

STATE OF OREGON
COUNTY OF Josephine

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

MARIANNE MOSKOWITZ
3619 EMPIRE DR
LOS ANGELES, CA 90034

confirms the right to store the waters of
AN UNNAMED STREAM IN AN UNNAMED RESERVOIR
for DOMESTIC AND IRRIGATION.

The right to store and use these waters was perfected under Reservoir Application R-77137.
The date of priority is January 1, 1993. The amount of water entitled to be stored and
used each year under this right is not more than 0.77 ACRE-FOOT

Located as follows:

SE 1/4 SE 1/4 SECTION 7, TOWNSHIP 34 SOUTH, RANGE 6 WEST WM.

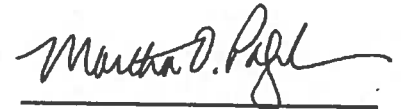
ORS 498.351 and ORS 509.605 through 509.625 provides that no person shall construct an artificial obstruction across a waterway in which anadromous, game or food fish exist unless that person provides a fishway deemed adequate by the Oregon Department of Fish and Wildlife (ODFW). If the subject pond is in-channel and fish are present, the certificate holder is directed to contact the ODFW Fish Passage Program Coordinator, P.O. Box 59, Portland, OR. 97207. If fish presence is in question, the certificate holder should contact the nearest ODFW Fish District office for a determination.

If water is to be diverted from an in-channel pond where fish are present, the certificate holder shall install, maintain and operate fish screening and by-pass devices as required by ORS 498.306 through ORS 498.346 and approved by ODFW. Contact the ODFW Fish Screening Program Coordinator, P.O. Box 59, Portland, OR. 97207. If fish presence is in question, the certificate holder should contact the nearest ODFW Fish District office for a determination.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of 8", or the provision of other means to evacuate water when determined necessary for public safety or to satisfy prior downstream rights as determined by the Water Resources Director.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use listed above.

WITNESS the signature of the Water Resources Director, affixed FEBRUARY 27, 1996.



Martha O. Page

Recorded in State Record of Water Right Certificates numbered 70914

RECEIVED

JAN 26 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Marianne Moskowitz
3619 Empire Drive
Los Angeles, CA 90034
(310) 836-2411

January 22, 1996

TO: Oregon Water Resources Department
Commerce Building
158-12th Street NE
Salem, OR 97310-0210

Attn: Gerry Clark
Completeness Team

FILE #: R 77137

In response to your request of 1/16/96, please find the enclosed reduced map of an official survey done of my property at **508 Brimstone Road, Sunny Valley, OR 97497** (Tax Lot 502).

