

This image shows a single sheet of white paper with horizontal blue or grey ruling lines, typical of notebook paper. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIVED

JAN - 4 1995

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: GARY D. GARNETT

Authorized Agent: (if applicable) N/A

Address: 2680 DEER CREEK ROAD

SEUMA , OREGON 97538 (503) 597-2574
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 7, Township 38 SOUTH, Range 7 WEST, 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: POND 1, WINTER RAIN; POND 2, GROUND WATER.
3. Maximum height of the dam: POND 1 8', POND 2 10'.
4. Maximum water depth in the reservoir: POND 1 = 7' POND 2 = 8'.
5. Maximum storage capacity of reservoir: POND #1, POND #2.
6. Size, description and location of any outlet pipe: POND #1 75' X 95' APPROX. 490,000 "5" GALVANIZED PIPE 100' RUN LONG SIDE, 100' RUN WEST
POND #2 55' X 75' APPROX. 300,000 "4" GALVANIZED PIPE NO OUTLET
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. P-79740
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: _____

(Print Name and Title)

GARY D. GARNETT, OWNER
ATTACHED TO NOTICE OF EXEMPT RESERVOIR DATED 12-30-94

RECEIVED

JAN 4 1995

NOTARY ACKNOWLEDGMENT WATER RESOURCES DEPT.
SALEM, OREGON

EVERGREEN

FEDERAL

STATE OF OREGON)
COUNTY OF JOSEPHINE)ss

ON DECEMBER 30, 1994, BEFORE ME, BETTY L. QUEN
(name of notary)

PERSONALLY APPEARED GARY D. GARNETT, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES) AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL.



(signature)

(seal)



RECEIVED

JAN - 4 1995

WATER RESOURCES DEPT.
SALEM, OREGON

DEC 30, 1994

Application No. P-79740
Permit No.

TO WHOM IT MAY CONCERN:

I PURCHASED THE PROPERTY IN QUESTION IN 1988. THE POND, POND #1, EXISTED AT THAT TIME. IT IS LOCATED APPROXIMATELY 295' FROM DEER CREEK. MOST OF THE POND WALLS ARE SLURPED, SO EXACT STORAGE IS ONLY AN ESTIMATE.

POND #2 IS ABOUT 60' TO THE SOUTH OF DEER CREEK. AS GROUND WATER LEVELS VARY, EXACT STORAGE IS ONLY AN ESTIMATE.

BOTH POND #1, & POND #2 ARE, OR WILL BE USED FOR DRIP IRRIGATION OF GRAPES.

I Am,

So N. Sl

ATTACHED TO TO WHOM IT MAY CONCERN (POND EXISTANCE) DATED 12-30-94

RECEIVED

JAN - 4 1995



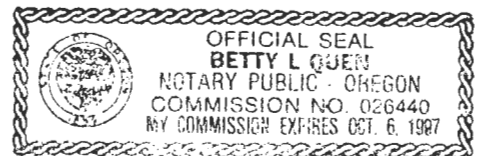
NOTARY ACKNOWLEDGMENT WATER RESOURCES DEPT.
SALEM, OREGON

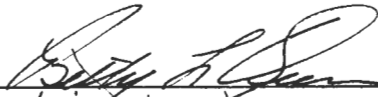
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COUNTY OF JOSEPHINE)^{ss}

