

Rebuttal

Y / N

Exempt by WM comments

Y / N

COMMENTOR:

WM and/or WM Dist: Kyle Gorman

ODFW Dist: _____

Water Watch: Y / N

Mailing List for Commenter Letter

File #: P-82879

Letter & copies of rebuttal, comments, certificate or notice, and map sent to:

1. Watermaster: Kyle Gorman

2. ODFW District Bio: _____

3. Waterwatch

4. Other: _____

Copies Mailed	
By:	_____
	(SUPPORT STAFF)
on:	<u>12-19-97</u>
	(DATE)

(Note: Materials mailed only to those individuals/parties that are checked off above.)

Copy of Letter to:

1. WRD File # P-82879



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

December 19, 1997

Kyle Gorman
Watermaster District 11

Dear Kyle:

You submitted comments on ponds filed under ORS 537.407 (HB 2153) or under ORS 537.405 (HB 2376). These laws provided an opportunity for the Oregon Department of Fish and Wildlife to comment on how a specific reservoir(s) will cause significant detrimental impacts to an existing fishery resource and allowed members of the public to comment on how the reservoir(s) will cause an injury to an existing water right(s). Based upon review of your comments, the Department prepared notices of proposed mitigation conditions. A notice was mailed to each of the registrants along with a copy of your comments. The registrants were provided an opportunity to submit additional information to the Department explaining how your comments were in error.

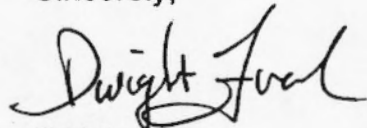
The Department received the attached rebuttals to your comments. If you do not agree with a rebuttal and believe that your comments are still valid, please send a written response to the Department identifying why you disagree with the rebuttal and affirming your position. However, if you agree with the rebuttal you need not respond, unless you determine that it is necessary. In order for us to issue a mitigation order within 180 days of receiving your comments, we need to have your response(s) received by the Department no later than January 7, 1998. If you need an additional day or two to look further at a couple of ponds, please send a request, attention to the appropriate file number.

If you choose to respond, the Department will determine whether a Mitigation Order is required based upon your response and the rebuttal submitted by the registrant. The Mitigation Order, if required, will identify any conditions that must be met in order to protect the fishery resource and/or existing water rights and for the reservoir to be authorized.

If no response to a rebuttal is received, the Department will conclude that you agree with the rebuttal and that a Mitigation Order is not necessary.

If you have any questions, please me at (503) 378-8455, extension 268, or toll free within Oregon at 1 (800) 624-3199.

Sincerely,

A handwritten signature in cursive script that reads "Dwight French".

Dwight French
Water Rights Manager

Enclosures: Your Comments
Proposed Mitigation Conditions
Rebuttal from Registrant
Copy of Notice of Exempt Pond or Certificate and Map



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

CRAIG F EISENBEIS
PO BOX 362
SISTERS, OR 97759-0362

REFERENCE: FILE#: P 82879

Dear Mr. Eisenbeis,

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.

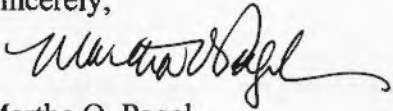
This is why you received a letter from us last week. For more than 16,000 ponds on which notices were filed under HB 2376, about 960 comments were received. From those comments, we determined that about half would appear to require mitigation measures. A total of 450 letters were sent out last week to 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". The signature is written in black ink and is positioned to the right of the typed name.

Martha O. Pagel
Director

m:955

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NOV 24 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Craig F. Eisenbeis
P.O. Box 362
Sisters, OR 97759
(541) 549 -8820
November 19, 1997

Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97310-0210

Attn: Water Right Section
Re: P 82879

Thank you for the opportunity to comment on the alleged injury allegation relating to my Exempt Reservoir Application, comment period for which ended on August 1, 1997. I note that the allegation is date-stamped four weeks after the comment deadline, raising questions as to the appropriateness of its consideration. The forwarding memo itself was dated on August 22, 1997. My substantive comments are as follows:

1. It is neither my intent nor desire to use water to the detriment of the health of Indian Ford Creek (IFC); and I would be happy to work with the watermaster to achieve mutual benefit, keeping the health of the stream as the first priority.

