

PRE-TR APPLICATION PROCESSING OUTLINE

Application File # P 74346

MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

DATE INITIAL

7/30/94 CB

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

9/27 ca

_____ " _____
_____ " _____
_____ " _____
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

2/30/99 CE 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

9-74346

Item A

April 22, 1988

Oregon Water Resources Department
Application/Permit Section
555 13th St. N.E.
Salem, Oregon 97310

RECEIVED
JUN 28 1994
WATER RESOURCES
SALEM, OREGON

Greetings:

I have a water permit #49606 which allows us 0.025 cubic feet per second for irrigation of 3.0 acres & one family dwelling.

I would like to apply for additional water for a pond. The pond would serve numerous purposes...stock pond (2 acres of our land is forestry & grazing), water source for fire protection, Trout would be planted, family swimming hole, and so on.

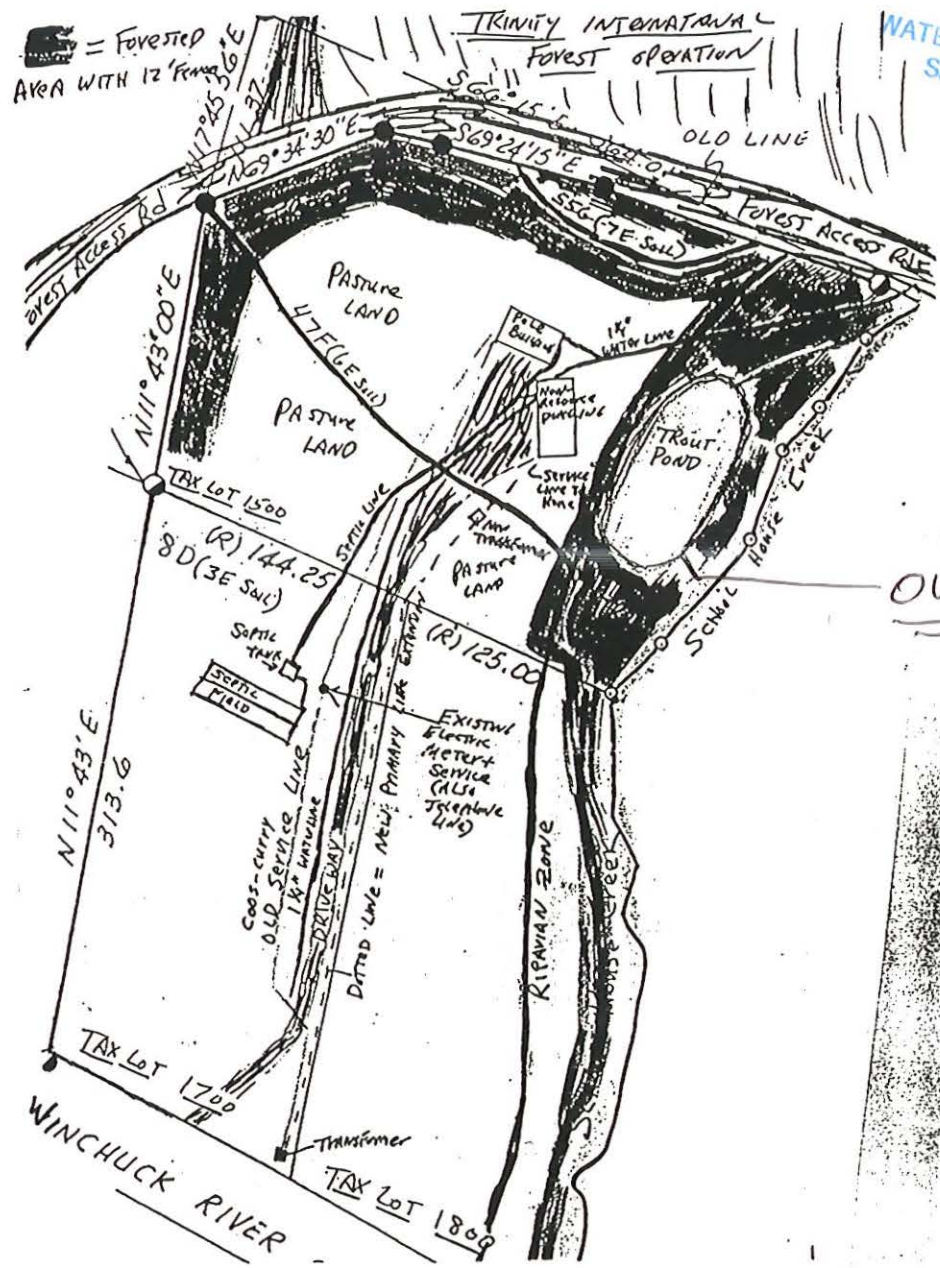
Would you please send the necessary application forms & regulations which relate to such a water use?

