

Application No. P-78221  
Permit No.

28

STATE OF OREGON  
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: WILLIAM L. JESS AND GEORGE H. JESS, SR

Authorized Agent: (if applicable) NONE

Address: 14195 ALGATE RD

<u>EAGLE POINT</u>	<u>OR</u>	<u>97524</u>	<u>(503) 826 3358</u>
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 20, Township 35.5, Range 1 W, in Jackson 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: ROGUE RIVER

3. Maximum height of the dam: EIGHT (8) FEET

4. Maximum water depth in the reservoir: SIX (6) FEET

5. Maximum storage capacity of reservoir: FOUR AND ONE HALF (4 1/2) AC FT

6. Size, description and location of any outlet pipe: DITCH/DRAINAGE DIAMETER 12" CONCRETE - CREST BANK  
CAPACITY 2 CFS

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);
- X7.3 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.

COPY FINAL PROOF SURVEY SHOWING POND LOCATION  
DATED MAY-22-28 1963

**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: George H. Jess & William L. Jess

(Print Name and Title) CO-OWNERS

Date: Nov 30, 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 P 78221.

cc: Watermaster District # \_\_\_\_\_  
To Data Center (date) \_\_\_\_\_

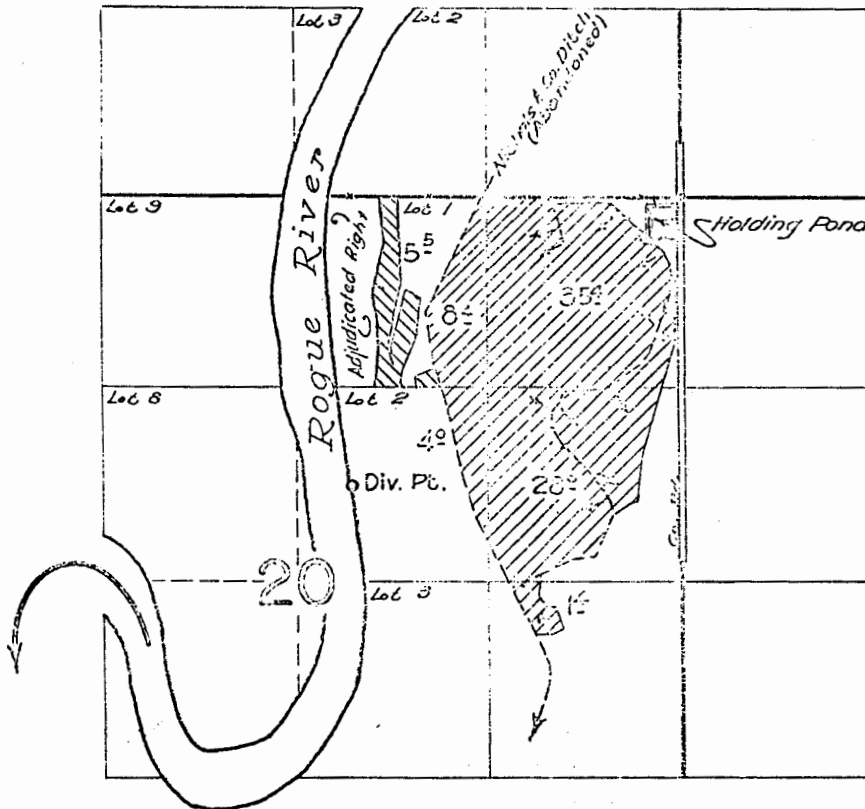
JESS  
14185 AGATE RD  
EAGLE POINT 97524



Jess

The attached map is for your own records

T.35 S.R.1 W.W.M.

JESS  
14195 AGATE RD  
EAGLE POINT 97524



	32439
	32049

Application No. P-78221  
Permit No.

FINAL PROOF SURVEY  
UNDER

32439                      25606  
Application No. ~~32049~~... Permit No. ~~25940~~...  
IN NAME OF

GEORGE H. JESS

Surveyed May. 22-23 1963, by *George H. Jess*

March 9, 1995

Oregon

WILLIAM L JESS JR  
JESS, GEORGE H  
14195 AGATE RD  
EAGLE POINT, OR 97524

WATER  
RESOURCES  
DEPARTMENT

REFERENCE: File # P-78221;  
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.

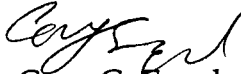
To avoid any misunderstanding, we feel it is important to tell you that although we have received and filed your notice, we have not yet determined whether you are exempt from water right requirements. The watermaster responsible for the area in which the pond(s) is (are) located will help us apply the 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

Watermaster HB-2153  
Check-List

WM 14

March 9, 1995

WILLIAM L JESS JR  
JESS, GEORGE H  
14195 AGATE RD  
EAGLE POINT, OR 97524

REFERENCE: File(s) P-78221

Reservoir qualifies as exempt

Reservoir does not qualify as exempt

Reservoir is off channel

YES NO

Height of Dam

8'

Capacity of Reservoir

4.5 A.F.

Constructed before 1/1/1993

YES NO

I L. SMITH examined the information included with the file P-78221.  
My determination is based on review of the information and field visit to the site and/or  
personal knowledge.

