

February 15, 1995

Oregon

DONALD L KING

18795 FROST RD  
DALLAS, OR 97338

WATER  
RESOURCES  
DEPARTMENT

REFERENCE: File # P-77492;  
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

DEC 30 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: Donald L. King

Authorized Agent: (if applicable) owner

Address: 18795 Frost Rd.

Dallas City      ORE State      97338 Zip      787-3618 Telephone No.

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

NOTE: Multiple reservoirs may be included in a single notification, provided the reservoirs are within the same ownership, on contiguous property and within the same drainage basin. For items 1-6 below, attach extra sheets for additional reservoir descriptions.

1. The reservoir is located in Section 27+34, Township 8S, Range 6W, in Polk 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: Run off winter spring

3. Maximum height of the dam: 8'

4. Maximum water depth in the reservoir: 5'

5. Maximum storage capacity of reservoir: 60' long 40' wide ?

6. Size, description and location of any outlet pipe: NO pipe Flows AROUND DAM usually goes DRY in summer CATTLE + Duck goose pond

- 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-77492  
Permit No.

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 690-11-041 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: ~~Donald~~ Donald J. King

(Print Name and Title) Donald L King owner

Date: Dec 30, 1994  
*Before me this 30th day of December 1994*  
*Synthia P. Noble*  
*Notary Public for Oregon*



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 12/30/94, 1994 and assigned FILE NUMBER \_\_\_\_\_.

