

August 23, 1996

Oregon

CONNIE A LEFEBER

5181 TUNNEL LOOP RD
GRANTS PASS, OR 97526

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-81435;
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.

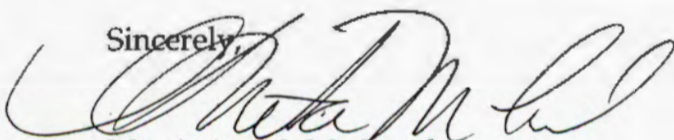
To avoid any misunderstanding, we feel it is important to tell you that although we have received and filed your notice, we have not yet determined whether you are exempt from water right requirements. The watermaster responsible for the area in which the pond(s) is (are) located will help us apply the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



Ms. Anita M. Mc Loud
Water Rights Specialist
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

Watermaster HB-2153
Check-List

August 23, 1996

CONNIE A LEFEBER

5181 TUNNEL LOOP RD
GRANTS PASS, OR 97526

REFERENCE: File(s) P-81435

- Reservoir qualifies as exempt
 Reservoir does not qualify as exempt

Reservoir is off channel	<u>YES</u>	<u>NO</u>
Height of Dam	_____	_____
Capacity of Reservoir	_____	_____
Constructed before 1/1/1993	<u>YES</u>	<u>NO</u>

I _____ examined the information included with the file P-81435.
My determination is based on review of the information and field visit to the site and/or
personal knowledge.

Signature

Date

29 28

J.R. 7-25-96 NOTE: This is the original map. Please see New map (S 89° 41' W)

32

33

1200
0.91 Ac.

1102
6.23 Ac.

900
10.00 Ac.

800
10.00 Ac.

RECEIVED

JAN 24 1994

WATER RESOURCES DEPT.
SALEM, OREGON

1100
15.16 Ac.
C.S. 156-83

1000
6.20 Ac.

700
18.55 Ac.

RECEIVED

JUL 26 1996

WATER RESOURCES DEPT.
SALEM, OREGON

1101
6.61 Ac.

1305

1306

1307

1400

1001

CENTENNIAL

5 CREEK

1304

1308

1500

1600

BUMMER

SUBD.

1701
11.74 Ac.

2201
6.65 Ac.

2200
24.75 Ac.

2202
6.20 Ac.

HUGO

LEFEBER # 1304

P 81435

SEE MAP 34 6 32

91 03:38PM * J. C. T. ESCROW DEPT. 108

Red outline
Shows approx
Property
Boundaries.

Blue circle
Locates Pond
on Property

P-81435

7/23/96

Carol Jordan
RECEIVED

JOSEPHINE COUNTY PLANNING
510 N.W. 4th Street
Grants Pass, Oregon 97526



JUL 26 1996

WATER RESOURCES DEP
SALEM, OREGON



#3

P 81435

RECEIVED

JUL 26 1996

WATER RESOURCES DEPT.
SALEM, OREGON

July 16, 1996

I hereby swear that the pond on the property I own at 5181 Tunnel Loop Rd., Grants Pass, Oregon was in existence at the time of my purchase of said property on October 11, 1991. This property is known as "Lot # 2 Centennial Subdivision, Josephine County, Oregon (34-6.33)".

The water from unnamed said pond comes from run off, goes into Bummer Creek and eventually ends up in the Rogue River.

Signature: Connie A. Lefeber Date June 16, 1996

Connie A. Lefeber
Present address: 1423 Boulevard Park SE
Lacey, Wa 98503
Telephone: 360-438-5488



SUBSCRIBED AND SWORN TO BEFORE ME
this 16th day of July, 19 96
Jackie Silva
JACKIE SILVA
Notary Public in and for the State of Washington
residing in Olympia.
My Commission expires 12-27-96

I 5371

RECEIVED

JUL 26 1996

WATER RESOURCES DEPT.
SALEM, OREGON

James Raffenburg
PO Box 638
Merlin, OR 97532
(541) 476-1298
July 25, 1996

Gerry Clark
State of Oregon Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97310-0210

Dear Mr. Clark,

Thank you once again for promptly responding to my telephone call regarding the January 24, 1994 application from Connie Lefeber for an Exemption under HB 2153, for her small pond located at 5181 Tunnel Loop Road, Grants Pass, OR.

In our conversation, you indicated your belief that what was needed to complete the processing of said application was a higher quality map showing the township, range, section, quarter-quarter, tax lot number and the location of the pond on the property.

I have enclosed a new map showing the requested information, along with the original application that was returned in the letter from your Department dated July 1, 1996. I have also enclosed additional documents that may be useful in the final processing of the application:

1. Aerial photo of the property, photo #9 27A 22, dated 6-10-91, stamped and signed by the Josephine County Planning Dept.
2. A photocopy of the Warranty Deed, dated Oct. 16, 1991, showing the actual date of Connie Lefeber purchase of the property.
3. An notarized sworn affidavit, dated July 16, 1996, from Connie Lefeber regarding material facts, including the pre-existence of the pond in question as of the date of her purchase of the property.

I believe that is everything we discussed during our telephone conversation at approximately 3:00 pm on July, 24, 1996. You asked me to make special note of this conversation in the event this revised application package does not reach you by July 29, 1996. I noted that while your letter is dated July 1, the envelope is post marked July 16 and was received by Connie Lefber on July 18, 1996. It was my understanding that should this reach you later than July 29, its nominal lateness in and of itself, would not adversely affect the final processing of this application.