Thank you!

Gordon Myrah
Box 1199
Brookings, Oregon 97415

274346

RECEIVED
JUN 28 1994
WATER RESOURCES DEPT.
SALEM, OREGON



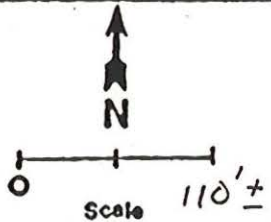
6" OUTLET

PLOT PLAN

Application No.: AD-9415
 Applicant: Gordon & Diane Myrah
 Address of Property: 00437 Winchuck River Road
 Property Description: Map 41-12-06A; TL 1500

Location: The subject property is located adjacent to the Winchuck Estates Subdivision approximately 4 miles up the Winchuck River Road.

Curry County Staff Report



P-74341

Figure 1

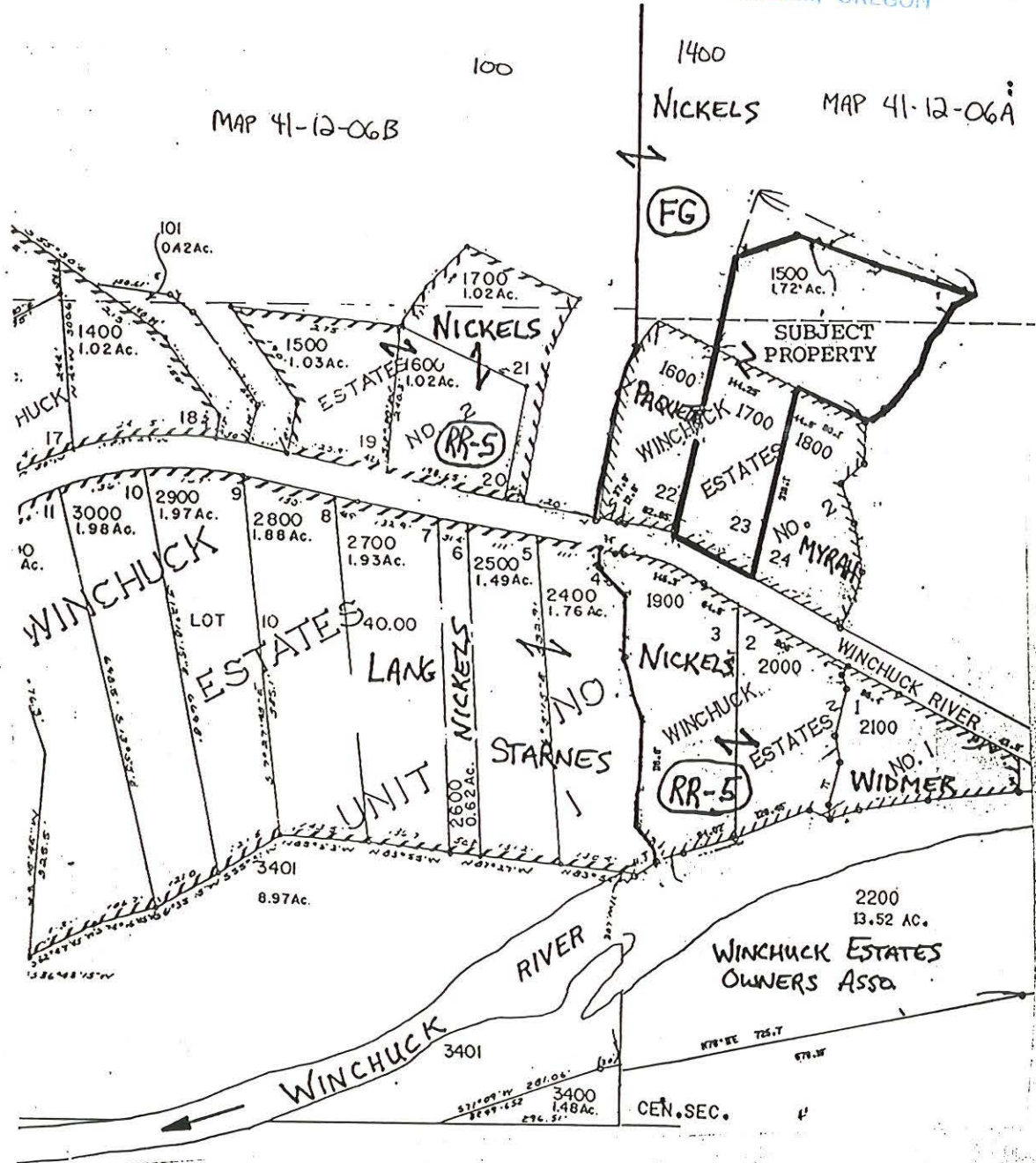
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JUN 28 1994