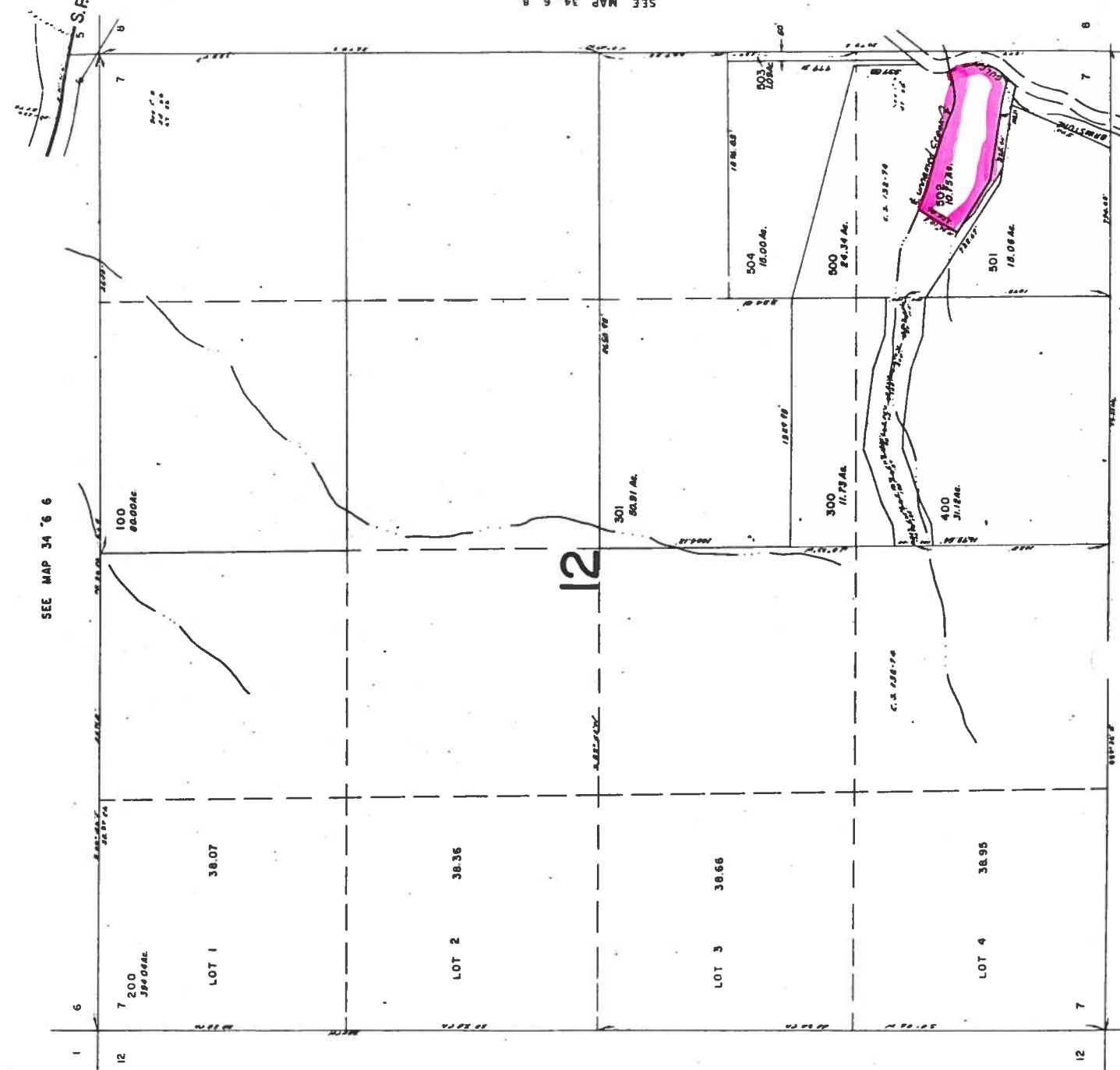
You will find that the pond is outlined in **blue** while the area to be irrigated is outlined in **yellow** and the approximate location of the house in **red**. The total area comprises approximately 5 acres, 2 of which would include the house site and surrounding lawns. The intended use of the water is **(1) for domestic use as needed, (2) for fire protection, (3) for the fruit orchard** (fruit trees are scattered throughout the area outlined in yellow), and **(4) light agriculture** (i.e. vegetable gardens).

I hope that this information is sufficient .

Sincerely,

Marianne Moskowitz
Marianne Moskowitz

SCALE 1:5000



SEE MAP 34 '6 6

SEE MAP 34 6 B

SEE MAP 34 7 12

RECEIVED
ST. JAMES

January 16, 1996

WATER
RESOURCES
DEPARTMENT

Dear Applicant,

The 1995 Legislature passed House Bill 2376, a law which requires the Department to issue water right certificates on reservoirs applied for under House Bill 2153 (1993 Ponds Bill).

Our staff is preparing to issue your certificate(s). However, we need a map showing the location of the use, such as the house or area irrigated, and an indication as to the number of acres irrigated.

In order to expedite the processing of your certificate(s), we request that you submit the additional information listed above by **January 31, 1996**. A copy of your original application map is enclosed.

Should you have any questions please feel free to call the Water Rights Information Group at 1-800-624-3199, extension 499.

Sincerely,



Gerry Clark
Completeness Team



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

PRE-TR APPLICATION PROCESSING OUTLINE

Application File # 177137

MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

DATE

INITIAL

2/2/95

CA

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 \$ 50, 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

3/24/95 PX Stamp contents with application number
3/6/95 C Mail ack letter (provided by Data Center) with
receipt to applicant, cc to CWRE and file
3/24/95 PX 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

(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:

yes _____ 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

2153 MINIMUM APPLICATION REQUIREMENTS

RECEIVED

JAN - 4 1995

WATER RESOURCES DEP
SALEM, OREGON

HB 2153 NOTICES: (ORS 537.141(d))

1. Notice of Exempt Reservoir Form, including:
 - Source of water
 - max height of dam
 - max depth of reservoir
 - max volume of reservoir
2. Map showing the location of the reservoir and the Township, Range and Section.
3. Evidence that the reservoir existed prior to January 1 1993; examples of evidence include:
 - notarized affidavit by land knowledgeable person
 - construction receipts
 - dated aerial photo

*nearest
nearest
land
owner*

HB 2153 APPLICATIONS FOR PERMITS: (ORS 537.401)

1. ✓ Completed application for a Permit Reservoir, with "HB 2153" written at
2. ✓ Fee: \$ 50⁰⁰
amount
3. ✓ Map showing the location of the reservoir, range, and section
4. ✓ Evidence that the reservoir was constructed prior to 1993. (see above)
5. ✓ Land use information form completed by a county planning official (city official if inside city limits)

I Sindalee Julander Dept. certify that the above listed minimum
(name) (title) Spec
information was submitted to me at the District # 14 Watermaster
office on 12/30/94.
(date)

Sindalee Julander 12/30/94
signature date

Note to applicant: Enclose this form in the mail with your materials. It must be postmarked on or before January 3, 1995. The Water Resources Department assumes no liability for the safe transfer of your materials to our Salem office via U.S. mail service.

