



STATE OF OREGON

INTEROFFICE MEMO

25

TO: **File P-77725**

DATE: **11/15/95**

FROM: **Gary Ball, Watermaster** *GB*

RECEIVED

SUBJECT: **Failure to Qualify Under HB-2153**

NOV 29 1995
WATER RESOURCES DEPT.
SALEM, OREGON

A field inspection of the pond revealed that the pond is on a channel. The pond qualifies for the exemption in all other respects. The dam is actually on Dan Herriges' property and the storage is jointly owned by Herriges and Seneca-Jones.

Application No. P-79125
Permit No.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

NOTICE OF EXEMPT RESERVOIR

RECEIVED

JAN - 3 1995

WATER RESOURCES DEPT.
SALEM, OREGON

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: Seneca Jones Timber Company, a limited partnership

NOV 20 1995

Authorized Agent: (if applicable) W. H. Moore, Tree Farm Manager

WATER RESOURCES DEPT.
SALEM, OREGON

Address: P. O. Box 10265

Eugene	OR	97440	503-673-0084 (Roseburg, OR)
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 26, Township 27S, Range 03W, in Douglas 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: spring

*Don Heniger 496 0101
Filed WR's. (P# 50079)*

3. Maximum height of the dam: 8'

(no storage permit) ON EMANNEL

4. Maximum water depth in the reservoir: 12'

5. Maximum storage capacity of reservoir: 8.815 acre feet