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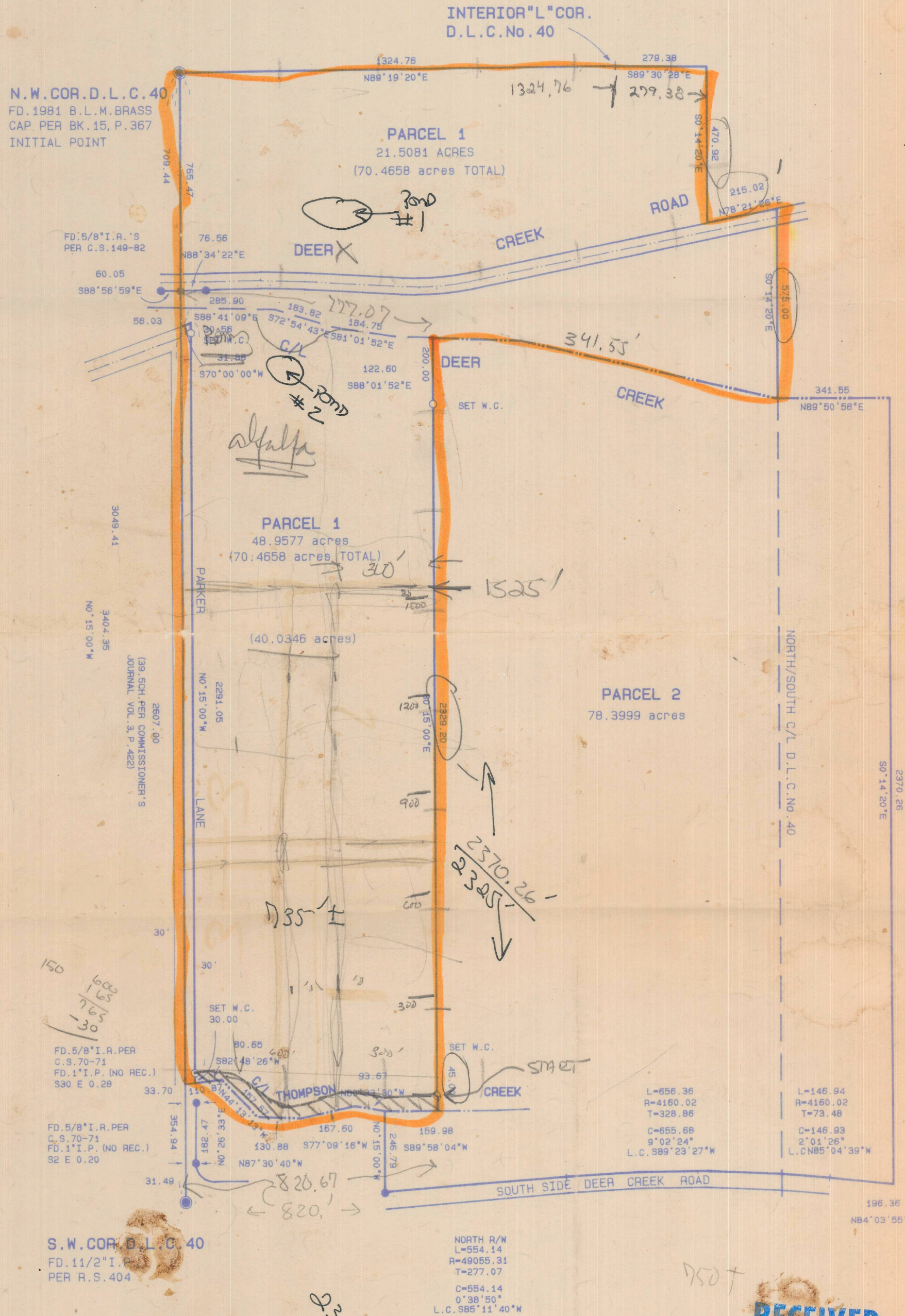



(signature)

(seal)

Application No. P-79740
Permit No.

N.W. COR. D.L.C. 40
FD. 1981 B.L.M. BRASS
CAP PER BK. 15, P. 367
INITIAL POINT



LEGEND
SET 5/8" X 30" IRON RODS WITH YELLOW
PLASTIC CAPS MARKED "HULL RS 901"
FOUND IRON MONUMENTS AS NOTED
BASIS OF BEARING PER C.S. 88-91
MARCH 16, 1993
MAP: 38-7-7 & 8, T.L.L. 'S700 6701
38-7-17, T.L.L. 207
38-7-17 & 18, T.L.L. 100

SURVEYED FOR:
WALLY LA FLAMME
3600 LAKESHORE DRIVE
SELMA, OREGON

SURVEYED BY:
MAX H. HULL SURVEYING
231 N.W. "B" STREET
GRANTS PASS, OREGON

PARTITION PLAT NO.

