

March 16, 1995

Oregon

RALPH WALKER
WALKER, RALPH; ESTATE OF; WALKER, RUSSELL
PO BOX 6048
PISTOL RIVER, OR 97444

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-79969;
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

COMMENT FORM

APR 10 1995

DATE:

Please list below the Application Number of the water use application(s) that are of interest to you. When the technical evaluation is completed a report of the technical review of these applications will be delivered to you.

Application #s P79415, P79792, P79459, P79629, P79969 _____

Send to: _____ **Kalmiopsis Audubon Society** _____ ATTN: Ellen Wauing
_____ P.O. Box 1265 _____
_____ Port Orford, OR 97465 _____

Please include specific comments or concerns. Use additional sheets if necessary.

*Availability of water to
natural resources is fish
+ wildlife*

Return to:
Oregon Water Resources Department
158 12th ST NE
Salem, Oregon 97310

This Comment corresponds to the
MAR/22/1995 Public Notice.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIVED

JAN - 4 1995

WATER SALES

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: Ralph Walker Estate

Authorized Agent: Russell Walker Personal Representative

Address: P. O. Box 6048(94727 N. Bank Rd.) Pistol River, OR 97444

Pistol River Oregon 97444 (503) 247 6423
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.

See Attached Sheet

1. The reservoir is located in Section _____, Township _____, Range _____, in _____ 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: _____.
3. Maximum height of the dam: _____.
4. Maximum water depth in the reservoir: _____.
5. Maximum storage capacity of reservoir: _____.
6. Size, description and location of any outlet pipe: _____.
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.

Application No P-79969
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 690-11-041 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: Ralph Walker, Estate
Russell E. Walker Personal Rep

(Print Name and Title) Russell Walker, Personal Rep

Date: Dec. 31, 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 P79999.

cc: Watermaster District # _____
To Data Center (date) _____

JAN - 4 1995

WATER DIVISION
SALEM, OREGON

1. The reservoirs are located in Section 20, Township 38, Range 14, in Curry County.

Pond A	<i>SW</i>	Pond B	<i>SW</i>	Pond C	<i>SW</i>
--------	-----------	--------	-----------	--------	-----------

2. Source of Water

Runoff		Runoff		Runoff	
--------	--	--------	--	--------	--

3. Maximum height of the dam.

9 feet		9 feet		5 feet	
--------	--	--------	--	--------	--

4. Maximum water depth in the reservoir

9 feet		9 feet		6 feet	
--------	--	--------	--	--------	--

5. Maximum storage capacity of reservoir

196,000 c/ft.	<i>1.5</i>	88,700 c/ft.	<i>2.04</i>	58,000 c/ft.	<i>1.33</i>
---------------	------------	--------------	-------------	--------------	-------------

6. Outlet

overflow		overflow		overflow	
----------	--	----------	--	----------	--

1. The reservoirs are located in Section 17, Township 38, Range 14

Pond D	<i>SW</i>	Pond E	<i>SW</i>	Pond F	<i>SW</i>
--------	-----------	--------	-----------	--------	-----------

2. Source of Water

Runoff		Runoff		Runoff	
--------	--	--------	--	--------	--

3. Maximum height of the dam.

7 feet		9.5 feet		5 feet	
--------	--	----------	--	--------	--

4. Maximum water depth in the reservoir

8 feet		9.5 feet		5 feet	
--------	--	----------	--	--------	--

5. Maximum storage capacity of reservoir

72,000 c/ft.	<i>1.7</i>	116,400 c/ft.	<i>2.7</i>	54,000 c/ft.	<i>1.24</i>
--------------	------------	---------------	------------	--------------	-------------

6. Outlet size

8 inch		12 inch		12 inch	
--------	--	---------	--	---------	--

Application No. *P-79969*
Permit No.

RECEIVED

JAN - 4 1995

WATER ...
SALEM, OREGON

The ponds on the following described property(s) were constructed prior to January 1, 1993.

Property 1 Description: Property located East of the East boundary of old U. S. Highway 101 in the Northwest quarter of the Northwest quarter of Section 20, Township 38 South, Range 14 West of the Willamette Meridian.

Property 2 Description: Property located in the Southeast quarter of the southwest quarter and the south half of of the southeast quarter of Section 17, Township 38 South, Range 14 West of the Willamette Meridan, Curry County, Oregon.

Ralph Walker Estate

Russell E Walker

Russell E. Walker
Personal Representative

Signed Dec. 31, 1994

State of Oregon, County of Curry. This instrument was acknowledged before me on December 31, 1994 by Russell E Walker

Joyce A. Reller



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

Application No. P 79969

Permit No.

RALPH WALKER
WALKER, RALPH, ESTATE OF; WALKER, RUS
PO BOX 6048
PISTOL RIVER, OR 97444

Assigned

Address

Beginning construction

Completion of construction

Extended to

Complete application of water

Extended to