

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: David A. F. Reynolds + Sharon E. Keller

Authorized Agent: (if applicable) _____

Address: 1136 Anderson Creek Rd

Talent OR 97530 503 535-1778
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 38, Range 14, in Talbot 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: Anderson Creek ~~Ed~~ and runoff

3. Maximum height of the dam: 5'

4. Maximum water depth in the reservoir: 4' 4"

5. Maximum storage capacity of reservoir: less than 5400 cubic feet

6. Size, description and location of any outlet pipe: 8" outlet pipe at NE end 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.

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: David A. F. Reynolds & Sharon Bolles

(Print Name and Title) David A. F. Reynolds + Sharon Bolles

Date: 10/31/94

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 received on _____, 1994 and assigned **FILE NUMBER** _____.

cc: Watermaster District # _____

PRE-TR APPLICATION PROCESSING OUTLINE

Application File # P-75118

MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

<u>DATE</u>	<u>INITIAL</u>	
_____	_____	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

<u>4/11/95</u>	<u>PX</u>	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	<u>YES</u> <u>NO</u>
_____	_____	If dam is over 10 feet or storage exceeds 9.2 AC-FT, route file to Dam Safety Section	

TR CASEWORKER

_____	_____	TR Checklist complete	<u>YES</u>	<u>NO</u>
_____	_____	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

JM 12-1-94
(date & initials)

NOTICE OF EXEMPT RESERVOIR form (or letter 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

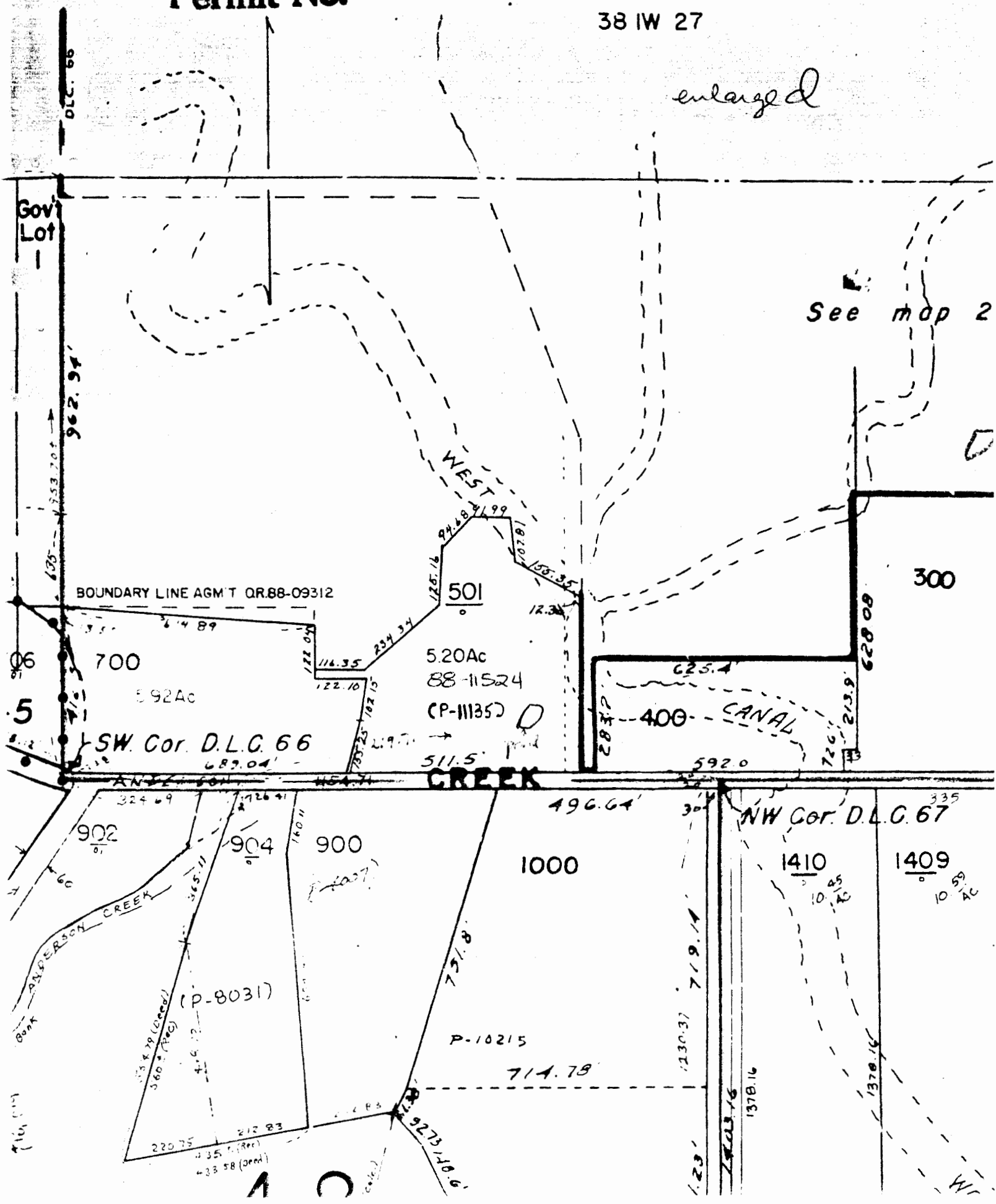
Application No. P-75118
Permit No.

SCALE: 1" = 400'

38 IW 27

enlarged

See map 2



Application No. P-75118
Permit No.

Affidavit

This affidavit is to certify that the reservoir described on the attached Notice of Exemption was in existence prior to Jan 1, 1993, is located off channel and stores less than 9.2 acre-feet of water and has a dam less than 10 feet in height.

I believe the reservoir qualifies under ORS 537.141 and OAR 690-11-014 for exemption from Oregon's water right filing requirements.

Signed David A. F. Reynolds, land owner David A. F. Reynolds

Dated 11/1/94

Notarized

STATE OF OREGON,)
COUNTY OF Jackson) SS.

BE IT REMEMBERED, That on this 1st day of November, 19 94, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named David Reynolds

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



Michelle Zippi
Notary Public for Oregon

My Commission expires 8/18/96