SURVEYOR'S CERTIFICATE
I, MAX H. HULL, PROFESSIONAL LAND SURVEYOR NO. 901, CERTIFY THAT I HAVE ACCURATELY SURVEYED AND MARKED WITH PROPER MONUMENTS A PORTION OF PARCEL 1 OF THE LAND REPRESENTED ON THIS PROPERTY LINE ADJUSTMENT, THE BOUNDARIES BEING DESCRIBED AS FOLLOWS:
BEGINNING AT THE INITIAL POINT WHICH IS THE NORTHWEST CORNER OF D.L.C. 40 IN SECTION 7, TOWNSHIP 38 SOUTH, RANGE 7 WEST, WILLAMETTE MERIDIAN, JOSEPHINE COUNTY, OREGON; THENCE NORTH 89°19'20" EAST 1324.76 FEET TO THE INTERIOR "L" COR. OF SAID CLAIM NO. 40; THENCE SOUTH 89°30'28" EAST 279.39 FEET TO AN IRON ROD; THENCE SOUTH 0°14'20" EAST 470.99 FEET TO AN IRON ROD ON THE NORTHERLY RIGHT OF WAY LINE OF DEER CREEK ROAD; THENCE ALONG SAID RIGHT OF WAY LINE NORTH 78°21'26" EAST 215.02 FEET TO AN IRON ROD ON THE NORTH-SOUTH CENTER LINE OF SAID CLAIM NO. 40; THENCE ALONG SAID CENTER LINE SOUTH 0°14'20" EAST 576.00 FEET TO THE CENTER LINE OF DEER CREEK; THENCE ALONG SAID CENTER LINE OF DEER CREEK NORTH 89°50'58" EAST 341.85 FEET TO A POINT WHICH BEARS NORTH 0°14'20" WEST OF THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN VOLUME 148, PAGE 68 OF THE JOSEPHINE COUNTY DEED RECORDS; THENCE SOUTH 0°14'20" EAST 2370.26 FEET TO AN IRON ROD ON THE NORTHERLY RIGHT OF WAY LINE OF SOUTHSIDE DEER CREEK ROAD; THENCE ALONG SAID RIGHT OF WAY LINE NORTH 84°03'55" WEST 198.36 FEET; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE AROUND A 4160.02 FOOT RADIUS CURVE TO THE LEFT THE LONG CHORD OF WHICH BEARS NORTH 85°04'39" WEST 146.93 FEET TO SAID NORTH-SOUTH CENTER LINE; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE AROUND A 4160.02 FOOT RADIUS CURVE TO THE LEFT THE LONG CHORD OF WHICH BEARS SOUTH 88°23'27" WEST 695.68 FEET; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE AROUND A 49,025.31 FOOT RADIUS CURVE TO THE LEFT THE LONG CHORD OF WHICH BEARS SOUTH 88°11'40" WEST 854.14 FEET TO AN IRON ROD; THENCE NORTH 0°15'00" WEST 246.79 FEET TO THE CENTER LINE OF THOMPSON CREEK; THENCE ALONG SAID CENTER LINE THE FOLLOWING COURSES AND DISTANCES: NORTH 80°33'30" WEST 93.67 FEET, SOUTH 77°09'16" WEST 167.60 FEET, NORTH 87°30'40" WEST 130.88 FEET, NORTH 44°13'13" WEST 157.67 FEET AND SOUTH 88°48'26" WEST 110.87 FEET TO THE WEST LINE OF SAID CLAIM NO. 40; THENCE NORTH 0°15'00" WEST 3049.41 FEET BACK TO THE INITIAL POINT. LESS AND EXCEPT DEER CREEK ROAD AND PARKER LANE.

