

FILE#: P 74933

Application No. P-74933

Permit No. _____

Certificate No. _____

Stream Index, Page No. _____

FEES PAID		
Date	Amount	Receipt No.
FEES REFUNDED		
Date	Amount	Check No.

Cert. Fee

FEES REFUNDED

Amount

Check No.

ASSIGNMENTS

Date

To Whom

Address

Volume

Page

REMARKS

SEE R-74932

CONSTRUCTION

suspended until _____

applicant _____

approval _____

beginning _____

completion _____

led to _____

application of water _____

led to _____

PROSECUTION OF WORK

' filed _____

" filed _____

" filed _____

FINAL PROOF

iled _____

eived _____

ificate issued _____

November 28, 1994

Oregon

ALFRED L COTHAM
COTHAM, PATRICIA KAY
HCR 56 BOX 270
JOHN DAY, OR 97845

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-74933;
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.

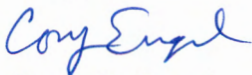
To avoid any misunderstanding, we feel it is important to tell you that although we have received and filed your notice, we have not yet determined whether you are exempt from water right requirements. The watermaster responsible for the area in which the pond(s) is (are) located will help us apply the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

November 28, 1994

ALFRED L COTHAM
COTHAM, PATRICIA KAY
HCR 56 BOX 270
JOHN DAY, OR 97845

REFERENCE: File(s) P-74933

____ Reservoir qualifies as exempt

____ Reservoir does not qualify as exempt

Reservoir is off channel	<u>YES</u>	<u>NO</u>
Height of Dam	_____	
Capacity of Reservoir	_____	
Constructed before 1/1/1993	<u>YES</u>	<u>NO</u>

I _____ examined the information included with the file P-74933.
My determination is based on review of the information and field visit to the site and/or
personal knowledge.

Signature

Date

November 28, 1994

Oregon

ALFRED L COTHAM
COTHAM, PATRICIA KAY
HCR 56 BOX 270
JOHN DAY, OR 97845

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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

Application No. P-74922
Permit No.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIVED

NOV 17 1994

WATER RESOURCES DEPT.
SALEM, OREGON

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: ALFRED L. COTHAM & PATRICIA KAY COTHAM

Authorized Agent: (if applicable) SAME

Address: HCR 56 BOX 270
JOHN DAY OR 97845 503-575-1826
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 8, Township 12S, Range 28E.WM, in GRANT 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: POISON CREEK.
3. Maximum height of the dam: 6 ft..
4. Maximum water depth in the reservoir: 4 ft..
5. Maximum storage capacity of reservoir: 10 AC. FT..
6. Size, description and location of any outlet pipe: 20"
CULVERT CENTER OF DAM
WATER IS PIPED TO RES THROU BY PASS FROM CREEK
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.