Mail to: Applications, O.W.R.D., 158 12th Street NE, Salem OR 97310

Application No. R-77137
Permit No.

RECEIVED
DEC 30 1994
WATER RESOURCES

RECEIVED

STATE DEPARTMENT OF WATER RESOURCES

DATE RECEIVED: _____

1954 - 1955

WATER RESOURCES DIVISION
SACRAMENTO, CALIF.

Enclosed for the _____
is a copy of the _____

- 1 - Copy of the _____
- 2 - _____
- 3 - _____
- 4 - _____
- 5 - _____
- 6 - _____
- 7 - _____
- 8 - _____
- 9 - _____
- 10 - _____

IN THE MATTER OF _____

Considered and approved by the _____

DATE: _____

Enclosed for the _____

Enclosed for the _____

Enclosed for the _____

Enclosed for the _____

Enclosed for the _____

Enclosed for the _____

RECEIVED

1954

WATER RESOURCES

Application No. _____
Permit No. _____

February 15, 1995

MARIANNE MOSKOWITZ

3619 EMPIRE DR
LOS ANGELES, CA 90034

REFERENCE: File # R-77137;

We have received your application(s) for a water use permit along with your supporting data, documentation, and fees. A receipt is enclosed here unless you were previously issued one. Your application has been assigned the above referenced file number. Please refer to this number whenever you contact us about your application.

Your application will be considered under House Bill 2153 enacted by the 1993 Oregon Legislature. You may continue the storage of water while a decision is pending on your application.

After an application has been accepted for filing, public notification of the application is made, followed by a mandatory 30-day comment period. Thereafter, applications can be considered for processing as time allows.

At present the Water Resources Department has a backlog of several thousand applications for water use permits which has delayed our application processing time. In general, the Department works through Oregon's 18 river basins on a rotating schedule, processing applications in the order in which they have been received.

The processing of an application does not guarantee that a water right permit will be issued. Each application must undergo specialized analysis called a technical review and a public interest review. Until your application is reviewed, it is not possible to determine whether your particular proposed water use will be recommended for a permit.

Technical Reviews are processed in accordance with Oregon Administrative Rules. The Water Resources Commission is considering the adoption of rules to protect stream flows for fish species. This action is being contemplated in response to current and future Endangered Species Act fish listings, including many runs of salmon, steelhead and resident fish throughout the state.



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

REFERENCE: File(s) - R-77137

The proposed rules, if adopted, could limit the issuance of new water right permits in certain areas of the state. If and when the Commission adopts these rules, new criteria or restrictions may be imposed on water use applications received after:

July 17, 1992, for use of water in the Upper Columbia/Snake Basin (above Bonneville Dam), including the mainstem Columbia and Snake Rivers and the Hood, Deschutes, John Day, Umatilla, Grande Ronde, Powder, Malheur and Owyhee Basins;

April 8, 1994, for use of water in the North Coast, Mid Coast, South Coast, Rogue and Umpqua Basins and the Clackamas Subbasin of the Willamette Basin; and

June 3, 1994, for use of water in all Oregon basins.

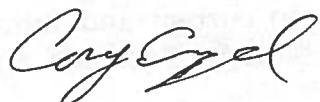
When the report on the technical review is completed and sent to you, a 60-day objection period begins during which you, the applicant, or anyone who has expressed an interest in your proposed water use may communicate to us their disagreement with what we have said in our report on your application. After the 60-day objection period, the Department conducts the public interest review and considers any objections which have been made.

After any objections have been considered, there may follow time to allow parties to resolve conflicts over the proposed water use. In addition, a 30-day protest period may be required. Lastly, it may be necessary to schedule a hearing or send the application to the Water Resources Commission for their review.

If your application is recommended for approval and a permit is issued, the use allowed by the permit will be subject to the Basin Program Rules of the Water Resources Commission, instream flow requirements, the demands of prior right holders and other conditions to conform the water use to particular standards.

