

DEC 29 1994

WATER RESOURCES DEPT.
SALEM, OREGON

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: Marshall + Carole Camerari

Authorized Agent: (if applicable) _____

Address: 18429 Hwy 140E

Dairy OR 97625 503-545-6517
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 32, Township 39, Range 7, in Josephine 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: Springs

3. Maximum height of the dam: ground level

4. Maximum water depth in the reservoir: 8 feet

5. Maximum storage capacity of reservoir: #1-2.47 acre feet

6. Size, description and location of any outlet pipe: #2-.75 acre feet
#3-.75 acre feet
#4-.25 acre feet

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.

RECEIVED

DEC 29 1994

WATER RESOURCES DEPT.
SALEM, OREGON

We, the undersigned, state that the ponds located on property at 6500 Holland Lp. Rd., Cave Junction, Oregon, existed many years prior to January 1, 1993.

Marshall R. Canevari

Dec 23 1994

Marshall R. Canevari, Owner

Date

Carole D. Canevari

Dec 23 1994

Carole D. Canevari, Owner

Date

STATE OF OREGON,

County of KLAMATH

} ss.

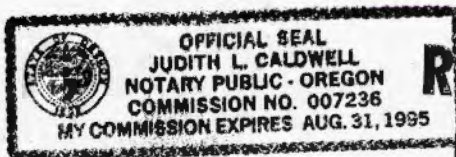
ATTACHED TO AFFIDAVIT
REGARDING PONDS IN
CAVE JUNCTION, OR

FORM No. 23—ACKNOWLEDGMENT.
Stevens-Ness Law Publishing Co. NL
Portland, OR 97204 © 1992

BE IT REMEMBERED, That on this 23rd day of December, 1994, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named Marshall R. Canevari and Carole d. Canevari

known to me to be the identical individual^s described in and who executed the within instrument and acknowledged to me that they 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.



RECEIVED

DEC 29 1994

Judith L. Caldwell

Notary Public for Oregon

My commission expires 8-31-95

SALEM, ORE - 01



June 27, 1995

Oregon

MARSHALL CANEVARI
CANEVARI, CAROLE
18429 HWY 140E
DAIRY, OR 97625

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-78203;
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

LETTER #7

FILE #: P78203 RVD SALEM:

RVD REGION:

COUNTY: JO

NAME: CANEVARI, MARSHALL
ADDRESS: 18429 HWY 140E
CITY, STATE: DAIRY, OR
PHONE NO. 503-545-6517

97625

EXEMPT? NO

FILE 2376

TRSOQ:

39 732

MAP & TL:

INSPECTED BY
INSPECTION DATE
TALKED TO: called

SOURCE(S) OF WATER: #1 DRY - DITCH LEADING TO LT (SPRINGS)
(GROUND WATER / RUNOFF / SPRINGS)
#2 DRY - GROUND WATER / SPRINGS
#3 DRY RUNOFF / GROUND WATER / SPRINGS

#4 GROUND WATER - LIM STB
RUNOFF / SPRINGS

USE(S) OF WATER: Some IRRIG PORT. PUMP STOCK

DESCRIBE POND: ALL ARE EXCAVATIONS

DESCRIBE DAM:

SURFACE AREA: #1 .35 AC 100x150 #2 .12 AC 100x50 #3 .12 AC 100x50 #4 .07 AC 40x70

ASSUMED AVERAGE DEPTH: #1 MAX 7 AVE 4 #2 MAX 9 AVE 5 #3 8' AVE 4 #4 8' AVE 4

3.0 A.F.

DISCREPANCIES:

4 RES

REMARKS: Claimed 4.22 AF. EST. 2.76 AF.
Claim Springs as source - could be ground water

#1 .14 AF #2 .6 AF #3 .48 AF #4 .28 AF
EST. 2.76 AF.

#13 2153 DID NOT EXEMPT USE OF GROUND WATER

NOTE: PONDS WERE DUG PRIOR TO CANEVARI'S OWNING PROPERTY
SO DON'T KNOW IF ANY OF PONDS COULD BE EXEMPT
SPRINGS

Watermaster HB-2153
Check-List

WM14

February 24, 1995

MARSHALL CANEVARI
CANEVARI, CAROLE
18429 HWY 140E
DAIRY, OR 97625

REFERENCE: File(s) P-78203

Reservoir qualifies as exempt

Reservoir does not qualify as exempt (4 RES.)

Reservoir is off channel

YES NO

Height of Dam

NA

Capacity of Reservoir s

3 A.F. (4 RES.)

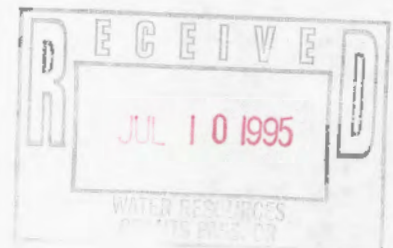
Constructed before 1/1/1993

YES NO

I NORMAN E. DAFT examined the information included with the file P-78203.
My determination is based on review of the information and field visit to the site and/or
personal knowledge.

Norman E. Daft
Signature

11-13-95
Date



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: Marshall Canevari
Carole Canevari

(Print Name and Title) OWNERS: MARSHALL CANEVARI
CAROLE CANEVARI

Date: Dec 26 1994

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 P 78203.

cc: Watermaster District # _____