cc: Watermaster District # \_\_\_\_\_  
To Data Center (date) \_\_\_\_\_

**RECEIVED**  
**DEC 30 1994**

WATER RESOURCES DEPT.  
SALEM, OREGON





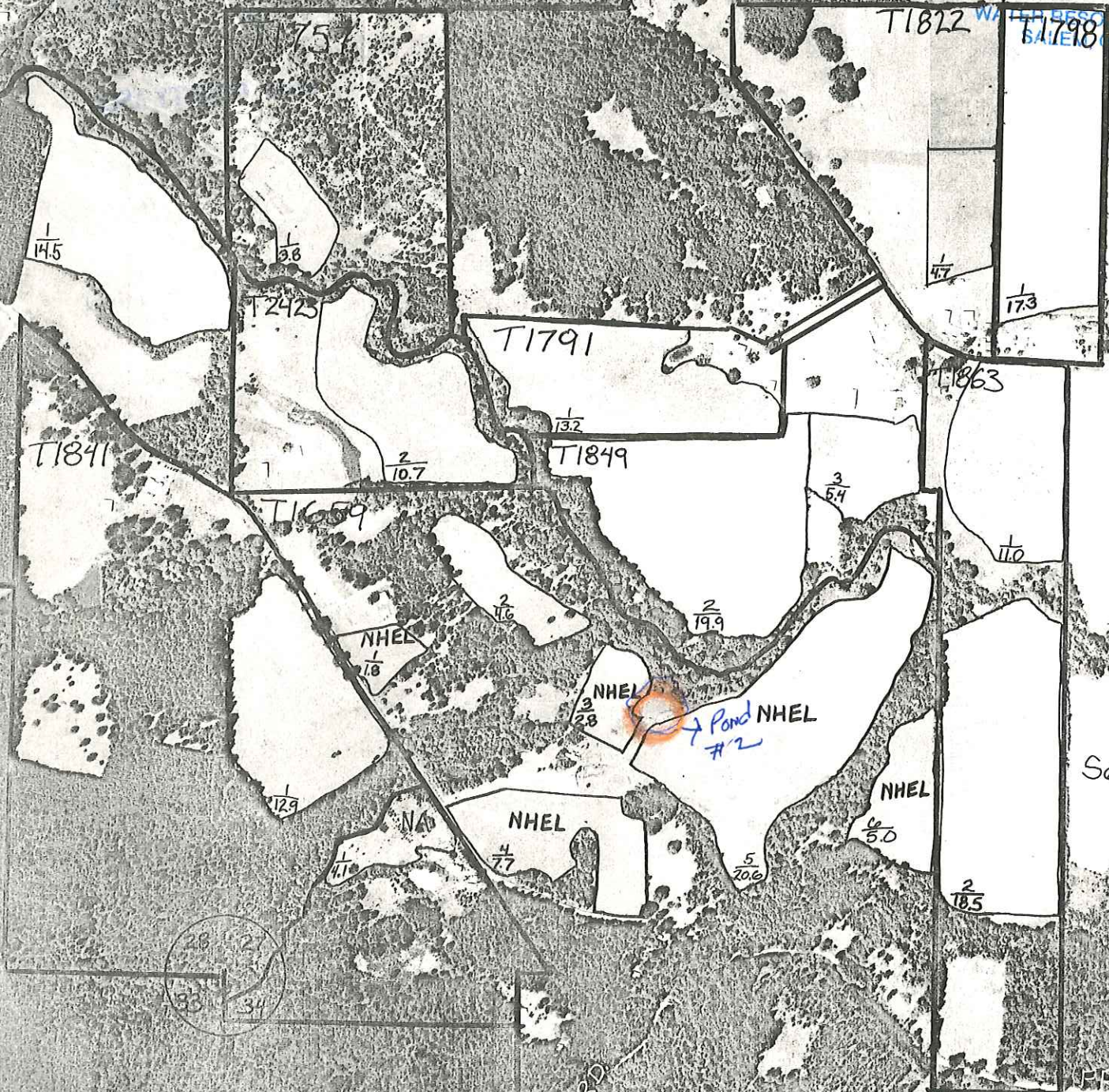


DEC 30 1994

H8 3B

WATER RESOURCES DEPT.  
STATE OF OREGON

See  
map  
I8



NOT TO SCALE

See  
map  
H9L



DEC 30 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

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1. The reservoir is located in Section 27-34, Township 8S, Range 6W, in Polk 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: A SWAMP AND we Dug a hole, hit a Spring SW

3. Maximum height of the dam: Actually NO DAM

4. Maximum water depth in the reservoir: Average ? 9'

5. Maximum storage capacity of reservoir: \_\_\_\_\_

6. Size, description and location of any outlet pipe: NO pipe seeps through ground used for wild life + frogs cattle

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);
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Application No 8-77492  
Permit No.

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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: Donald L. King

(Print Name and Title) DONALD L. KING OWNER

Before me this 30th Day of December, 1994

Date: \_\_\_\_\_  
Synthia P. Noble  
Notary Public for Oregon



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 12/30/94, 1994 and assigned FILE NUMBER \_\_\_\_\_.

cc: Watermaster District # \_\_\_\_\_  
To Data Center (date) \_\_\_\_\_

**RECEIVED**  
**DEC 30 1994**

WATER RESOURCES DEPT.  
SALEM, OREGON



DEC 30 1994

**NOTICE OF EXEMPT RESERVOIR**

WATER RESOURCES DEPT.  
SALEM, OREGON

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Landowner: Donald L King

Authorized Agent: (if applicable) owner

Address: 18795 Frost Rd.

Dallas City      OR State      97378 Zip      787-3618 Telephone No.

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

NOTE: Multiple reservoirs may be included in a single notification, provided the reservoirs are within the same ownership, on contiguous property and within the same drainage basin. For items 1-6 below, attach extra sheets for additional reservoir descriptions.

1. The reservoir is located in Section 2234, Township S3, Range 6W, in Polk 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: Spring Run off
3. Maximum height of the dam: NO DAM
4. Maximum water depth in the reservoir: 4'
5. Maximum storage capacity of reservoir: 10'x14' 0.005 ac/ft
6. Size, description and location of any outlet pipe: none

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. 8-77492  
Permit No.