Please contact the Water Rights Information Group (WRIG) if you have any questions. You may write to us at 158 12th ST NE, Salem, Oregon 97310 or you may call 378-3739 in Salem or toll free from within the state 1-800-624-3199.

Sincerely,



Mr. Cory C. Engel
Water Rights Research Assistant
Water Rights/Adjudication Division

cc: CWRE

I give this affidavit that the pond(s) on the property listed below was/were in existence prior to January 1, 1993.

RECEIVED

JAN - 4 1995

WATER RESOURCES DEPT.
SALEM, OREGON

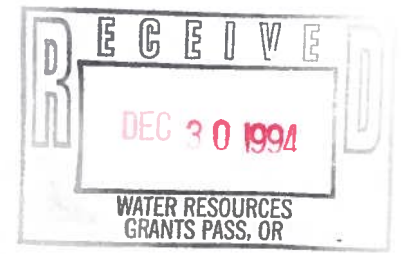
Marianne Moskowitz Landowner

Marianne Moskowitz
December 30, 1994



Leora B. Gix

Application No K-27137
Permit No.



1. The official seal of the State of Oregon is hereby certified to be a true and correct copy of the original seal of the State of Oregon.

RECEIVED

JAN 14 1901

STATE OF OREGON
DEPARTMENT OF STATE

Application for
Certificate of
Naturalization



Application No. 10000
Form No. 1

RECEIVED

JAN 14 1901

STATE OF OREGON
DEPARTMENT OF STATE

Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses in Addition to Classified Uses

RECEIVED

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. **DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.**

JAN 4 1995
WATER RESOURCES DEP
SALEM, OREGON

Applicant's Name: MARIANNE MOSKOWITZ
Address: 3619 EMPIRE DRIVE
City: LOS ANGELES State: CA Zip: 90034 Day Phone: 310/973-1300

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
<u>34-6-7</u>	<u>WR</u>			
<u>R 502</u>				

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within city limits. In this case, only the city planning agency must complete this form. Please request extra forms as needed.

For Local Government Use Only - Planning office

Local government planning officials are to complete the remainder of this form. If this form can not be completed while the applicant waits, please sign and detach the receipt as instructed below. Please mail the completed form directly to the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below. If the form is not completed within 60 days, the Department may take action to approve the water use.

Application No R-77137
Permit No.

a) Check the appropriate box below and provide requested information.

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 65.120 (B). Go to section b) on reverse side.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)**

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

(over)

Receipt for Request for Land Use Information

WRD Applicant Name: _____

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government can not provide the above requested land use information while the applicant waits.

City or County: _____

Staff Contact: _____ Phone: _____

Signature: _____ Date of Information Request: _____

RECEIVED
DEC 30 1994
WATER RESOURCES

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: RICHARD W. RICKER
Title: PLANNING ASST.

Date: 11/30/94
Phone: 474-5421

Signature: 

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet. For additional information call Roberta Jortner or Rick Bastasch at 378-3671.

Additional Comments:

EXISTING POND USED FOR PRIVATE PURPOSES TO
INCLUDE IRRIGATION, WILDLIFE, + RECREATION - PRIVATE,
NO COMMERCIAL USE. THE PRIVATE USAGE IS
PERMITTED BY THE ORDINANCE.

Lined area for additional comments, currently blank.

Description of Water Use

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: MARIANNE MOSKOWITZ
 Address: 3619 EMPIRE DRIVE
LOS ANGELES
CA 90034
 Phone: 310/973-1300

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

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- Irrigation (crop type, golf course, nursery or greenhouse): _____
- Livestock (type of livestock, feedlot, slaughterhouse): _____
- Residential (# units, single or multi-family, # lots if partition or subdivision): _____
- Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____
- Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____
- Institutional (i.e., school, library, etc.): _____
- Mining (aggregate, metal, open pit, placer, etc.): _____
- Recreation (park, campsite, pond, etc.) _____
- Fish and Wildlife (pond, hatchery, etc.) _____
- Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input type="checkbox"/> Surface Water Name sources: _____ _____ _____	_____ Cubic feet per second. _____ Gallons per minute. _____ Acre-Feet
<input checked="" type="checkbox"/> Reservoir or pond	
<input type="checkbox"/> Ground Water	

RECEIVED
 DEC 30 1994
 WATER RESOURCES
 GRANTS PASS, OR



THE UNIVERSITY OF CHICAGO

IN THE DEPARTMENT OF CHEMISTRY
BY THE HONORABLE JUDGE OF THE SUPREME COURT OF THE STATE OF ILLINOIS

IN RE: THE ESTATE OF JOHN J. ...
...
...

...
...
...

...
...
...

...
...
...

...
...
...

...
...
...
NO. 10
...