2. The watermaster's statement that "This stream rarely flows any if at all during late summer below Camp Polk Road...." is not historically accurate. Older topographic maps of the area show this portion of IFC as a marsh. "Old-timers" report continuous marsh from Sisters, upstream beyond our property. My family has maintained a home near the creek since the 1960's and I purchased this property in the 1970's. During the 60's and 70's we often observed - in August and September - fingerling trout (2-4") in the stream *on our property* (that arm which the watermaster seeks to close). We also frequently caught trout of 7-9" in the main stem below the bridge. My son caught one trout of 14"! All this came to an abrupt end with the explosive development at Black Butte Ranch (BBR). During the late 70's and 1980's, streams, ponds, irrigation, and golf courses proliferated at BBR, while IFC turned into dry ditch during much of the year. There were times when IFC was dry at least as far as Highway 20 (I never followed it beyond that point). Even during the height of the drought, however, there was always plenty of water for the recreational uses of BBR. If any effort to promote IFC's long term health is to be successful, it must begin at the other end of IFC.

3. The "rarely" statement previously quoted is also not accurate in respect to the recent wet years. IFC has continually been above flood stage (inundating portions of the meadow and reverting to marsh) since at least 1994. Hundreds of ducks and geese now winter in the area. I would like to think that my little wetlands project has contributed in a small way. I can tell you that ducks and geese visit our pond, and it was originally just a dry patch of dirt. We have fed wild geese off our back deck for the last two years.

4. We have enjoyed continuous use of this historic water resource since we purchased the land in the 70's. I created a pond in the 80's to catch some of the seasonal water when IFC started going dry due to overuse by BBR. As a matter of interest, we have had continuous high-water flow for three years now, and our pond went dry for only a three week period in August of 1995 (although water never entirely left the north end of our property). In 1996, I had to divert the flow temporarily to make improvements to the east bank and spillway of the pond, because it never went dry.

5. The statement and Table 2 cfs measurements (received by the Water Resources Dept. on August 28, 1997) seem to imply that the entire water loss between Camp Polk Road and the Sisters Airport is the result of supplying our pond. Nothing could be further from the truth. I would like to know the present cfs at the bridge, because it's obviously many times in excess of the minimums. Keeping that in mind, today I made a crude attempt to measure the flow-through of the arm of the stream on our property (above the pond), and my reading was approx 0.2 cfs.

6. All this having been said, I really have no objection to the mitigation suggested by Kyle Gorman in his memo of August 22 to Gerry Clark; I simply want my reservoir exemption to be viewed in a reasonable light and to have reasonable continued water use when an abundance exists. I will be happy to work with the watermaster to achieve water management goals for Indian Ford Creek. In this regard, I have some suggestions.

a. That the first priority for restoring the health of IFC be directed at curtailing the lavish recreational use of water at BBR.

b. Most of the water lost from the diversion point in question is due to heavy cattle traffic breaking down the stream banks at the low point in the meadow. Most of the water is therefore being released directly into the meadow, large portions of which have been submerged for the last few years. This can be easily corrected by rebuilding the banks of the waterway where it has been broken down. The resulting water loss at this

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WATER RESOURCES DEPT.
SALEM, OREGON

point would become a tiny fraction of the present volume, even if it were left open and unrestricted.

c. Implementation of "b" would likely obviate the need for water flow control at the diversion point in question. However, if a barrier is considered, a weir (designed to permit overflow when IFC flow exceeds 4 cfs at that point) might be preferable to a watergate. If the repair in "b" is accomplished, most of the excess would continue downstream anyway even if no barrier is installed.

d. Nearly 20 years ago a ditch was dug from IFC into the meadow on property adjacent to ours. It is just downstream from where my waterway forks off. The then-owner's ill-conceived intent was to drain the meadow into the creek. The effect, however, was the opposite; so water has been siphoned off into the meadow ever since. This ditch, which parallels the fence line between lots 3 and 4 should be completely filled in. Significant water loss occurs at this point.

e. I understand that a number of other ponds, dams and diversions may exist farther downstream, although action on "a-d" may be sufficient to maintain adequate water levels.

