

Application No. 7-19082
Permit No.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

NOV 22 1994

RECEIVED

OCT 24 1994

NOTICE OF EXEMPT RESERVOIR

WATER RESOURCES DEPT
SALEM, OREGON

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: JOHN & PATRICIA RICKERT

Authorized Agent: (if applicable) _____

Address: 441 HORIZON HILLS RD

WILLIAMS OR. 97544 846-6041
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 27, Township 38 S, Range R S W, in JOSEPHINE 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: SPRING
3. Maximum height of the dam: NO DAM
4. Maximum water depth in the reservoir: 4 FEET
5. Maximum storage capacity of reservoir: 30' X 60'
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:
 - 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.

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) _____

JOHN RICKERT

Date: _____

10-21-94

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 73662.

cc: Watermaster District # _____
To Data Center (date) _____

RECEIVED

NOV 22 1994

WATER RESOURCES DEPT.
SALEM, OREGON

November 16, 1994

Dear Mr. Cary C. Egel

I received your letter and am in a bind. I am in Pennsylvania and will be here until mid January. I have no way of obtaining the map you want.

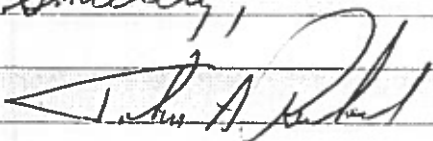
I know Bruce Lund. Is it possible that he could provide the map? He is very familiar with my pond.

If this can't be done, what do you suggest?

You can mail your response to my address as I am having my mail forwarded.

Thank you very much for your help.

Sincerely,



JOHN RICKERT
441 HORIZON HILLS RD.
WILLIAMS, OR. 97544

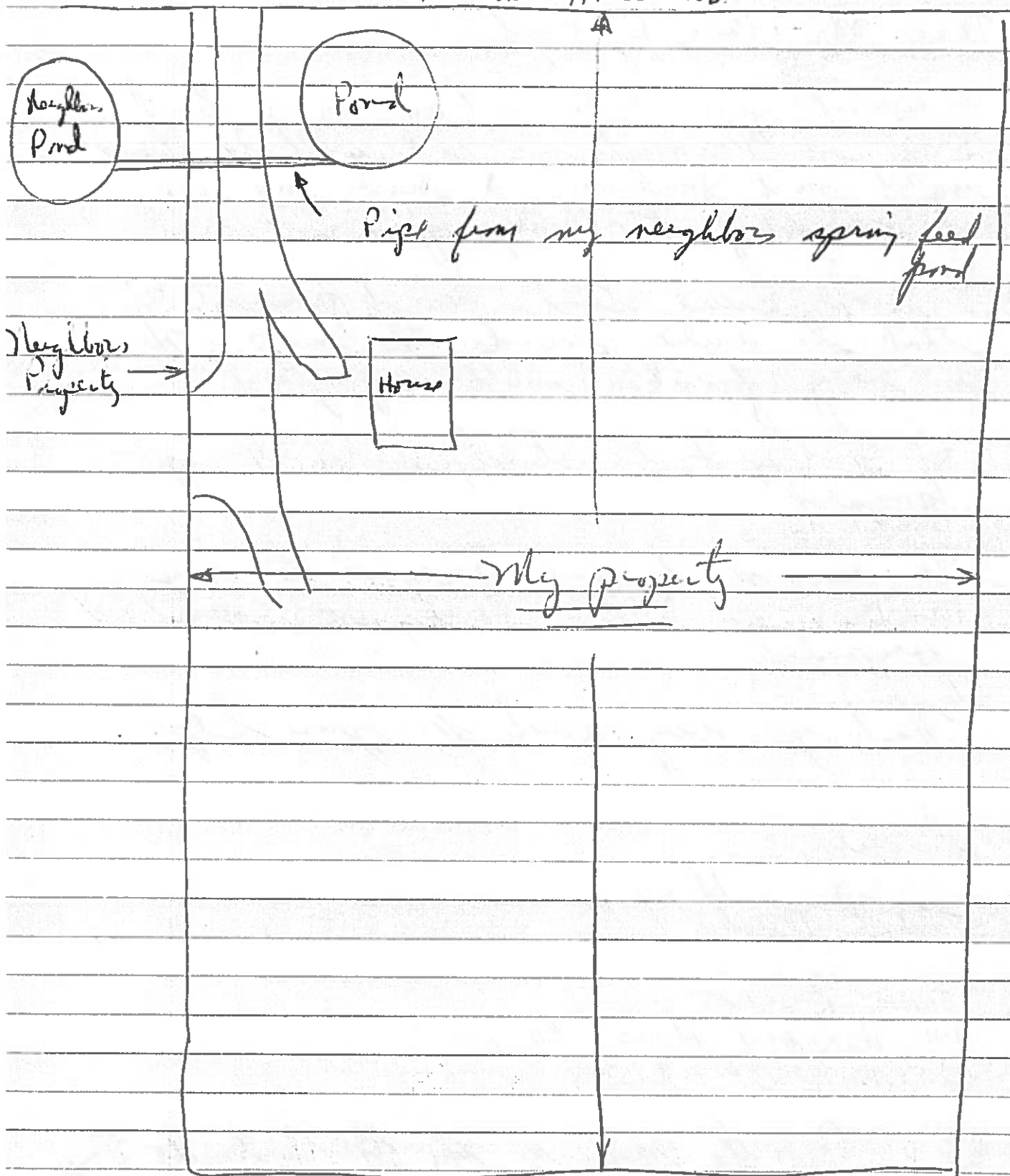
P.S. Can the map on the other side do? ↘

↑ North

NOV 22 1994

WATER RESOURCES DEPT.
SALEM, OREGON

HORIZON HILLS RD.



