

Permit No.

STATE OF OREGON

75

WATER RESOURCES DEPARTMENT

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: Cliff & Anna Moran

Authorized Agent: (if applicable) _____

Address: 1336 Elms St.Ashland
CityOR
State97520
Zip503482-0549
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 23, Township 38, Range 2 E, in JACKSON Cnty. 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.)

Hollow

2. Source of water: Deep Gulch CR. DIVERSION.
3. Maximum height of the dam: 6 ft..
4. Maximum water depth in the reservoir: 16.
5. Maximum storage capacity of reservoir: 12.00 ac. ft. approx..
6. Size, description and location of any outlet pipe: N/A
OVERFLOW AROUND West END OF DAM

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.

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: Cliff Moran

(Print Name and Title) CLIFFORD G. MORAN OWNER

Date: 12-18-94

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 _____.

cc: Watermaster District # _____

Ponds in Existence Prior to January 1, 1993 (HB 2153, 1993)

690-11-041 (1) A landowner with an unpermitted reservoir constructed before January 1, 1993 may apply for a water right permit and continue the use of water while a decision is pending on the application. The water right application, if approved in accordance with OAR 690-11-155 through 690-11-195, will receive a priority date of January 1, 1993. In order to qualify for these benefits, an application must be filed on or before January 1, 1995. In addition to the information and fees required under OAR 690-11-020 and 690-11-040, an application shall also be accompanied by evidence that the reservoir existed before January 1, 1993. Such evidence may include:

(a) A dated aerial photograph which shows the immediate area above, below and surrounding the reservoir;

(b) An affidavit signed by the landowner or other knowledgeable person;

(c) A dated map prepared by a local, state or federal agency showing the location of the reservoir; or

(d) Construction receipts or other forms of documentation.

(2) Notwithstanding the requirements for a survey set forth in ORS 537.230, no survey of the appropriation is required for a reservoir storing less than 9.2 acre feet or with a dam less than ten feet in height. Maps submitted with the application shall be of sufficient quality and scale to establish the location of the reservoir to the nearest quarter-quarter section, township and range.

(3) Up to ten reservoirs may be included in a single application if the reservoirs existed prior to January 1, 1993; have dams that are less than ten feet in height or that store less than 9.2 acre-feet of water; are in the same drainage basin; and within the same ownership on contiguous property. For a rural fire protection district formed under ORS 478.010 or a forest protection district formed under ORS 477.225, up to ten reservoirs may be included in a single application if all the reservoirs are within the boundaries of the district; are within the same drainage basin; and are an element of the district's fire protection system.

(4) A water right certificate under ORS 537.250 may be issued in lieu of a permit if:

(a) The reservoir existed before January 1, 1993;

(b) The records of the Department provide satisfactory documentation to describe the location and volume of storage;

(c) Modifications or alterations to the impoundment structure are not required; and

(d) The Commission determines under section (1) of this rule that the reservoir would qualify for issuance of a permit.

QUICK, (BALL PARK FIGURE) CALCULATION FOR RESERVOIR VOLUMES.

$$\text{Volume} = (\text{length} \times \text{width}) (\text{max. depth}) (0.4)$$

(CU/FT) (SURFACE AREA)

TO DETERMINE ACRE FEET, DIVIDE ABOVE NUMBER BY 43,560 which is the number of gallons in one acre foot. (1 acre, 1 foot deep in water)

THE "FACTOR" OF 0.4 IS TO BE USED IN ALL CASES WHERE SUFFICIENT INFORMATION IS NOT AVAILABLE FOR USE IN DETERMINING A MORE PRECISE RESERVOIR VOLUME.

Clifford G. Moran
1336 Elms Street
Ashland, OR 947520

December 27, 1994

Water Resources Department
State of Oregon

I Clifford Moran do hereby declare, that the pond on property I own, 38-2-E-S. 23 was there prior to January 1st 1993.

Sincerely,



Clifford Moran

Application No. P-77165
Permit No.

February 9, 1995

Oregon

CLIFF MORAN
MORAN, ANNA
1336 ELMS ST
ASHLAND, OR 97520

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-77165;
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 #: P77165 RVD SALEM:

RVD REGION:

COUNTY: JA

NAME: MORAN, CLIFF/ANNA
ADDRESS: 1336 ELMS ST
CITY, STATE: ASHLAND, OR
PHONE NO. 503-482-0549

EXEMPT?

97520

TRSQQ: 38S02E23

MAP & TL:

INSPECTED BY *L.P.M.*
INSPECTION DATE *11-2-95*
TALKED TO:

SOURCE(S) OF WATER:

USE(S) OF WATER:

DESCRIBE POND:

DESCRIBE DAM:

IF NON-EX, WHY:

NO CLAIM

RECOMMENDED

FILING:

2376

INJURY/MITIGATION:

*Field Check Required**FIELD*

Watermaster HB-2153
Check-List



WM 14

February 9, 1995

CLIFF MORAN
MORAN, ANNA
1336 ELMS ST
ASHLAND, OR 97520

REFERENCE: File(s) P-77165

☐ Reservoir qualifies as exempt

☒ Reservoir does not qualify as exempt

Reservoir is off channel

YES NO

Height of Dam

Capacity of Reservoir

Constructed before 1/1/1993

YES NO

I Larry Montee examined the information included with the file P-77165.
My determination is based on review of the information and field visit to the site and/or
personal knowledge.

Larry Montee
Signature

11-21-95
Date

PRE-TR APPLICATION PROCESSING OUTLINE

Application File # P 77165

MINIMUM REQUIREMENTS TO FILE

OAD 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

3/20/95

JX

Stamp contents with application number

Mail ack letter (provided by Data Center) with receipt to applicant, cc to CWRE and file

3/23/95

BA

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

2/2/95 CB
(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:

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