7. One other point needs to be considered: What is the best future use for this entire ecosystem? At present, the area is reverting to marshland and the waterfowl population is exploding. If the State's intention is to drain the marshland to enhance a trout stream, I question the wisdom of such an effort. IFC in this area is entirely on inaccessible private land. Beside that, the entire Deschutes basin has - for all practical purposes - been declared off-limits for all but the exclusive use of fly fishermen, so a dedicated trout stream really has very little public benefit. Draining the recovering wetlands at this point may not be the best long-term land use management option.

Thank you for your consideration in this matter. If I can answer any questions or be of assistance, please let me know. I look forward to working with you for the overall benefit of the Indian Ford Creek basin.

Sincerely,


Craig F. Eisenbeis

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NOV 24 1997

WATER RESOURCES DEPT.
SALEM, OREGON



CRAIG & KATHI EISENBEIS
PO Box 362, Sisters, OR 97759

CERTIFIED

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MAIL



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Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97310-0210

Attn:
Water Right Section



Oregon

John A. Kitzhaber, M.D., Governor

November 12, 1997

Water Resources Department

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

FILE#: P 82879

CRAIG F EISENBEIS
PO BOX 362
SISTERS, OR 97759-0362

Dear Reservoir Owner,

You submitted a Notice of Exempt Reservoir under *ORS 537.405 (HB 2376)*. HB 2376 provided an opportunity for the Oregon Department of Fish and Wildlife to comment on how a specific reservoir(s) caused injury to an existing fishery resource. In addition the same law allowed members of the public to comment on how the storage or use of the water caused an injury to an existing water right. This comment period ended on August 1, 1997.

The Department received the attached injury allegation(s) related to your reservoir(s), as provided for in *ORS 537.405*. If you do not agree with the allegation of injury, please submit detailed information to the Department explaining why or how the allegation is in error. Your response must be postmarked no later than *December 10, 1997*.

The Department will review any submission you may make and determine if a Mitigation Order is required. If the Department finds that the allegation is factual and verifiable, the Department will issue a Mitigation Order requiring that the attached conditions, or other conditions that prove to be necessary after reviewing any information that is submitted, be met in order for the reservoir to maintain an exempt status.

If you receive a Mitigation Order, you may request a Contested Case Hearing to contest the findings of the Department and the allegation of injury. Information on how to request a Contested Case Hearing will be provided with the mitigation order, if issued.

If you have any questions, please call the Water Rights Information Group at (503) 378-3739 extension. 499.

Water Right Section

MITIGATION CONDITIONS

File # P- 82 879
Date 11-12-97
LRS

Oregon Department of Fish and Wildlife Conditions

- _____ In accordance with ORS 498.268 and ORS 509.605, install, maintain, and operate bypass devices as required by the Oregon Department of Fish and Wildlife that will provide adequate upstream passage for fish. (SMBS)
- _____ Install, maintain, and operate fish screening devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion. (SMSS)
- _____ The reservoir owner is required to by-pass flows from _____ through _____ (BPC)

Water Right Related Conditions

- _____ The pond may be filled one time only per year. No diversion of water to storage can occur during times all water rights are not met on the John Day river System. (KR1)
- _____ If required by the Watermaster, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Watermaster (Department). (KR2)
- ✓ _____ Live stream flow must be passed when required to satisfy existing water rights. In order to substantiate live flow is being passed, measuring devices may be required. (J)
- _____ Live flow must be by-passed all year. (BSD)
- _____ Any secondary use of stored water is limited each year to the capacity of the reservoir. (BSD2)
- _____ The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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WATER RESOURCES DEPT.
SALEM, OREGON

MEMO

TO: Gerry Clark
FROM: Kyle Gorman
Subject: 2153 and 2376 Comments P82879
Date: August 22, 1997

The pond described in P 82879 is filled by diversion from Indian Ford Creek immediately downstream from the Camp Polk Rd. Instream water right certificate 73229 requires at least 4.0 cfs at this point. Four measurements taken at this point show that injury to certificate 73229 has occurred at those times that P82879 has diverted water when the instream right was not being met.

Suggested mitigation: P82879 be restricted to diverting water when the flow of Indian Ford Creek, at the Camp Plk Road, exceeds the flows required in Certificate 73229.