If you determine that additional information or clarifications are required, please contact me directly regarding this application. Thank-you.

Sincerely,
James Ra
James Ra
Josephine

c/c:Connie Lefeber

2153
HB 2153
exempt

ion.

SUBJECT TO: Easements of record, Conditions and restrictions of record, Rights of way of record, For tax purposes, the herein described property has been classified as forest growth land and assessed at a lower valuation by the County Assessor pursuant to ORS 321.257 to 321.375. If the land becomes disqualified for the special assessment under the statute, an additional tax and interest thereon may be levied, which the Grantees herein agree to assume and pay.

The true consideration paid for this conveyance is TWO HUNDRED TWENTY FIVE THOUSAND AND 00/100 (\$225,000.00). () However, the whole consideration includes other value given or promised (check if other consideration statement applies).

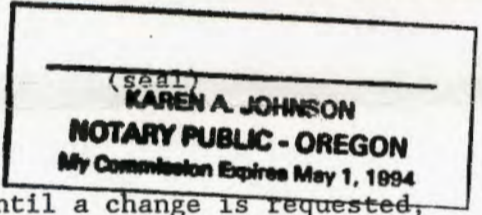
This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate City or County Planning Department to verify approved uses.

Dated this 11 day of OCTOBER, 1991.

Carl E. Krupp Phyllis Fox-Krupp
CARL E. KRUPP PHYLLIS FOX-KRUPP

STATE OF OREGON)
) ss.
County of JOSEPHINE)

This instrument was acknowledged before me on the 11th day of OCTOBER, 1991 by CARL E. KRUPP and PHYLLIS FOX-KRUPP



Karen Johnson
Notary Public for Oregon
My commission expires: _____

Until a change is requested, send all tax statements to:

GRANTEE ABOVE
P.O. Box 1238
Merlin OREGON 97532
Return document to:

91-17092
State of Oregon,) ss. NO.
County of Josephine,)
I, County Clerk and ex-officio Recorder of
Conveyances, in and for said County, do here-
by certify that the within instrument was
received for record and Recorded
At Page 152 of Vol. 138
Book of Records, Josephine County, Oregon.
GEORGE BROWN, COUNTY CLERK
By [Signature] Deputy
Fee \$ 25.00
Hand Returned Mailed Hold

EXEMPT

RECEIVED

70-2153

Application No. P-81435

JUL 26 1996

State of Oregon WATER RESOURCES DEPT. SALEM, OREGON
WATER RESOURCES DEPARTMENT



Application for a Permit to Construct a Reservoir

Applicant(s) CONNIE A. LEFEBER
(Please print or type - use dark ink)

Mailing Address: 5181 TUNNEL LOOP RD.
GRANTS PASS, OR 97526 503-474-7558
City State Zip Daytime Phone No.

I (We) make application for a permit to construct ALREADY EXISTS reservoir and store the following described waters of the State of Oregon:

1. SOURCE OF WATER for the proposed use: WINTER RUN OFF,
a tributary of OPF CHANEL.
If not in channel of a stream, state how it is to be filled: RUN OFF

2. THE DAM: The maximum height of the structure will be 8 feet above stream bed or ground surface at the centerline.
The dam will be (check one) earthfill, concrete, flashboard, other.
If "other" give description: _____

Give the location, description, and dimensions of the outlet conduit: EAST SIDE OF DAM, RE-INFORCED WITH CONCRETE BLOCKS. WATER GOES TO BUMER CREEK OVER SPILLWAY

NOTE: All dams across natural stream channels must be provided with an outlet conduit, minimum diameter of 8", or be of such capacity and location as to pass the normal flow of the stream at any time.

3. THE USE(s) of the impounded water will be: EMERGENCY USE IN CASE OF FIRE

4. THE AMOUNT OF WATER to be stored is: 0.5 acre-feet.
The area submerged by the reservoir, when filled, will be 4000 SQ. FT. acres,
and the maximum depth of water will be 7' feet.

5. SPILLWAY DESCRIPTION (location and dimensions). State whether over or around the dam. AROUND EAST SIDE OF EARTH DAM. DIRT WITH CONCRETE BLOCK REINFORCEMENT. 9' WIDE AT ABOUT 1' BELOW TOP OF DAM

Pond area is approx 50' X 75' = 3750 SF or .10 Acre.

6. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin ALREADY EXISTS

Proposed date construction work will be completed _____

Proposed date water use will be completed _____

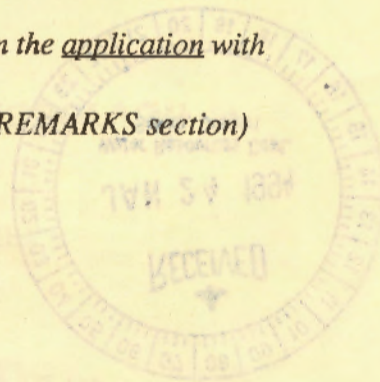
NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

7. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

Applicant _____ CWRE _____ Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

Applicant _____ CWRE _____ Other (Identify in REMARKS section)



8. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? YES. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

REMARKS: _____

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Corina A. Tepala
Signature of Applicant

1/21/94
Date

Signature of Co-Applicant, if any

Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____, 19____.

WITNESS my hand this _____ day of _____, 19____.

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 1st day of January, 19 93, at 8 o'clock, A M.

HB2153 exempt.

APPLICATION NO: P-81435