



OCTOBER 23, 1995

ROBERT S. RUSSELL  
39638 MOHAWK LOOP  
MARCOLA, OR. 97454

NOTICE OF EXEMPT RESERVOIRS (PONDS)  
FILE # P - 78057

Dear sir:

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 accompanying data, we have determined that your ponds qualify as exempt under our administrative rules and you need not apply for a water right for your ponds. We encourage you to keep this letter with the other important property records that you keep

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

Sincerely,

Gene Mc Ginnis  
Watermaster  
District 2  
Phone 687 - 3620



RECEIVED

MAR 23 1995

WATER RESOURCES DEPT.  
SALEM, OREGON

COMMENT FORM

Please list below the Application Number of the water use application(s) that are of interest to you. When the technical evaluation is completed a report of the technical review of these applications will be delivered to you.

Application #s P78057, P7791, P7796, P7797, P78043, \_\_\_\_\_

Send to:

Thompson's Mills  
PO Box 71  
Shedd OR 97377

Please include specific comments or concerns. Use additional sheets if necessary.

Return to:

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

This Comment corresponds to the  
MAR/ 1/1995 Public Notice.

February 24, 1995

Oregon

ROBERT S RUSSELL

39638 MOHAWK LOOP  
MARCOLA, OR 97454

WATER  
RESOURCES  
DEPARTMENT

REFERENCE: File # P-78057;  
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.

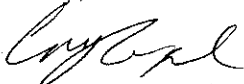
To avoid any misunderstanding, we feel it is important to tell you that although we have received and filed your notice, we have not yet determined whether you are exempt from water right requirements. The watermaster responsible for the area in which the pond(s) is (are) located will help us apply the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

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DEC 22 1994

NOTICE OF EXEMPT RESERVOIR

WATER RESOURCES DEPT.

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: Robert S. Russell

Authorized Agent: (if applicable) N.A.

Address: 39638 Mohawk Loop

Marcola OR 97454 933-1234  
City State Zip 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 28, Township 15, Range 1W, in Lane 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: 3'

4. Maximum water depth in the reservoir: 6'

5. Maximum storage capacity of reservoir: 9600 ft<sup>3</sup> ± 200

6. Size, description of any outlet pipe: None

TOTAL  
1618

7. Enclose evidence that reservoir(s) existed before January 1, 1993, such as 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.



**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: Robert E. Russell

(Print Name and Title) Robert E. Russell, landowner

Date: 12/18/94

**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 \_\_\_\_\_.

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

Application No P-78057  
Permit No.

RECEIVED

DEC 22 1994

NOTICE OF EXEMPT RESERVOIR  
Robert S. Russell Tax Lot 1000, 1W - 15 - 28

NATE  
SALL

One reservoir is described on form. The remaining 3 are all located in the southern portion of the same tax lot 1000, are all referenced to the section corner in the center of the property (28, 27, 33, 34), all are spring-fed, and are described thus:

0.137  
1. Reservoir is located in Section 33 approximately 600 feet SW of the section corner, is approximately 100' X 200', a maximum depth of 8 feet and average depth of 6 feet, a capacity of approx. 60,000 cu.ft., and has a dam about 7' high.

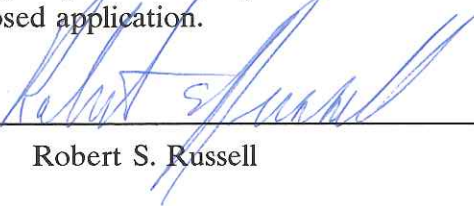
0.114  
2. Reservoir is located in Section 34 approximately 150' SE of section corner, is approx. 50 feet diameter with maximum depth of 5 feet, average depth of 2.5 feet, a capacity of 5000 cu.ft., and has a dam approx. 2.5' high.

1.147  
3. Reservoir is located in Section 34 approx 800' east and 250' south of the section corner, is approx. 75' X 100' with maximum depth of 9 feet, average depth of 7 feet, a capacity of 50,000 cu.ft., and has a dam approx. 8 ft. high.


AFFIDAVIT

I, Robert S. Russell, 39638 Mohawk Loop, Marcola OR 97454 do hereby declare the following to be true:

- 1) I am the owner of property described in enclosed papers as Tax Lot 1000 of Range 1W, Twp 15, Section 28, and have owned said property since December 1971.
- 2) I caused to have 4 reservoirs constructed with bulldozer, at various points on this property by one Wayne Carpenter of Springfield in May 1972, for the purposes of firefighting and watering of livestock. These are the same reservoirs described in enclosed application.

  
\_\_\_\_\_  
Robert S. Russell

12/19/94  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Notary Public, State of Oregon

12/19/94



Application No. 0-78057  
Permit No.





# PRE-TR APPLICATION PROCESSING OUTLINE

Application File # P-78057

## MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

DATE

INITIAL

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

3/22/95 PK Stamp contents with application number  
Mail ack letter (provided by Data Center) with  
receipt to applicant, cc to CWRE and file  
3/22/95 PK Place label on file and calender card

## APPLICATION SECTION

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

## TR CASEWORKER

TR Checklist complete YES NO  
Within Irrigation District \_\_\_\_\_  
District Notified \_\_\_\_\_  
District excerpt received \_\_\_\_\_

TR Mailed DATE \_\_\_\_\_

Public Interest Checklist complete \_\_\_\_\_

Management Codes \_\_\_\_\_

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