Table 2.

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WATER RESOURCES DEPT.
SALEM, OREGON

INDIAN FORD CREEK DISCHARGE MEASUREMENTS
(DISCHARGE IN CFS)

LOCATION	MILES BELOW HEADWATERS	DISCHARGE FEB 5, 1992	DISCHARGE FEB 27, 1992	DISCHARGE MAR 26, 1992	DISCHARGE APR 23, 1992	AVERAGE ALL SITES
BLACK BUTTE RANCH WEIR	1.5	5.86	6.5	5.86	6.42	6.16
WILLOWS RANCH DIVERSION POINT	4.2	4.31	4.89	3.95	4.62	4.44
WILLOWS RANCH	8.6	4.43	4.4	3.26	3.15	3.81
CAMP POLK ROAD	10.1	3.02	4.02	2.9	2.94	3.22
NE END OF SISTERS AIRPORT	10.9	0.01	1.25	0.07	0.47	0.45
BARCLAY ROAD CROSSING	11.4	0	0	0	0	0.00
CONFLUENCE WITH SQUAW CREEK	12.2	0	0	0	0	0.00

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WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Oregon Water Resources Department
158 12th Street NE
Salem, Oregon 97310

The specific limits for the use are listed below along with conditions of use.

Source: INDIAN FORD CR tributary to SQUAW CR

County: Deschutes

Purpose: Migration, spawning, egg incubation, fry emergence, and juvenile rearing.

To be maintained in:

INDIAN FORD CREEK FROM HEADWATERS (SPRINGS) (SWSW,
SECTION 15, T14S, R9E); TO THE MOUTH RIVER MILE
0.0 (SESW, SECTION 3, T15S, R10E)

The right is established under Oregon Revised Statutes 537.341.

The date of priority is 10/11/90.

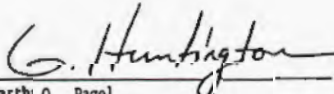
The following conditions apply to the use of water under this certificate:

1. The right is limited to not more than the amounts, in cubic feet per second, during the time periods listed below:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
6.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	5.4	6.0	6.0

2. The water right holder shall measure and report the in-stream flow along the reach of the stream or river described in the certificate as may be required by the standards for in-stream water right reporting of the Water Resources Commission.
3. For purposes of water distribution, this instream right shall not have priority over human or livestock consumption.
4. The instream flow allocated pursuant to this water right is not in addition to other instream flows created by a prior water right or designated minimum perennial stream flow.
5. The flows are to be measured at the lower end of the stream reach to protect necessary flows throughout the reach.

Witness the signature of the Water Resources Director,
affixed OCTOBER 21, 1996.


Martha A. Bagal

Recorded in State Record of Water Right Certificate number 73229.

IS 70760

FAX TRANSMISSION INFORMATION

South Central Region --- Watermaster District #11

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WATER RESOURCES DEPT.
SALEM, OREGON

DATE: 8-1-97

SEND TO: _____

ATTENTION: TOM PAUL

FAX NUMBER: _____

TOTAL PAGES (including this sheet): 5

DEPARTMENT FAX TRANSMISSION:

SOUTH CENTRAL REGION
WATERMASTER DISTRICT 11
1340 NW WALL, SUITE 100
BEND, OR 97701-1939

CONTACT PERSON: BOB MAIN OTHER: _____

PHONE NUMBER: (503) 388-6669

FAX NUMBER: (503) 388-5101

MESSAGE: PROJECT 537.405

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WATER RESOURCES DEPT.
SALEM, OREGON

**WATERMASTER COMMENTS FOR
HB 2153 CERTIFICATES
HB 2376 NOTICES**

Watermaster Name Kyle Gorman
Date 7-24-97

Please attach copy of HB 2153 Certificate.

HB 2376 Notice of Exempt Reservoir Application # P 82879

**Attach additional sheets if necessary.

Please specify which reservoir(s)/ponds(s) the comments pertain to:

Describe by name, number or Township Range Section and 1/4 1/4 if necessary. If comments refer to all reservoir listed please specify. Please provide enough information to accurately describe which reservoir the comment(s) pertains to.