L. M. Smith  
Signature

11/6/95  
Date

FILE #: P78221 RVD SALEM:

RVD REGION:

COUNTY: JA

NAME: ~~WILLIAM~~ <sup>GEORGE</sup> L JESS  
ADDRESS: 14195 AGATE ROAD  
CITY, STATE: EAGLE POINT, OR  
PHONE NO. 503-826-3358

97524

EXEMPT? *N*

*2376*

*use Rogue River*

TRSQQ: 35-01-<sup>W</sup>20

MAP & TL: 35-01

INSPECTED BY *LMS*  
INSPECTION DATE *11/6/95*  
TALKED TO:

~~WILLIAM~~ *GEORGE JESS*

SOURCE(S) OF WATER: *Rogue River*

USE(S) OF WATER: *STOCK WATER*

DESCRIBE POND: *DUG & DAMMED*

DESCRIBE DAM: *81*

SURFACE AREA: *.75 SA*

ASSUMED AVERAGE DEPTH: *6'*

*4.5 A.F.*

DISCREPANCIES:

REMARKS:

*KEEP POND FULL FOR STOCK*  
*Call him - does he put*  
*River water in after we ream?*  
*OR is water just runoff?*  
*HAZEL says it is full year round*  
*YES, SOMETIMES*  
*NO*  
*YES*

March 9, 1995

Oregon

WILLIAM L JESS JR  
JESS, GEORGE H  
14195 AGATE RD  
EAGLE POINT, OR 97524

WATER  
RESOURCES  
DEPARTMENT

REFERENCE: File # P-78221;  
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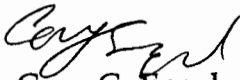
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Landowner: WILLIAM L. JESS AND GEORGE H. JESS, SR

Authorized Agent: (if applicable) NONE

Address: 14195 HEATE RD  
EAGLE POINT OR 97524 (503) 826 3358  
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 20, Township 35 S, Range 1 W, in Jackson 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.)
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6. Size, description and location of any outlet pipe: DISCHARGE DIAMETER 12" CONCRETE - WEST BANK  
CAPACITY 2 CFS
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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DATED MAY-22-23 1963



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Landowner/agent signature: George H. Jacob William L. Jess

(Print Name and Title) CO-OWNERS

Date: Nov 30, 1994

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To Data Center (date) \_\_\_\_\_

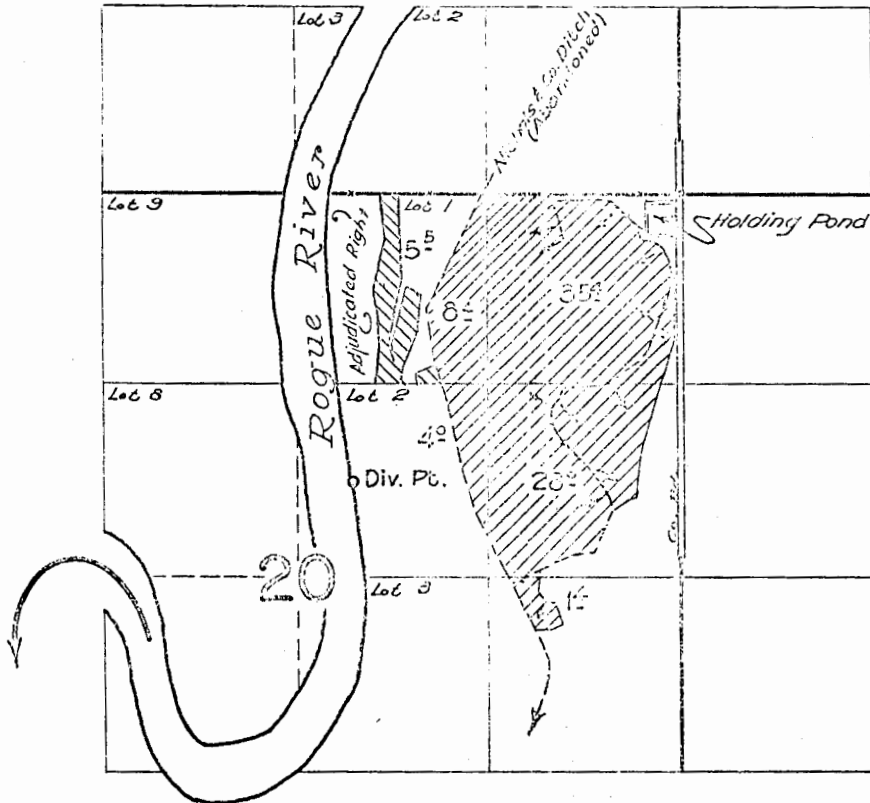
JESS  
14195 AGATE RD  
EAGLE POINT 97524

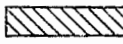

*Jess*

The attached map is for your own records

T.35 S.R.1 W.M.M.

