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CAVE JUNCTION, OR 97523

Application No. **P 74347**

Permit No.

DR GORDON MYRAH
MYRAH, MRS GORDON

Name BOX 1199

Address . BROOKINGS, OR 97415

Assigned

Address

Beginning construction

Completion of construction

Extended to

Complete application of water 7

Extended to