Does the reservoir/pond cause injury to an existing water right? Specify which water right and the evidence which supports that finding. Please describe for each reservoir listed above. If the water right and the supporting evidence are the same please indicate.

If the pond diverts water from Indian Ford Creek, then the pond will cause injury to the existing instream water right # 73229

This stream rarely flows any it at all during late summer below camp pole Rd. This diversion would exacerbate the low water condition

*****SEE BACK OF PAGE FOR LIST OF CONDITIONS TO MITIGATE INJURY*****



Oregon Water Resources Department Notice of Exempt Reservoir

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JAN 21 1997

WATER RESOURCES DEPT.
SALEM, OREGON

For reservoirs built before January 1, 1995, that:

- Store less than 9.2 acre-feet of water, or
- Have a dam less than 10 feet high.

The deadline for submitting a Notice of Exempt Reservoir is January 31, 1997.

Landowner: Eisenbeis, Craig **RECEIVED**
Last name First name MI

Authorized Agent: _____ **MI** **AUG 28 1997**
Last name First name MI

Address: P.O. Box 362
69424 Camp Polk Rd
Sisters OR 97759-0362
City State Zip

Phone: (541) 549-8820
Home Work

FAX: _____ E-Mail Address: eisenbek@outlawnet.com

A. County of use: Deschutes B. River basin (see reverse): Deschutes

C. Legal description of reservoir location:

Township	Range	Section	Quarter/Quarter	Tax Lot #
14S	10E (W/4)	33	NE	14-10-33-0-0-1400

D. Name, if any, of reservoir: Wolf Pines Pond E. Reservoir in existence since: 07/15/84
MM DD YY

F. Source of water: Indian Ford Creek which flows into Squaw Creek
Name of river or creek Name of river or creek

G. Maximum height of dam: 2 feet.

H. Quantity of water stored in reservoir at maximum capacity (see reverse): 1.0 acre-feet.

I. Water stored in reservoir is used for (see reverse): Environmental Benefits

J. Rate and area of use—Refer to chart on the back of this form. For each type of water use listed in Item I, show the quantity of water used and, if applicable, the number of acres on which water is used.

BEFORE YOU SIGN AND SUBMIT THIS APPLICATION... HAVE YOU:

Answered each question on this form as completely as possible?

Attached a legible map showing township, section, range, quarter-quarter & tax lot number?

By my signature below, I swear that all statements made and information provided in this application are true to the best of my knowledge.

Craig F. Eisenbeis Craig F. Eisenbeis, owner 1/17/97
(Signature of Landowner/Agent) (Printed name and title) (Date)

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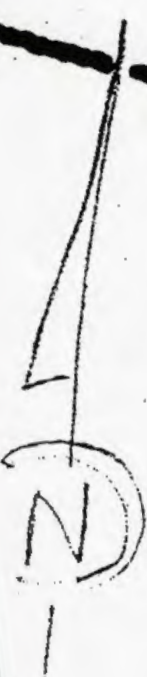
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WATER RESOURCES DE
SALEM, OREGON



60 61

Camp Polk Road

N 08° 09' 22" W 487.48'

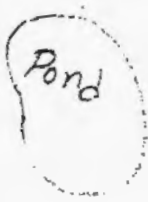
525.00'

Driveway

5

9.24 AC.

601.89'
771.89'



Pond

62 63

N 78° 25' 51" E

575.99'

Application No. P- 82879
Permit No.

2



Oregon Water Resources Department Notice of Exempt Reservoir

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JAN 21 1997

For reservoirs built before January 1, 1995, that

- Store less than 9.2 acre-feet of water, or
- Have a dam less than 10 feet high.

WATER RESOURCES DEPT.
SALEM, OREGON

The deadline for submitting a Notice of Exempt Reservoir is January 31, 1997.