JESS  
14195 AGATE RD  
EAGLE POINT 97524



	32439
	32049

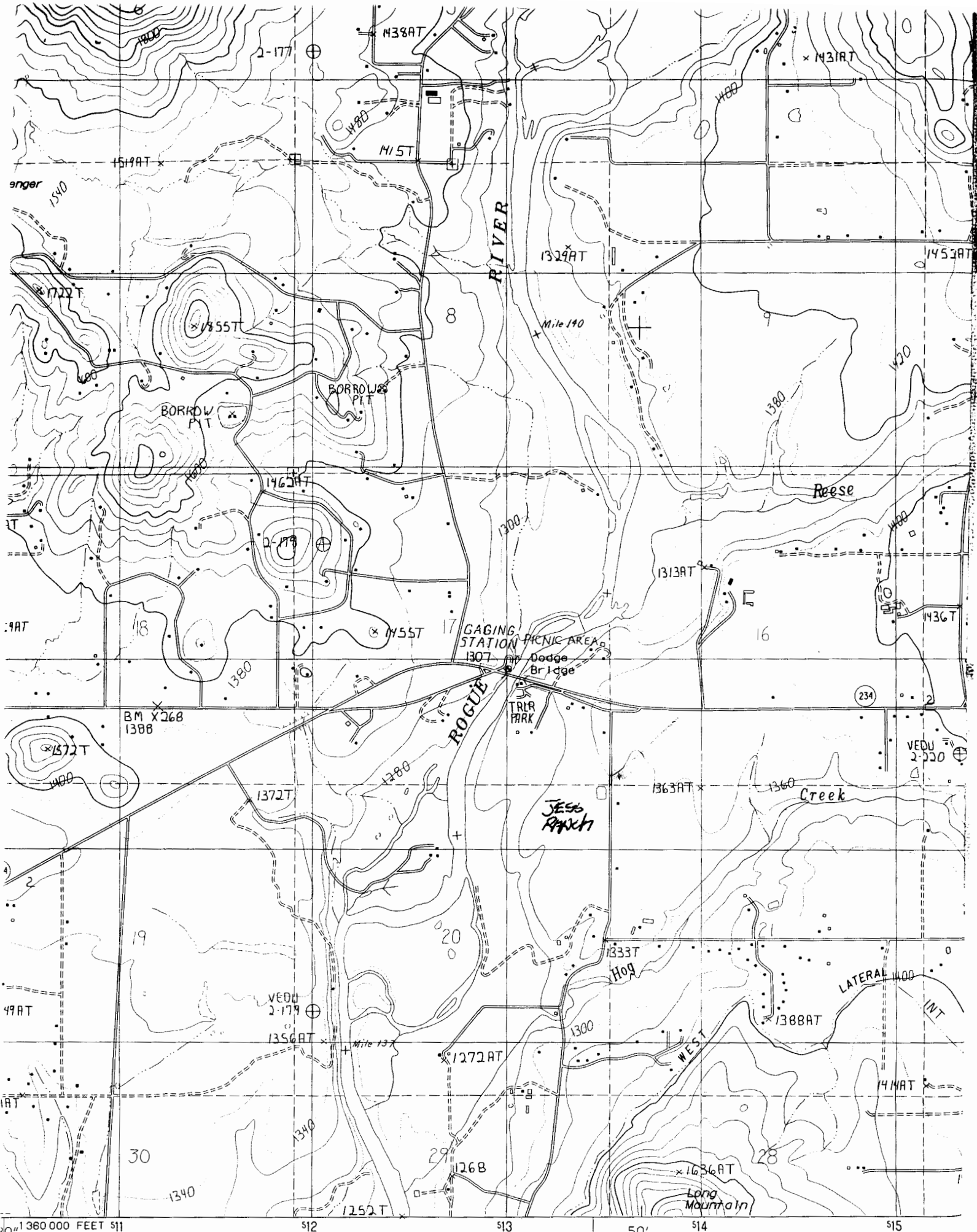
**Application No. P-78221**  
**Permit No.**

**FINAL PROOF SURVEY**  
UNDER

32439                      25606  
Application No. ~~32649~~... Permit No. ~~25948~~...  
IN NAME OF

**GEORGE H. JESS**

Surveyed May. 22-23 1963, by *[Signature]*



**MINIMUM APPLICATION REQUIREMENTS TO FILE:**

**HB 2153 - existing, small, EXEMPT ponds**

DB 2/16/95  
(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