WATER RESOURCES DEPT.
SALEM, OREGON



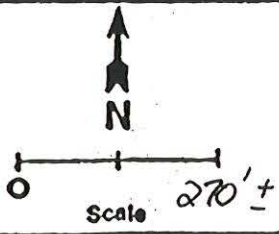
Vicinity Map



ADJACENT OWNERS AND ZONING

Application No.: AD-9415
Applicant: Gordon & Diane Myrah
Address of Property: 00437 Winchuck River Road
Property Description: Map 41-12-06A; TL 1500

Location: The subject property is located adjacent to the Winchuck Estates Subdivision approximately 4 miles up the Winchuck River Road.
Curry County



STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIVED

JUN 28 1994

NOTICE OF EXEMPT RESERVOIR

WATER RESOURCES DEPT.

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: DR + MRS GORDON MYKAH

Authorized Agent: (if applicable) (NONE)

Address: Box 1199

Brookings OR 97415 (503) 469-3411
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 41, Township 12, Range 06A, in Curry 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: SCHOOL HOASE CREEK

3. Maximum height of the dam: NO DAM

4. Maximum water depth in the reservoir: 8-10'

5. Maximum storage capacity of reservoir: LESS THAN 1 Acre-Foot

6. Size, description and location of any outlet pipe: 6" PIPE (SEE MAP FOR LOCATION)

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.

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: _____

(Print Name and Title) GORDON MYRATH owner

Date: 6/21/94

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 accepted on _____, 1994 and assigned FILE NUMBER _____.

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

74346

RECEIVED

JUN 28 1994

WATER RESOURCES DEPT.
SALEM, OREGON

June 21, 1994

John Drolet
290 N. Central St.
Coos County Annex
Coquille, OR 97423

Dear Mr. Drolet:

We have a small trout pond on our property which appears to be exempt from the requirement to obtain a water right. The maximum storage is less than one-acre-foot of water, and there is no dam. We have a six inch overflow pipe for the outflow.

Enclosed you will find figures 1 & 2 which help locate the site.

Also there are supporting documents to prove the pond was in existence before January of 1993.

--Item A is a letter dated 4/22/88 with a response of 5/5/88 relating to what we needed to do about the pond.

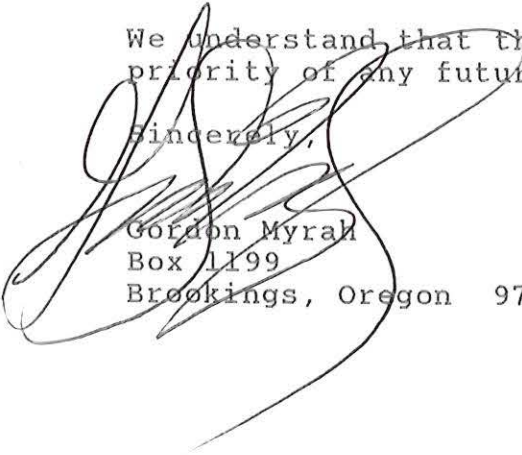
--Item B is a project proposal submitted to the Oregon Fish and Game Department on 7/14/88 suggesting the use of the existing pond for raising salmon. It also included the possibility of a new pond. (The Biologists opted for 3,000 gallon fiberglass holding ponds)

--Item C is an Oregon Fish and Game Department transportation permit dated 3/31/89 for hauling 100 Rainbow Trout from Lake's Trout Farm in Noti, Oregon to the pond in question.