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Landowner/agent signature: \_\_\_\_\_

*Donald L. King*

(Print Name and Title) \_\_\_\_\_

*Donald L. King* OWNER

Date: \_\_\_\_\_

*Dec 30, 1994*

*Before me this 30th day of December, 1994  
Synthia P. Noble  
Notary Public for Oregon*



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 12/30/94, 1994 and assigned FILE NUMBER \_\_\_\_\_.

cc: Watermaster District # \_\_\_\_\_  
To Data Center (date) \_\_\_\_\_

**RECEIVED**

**DEC 30 1994**

**WATER RESOURCES DEPT.  
SALEM, OREGON**



# PRE-TR APPLICATION PROCESSING OUTLINE

Application File # P-77492

## MINIMUM REQUIREMENTS TO FILE OAR 690-11-020

DATE STAMP

<u>DATE</u>	<u>INITIAL</u>	
_____	_____	Name and mailing address of applicant
_____	_____	Source of water
_____	_____	Quantity of water
_____	_____	Map showing location of POD & POU
_____	_____	Use of water
_____	_____	Names and addresses of legal owners
_____	_____	Signature of applicant
_____	_____	Oath
_____	_____	Application date stamped per money receipt date
_____	_____	Land use approved _____ pending _____
_____	_____	If reservoir < 5 AF \$____; if > 5 AF \$____
_____	_____	HB 2153/HB 2107 APPLICATION -- SEE REVERSE
_____	_____	Route to Data Center (Unless 2153/2107)

### DATA CENTER

Stream Code \_\_\_\_\_  
Entered into WRIS

### SUPPORT SERVICES

<u>3/28/95</u>	<u>PX</u>	Stamp contents with application number
_____	_____	Mail ack letter (provided by Data Center) with receipt to applicant, cc to CWRE and file
<u>3/28/95</u>	<u>PX</u>	Place label on file and calender card

### APPLICATION SECTION

_____	Stream Indexed	Basin # _____	
_____	Plat Carded and copy made		<u>YES</u> <u>NO</u>
_____	If dam is over 10 feet or storage exceeds 9.2		
_____	AC-FT, route file to Dam Safety Section		

### TR CASEWORKER

_____	TR Checklist complete	<u>YES</u>	<u>NO</u>
_____	Within Irrigation District	_____	_____
_____	District Notified	_____	_____
_____	District excerpt received	_____	_____
_____	TR Mailed DATE _____		
_____	Public Interest Checklist complete	_____	_____
_____	Management Codes _____		

REMARKS: \_\_\_\_\_



MINIMUM APPLICATION REQUIREMENTS TO FILE:

HB 2153 - existing, small, EXEMPT ponds

Sm 02-7-95  
(date & initials)

NOTICE OF EXEMPT RESERVOIR form (or letter if prior to April 8, 1994).

Appropriate map (see item 1 on form).

Evidence that reservoir existed before January 1, 1993 (one or more of the following: dated aerial photo, NOTARIZED affidavit, dated map from agency, construction receipts or other documentation).

Items 2, 3, 4, 5, and 6 are completed.

Signature (and title, if applicable)

HB 2153 - non-exempt existing ponds (large, on-channel)

Complete Minimum Requirements to File on reverse, except before routing to Data Center, change priority date to 1/1/1993. Also, confirm the following:

Receipt of evidence that reservoir existed before January 1, 1993 (one or more of the following: dated aerial photo, NOTARIZED affidavit, dated map from agency, construction receipts or other documentation)

HB 2107 - wetland, stream restoration and storm water management

Complete Minimum Requirements to File on reverse EXCEPT DO NOT ROUTE TO DATA CENTER, BUT DO ROUTE TO CAROL. Also confirm the following:

- \_\_\_\_\_ Name/address of adjacent property owner
- \_\_\_\_\_ within 1/4 mile
- \_\_\_\_\_ Map with scale not less than 2 in.=1 mi.
- \_\_\_\_\_ CWRE map if > 10 feet dam or > 9.2 AF
- \_\_\_\_\_ Description of proposed use
- \_\_\_\_\_ Condition addressed
- \_\_\_\_\_ Resulting benefits
- \_\_\_\_\_ Public notices (circle) #1 #2



Watermaster HB-2153  
Check-List

Wm #16

February 15, 1995

DONALD L KING

18795 FROST RD  
DALLAS, OR 97338

REFERENCE: File(s) P-77492

- Reservoir qualifies as exempt  
 Reservoir does not qualify as exempt

Reservoir is off channel  
Height of Dam  
Capacity of Reservoir  
Constructed before 1/1/1993

YES NO  
\_\_\_\_\_  
YES NO

I Chad Brady examined the information included with the file P-77492.  
My determination is based on review of the information and field visit to the site and/or  
personal knowledge.