MAX H. HULL, PROFESSIONAL LAND SURVEYOR NO. 901

DECLARATION
KNOW ALL PEOPLE BY THESE PRESENT, THAT GARY GARNETT, ANN E. GARNETT AND LONE PINE TRUST ARE THE OWNERS OF THE LAND REPRESENTED ON THE ANNEXED MAP, AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, AND HAVE CAUSED THE SAME TO BE ADJUSTED INTO PARCELS AS SHOWN ON THE ANNEXED MAP.

GARY GARNETT
ANN E. GARNETT
WALLACE R. LAFLAMME, TRUSTEE
LONE PINE TRUST
DELLA L. LAFLAMME, TRUSTEE
LONE PINE TRUST
W. BOB PHELPS, TRUSTEE
LONE PINE TRUST

NARRATIVE
THE PURPOSE OF THIS PROPERTY LINE ADJUSTMENT IS TO CHANGE THE LINE BETWEEN TAX LOTS 700 AND 701 IN SECTION 7, TAX LOT 207 IN SECTION 17 AND TAX LOT 100 IN SECTION 18, TOWNSHIP 38 SOUTH, RANGE 7 WEST, WILLAMETTE MERIDIAN, JOSEPHINE COUNTY, OREGON, USING SURVEY 70-71, 201-75, 88-91, 149-82 AND 27-68, I LOCATED MONUMENTS AS SHOWN FOUND ON THE MAP; THENCE I SURVEYED AND ADJUSTED THE PARCELS AS SHOWN ON THE MAP.

APPROVED THIS ___ DAY OF ___, 1993
JOSEPHINE COUNTY SURVEYOR
APPROVED THIS ___ DAY OF ___, 1993
JOSEPHINE COUNTY PLANNING DEPARTMENT

STATE OF OREGON }
COUNTY OF JOSEPHINE } SS.
I HEREBY CERTIFY THAT THE ATTACHED PROPERTY LINE ADJUSTMENT WAS RECEIVED FOR RECORDING ON THE ___ DAY OF ___, 1993, AT ___ O'CLOCK AND RECORDED AS PARTITION PLAT NO. ___ JOSEPHINE COUNTY RECORDS.

COUNTY CLERK
STATEMENT OF WATER RIGHTS: THERE ARE WATER RIGHTS APPURTENANT TO THIS PROPERTY. CERTIFICATES 13899, 37287, 6A-2599, 6A-2600.
I, MAX H. HULL, REGISTERED LAND SURVEYOR NO. 901, CERTIFY THAT THIS TRACING IS AN EXACT COPY OF THE PROPERTY LINE ADJUSTMENT.

MAX H. HULL, PROFESSIONAL LAND SURVEYOR NO. 901

RECEIVED
JAN - 4 1995
WATER RESOURCES DEPT.
SALEM, OREGON

McCoker & Son
Surveyors

March 16, 1995

Oregon

GARY D GARNETT

2680 DEER CREEK RD
SELMA, OR 97538

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-79740;
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

FILE #: P79740

RVD SALEM:

RVD REGION:

COUNTY: JO

NAME: GARY D GARNETT

EXEMPT? *N*

ADDRESS: 2680 DEER CREEK ROAD

CITY, STATE: SELMA, OR

97538

PHONE NO. 503-597-2574

TRSQQ: 38-07-08

2376

MAP & TL:

INSPECTED BY
INSPECTION DATE
TALKED TO:

SOURCE(S) OF WATER:

Runoff + ground water

USE(S) OF WATER:

irrigation

DESCRIBE POND:

dug with

DESCRIBE DAM:

SURFACE AREA:

*1 - 0.16 SA**2 - 0.09 S.A.**1 = .45 A.F.**2 = .29 A.F.*

ASSUMED AVERAGE DEPTH:

DISCREPANCIES:

0.74 A.F.

REMARKS:



Water Resources Department

WATERMASTER DISTRICT 13

JACKSON COUNTY COURTHOUSE, ROOM 106, 10 SOUTH OAKDALE
MEDFORD, OREGON 97501 PHONE 776-7056

Watermaster HB-2153
Check-List

WM 14

March 16, 1995



GARY D GARNETT

2680 DEER CREEK RD
SELMA, OR 97538

REFERENCE: File(s) P-79740

☐ Reservoir qualifies as exempt

☒ Reservoir does not qualify as exempt

Reservoir is off channel

☒ YES ☐ NO

Height of Dam ^s

8' 0"

Capacity of Reservoir ^s

TOTAL = 0.74 A.F.