Landowner: Eisenbeis, Craig E
Last name First name MI

Authorized Agent _____, _____
Last name First name MI

Address: P.O. Box 362
69424 Camp Polk Rd
Sisters OR 97759-0362
City State Zip

Phone: (541) 549-8820
Home Work

FAX: _____ E-Mail Address: eisenbek@outlawnet.com

A. County of use: Deschutes . B. River basin (see reverse): Deschutes

C. Legal description of reservoir location:

Township	Range	Section	Quarter/Quarter	Tax Lot #
14S	10E (wm)	33	NE	14-10-33-0-0-1400

D. Name, if any, of reservoir: Wolf Pines Pond . E. Reservoir in existence since: 07/15/84
MM DD YY

F. Source of water: Indian Ford Creek which flows into Squaw Creek
Name of river or creek Name of river or creek

G. Maximum height of dam: 2 feet.

H. Quantity of water stored in reservoir at maximum capacity (see reverse): 1.0 acre-feet.

I. Water stored in reservoir is used for (see reverse): Environmental Benefits

J. Rate and area of use—Refer to chart on the back of this form. For each type of water use listed in Item I., show the quantity of water used and, if applicable, the number of acres on which water is used.

BEFORE YOU SIGN AND SUBMIT THIS APPLICATION . . . HAVE YOU:

Answered each question on this form as completely as possible?

Attached a legible map showing township, section, range, quarter-quarter & tax lot number?

By my signature below, I swear that all statements made and information provided in this application are true to the best of my knowledge.

Craig F. Eisenbeis Craig F. Eisenbeis, owner 1/17/97
(Signature of Landowner/Agent) (Printed name and title) (Date)

For Department Use P-82879 File # _____ Date received _____ 10-95

Oregon's major river basins:

- | | | |
|---------------|-----------------|--------------|
| 1-North Coast | 8-Grande Ronde | 15-Rogue |
| 2-Willamette | 9-Powder | 16.Umpqua |
| 3-Sandy | 10-Malheur | 17-S. Coast |
| 4-Hood | 11-Owyhee | 18-Mid Coast |
| 5-Deschutes | 12-Malheur L. | 19-Columbia |
| 6-John Day | 13-Goose/Summer | 20-Snake |
| 7-Umatilla | 14-Klamath | |



One acre-foot is the volume of water that would cover one acre with one ft. of water. To find out how much water your pond stores, multiply the surface area by the average depth. This will give you a rough estimate of cubic feet. One acre-foot equals 43,560 cubic feet. You can submit a Notice of Exempt Reservoir if your pond stores less than $43,560 \times .92$.

Rate and Area of Use

cfs-cubic feet per second gpm-gallons per minute

Agriculture, Land Management							
Gen. Agriculture	cfs/gpm	# acres	_____	Cranberry	cfs/gpm	# acres	_____
Irrigation	cfs/gpm	# acres	_____	Nursery Operatn.	cfs/gpm	# acres	_____
Stockwater	cfs/gpm	# acres	_____	Temp. Control	cfs/gpm	# acres	_____
Aquatic Life	cfs/gpm	# acres	_____	Forest/Range Mgt	cfs/gpm	# acres	_____
Other:	cfs/gpm	# acres	_____	Other:	cfs/gpm	# acres	_____

Industrial/Commercial Uses							
Industrial	cfs/gpm	_____	_____	Commercial	cfs/gpm	_____	_____
Fire Protection	cfs/gpm	_____	_____	Mining	cfs/gpm	_____	_____
Power Dev.	cfs/gpm	_____	_____	Other:	cfs/gpm	_____	_____

Drinking Water Supply							
Human Consumption	cfs/gpm	_____	_____	Domestic	cfs/gpm	_____	_____
Domestic				Other:	cfs/gpm	_____	_____
Expanded	cfs/gpm	_____	_____				

Community Water Supply							
Municipal	cfs/gpm	_____	_____	Quasi-Municipal	cfs/gpm	_____	_____
Group Domestic	cfs/gpm	_____	_____	Storm Water Mgt	cfs/gpm	_____	_____
Other:	cfs/gpm	_____	_____	Other:	cfs/gpm	_____	_____

Environmental Benefits							
Pollution Abatement	cfs/gpm	_____	_____	Recreation	cfs/gpm	_____	_____
Wetland Enhancement	cfs/gpm	5	_____	Wildlife	cfs/gpm	_____	_____
Other:	cfs/gpm	_____	_____	Other:	cfs/gpm	_____	_____

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WATER RESOURCES DEPT.
Salem, OREGON

Application No. P-82679
Permit No.



