

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIVED

JAN - 3 1995

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: KEN GRAVES AND JOE HUGHES

Authorized Agent: (if applicable) LEO RADEMACHER (LEESER)

Address: 969 KAKIWA PL

Honolulu HI 96825 (808) 395-9215
City State Zip Telephone No.

I/WE SUBMIT NOTICE OF THE FOLLOWING RESERVOIR(S):

1: SEE ATTACHMENT

NOTE: Multiple reservoirs may be included if the reservoirs are within the same ownership and within the same drainage basin. For items 1-6, provide a location, provided the property and within the same drainage basin. For items 1-6, provide a location, provided the property and within the same drainage basin. For items 1-6, provide a location, provided the property and within the same drainage basin.

1. The reservoir is located in _____, Range _____, Township _____, County. (Enclose a US Geological Survey topographical map or tax lot map showing the location of the reservoir(s). Copies of portions of the map showing the location of the reservoir(s) should be provided with the application. For items 1-6, provide a location, provided the property and within the same drainage basin. For items 1-6, provide a location, provided the property and within the same drainage basin. For items 1-6, provide a location, provided the property and within the same drainage basin.)

NO MAP

2. Source of water: _____

3. Maximum height of the dam: _____

4. Maximum water depth in the reservoir: _____

5. Maximum storage capacity of reservoir: _____

6. Size, description and location of any outlet pipe: _____

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 needs to 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 78594

Permit No.

APPLICANT NAME KEN GRAUBS
JOE HUGHES

RESERVOIR NAME/ NUMBER	TOWN SHIP	RANGE	SECTION	COUNTY	SOURCE	MAXIMUM HEIGHT OF DAM	MAXIMUM WATER DEPTH	STORAGE CAPACITY (STATE UNITS)	OUTLET PIPE (LOCATION, DESCRIPTION, SIZE)
# 1 (1)	35	2W	2	JACKSON	RUN OFF	6'	6'	1.2379 AF	None
# 2 (2)	35	2W	2	JACKSON	SPRING	7'	5'	0.7273 AF	SOUTH WEST CORNER 12" CONCRETE PIPE

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 JAN - 3 1995
 WATER RESOURCES DIVISION
 SALEM, OREGON

March 9, 1995

Oregon

KEN GRAVES
HUGHES, JOE; RADEMACHER, LEO
969 KAKIWA PL
HONOLULU, HI 96825

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-78594;
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

7/25/95

PONDS INSPECTION SHEET

FILE #: P78594 RVD SALEM: RVD REGION: COUNTY: JA

NAME: KEN GRAVES ADDRESS: 969 KAKIWA PL CITY, STATE: HONOLULU, HI PHONE NO. 503- EXEMPT? YES 96825

TRSQQ: ~~35-01-25~~ 35-02 (NO MAP)

MAP & TL: 35-01-23 / 35-01-26

INSPECTED BY INSPECTION DATE 11/20 TALKED TO:

~~11/15 (1)~~ 11/2 (2)

SOURCE(S) OF WATER: RUN-OFF SPRING

USE(S) OF WATER: STOCK STOCK

DESCRIBE POND: ~~run-off~~ OFF-CHANNEL

IF NON-EX, WHY: IN-CHANNEL

35-24-500.2

RECOMMENDED FILING: -----

INJURY/MITIGATION: -----

NOTE: TOTAL 4 PONDS
3 EXEMPT
BUT 1 POND IS IN-CHANNEL

FILE #: P78594 RVD SALEM: RVD REGION: COUNTY: JA

NAME: KEN GRAVES EXEMPT? YES
ADDRESS: 969 KAKIWA PL
CITY, STATE: HONOLULU, HI 96825
PHONE NO. 503-833-4203

TRSQQ: 35-01-23 / 35-01-26 (NO MAP)
MAP & TL: 35-01-23 / 35-01-26

INSPECTED BY
INSPECTION DATE 11/20
TALKED TO:

#1 (3) #2 (4)

SOURCE(S) OF WATER: ENGINE POINT I/D "

USE(S) OF WATER: STOCK STOCK

DESCRIBE POND: OFF-CHANNEL OFF-CHANNEL

DESCRIBE DAM: 3' 3'

SURFACE AREA: 30'x40' 50'x40'

ASSUMED AVERAGE DEPTH: 6' 6'

DISCREPANCIES: 0.4 0.4
0.11 A.F. 0.11 A.F.

REMARKS:
TOTAL 4 PONDS

292

Watermaster HB-2153
Check-List

November 30, 1995

KEN GRAVES

969 KAKIWA PL
HONOLULU, HI

96825

REFERENCE: File(s) P78594

#2, #3, #4 Reservoirs qualify as exempt

#1 Reservoir does not qualify as exempt

	RES. #1	RES. #2	RES. #3	RES #4
Reservoir is off channel	YES <input checked="" type="radio"/> NO <input type="radio"/>	YES <input checked="" type="radio"/> NO <input type="radio"/>	YES <input checked="" type="radio"/> NO <input type="radio"/>	YES <input checked="" type="radio"/> NO <input type="radio"/>
Height of Dam	6'	7'	3'	3'
Capacity of Reservoir	1.23 A.F.	0.73 A.F.	0.11 A.F.	0.11 A.F.
Constructed Pre 1/1/1993	YES <input checked="" type="radio"/> NO <input type="radio"/>	YES <input checked="" type="radio"/> NO <input type="radio"/>	YES <input checked="" type="radio"/> NO <input type="radio"/>	YES <input checked="" type="radio"/> NO <input type="radio"/>

I Ken Graves examined the information included with the file P78594. My determination is based on review of the information and field visit to the site and/or personal knowledge.

Ken Graves
Signature

11-21-95
Date

November 30, 1995

KEN GRAVES
969 KAKIWA PL
HONOLULU, HI

96825

REFERENCE: FILE NO. P78594 Notice of Exempt Reservoir (Pond)

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 3 ponds qualify as exempt under our administrative rules and you need not apply for a water right for these ponds. We encourage you to keep this letter with other important property records.

No. 1 pond, in 35S02W02 does not qualify for exemption under ORS 537.141. However, this pond may qualify for exemption under other legislation. Our Department is currently establishing guidance for dealing with this new legislation. We will keep you advised and notify you as to the process.

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

Sincerely,

Bruce R. Sund
Watermaster, District 14

Enclosure: Copy of accepted notice

cc: Salem file
Region Office

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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.

JAN - 3 1995

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: _____

Leo F. Radmacher

(Print Name and Title) _____

LEO F. RADMACHER (AGENT/LESSEE)

Date: _____

12/28/94

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 _____, 1994 and assigned FILE NUMBER P78594.

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



United States
Department of
Agriculture

Agricultural
Stabilization and
Conservation Service

Jackson/Josephine Co. ASCS
1109 Ellen Ave
Medford OR 97501-1103
(503) 776-4270 Fax: -4295

TO: State of Oregon
Water Resources Department

DATE: 12-27-94

SUBJECT: Aerial photography

FOR: Joe Hughes + Ken Graves

The photocopy on the reverse side is certified a true copy of an
aerial photograph taken 7-9-90, which is avail-
able in this office.

Donna Finch
COF Employee Signature

12-27-94
Date

Position: program assistant