--Item D is a letter dated 7/22/91 announcing the approval of a habitat improvement on School House Creek. The attached drawing of the fishery biologist indicates the existence of the Trout pond.

We understand that the water in the reservoir will not take priority of any future permitted or certified water rights.

Sincerely,



Gordon Myrah
Box 1199
Brookings, Oregon 97415

August 22, 1994

Oregon

DR GORDON MYRAH
MYRAH, MRS GORDON
BOX 1199
BROOKINGS, OR 97415

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-74346;
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

74346

Item B

ODFW use only
Project No. _____

APPENDIX 2

RECEIVED

JUN 28 1994

WATER RESOURCE DEPT.
SALEM, OREGON

PROJECT PROPOSAL: SALMON TROUT ENHANCEMENT PROGRAM

1. NAME OF PROPOSING GROUP Winchuck Rod & Gun Club
NAME OF KEY CONTACT Gordon Myrah, President
ADDRESS Box 1199, Brookings, Oregon 97415 PHONE 469-3411

2. LOCATION OF PROJECT:
NAME OF STREAM OR LAKE School House Creek
RIVER SYSTEM Winchuck River
NEAREST COMMUNITY Brookings-Harbor, Oregon

3. TYPE OF PROJECT: (Check)

Habitat Improvement Brood Stock Development
Stream Survey _____ Education
Egg Incubation Other _____
Fish Rearing

4. PROJECT DATES: Application Date: 7/14/88 Estimated Start Date: 8/1/88
Estimated Completion Date: 9/1/89

5. PROJECT DESCRIPTION: EXPLAIN WHAT THE PROJECT PROPOSES TO DO: (Narrative)
I own approximately 600' of property on the School House Creek. I have established a domestic water right, and am now applying for a water right for my pond system. I presently have a pond approximately 60'x30'x12'. The pond is presently stocked with Rainbows, but will fish them out when the approval is given for a Salmon rearing program.

I would like to propose having an incubator which would release the Alevins directly into the pond. My water supply is still very adequate.

I am also considering the development of another pond on the downstream side of the present pond.

The county road department is replacing a ~~box~~ culvert for the School House

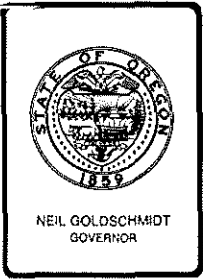
6. AMOUNT OF FILL OR REMOVAL IN STREAM CHANNEL (if applicable) _____ Cu. Yds.

NOTE: Please enclose a map or simple sketch of proposed project showing exact location of waterway. (Proximity to road or trail and to nearest community.) (NEXT PG)

FOR INTERNAL USE
STEP Biologist _____
District Fish Biologist _____
Regional Supervisor _____
STEP Coordinator _____
Chief of Fisheries _____

NAME AND DATE

Approved



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

May 5, 1988

Mr. Gordon Myrah
Box 1199
Brookings, OR.
97415

Dear Mr. Myrah:

Regarding your letter of May 2, 1988, the exemption from filing allowed under the S.T.E.P. Program is restricted to egg incubation projects that will use less than 30 gallons per minute of water.

Your letter of April 22, 1988, stated that you wished to apply for stock water, fire protection, family swimming hole, and other not stated uses, which would not be exempted under the S.T.E.P. program. You will need to file an application for permit to appropriate water for these uses.

I have included a copy of ORS 537.142 that explains the S.T.E.P. program for your information.

If I can be of further assistance please don't hesitate to contact me.

