

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

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NOV 16 1994

JUN 21 1994

NOTICE OF EXEMPT RESERVOIR WATER RESOURCES DEP  
SALEM, OREGON 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: Donald C. Anderson

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

Address: 3874 Woodland Park Rd.

Grants Pass OR. 97527 471-6131  
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 5-1, Township 37, Range 6, 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: RAIN AND SEEPAGE FROM G.P.I.D.
3. Maximum height of the dam: NONE
4. Maximum water depth in the reservoir: 5 FT.
5. Maximum storage capacity of reservoir: 1/2 ACRE FOOT
6. Size, description and location of any outlet pipe: 4 IN. CONCRETE PIPE IN N/W CORNER OF POND
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;
  - 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-74962  
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 690-11-041 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: Donald C. Anderson

(Print Name and Title) DONALD C. ANDERSON - LANDOWNER

Date: 6/15/93

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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 accepted on \_\_\_\_\_, 1994 and assigned FILE NUMBER P-74962.

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

RECEIVED

July 30, 1994

NOV 16 1994

WATER RIGHTS  
SALEM, OREGON

WATER  
RESOURCES  
DEPARTMENT

DONALD C ANDERSON  
3874 WOODLAND PARK ROAD  
GRANTS PASS OR 97527

Dear Mr. Anderson,

The Department has received your Notice of Exempt Reservoir. Unfortunately, we are not able to determine from the information you submitted whether your pond qualifies as an exempt structure. We need additional information to complete an evaluation of your pond.

Please provide the following:

- Evidence that the reservoir was in existence prior to January 1, 1993 (as described in item 7 of the Notice form). NOTE THAT IF YOU USE AN AFFIDAVIT TO SATISFY THIS REQUIREMENT, IT MUST BE NOTARIZED.

We will begin our analysis when the notice and information noted above is received. It must be received on or before January 1, 1995.

If you have any questions, please feel free to contact watermaster Bruce Sund at 474-5385, or our Water Rights Information Group at 378-3739.

Sincerely,



Mr. Cory C. Engel  
Water Rights Research Assistant

Enclosures  
CC: General Correspondence

Application No. P-74962  
Permit No.



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

RECEIVED

NOV 15 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

DEAR SIRS;

THIS IS AN AFFIDAVIT TO  
ATTEST THAT MY POND WAS IN  
EXISTANCE PRIOR TO JAN. 1, 1993.

I PURCHASED THE PROPERTY IN  
JUNE OF 1990, AND WAS TOLD BY  
THE PRIOR OWNERS THAT THE  
POND WAS IN EXISTANCE WHEN  
THEY PURCHASED THE PROPERTY  
IN 1974, THEREFORE THE POND  
IS ABOUT 20 YRS. OLD NOW.

Application No. P-74902  
Permit No.

THANK YOU,

*Donald C. Anderson*

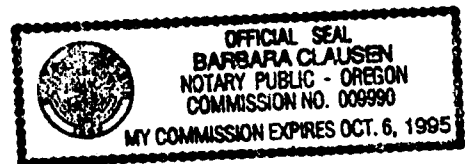
DONALD C. ANDERSON

SUBSCRIBED AND SWORN TO THIS 15th day of November, 1994.

*Barbara Clausen*

NOTARY FOR THE STATE OF OREGON

My commission expires 10/06/95



PRE-TR APPLICATION PROCESSING OUTLINE

Application File # P 74962

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

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**

11/19/94 CE NOTICE OF EXEMPT RESERVOIR form (or letter  
(date & initials) 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