RECEIVED

OCT 24 1994

WATER RESOURCES DEPT.
SALEM, OREGON

NOV 23 1994

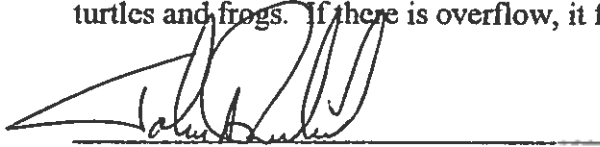
WATER RESOURCES DEPT.
SALEM, OREGON

John Rickert
441 Horizon Hills Road
Williams, Oregon 97544

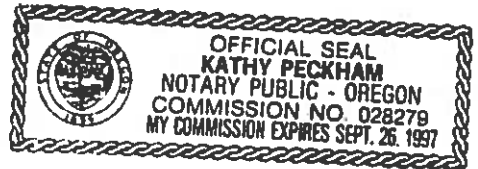
October 21, 1994

To Whom It May Concern,

I am writing this letter to verify that the small pond that is on my property was here when we purchased the property. The purchase date was December 6, 1989. It is spring feed, contains fish turtles and frogs. If there is overflow, it flows on into my field naturally.



John A. Rickert



Sworn to and subscribed this 21ST Day of October, 1994


Notary Public

9/26/97
My commission expires:

March 16, 1995

Oregon

JOHN RICKERT
RICKERT, PATRICIA
441 HORIZON HILLS RD
WILLIAMS, OR 97544

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-79082;
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.

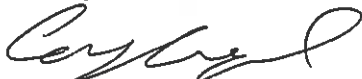
To avoid any misunderstanding, we feel it is important to tell you that although we have received and filed your notice, we have not yet determined whether you are exempt from water right requirements. The watermaster responsible for the area in which the pond(s) is (are) located will help us apply the 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 #: P79082 RVD SALEM:

RVD REGION:

COUNTY: JO

NAME: JOHN RICKERT
ADDRESS: 441 HORIZON HILLS RD
CITY, STATE: WILLIAMS, OR
PHONE NO. 503-846-6041

97544

EXEMPT? NO

TRSQQ: 38-05-27

MAP & TL: 38-05-27
TL ?

INSPECTED BY DAVID L. COWGILL
INSPECTION DATE 11-13-95
TALKED TO: MR. RICKERT

SOURCE(S) OF WATER: SPRING

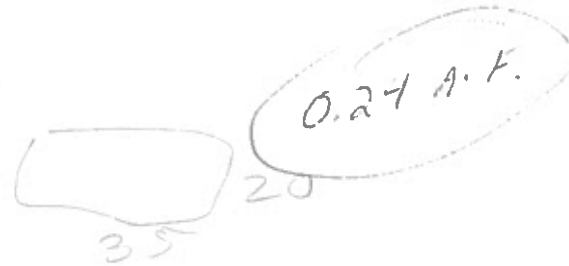
USE(S) OF WATER: IRRIGATION

DESCRIBE POND: EXCAVATION

DESCRIBE DAM: EARTHEN 3'

SURFACE AREA: 50' x 87'

ASSUMED AVERAGE DEPTH: 6'



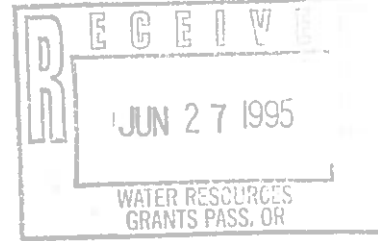
DISCREPANCIES:

REMARKS: WATER FROM POND AT 625 RUNS INTO POND AT 50 WHICH RUNS INTO MR. RICKERT'S POND. THEN RUNS OFF OF PROPERTY IN BAR DITCH. IT LOOKS LIKE THERE MAY BE A SPRING ON 505 WHICH CONTRIBUTES TO MR RICKERT'S POND AND POND ON 505. THERE IS EVIDENCE OF IRRIGATION SYSTEM AT 505 POND.

LETTER SHOULD BE SENT TO 505 & 625 ABOUT FILING ON PONDS.

Watermaster HB-2153
Check-List

WM 14



March 16, 1995

JOHN RICKERT
RICKERT, PATRICIA
441 HORIZON HILLS RD
WILLIAMS, OR 97544

REFERENCE: File(s) P-79082

- Reservoir qualifies as exempt
- Reservoir does not qualify as exempt

Reservoir is off channel	<u>YES</u> NO
Height of Dam	<u>3'</u>
Capacity of Reservoir	<u>0.24 A.F.</u>
Constructed before 1/1/1993	<u>YES</u> NO

I DAVID L. Cowgill examined the information included with the file P-79082. My determination is based on review of the information and field visit to the site and/or personal knowledge.

David L. Cowgill
Signature

11-13-95
Date

I THINK WATER RUNS FROM BAR DITCH AND SEEPAGE INTO THE PIPE HE HAS DRAWN ON MAP IN CHANNEL???