CURVE DATA

NO.	CENTRAL ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD
1	02° 22' 30"	136.00	11.81	2.41	11.81
2	02° 22' 30"	136.00	11.81	2.41	11.81
3	02° 22' 30"	136.00	11.81	2.41	11.81
4	02° 22' 30"	136.00	11.81	2.41	11.81
5	02° 22' 30"	136.00	11.81	2.41	11.81
6	02° 22' 30"	136.00	11.81	2.41	11.81
7	02° 22' 30"	136.00	11.81	2.41	11.81
8	02° 22' 30"	136.00	11.81	2.41	11.81
9	02° 22' 30"	136.00	11.81	2.41	11.81
10	02° 22' 30"	136.00	11.81	2.41	11.81
11	02° 22' 30"	136.00	11.81	2.41	11.81
12	02° 22' 30"	136.00	11.81	2.41	11.81
13	02° 22' 30"	136.00	11.81	2.41	11.81
14	02° 22' 30"	136.00	11.81	2.41	11.81
15	02° 22' 30"	136.00	11.81	2.41	11.81
16	02° 22' 30"	136.00	11.81	2.41	11.81
17	02° 22' 30"	136.00	11.81	2.41	11.81
18	02° 22' 30"	136.00	11.81	2.41	11.81
19	02° 22' 30"	136.00	11.81	2.41	11.81
20	02° 22' 30"	136.00	11.81	2.41	11.81

NO.	CENTRAL ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD
21	02° 22' 30"	136.00	11.81	2.41	11.81
22	02° 22' 30"	136.00	11.81	2.41	11.81
23	02° 22' 30"	136.00	11.81	2.41	11.81
24	02° 22' 30"	136.00	11.81	2.41	11.81
25	02° 22' 30"	136.00	11.81	2.41	11.81
26	02° 22' 30"	136.00	11.81	2.41	11.81
27	02° 22' 30"	136.00	11.81	2.41	11.81
28	02° 22' 30"	136.00	11.81	2.41	11.81
29	02° 22' 30"	136.00	11.81	2.41	11.81
30	02° 22' 30"	136.00	11.81	2.41	11.81

NO.	CENTRAL ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD
31	02° 22' 30"	136.00	11.81	2.41	11.81
32	02° 22' 30"	136.00	11.81	2.41	11.81
33	02° 22' 30"	136.00	11.81	2.41	11.81
34	02° 22' 30"	136.00	11.81	2.41	11.81
35	02° 22' 30"	136.00	11.81	2.41	11.81
36	02° 22' 30"	136.00	11.81	2.41	11.81
37	02° 22' 30"	136.00	11.81	2.41	11.81
38	02° 22' 30"	136.00	11.81	2.41	11.81
39	02° 22' 30"	136.00	11.81	2.41	11.81
40	02° 22' 30"	136.00	11.81	2.41	11.81

NO.	CENTRAL ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD
41	02° 22' 30"	136.00	11.81	2.41	11.81
42	02° 22' 30"	136.00	11.81	2.41	11.81
43	02° 22' 30"	136.00	11.81	2.41	11.81
44	02° 22' 30"	136.00	11.81	2.41	11.81
45	02° 22' 30"	136.00	11.81	2.41	11.81
46	02° 22' 30"	136.00	11.81	2.41	11.81
47	02° 22' 30"	136.00	11.81	2.41	11.81
48	02° 22' 30"	136.00	11.81	2.41	11.81
49	02° 22' 30"	136.00	11.81	2.41	11.81
50	02° 22' 30"	136.00	11.81	2.41	11.81

Plat no. 240 of

INDIAN FORD MEADOWS

A SUBDIVISION IN SECS. 28, 33 & 34,
T. 14 S., R. 10 E., W.M., DESCHUTES CO., OREGON

SURVEYOR'S CERTIFICATE:

I, James E. Buzard, registered land surveyor for the State of Oregon, being first duly sworn, depose and say that I have correctly surveyed and marked with legal monuments the land shown on the annexed plat of INDIAN FORD MEADOWS in Deschutes County, Oregon, with a 3" brass cap set at the initial point and that property plotted is further described as follows:

Commencing at the initial point which is the southwest corner of Section 33, Township South, Range 10 East of the Willamette Meridian, Deschutes County, Oregon; thence along the west line of said section North 00° 23' 46" West, 1148.04 feet to a point on the easterly right-of-way of Lundgren Mill Road (Squaw Back Road) having a 60.00 foot wide right-of-way; thence along said right-of-way North 07° 56' 04" East, 372.56 feet; thence along the arc of a 694.72 foot radius curve left, 170.79 feet, the long chord of which bears North 03° 53' 31" East, 170.56 feet; thence along the arc of a 3750.70 foot radius curve right, 268.14 feet, the long chord of which bears North 04° 06' 10" West, 268.08 feet; thence along the arc of a 3750.70 foot radius curve right, 268.14 feet, the long chord of which bears North 03° 26' 47" West, 297.25 feet to a point on the west line of said section; thence along said line North 02° 29' 46" West, 736.05 feet to a point on said right-of-way; thence along said right-of-way North 03° 53' 13" East, 356.69 feet; thence along the arc of a 5430.94 foot radius curve left, 261.47 feet, the long chord of which bears North 04° 30' 35" East, 261.45 feet; thence North 03° 07' 57" East, 180.80 feet to a point on the north line of said section; thence along said line South 89° 30' 06" East, 1993.97 feet; thence leaving said line due SOUTH, 377.46 feet; thence due EAST, 510.00 feet; thence due NORTH, 200.00 feet; thence South 78° 40' 27" East, 540.00 feet; thence along the arc of a 790.52 foot radius curve left, 303.08 feet, the long chord of which bears South 87° 43' 45" East, 303.17 feet; thence North 81° 12' 56" East, 376.09 feet to a point on the southeasterly right-of-way of Camp Park Road having a 60.00 foot wide right-of-way; thence along said right-of-way along the arc of a 623.58 foot radius curve right, 244.32 feet, the chord of which bears North 69° 02' 29" East, 242.76 feet; thence North 80° 15' 57" East, 257.52 feet; thence along the arc of a 3349.84 foot radius curve left, 116.25 feet, the long chord of which bears North 79° 16' 18" East, 116.24 feet; thence North 89° 16' 30" East, 169.96 feet; thence along the arc of a 1380.37 foot radius curve right, 194.39 feet, the long chord of which bears North 89° 16' 30" East, 194.13 feet; thence North 89° 30' 31" East, 276.71 feet; thence along the arc of a 362.05 foot radius curve left, 371.15 feet, the chord of which bears North 56° 58' 27" East, 355.11 feet to a point on the westerly boundary line of the plat of Indian Ford Ranch Homes; thence along said line South 02° 14' 30" West, 195.73 feet to the section corner common to Sections 33 and 34; thence along the north line of Section 34, North 89° 52' 30" East, 660.18 feet; thence leaving said line South 02° 42' 24" East, 2631.34 feet to a point on the east-west center line of said section; thence along said line North 89° 03' 29" East, 1981.74 feet to the center south one-sixteenth corner of said section, South 02° 44' 04" East, 1332.64 feet to the center south one-eighth corner of said section; thence along the north line of said section, South 89° 06' 26" West, 2643.16 feet to the south one-sixteenth corner between Sections 33 and 34; thence South 89° 06' 26" West, 2643.16 feet to a point on the easterly right-of-way of Camp Park Road; thence along said right-of-way, South 20° 22' 30" West, 1316.07 feet; thence along the arc of a 605.25 foot radius curve left, 106.14 feet, the chord of which bears South 15° 21' 05" West, 106.00 feet to a point on the south line of said Section 33; thence along said line South 89° 09' 21" West, 85.91 feet to the south one-quarter corner of said section; thence continuing along said line North 69° 44' 23" West, 2639.47 feet to the southwest corner of said Section 33 which is the initial point of this subdivision.

By James E. Buzard
 Subscribed and sworn to before me this 27th day of January, 1976.
 Notary Public for the State of Oregon Kathleen D. Hiller
 My Commission Expires February 19, 1979



Application No. P-82879
Permit No. 575.99

N 78° 25' 51" E

575.99

9.24 AC

3

House

Driveway

525.00

681.89
681.09
771.89

N 08° 09' 22" W 487.48

Camp Polk Road

WATER RESOURCES DEPT.
SALEM, OREGON

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(3)

(3)

(2)