

February 15, 1995

Oregon

ROY T BROWN  
BROWN, VIRGINIA L  
14145 AGATE RD  
EAGLE POINT, OR 97524

WATER  
RESOURCES  
DEPARTMENT

REFERENCE: File # P-77553;  
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

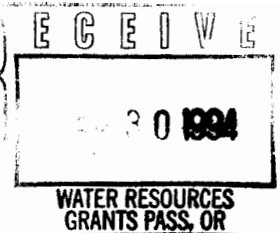
Enclosure: New Water Right Law for Pond Owners Brochure



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

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: Roy T. & Virginia L. Brown

Authorized Agent: (if applicable) \_\_\_\_\_

Address: 14145 Agate Rd.

**RECEIVED**

JAN - 3 1995

WATER RESOURCES DEP  
SALEM, OREGON

Eagle Point OR 97524 503-826-5728  
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 1W, 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: irrigation and rain runoff (50feet by 50feet)
3. Maximum height of the dam: n/a
4. Maximum water depth in the reservoir: 4'
5. Maximum storage capacity of reservoir: .10 AF
6. Size, description and location of any outlet pipe: small overflow outlet at the Southwest corner of the pond.

SENE

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.

**Application No** P-77553  
**Permit No.**

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WATER RESOURCES DEP  
SALEM, OREGON

**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: Roy T. Brown Virginia L. Brown

(Print Name and Title) Roy T. & Virginia L. Brown, owners

Date: 12/29/1994

**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 \_\_\_\_\_.

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

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JAN 30 1994  
WATER RESOURCES  
GRANTS PASS, OR

Application No. *8-77553*  
Permit No.

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WATER RESOURCES DEP.  
SALEM, OREGON

December 29, 1994

Water Resources Division  
3850 Portland Rd, N,  
Salem Or 97310

This letter is in regards to requesting exemption of a water pond located on property I own at 14145 Agate Rd, Eagle Point, Oregon 97524. The pond was constructed in 1976 for the purpose of irrigation.

Sincerely

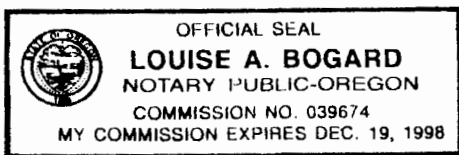


Roy Brown  
Occupant / property owner

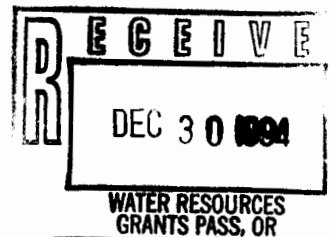
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State of Oregon )  
County of ) S.S.

On this 29th day of December, 1994, before me personally appeared Roy Brown, personally known to me to be the person whose name is subscribed to this instrument, and acknowledged that he executed the same.

S  
E  
A  
L



*Louise A. Bogard*  
\_\_\_\_\_  
Notary Public  
My Commission Expires on 12/19/98



n 20 T 35 S R 1 W WM

Scale 1" = 400'