Chad Brady

Signature

11/8/95  
Date



February 15, 1995

Oregon

DONALD L KING

18795 FROST RD  
DALLAS, OR 97338

WATER  
RESOURCES  
DEPARTMENT

REFERENCE: File # P-77492;  
Notice of Exempt Reservoir (Pond)

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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



DEC 30 1994

NOTICE OF EXEMPT RESERVOIR

WATER RESOURCES DEPT. SALEM, OREGON

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: DONALD L. KING

Authorized Agent: (if applicable) OWNER

Address: 18795 Frost Rd.

Dallas city      ORE State      97338 Zip      787-3618 Telephone No.

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

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2. Source of water: Run off winter spring

3. Maximum height of the dam: 8'

4. Maximum water depth in the reservoir: 5'

5. Maximum storage capacity of reservoir: 60' long 40' wide ?

6. Size, description and location of any outlet pipe: NO Pipe Flows AROUND DAM  
usually goes dry in summer cattle + duck goose pond

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);
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Application No. P-77492  
Permit No



Declaration by Owner/Authorized Agent:

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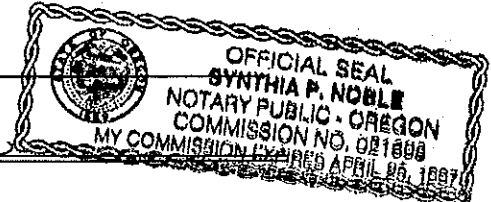
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Landowner/agent signature: ~~Donald~~ Donald J. King

(Print Name and Title) Donald L King owner:

Date: Dec 30, 1994  
Before me this 30th day of December 1994  
Synthia P. Noble  
Notary Public for Oregon



FOR WATER RESOURCES DEPARTMENT USE ONLY

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To Data Center (date) \_\_\_\_\_

