

OCTOBER 23, 1995

VERDIN L. DAVIS
40974 SKYLINE RD
SWEET HOME, OR. 97386

NOTICE OF EXEMPT RESERVOIR (POND)
FILE # P - 77393

Dear applicant:

The department has now reviewed the exempt reservoir notice that you filed with us. We are pleased to tell you that from examining your notice and the accompanying data, we have determined that your pond qualifies as exempt under our administrative rules and you need not apply for a water right for your pond. We encourage you to keep this letter with the other important property records that you keep.

If you have any questions, please contact my office at the address or telephone number below.

Sincerely,

Gene Mc Ginnis
Watermaster
District 2
Phone 687 - 3620



February 15, 1995

Oregon

VERDIN L DAVIS

40974 SKYLINE RD
SWEET HOME, OR 97386

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-77393;
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

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.

Landowner: Verdin L. Davis

Authorized Agent: (if applicable) _____

Address: 40974 Skyline Rd.

Sweet Home Oregon 97386 (503)367-4351
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 13, Township 13S, Range 14W, in LINN 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 feed

3. Maximum height of the dam: 0

4. Maximum water depth in the reservoir: 5 ft

5. Maximum storage capacity of reservoir: .5 acre feet

6. Size, description and location of any outlet pipe: 6 in Pipe
in west 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 (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-77393
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: Verdin L. Davis

(Print Name and Title) Verdin L. Davis (owner)

Date: 12/29/94

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 12/29/94, 1994 and assigned **FILE NUMBER** _____.

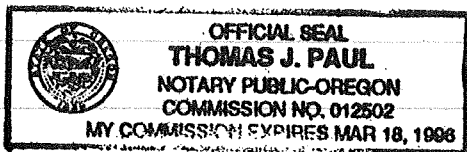
cc: Watermaster District # _____
To Data Center (date) _____

I dug out pond with backhoe
in 1991

Therefore it was built before Jan. 1993

12/29/94

Verdin L. Davis
Verdin L. Davis



State of OREGON
County of MARION

SIGNED AND SWORN TO BEFORE ME
ON 12/29/1994 BY VERDIN L. DAVIS

Thomas J. Paul

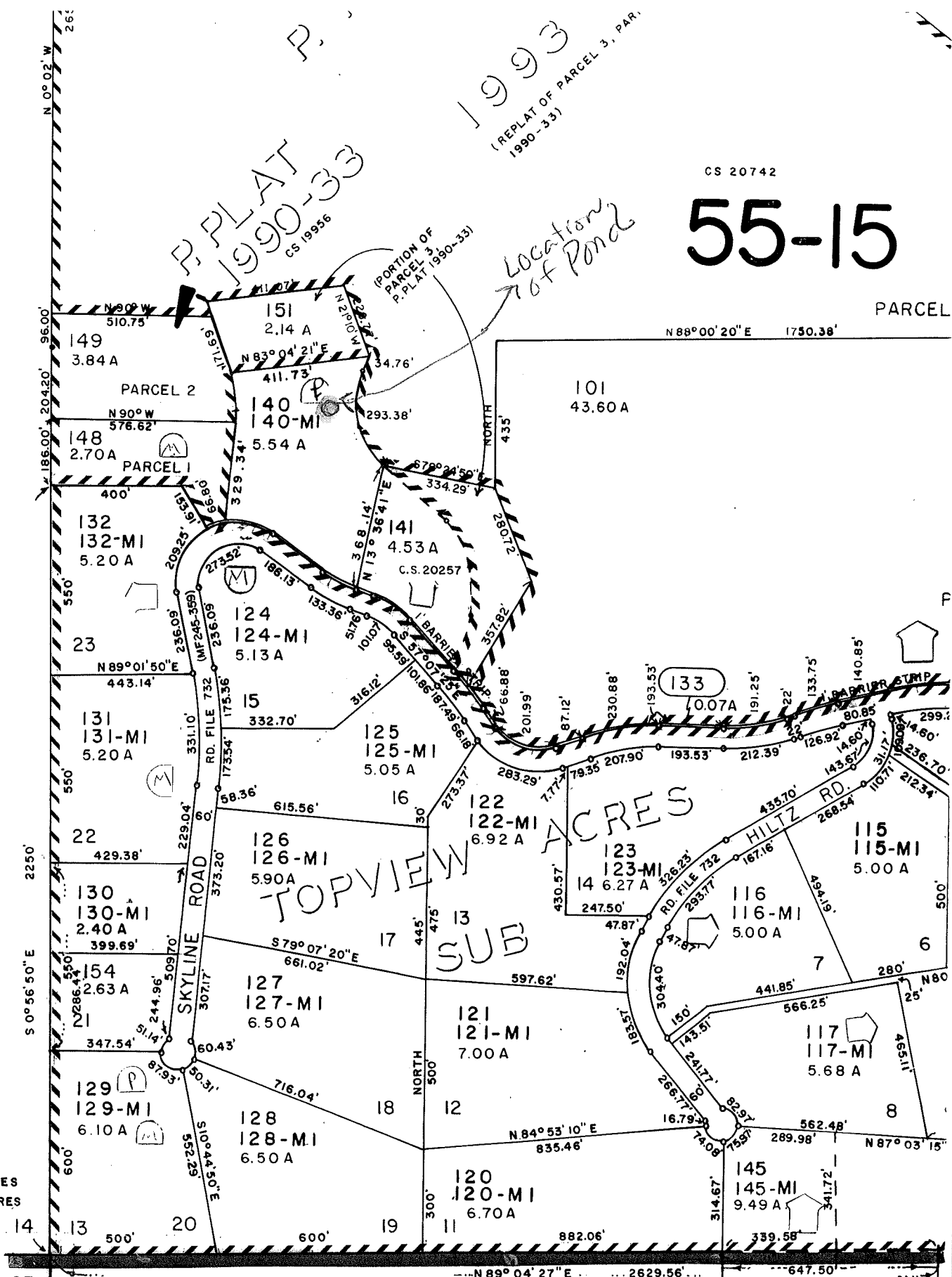
Notary For the State of OREGON
My Commission Expires 3/18/1996

Application No. P-77393
Permit No.

See Map 13 IW

55-15

CS 20742



SW NW

& SOUTH SECTION LINES
BASED ON TOPVIEW ACRES
VISION PLAT.

55-13

Application No. *P-77393*
Permit No.

Map

135-10-13

PRE-TR APPLICATION PROCESSING OUTLINE

Application File # P-77393

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

3/29/95 PX Stamp contents with application number
 _____ Mail ack letter (provided by Data Center) with
 _____ receipt to applicant, cc to CWRE and file
3/29/95 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

LM 02-06-95 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