Sincerely,

John R. Woodroof
Water Rights Inspector

p-74346

Item C



OREGON DEPARTMENT OF FISH AND WILDLIFE
P. O. Box 3503
Portland, Oregon 97208

RECEIVED

JUN 28 1994

WATER RESOURCES DEPT.
SALEM, OREGON

PERMIT TO TRANSPORT LIVE FISH and/or EGGS

Fish Propagation License No. _____

1. Shipper LAKES TROUT Program Approx. Shipping Date 4-4-89
Street Address 20577 Hwy 126 Phone (Shipper) _____
NOTI OR 97461
City State Zip

Shipped From _____ Via _____

2. Species To Be Shipped (Fish or Eggs)	Number	Size	Lot Number
<u>Rainbow TROUT</u>	<u>100</u>	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

3. Shipped To GORDON Myrah Phone 469-3411
Street Address Winchuck Road BROOKING OR 97415
Curry Winchuck River School House Cr.
County Stream System/Watershed Tributary

4. Use of Fish: Private Pond Isolation Fac. Aquaria Research
Personal Use Resale U-Catch Rearing

A disease inspection report must be provided with requests to import live fish or eggs into Oregon (except: aquaria species for aquaria use or fish to be held in an accepted isolation facility).

5. Enclose application fee of \$2.00: _____
(Not required for shipment by Government agencies.) Signature of Person Requesting Permit _____

FOR OFFICIAL USE ONLY Fish Transport Fee Receipt Number _____

Request Approved Disapproved For the Oregon Department of Fish and Wildlife
By David W. Loomis Date 3-31-89

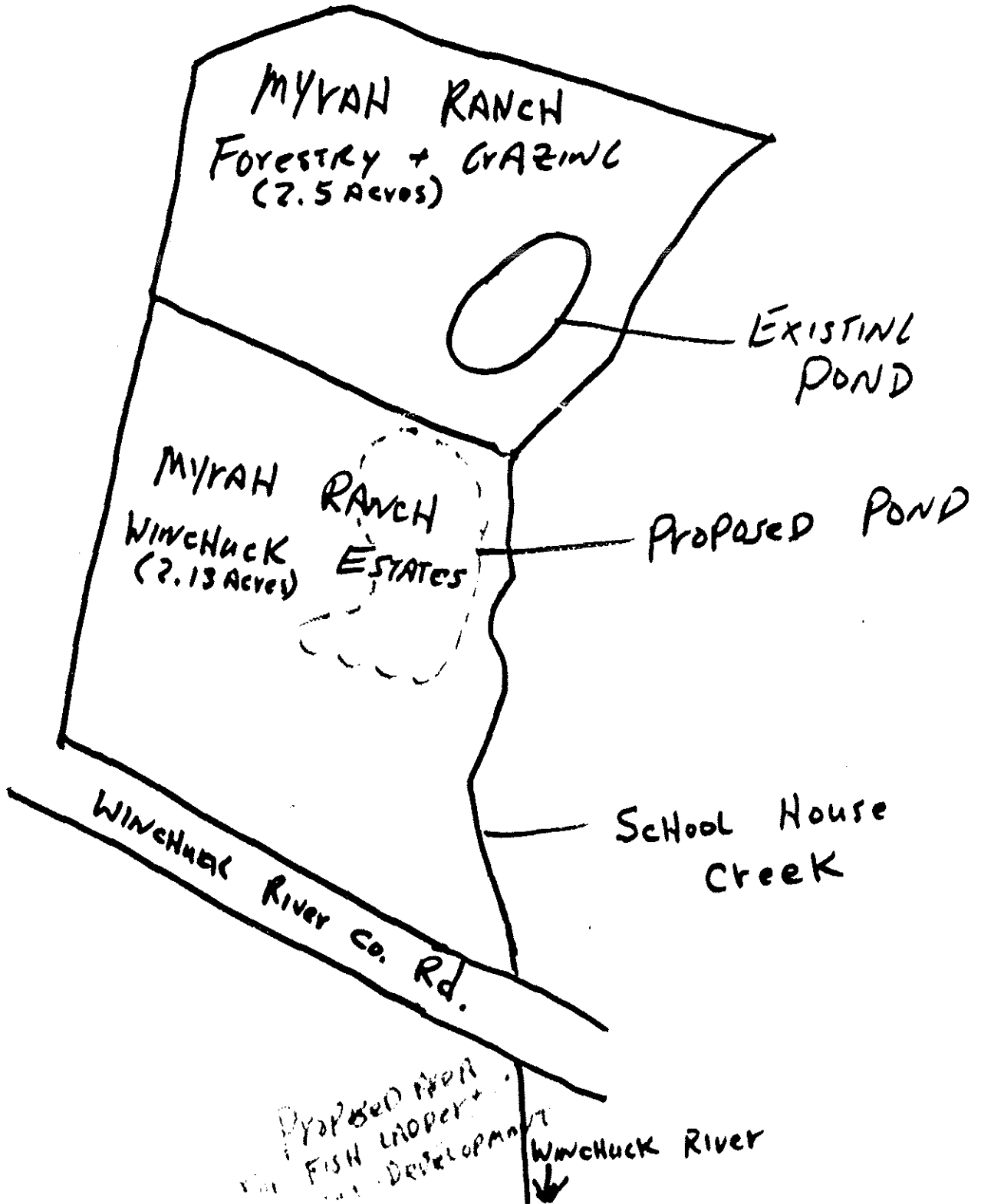
Permit valid for 30 days unless otherwise listed below:

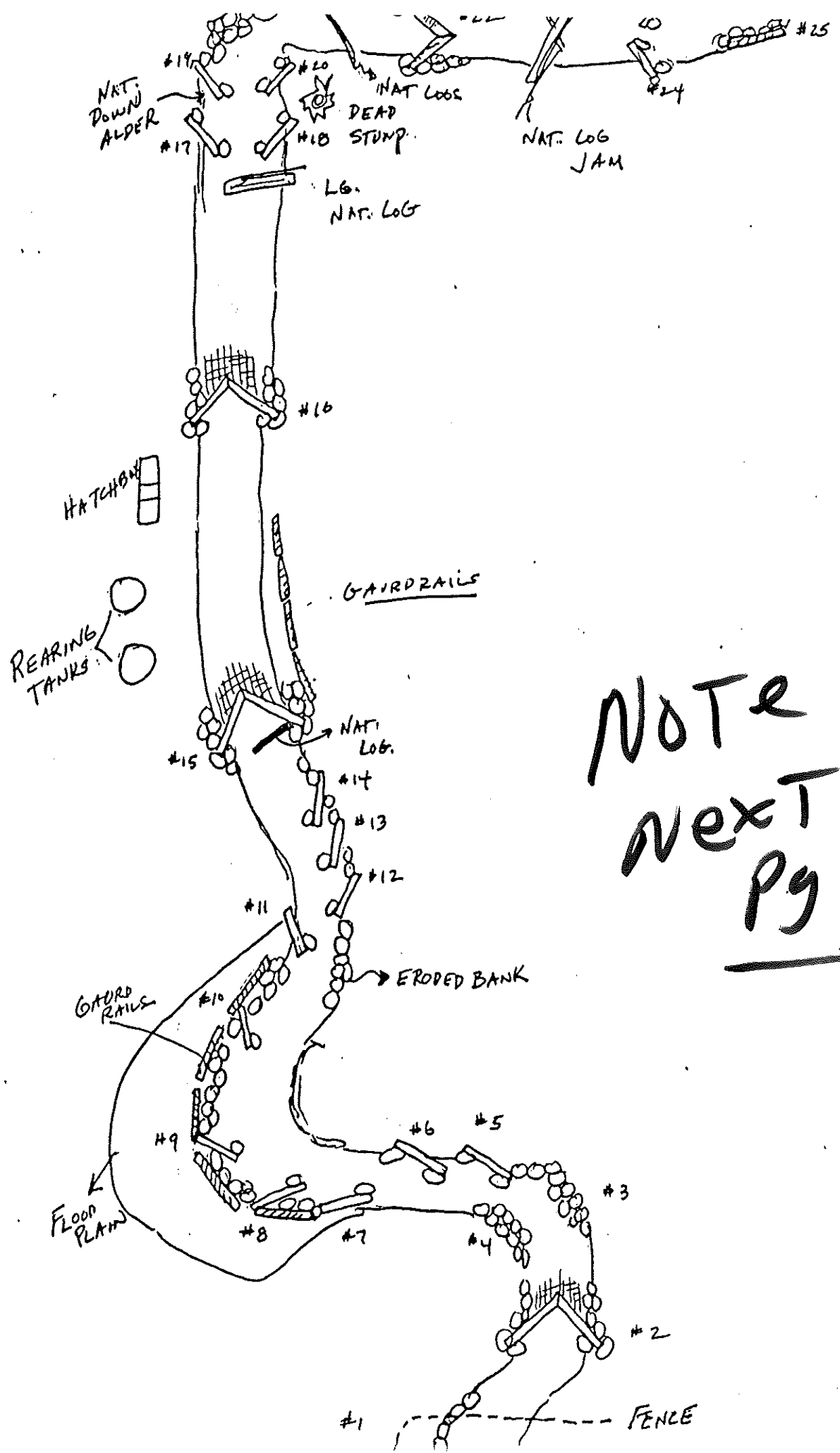
Restrictions/Authorizations: Valid permit must accompany fish during shipment and be retained at destination.

