

March 16, 1995

Oregon

LINDA J MCLAUCHLAN

8990 BUTTE FALLS HWY
EAGLE POINT, OR 97524

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-78798;
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.

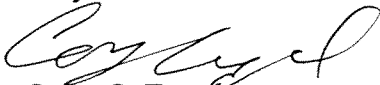
To avoid any misunderstanding, we feel it is important to tell you that although we have received and filed your notice, we have not yet determined whether you are exempt from water right requirements. The watermaster responsible for the area in which the pond(s) is (are) located will help us apply the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

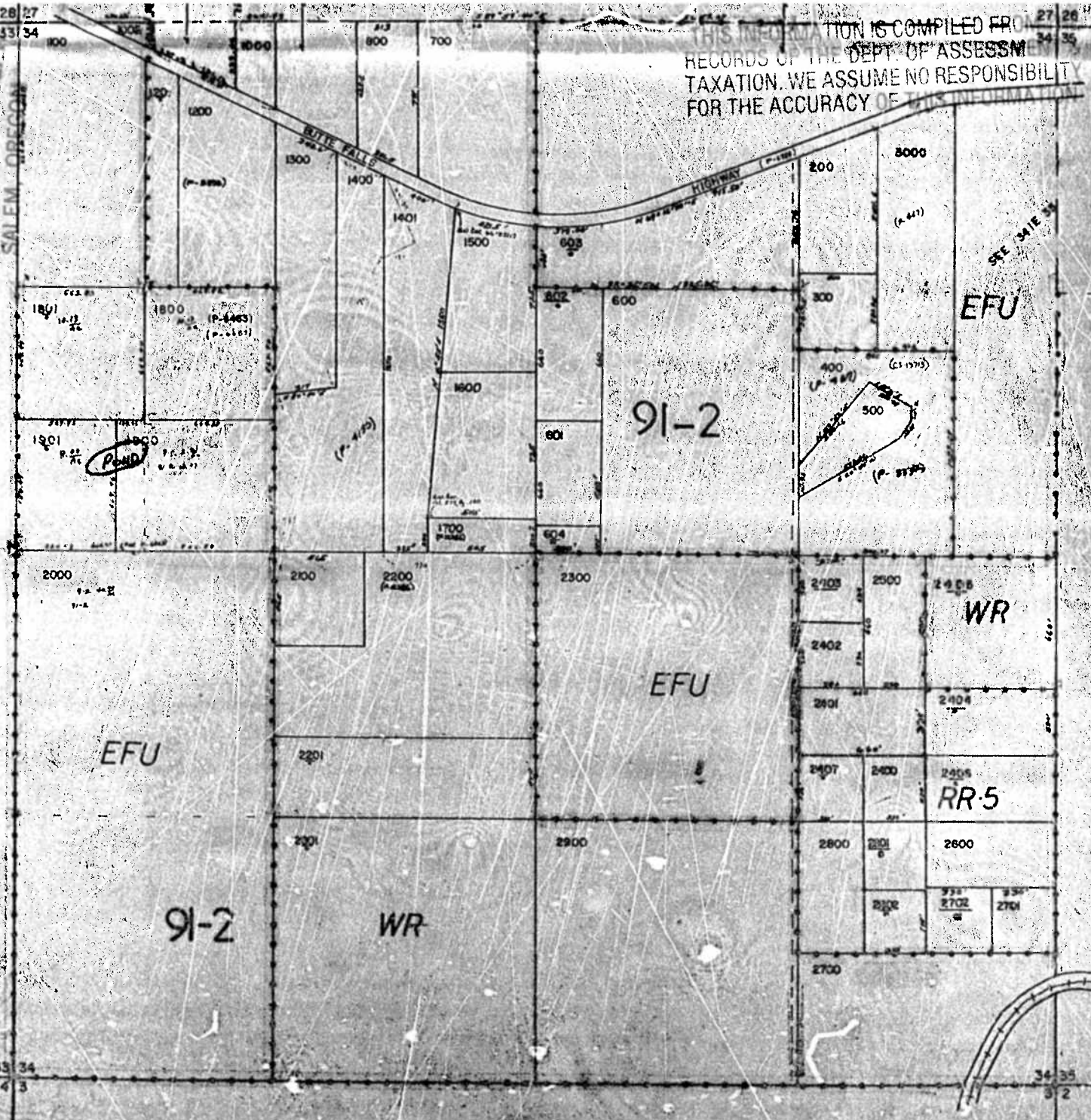
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34 IE 33