RECEIVED

DEC 30 1994

WATER RESOURCES DEPT.  
SALEM, OREGON



RECEIVED

DEC 30 1994

RESOURCES DEP  
SALEM OREGON

See  
map  
I8



NOT TO SCALE

See  
map  
H9L

Application No  
Permit No

Tap Below Pond

1



H8 3B

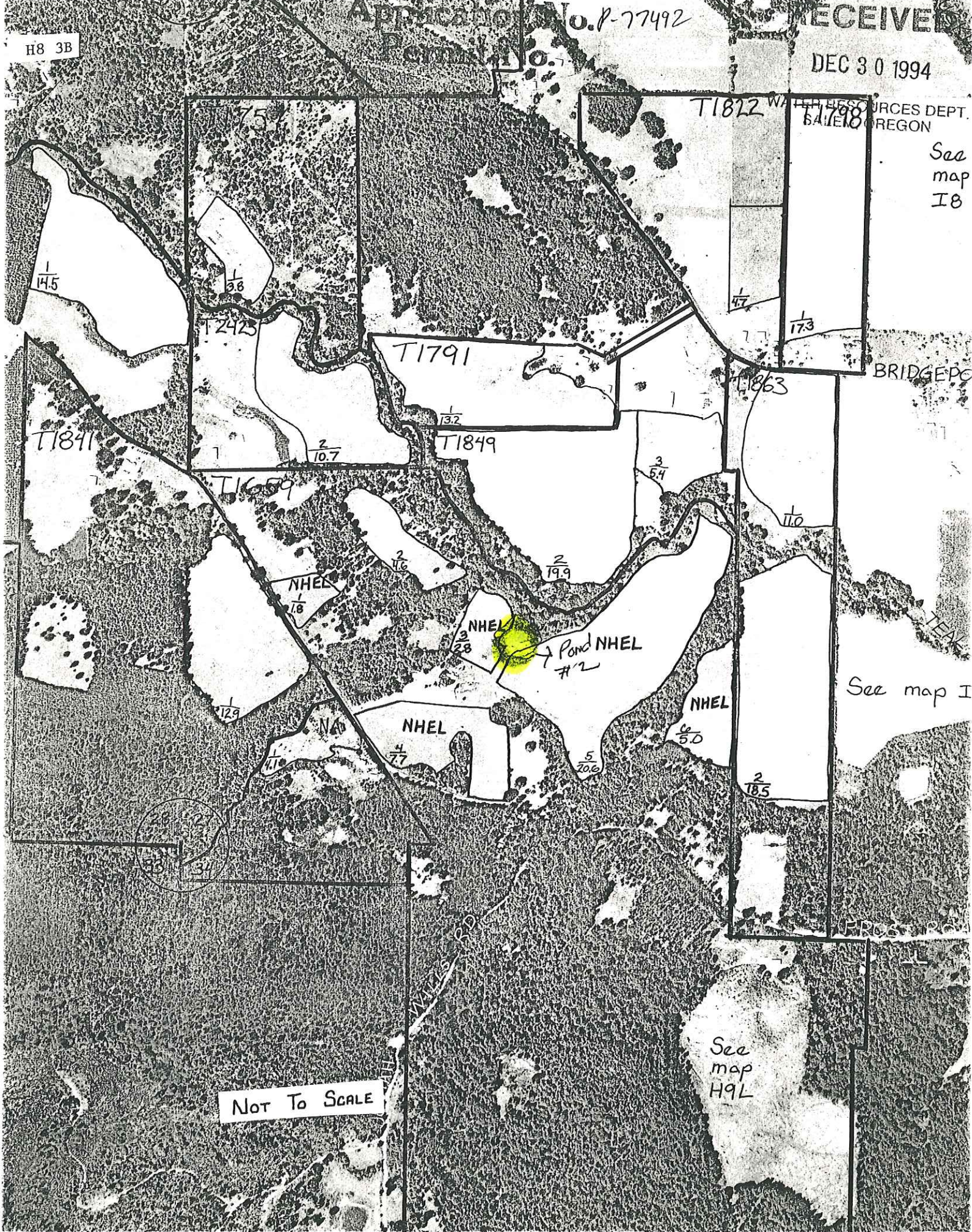
Application No. P-77492

RECEIVED

DEC 30 1994

WATER RESOURCES DEPT.  
BUREAU OF REVENUE

See  
map  
I B



NOT TO SCALE

See  
map  
H9L

Land between fields



DEC 30 1994

NOTICE OF EXEMPT RESERVOIR

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2. Source of water: A SWAMP AND we Dug a hole, hit a SPRING SW
3. Maximum height of the dam: Actually NO DAM
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NO pipe seeps through ground  
used FOR wild life + frogs CATTLE
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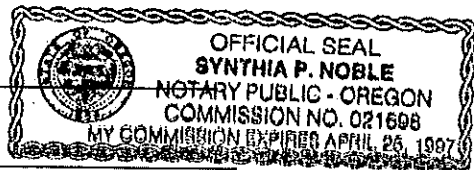
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Landowner/agent signature: Donald L. King

(Print Name and Title) DONALD L. KING OWNER

Before me this 30<sup>th</sup> Day of December, 1994

Date: \_\_\_\_\_  
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Notary Public for Oregon



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SALEM, OREGON

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City                              State                              Zip                              Telephone No.

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2. Source of water: Spring Run off

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4. Maximum water depth in the reservoir: 4'

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Permit No.







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 690-11-041 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: Donald L. King

(Print Name and Title) Donald L. King OWNER

Date: Dec 30, 1994

*Before me this 30th day of December, 1994*

*Synthia P. Noble  
Notary Public for Oregon*



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 12/30/94, 1994 and assigned FILE NUMBER \_\_\_\_\_.