Continued on Back
This copy is for: Shipper Purchaser/holder File District South Coast
FD 1011 05-82

Creek in the next couple of weeks. I would like to request authorization from your department to allow them to put a fish ladder stream improvement from the colvert to the Winchuck River. I would also like to request that the colvert have special attachments to enhance the movement of fish through the colvert. (Please contact the Curry County Road Master)

The proposed stream development on the School House Creek has the enthusiastic approval of all adjacent land owners.





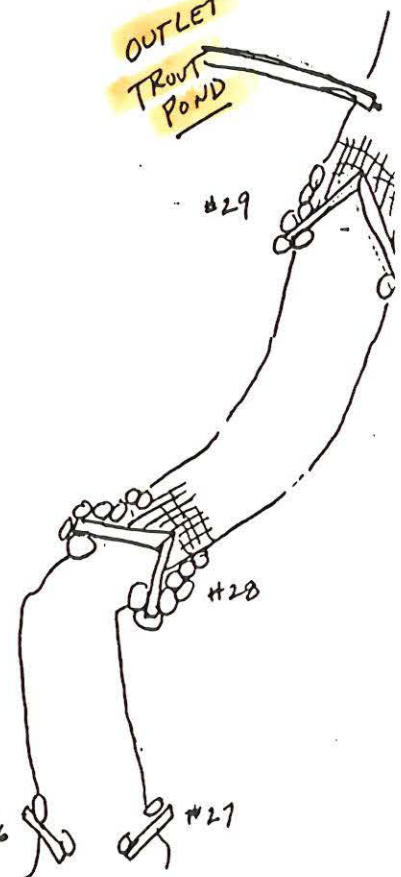
OUTLET
TROUT
POND

#29

#28

#26

#27



P-74346

ITEM D

Oregon

RECEIVED

JUN 28 1994

WATER RESOURCES DE
SALEM, OREGON



DEPARTMENT OF
FISH AND
WILDLIFE

July 22, 1991

Gordon Myrah
Winchuck Rod & Gun Club
P.O. Box 1199
Brookings, OR 97339

Dear Gordon,

I am pleased to inform you the Oregon Fish & Wildlife Commission approved your Restoration and Enhancement project proposal "School House Creek Stream Improvement - Phase II" in the amount of \$6,000.

As we have previously discussed, Dave Harris has agreed to purchase the materials and supplies that you will need for the project. Please contact Dave to work out the details.

I will need a brief update the first of each month on the progress you have made to date on the project. The information will be used in a summary report I prepare for the R&E Board. Please be sure and take pictures (slides preferred) of the work done.

If you have any questions, please contact me at 229-5400 ext. 378.

Sincerely,

A handwritten signature in cursive script that reads "Rich".

Rich Berry
R/E Program Coordinator

cc Unterwegner
Harris
Mullen



2501 SW First Avenue
PO Box 59
Portland, OR 97207
(503) 229-5400