WATER RESOURCES DEPT.
SALEM, OREGON

NOV 24 1994

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: _____

(Print Name and Title) OWNER

Date: 10-17-94

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) _____

WATER RESOURCES DEPT.
ALEM, OREGON

OCT 24 1994

CHECK DAM
FOR SOIL
EROSION

OCT 24 1994

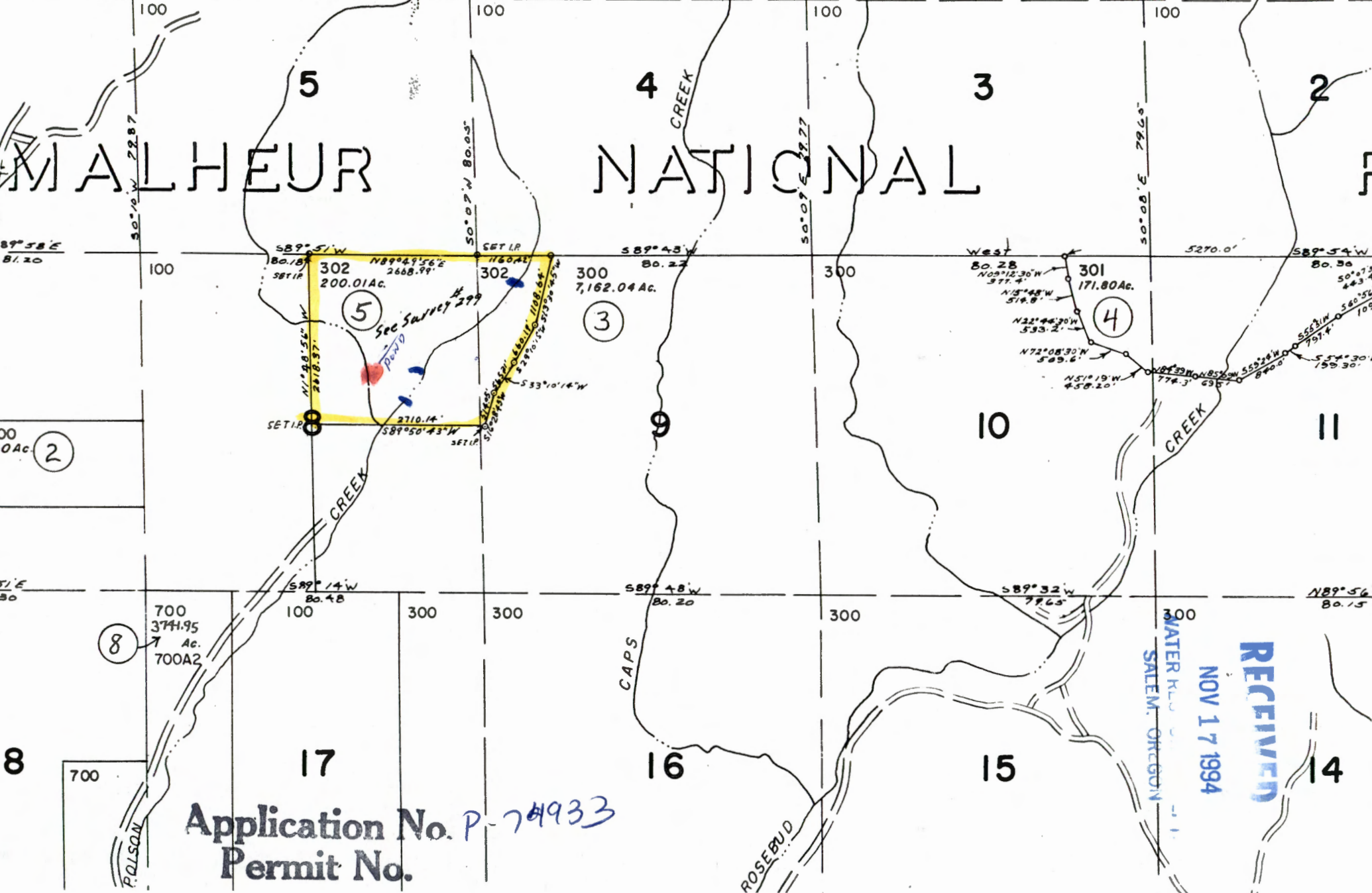
1" = 2000'

GRANT COUNTY

SEE MAP 16 28

WATER RES.
SALEM, OREGON

LOT 1	LOT 4	LOT 3	LOT 2	LOT 1	LOT 4	LOT 3	LOT 2	LOT 1	LOT 4	LOT 3	LOT 2	LOT 1	LOT 4	LOT 3	LOT 2
39.77	39.79	39.88	39.97	40.06	40.03	39.89	39.75	39.51	39.51	39.45	39.39	39.33	39.27	39.20	39.13



Application No. P-74933
Permit No.

RECEIVED

NOV 17 1994

AFFIDAVIT

RECEIVED

NOV 17 1994

WATER
SALEM, OREGON

WE THE UNDER SIGNED DO HERE BY SWEAR THAT THE SMALL POND LOCATED ON
OUR PROPERTY WAS BUILT IN 1974. POND WAS BUILT FOR STOCK WATER AND
FIRE PROCTION AT THE SUGESTION OF OREGON STATE FORESTERY.

ALSO CHECK DAMS WERE BUILT IN 1976 ON DRY FORK OF CREEK FOR PROTECTION
AGAINST SOIL EROSION IN SPRING RUN OFF.

PROPERTY LOCATION IS T.17S., R.28E. W. M. NE $\frac{1}{4}$ Sec. 8 + 9

Alfred L. Cotham



Patricia Kay Cotham



RECEIVED
OCT 24 1994
WATER
SALEM, OREGON

STATE OF OREGON,

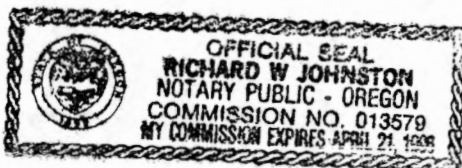
County of Grant } ss.

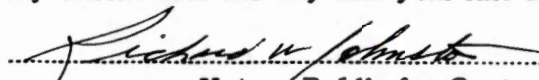
FORM NO. 23 — ACKNOWLEDGMENT
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

BE IT REMEMBERED, That on this 17TH day of October, 1994,
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within
named Alfred L. Cotham and Patricia Kay Cotham

known to me to be the identical individual~~s~~ described in and who executed the within instrument and
acknowledged to me that their executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.




Notary Public for Oregon.

My Commission expires 4-21-96

Application No P-74933
Permit No.

PRE-TR APPLICATION PROCESSING OUTLINE

Application File # P- 74933

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

4/11/95

PX

Stamp contents with application number

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

4/11/95

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

11/17/94 CE
(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