Constructed before 1/1/1993

☒ YES ☐ NO

I A. Smith examined the information included with the file P-79740.
My determination is based on review of the information and field visit to the site and/or
personal knowledge.

A. Smith
Signature

11/14/95
Date

March 16, 1995

Oregon

GARY D GARNETT

2680 DEER CREEK RD
SELMA, OR 97538

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RESOURCES
DEPARTMENT

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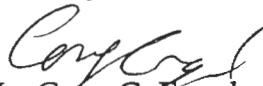
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WATER RESOURCES DEPARTMENT

NOTICE OF EXEMPT RESERVOIR

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SALEM, OREGON

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Authorized Agent: (if applicable) N/A

Address: 2680 DEER CREEK ROAD

SEUMA , OREGON 97538 (503) 597-2574
City State Zip Telephone No.

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1. The reservoir is located in Section 7, Township 38 SOUTH, Range 7 WEST, 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: POND 1, WINTER RAIN; POND 2, GROUND WATER.
3. Maximum height of the dam: POND 1 8', POND 2 6'.
4. Maximum water depth in the reservoir: POND 1 = 7' POND 2 = 8'.
5. Maximum storage capacity of reservoir: POND #1, POND #2.
6. Size, description and location of any outlet pipe: POND #1 75' X 95' APPROX. 490,000 GAL APPROX. 4" LOWZ FLOW LOW SIDE, 1000' FLOW WEST
POND #2 55' X 75' APPROX. 300,000 GAL APPROX. 4" NO OUTLET.
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. P-79740
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.

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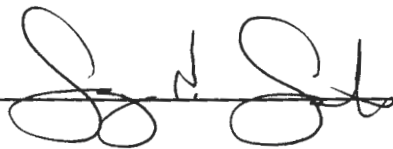
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Landowner/agent signature: _____



(Print Name and Title) GARY D. GARNETT, OWNER

Date: 12-30-94

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 received on _____, 1994 and assigned FILE NUMBER P79740.

cc: Watermaster District # _____

RECEIVED

JAN - 4 1995

WATER RESOURCES DEPT.
SALEM, OREGON

EVERGREEN

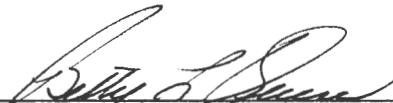
FEDERAL

NOTARY ACKNOWLEDGMENT

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COUNTY OF JOSEPHINE)ssON DECEMBER 30, 1994, BEFORE ME, BETTY L. QUEN
(name of notary)