WATER RESOURCES DEPT
SALEM, OREGON



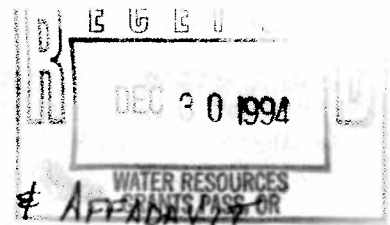
Thanks For
Calling Us At
Crater Title
T34 R1E S34

RECEIVED
DEC 20 1994
WATER RESOURCES
GRANTS PASS, OR

Application No. P-78798
Permit No.

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.

JAN - 4 1995

WATER RESOURCES DEPT.
SALEM, OREGON

Landowner: LINDA J. McLAUCHLAN

Authorized Agent: (if applicable) _____

Address: 8990 BUTTE FALLS HIGHWAY
EAGLE POINT OREGON 97524 (503) 865-3678
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 34, Township 34, Range 1E, 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: RAINFALL.
3. Maximum height of the dam: 9'6".
4. Maximum water depth in the reservoir: 8'.
5. Maximum storage capacity of reservoir: 9 Acre Feet.
6. Size, description and location of any outlet pipe: 6" GALVANIZED PIPE WITH VALVE AT BOTTOM OF RESERVOIR.
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 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-78798
Permit No.

Declaration by Owner/Authorized Agent: - AFFIDAVIT

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:

Linda McLaughlan

(Print Name and Title)

LANDOWNER

Date:

12/30/94

FOR WATER RESOURCES DEPARTMENT USE ONLY

The foregoing Notice and accompanying data have been examined by

STATE OF OREGON,

County of

Josephine

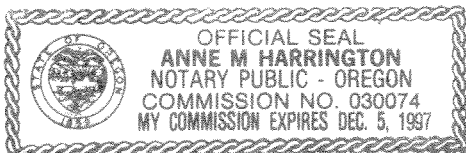
SS.

FORM No. 23—ACKNOWLEDGMENT.
Stevens-Ness Law Publishing Co. NL
Portland, OR 97204 © 1992

BE IT REMEMBERED, That on this 30th day of December, 1994, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named Linda McLaughlan

known to me to be the identical individual..... described in and who executed the within instrument and acknowledged to me that She..... 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.



Anne M. Harrington

Notary Public for Oregon

My commission expires

12/5/97

2153 MINIMUM APPLICATION REQUIREMENTS

Mc Lauchlan
8990 Butte Falls

HB 2153 NOTICES: (ORS 537.141(d))

RECEIVED

JAN - 4 1995

WATER RESOURCES DEPT.
SALEM, OREGON

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

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)

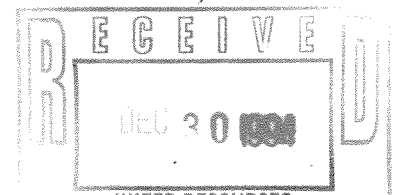
I Linda Lee Gulander Dept. Spec certify that the above listed minimum
(name) (title)
information was submitted to me at the District # 14 Watermaster
office on 12/30/94.
(date)

Linda Lee Gulander 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-78798
Permit No.



Permit No. _____

Certificate No. _____

Stream Index, Page No. _____

Date filed _____

Priority _____

Action suspended until _____

Return to applicant _____

Date of approval _____

CONSTRUCTION

Date for beginning _____

Date for completion _____

Extended to _____

Date for application of water _____

Extended to _____

PROSECUTION OF WORK

Form "A" filed _____

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received _____

Date Certificate issued _____

Date	Amount	Receipt No.
------	--------	-------------

Cert. Fee

FEES REFUNDED

FEES RECORDED		
Date	Amount	Check No.

ASSIGNMENTS

Date _____

To Whom

Address

Volume

Page

REMARKS