

February 15, 1995

Oregon

STEVEN C SCHLAFKE  
SCHLAFKE, BRENDA  
2260 HAMMEL RD  
EAGLE POINT, OR 97524

WATER  
RESOURCES  
DEPARTMENT

REFERENCE: File # P-77692;  
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

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

TAX LOT 1000

RECEIVED

JAN - 3 1995

WATER RESOURCES DEP  
SEASIDE, 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: Steven C. & Brendt Schlayke

Authorized Agent: (if applicable) \_\_\_\_\_

Address: 2260 Hammel Rd.

Eagle Point OR 97524 (503) 826-2597  
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 33, Township 34, Range 1W, in Jackson 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: Winter Rains and runoff & summer irrigation water

3. Maximum height of the dam: See attachment

4. Maximum water depth in the reservoir: See attachments

5. Maximum storage capacity of reservoir: See attachments

6. Size, description and location of any outlet pipe: See attachments

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-77692  
Permit No. \_\_\_\_\_

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WATER RESOURCES DEPT  
SALEM, OREGON

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 one 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: Steven C. Scalafke

(Print Name and Title) STEVEN C. SCALAFKE, LANDOWNER

Date: 12-30-94

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) \_\_\_\_\_

APPLICANT NAME \_\_\_\_\_

FILE NUMBER \_\_\_\_\_

APPLICANT NAME Steven C. + Brenda Schlayke

PAGE \_\_\_\_\_ OF \_\_\_\_\_

RESERVOIR NAME/ NUMBER	TOWN SHIP	RANGE	SECTION	COUNTY	SOURCE	MAXIMUM HEIGHT OF DAM	MAXIMUM WATER DEPTH	STORAGE CAPACITY (STATE UNITS)	OUTLET PIPE (LOCATION, DESCRIPTION, SIZE)
POND #1 SW SE	34	1W	33	JACKSON	Winter Rain Run OFF + Summer Irrig. Water	5ft.	5ft.	.08 AF	NONE
#2	34	1W	33	JACKSON	Same as Above	8ft.	5ft.	.38 AF	NONE
#3	34	1W	33	JACKSON	Same as Above	2 Ft.	3ft.	.15 AF	NONE
								0.61	

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 JAN - 3 1995  
 WATER RESOURCES DEP  
 SALEM, OREGON

Application No. P 17025  
Permit No.

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NOV - 3 1955

WATER RESOURCES DEPT  
SALEM, OREGON



T5137

T4615	
1	2
01	42

T4614

3

T5324



United States  
Department of  
Agriculture

FARM SERVICE  
AGENCY

Jackson/Josephine Co. FSA  
1109 Ellen Ave  
Medford OR 97501-1103  
(503) 776-4270 Fax: -4235

TO: State of Oregon  
Water Resources Department

DATE: 12-29-94

SUBJECT: Aerial photography

FOR: Steve & Brenda Schlapke

The photocopy on the reverse side is certified a true copy of an  
aerial photograph taken 7-9-90, which is avail-  
able in this office.

Donna Finch  
COF Employee Signature

12-29-94  
Date

Position: program assistant

# PRE-TR APPLICATION PROCESSING OUTLINE

Application File # P-77692

## 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

3/28/95

PK

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

3/28/95

PK

### 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: \_\_\_\_\_

**MINIMUM APPLICATION REQUIREMENTS TO FILE:**

**HB 2153 - existing, small, EXEMPT ponds**

2/10/95 CES  
(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