6. Size, description and location of any outlet pipe: _____

overflow ditch *By owner - concrete spillway*

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: W. H. Moore III

(Print Name and Title) W. H. Moore, Tree Farm Manager

Date: 12/28/94

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) _____

Seneca Jones Timber Co.
Herriges Pond
Sec. 26 T.27S R.3W WBM

Application No. P-77725
Permit No. WC55

RECEIVED

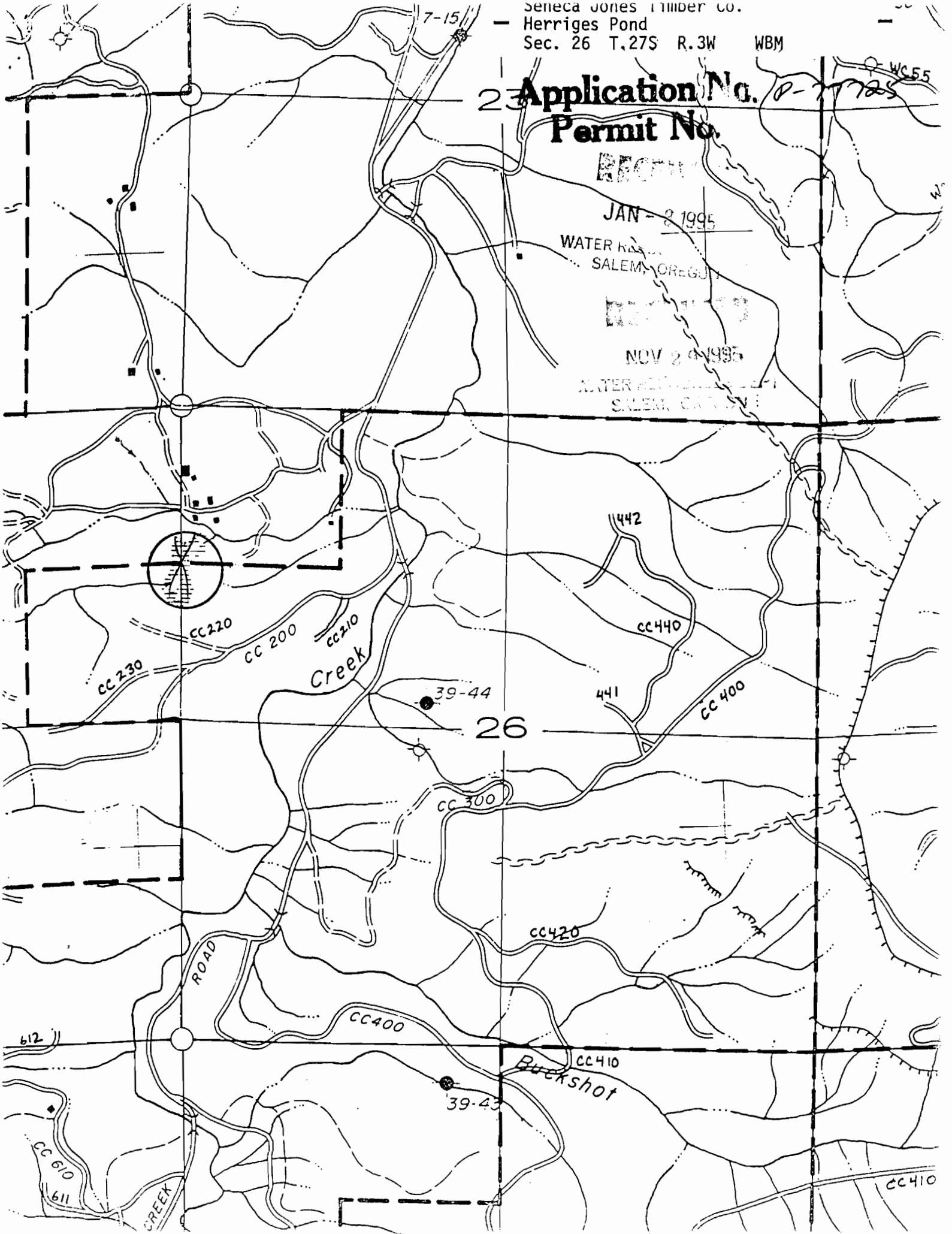
JAN - 2 1995

WATER RESOURCES
SALEM, OREGON

RECEIVED

NOV 2 4 1985

WATER RESOURCES
SALEM, OREGON



26

Creek

ROAD

Buckshot

CREEK

CC 230

CC 220

CC 200

CC 210

442

CC 440

441

CC 400

39-44

CC 300

CC 420

612

CC 400

CC 410

39-43

611

610

CC 410

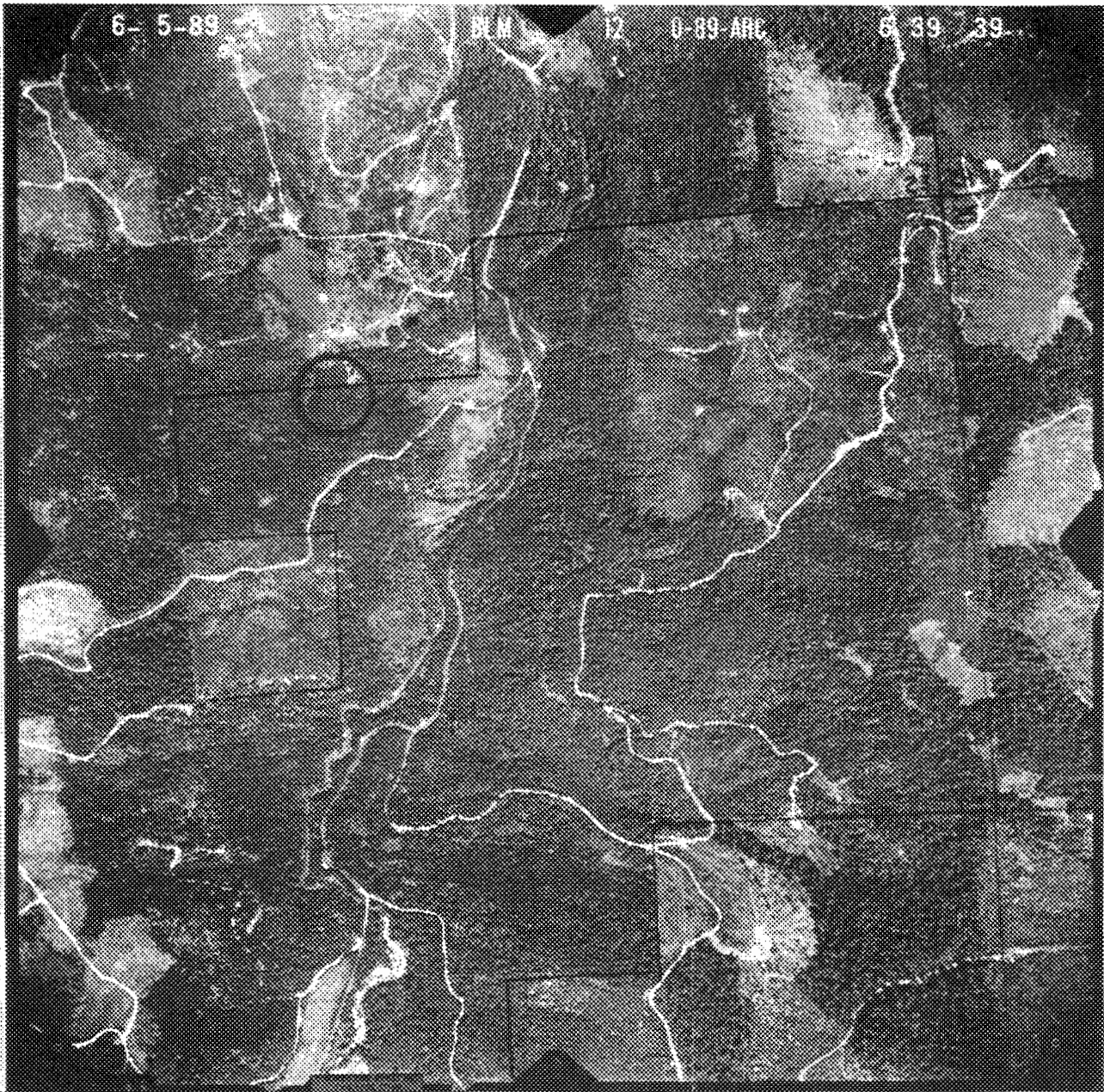
6-5-89

BLM

12

0-89-ARC

6 39 39



Application No. 0-77725
Permit No.

BLM
APR 1989
BLM
APR 1989

June 27, 1995

Oregon

SENECA JONES TIMBER CO.; MOORE, W H
PO BOX 10265
EUGENE, OR 97440

WATER
RESOURCES
DEPARTMENT

REFERENCE: F i l e #
P-77654,P-77655,P-77656,P-77657,P-77658,P-77659,P-77660,P-77661,P-77
662,P-77663,P-77664,P-77665,P-77666,P-77668,P-77669,P-77715,P-77716,
P-77717,P-77718,P-77719,P-77720,P-77721,P-77722,P-77723,P-77724,P-77
725,P-77726,P-77727,P-77728,P-77729,P-77730;
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,

Ms. Anita M. Mc Loud
Water Rights Specialist
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-77725
Permit No.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

NOTICE OF EXEMPT RESERVOIR

JAN - 3 1995
WATER RESOURCES
SALEM, OREGON

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2. Source of water: spring.

3. Maximum height of the dam: 8'.

4. Maximum water depth in the reservoir: 12'.

5. Maximum storage capacity of reservoir: 8.815 acre feet.

6. Size, description and location of any outlet pipe: overflow ditch

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);
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Declaration by Owner/Authorized Agent:

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Landowner/agent signature: W. H. Moore III

(Print Name and Title) W. H. Moore, Tree Farm Manager

Date: 12/28/94

FOR WATER RESOURCES DEPARTMENT USE ONLY

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

PRE-TR APPLICATION PROCESSING OUTLINE

Application File #

77725

MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

DATE

INITIAL

- 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

- 3/21/95 RP Stamp contents with application number
- 3/21/95 RP 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

jm 02-10-95 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