DEC 30 1994  
WATER RESOURCES  
GRANTS PASS, OR

35 W 20

in No. P-77553

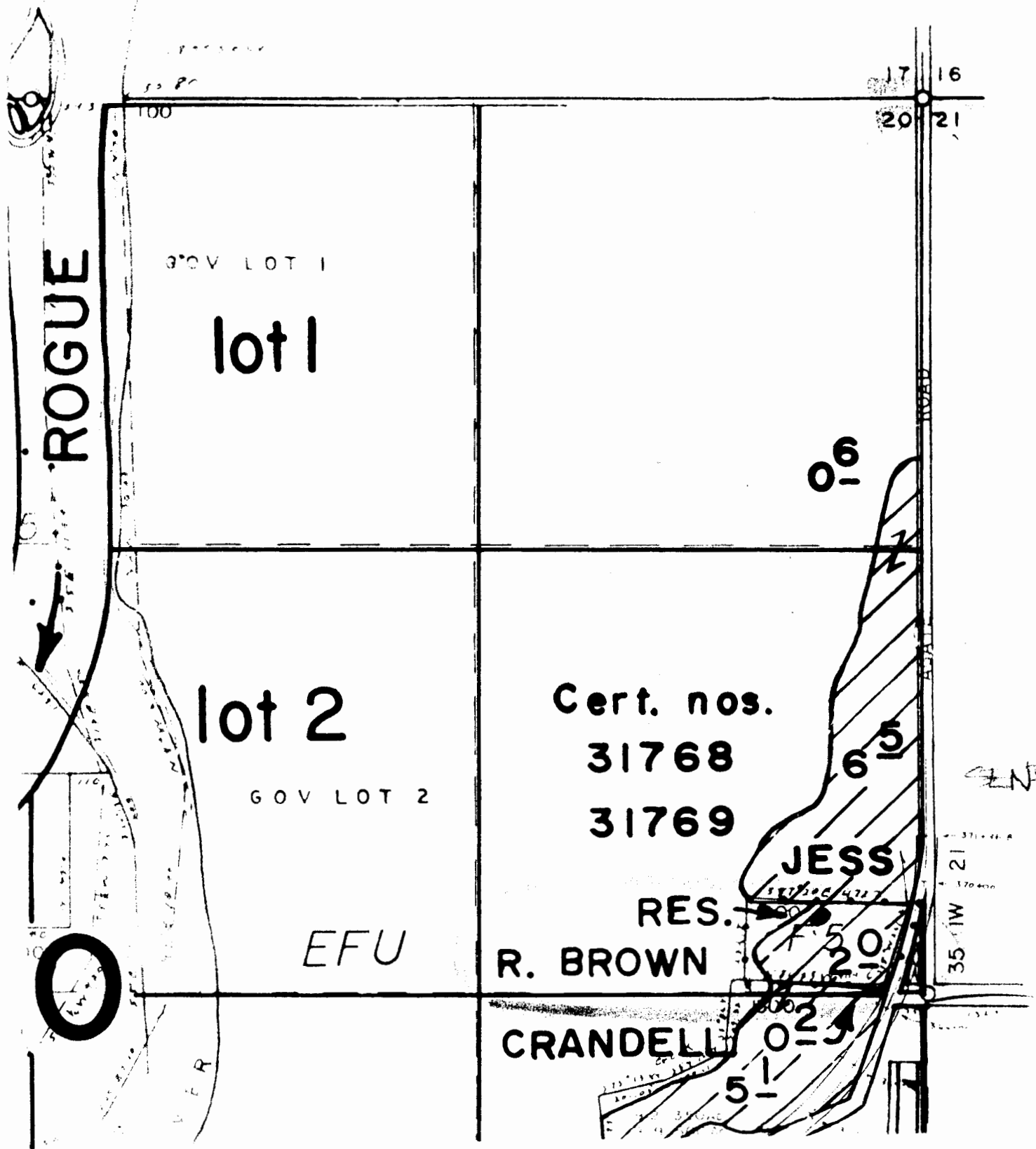
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WATER RESOURCES DEP.  
SALEM, OREGON

IMPORTANT  
THIS MAP



ROGUE

3 GOV LOT 1

lot 1

0.6

lot 2

GOV LOT 2

Cert. nos.

31768

31769

6.5

JESS

RES.

R. BROWN

EFU

CRANDELL

5.0

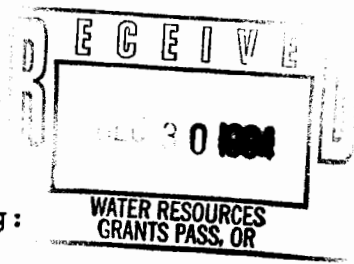
0.2

5.1

35 W 21

O

2153 MINIMUM APPLICATION REQUIREMENTS



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 landowner or other knowledgeable person
  - construction receipts
  - dated aerial photo

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WATER RESOURCES DEP.  
SALEM, OREGON

HB 2153 APPLICATIONS FOR PERMITS: (ORS 537.400(d))

- 1. Completed application for a Permit to Construct a Reservoir, with "HB 2153" written at the top
- 2. Fee: \$             
amount
- 3. Map showing the location of the reservoir and township 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 Jindalee Julander Dist. Spec. certify that the above listed minimum  
(name) (title)  
information was submitted to me at the District # 14 Watermaster  
office on 12/30/94.  
(date)

Jindalee 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 P-77553  
Permit No.

PRE-TR APPLICATION PROCESSING OUTLINE

Application File # P-77553

MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

<u>DATE</u>	<u>INITIAL</u>	
_____	_____	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

<u>3/28/95</u>	<u>Px</u>	Stamp contents with application number
_____	_____	Mail ack letter (provided by Data Center) with receipt to applicant, cc to CWRE and file
<u>3/28/25</u>	<u>Px</u>	Place label on file and calender card

APPLICATION SECTION

_____	_____	Stream Indexed	Basin # _____
_____	_____	Plat Carded and copy made	<u>YES</u> <u>NO</u>
_____	_____	If dam is over 10 feet or storage exceeds 9.2	
_____	_____	AC-FT, route file to Dam Safety Section	

TR CASEWORKER

_____	_____	TR Checklist complete	<u>YES</u> <u>NO</u>
_____	_____	Within Irrigation District	_____
_____	_____	District Notified	_____
_____	_____	District excerpt received	_____
_____	_____	TR Mailed DATE	_____
_____	_____	Public Interest Checklist complete	_____
_____	_____	Management Codes	_____

REMARKS: \_\_\_\_\_