

HB 2153

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIVED

NOV 27 1994

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: JAMES W. SHEPPERD

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

Address: 4401 INNSBRUCK RIDGE

MEDFORD OR 97504 (503) 272-3162  
City State Zip 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 32, Township 34, Range 4W, 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: NATURAL SPRING

3. Maximum height of the dam: NONE

4. Maximum water depth in the reservoir: 6' (EST)

5. Maximum storage capacity of reservoir: 0.5 ACRE FEET (EST)

6. Size, description and location of any outlet pipe: NONE

7. Enclose evidence that the reservoir(s) existed before January 1, 1993, such as one or more of the following:

ENCLOSED

- 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.

Application No. P-79063  
Permit No.

**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: James W. Shepperd

(Print Name and Title) JAMES W. SHEPPERD

Date: 11-22-94

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**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 70003.

cc: Watermaster District # \_\_\_\_\_