



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

November 20, 1997

HAROLD S SKUDSTAD
1313 KUBLI RD
GRANTS PASS, OR 97527

REFERENCE: FILE#: P 80839

Dear Mr. Skudstad,

I want to apologize for any confusion which may have resulted from the letter we sent to you about a week ago. I hope this follow-up letter will better explain our "ponds" program, and give you a clearer picture of what is happening with your pond.

In 1995, the legislature adopted a new law intended to help address a legal problem with many existing ponds throughout the state. These ponds had been developed over the years by land owners who were not aware that water rights may have been required. In order to make sure that all the ponds were "legal" the legislature approved HB 2376 in 1995, which set out a process for filing a notice of the pond with our department. Under the law, such notices could be filed until January 31, 1997. Our job was then to determine whether any of the ponds resulted in injury to other existing water rights, or created a detrimental impact on fish.

This simplified review process was intended to make it easier for the owners of existing ponds to receive final water right certificates. The 1995 law also required that we provide a comment period, which ended on August 1, 1997. During this time, we were required to accept comments as to whether a pond may in fact be resulting in injury to other water rights or creating a detrimental impact to fish. After the close of that comment period, our department was given 180 days in which to evaluate the comments, give notice to the pond owners, and identify whether mitigation measures would be required to alleviate the injury to other water rights or impacts to fish.

This is why you received a letter from us last week. For more than 16,000 ponds on which notices were filed under HB 2376, about 960 comments were received. From those comments, we determined that about half would appear to require mitigation measures. A total of 450 letters were sent out last week to pond owners like you.

The purpose of these letters was to advise you that the comments had been received, and to provide you with an opportunity to get back to us with any information you might have to show that the mitigation should not be required — either because you disagree with the comment that we received, or because you have a better idea of how to remedy the situation.

The letter you received included a copy of the comments we received about your pond, along with our proposed mitigation plan. We need to hear from you by December 10, 1997, as to whether you disagree with the underlying comment or with our proposed mitigation. We do encourage you to get back to us by the deadline, and we will make every effort to accommodate your suggestions.

Again, I offer my sincere apology for any confusion or irritation caused by our earlier letter. I hope this letter provides additional background information that will help you respond to the questions about your pond. If you have questions about this process, please let us know. I urge you to call our Water Rights Information staff at 1-800-624-3199 extension 499. In some circumstances they may also involve your local Watermaster for additional help. We will try our best to work through this with you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Martha O. Pagel".

Martha O. Pagel
Director

m:955

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NOV 21 1997

WATER RESOURCES DEPT.
SALEM, OREGON

80839

November 18, 1997
1313 Kudli Rd
Grants Pass, OR.

Dear Sirs:

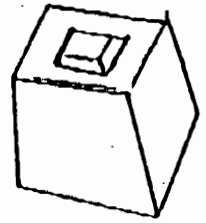
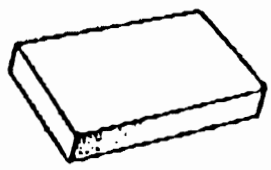
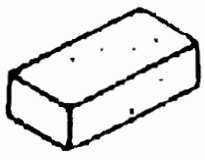
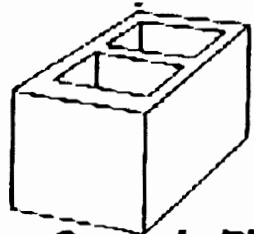
It is a great disappointment to receive correspondence like I have regarding our ponds.

Perhaps you have someone who could investigate this nonsense and see for themselves that there is no ~~see~~ stream in and no stream out but just two 18" concrete culverts that County put in when Kudli Rd was made.

Our property is at least 1 1/2 miles from the Applegate river. To satisfy both of us please have someone drive by.

Thank you,
Hal Skudsted

8888-1



Cascade Block - Grants Pass

1559 Dowell Road, Grants Pass, Oregon 97526
Phone: (503) 479-1323

FAX: (503) 479-6331

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JAN 2 1996
WATER RESOURCES
SALEM, OREGON

FAX COVER SHEET

DATE: 12-27-94

MP-21

NUMBER OF PAGES INCLUDING THIS COVER PAGE: _____

TO:
NAME: Richard Edwards
COMPANY: State of Or.
FAX: 1-503-378-8130

FROM: N.S. Skudstad AT CASCADE BLOCK - GRANTS PASS

NOTES:
Dear Mr. Edwards: Last week you called my home regarding my two ponds. Would you please tell me what the problem is so that I can correct it. Please make suggestions. If it is the photo I can understand that. Only the city of Medford would charge you \$7.50 for a black on black photo copy. But they could distinguish it.

Sincerely
N.S. Skudstad