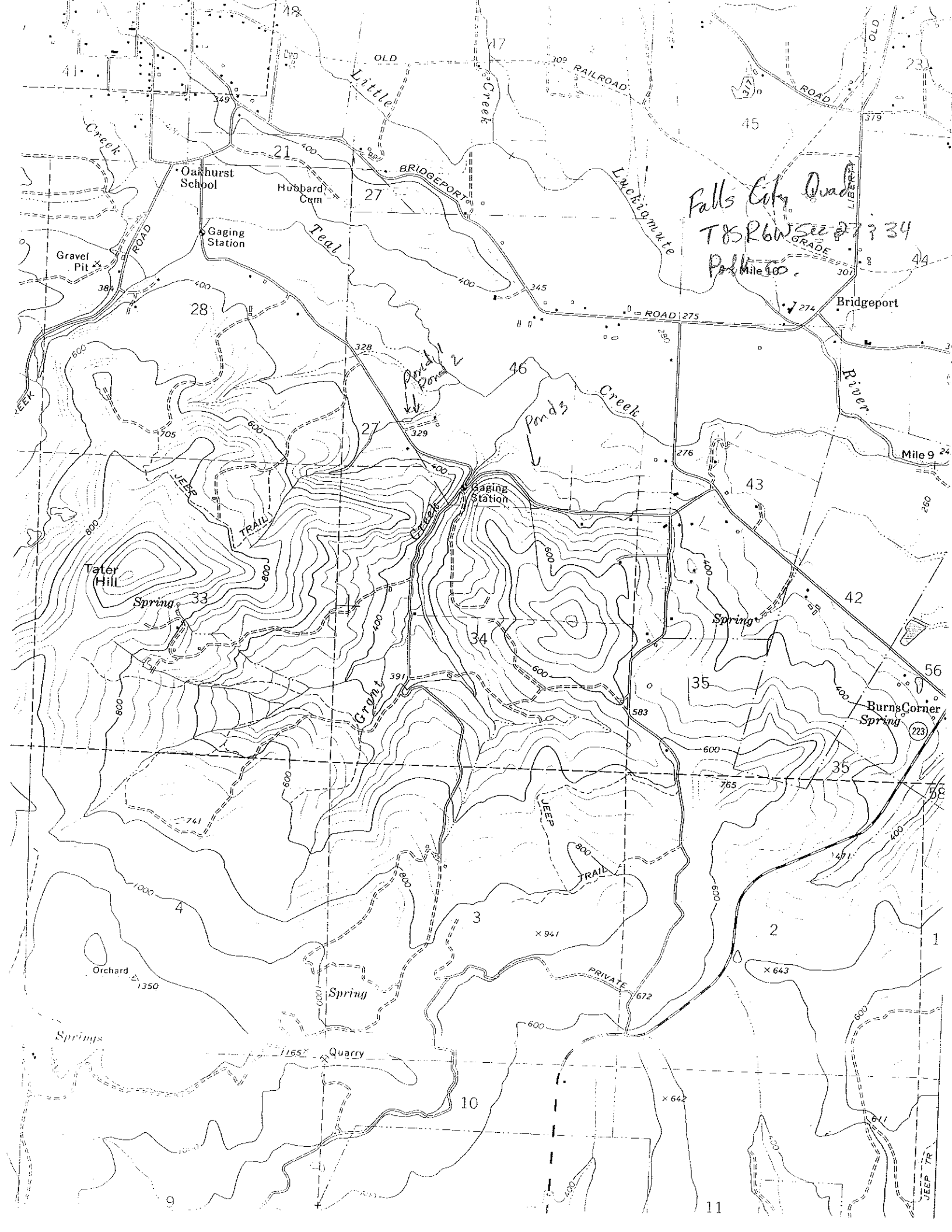
cc: Watermaster District # \_\_\_\_\_  
To Data Center (date) \_\_\_\_\_

**RECEIVED**

DEC 30 1994

WATER RESOURCES DEPT.  
SALEM, OREGON





Falls City Quad  
T85R6W  
Section 27 34  
Pole Mile 100

Bridgeport

Mile 9 24

Burns Corner Spring

Watermaster HB-2153  
Check-List

Wh #16

February 15, 1995

DONALD L KING

18795 FROST RD  
DALLAS, OR 97338

REFERENCE: File(s) P-77492

- Reservoir qualifies as exempt  
 Reservoir does not qualify as exempt

Reservoir is off channel  
Height of Dam  
Capacity of Reservoir  
Constructed before 1/1/1993

YES NO  
\_\_\_\_\_  
YES NO

I Chad Brady examined the information included with the file P-77492.  
My determination is based on review of the information and field visit to the site and/or  
personal knowledge.

Chad Brady  
Signature

11/8/95  
Date