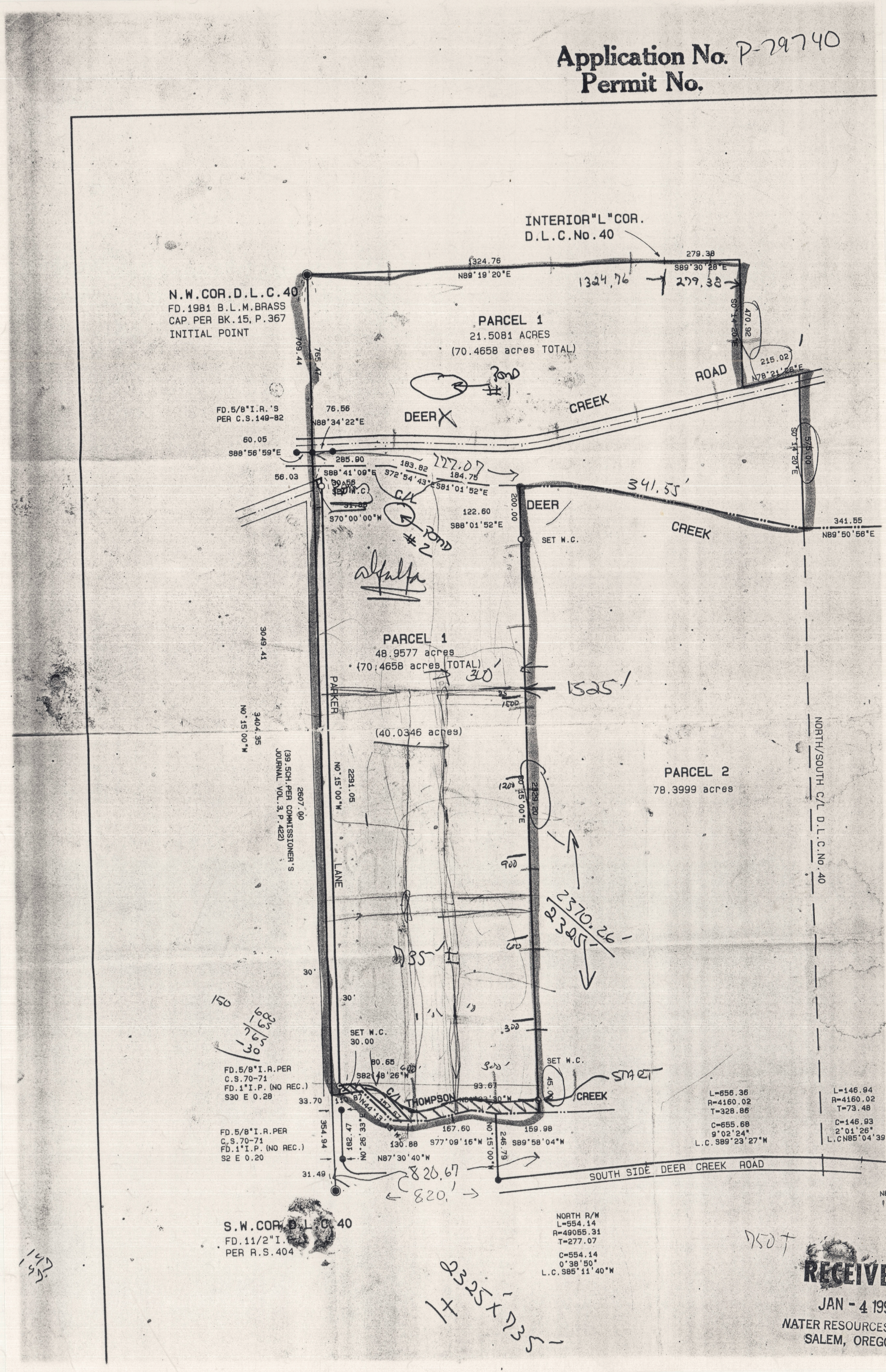
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WITNESS MY HAND AND OFFICIAL SEAL.


(signature)

(seal)

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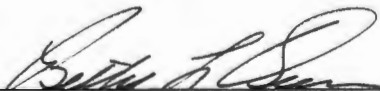
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(signature)

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SALEM, OREGON

DEC. 30, 1994

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TO WHOM IT MAY CONCERN:

I PURCHASED THE PROPERTY IN QUESTION IN 1988. THE POND, POND #1, EXISTED AT THAT TIME. IT IS LOCATED APPROXIMATELY 295' FROM DEER CREEK. MOST OF THE POND WALLS ARE SLOPED, SO EXACT STORAGE IS ONLY AN ESTIMATE.

POND #2 IS ABOUT 60' TO THE SOUTH OF DEER CREEK. AS GROUND WATER LEVELS VARY, EXACT STORAGE IS ONLY AN ESTIMATE.

BOTH POND #1, & POND #2 ARE, OR WILL BE USED FOR DRIP IRRIGATION OF GRAPES.

I Am,

So N. Sl

MINIMUM APPLICATION REQUIREMENTS TO FILE:

HB 2153 - existing, small, EXEMPT ponds

2/20/95 DB NOTICE OF EXEMPT RESERVOIR form (or letter
(date & initials) 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