

Application No. P74383  
Permit No.

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIVED

JUL 25 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:** Erros Winona Feehely, Trustee of the Erros Winona Feehely Living Trust

**Authorized Agent:** (if applicable) Erros Winona Feehely

**Address:** P.O. Box 608

<u>O'Brien</u>	<u>Oregon</u>	<u>97534</u>	<u>(503) 596-2308</u>
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** 14, **Township** 40 South, **Range** 9 West, 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:** Tributary of the West Illinois River; Rough and Ready Creek flows in diversion, pumped into pond by pipe from creek.
3. **Maximum height of the dam:** 72 inches.
4. **Maximum water depth in the reservoir:** 72 inches approximately
5. **Maximum storage capacity of reservoir:** 8,750 cubic feet.
6. **Size, description and location of any outlet pipe:** A four inch PVC pipe at the north end of the 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.

**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: Erros Winona Feehely Trustee

(Print Name and Title) Erros Winona Feehely, Trustee of the Erros Winona Feehely Living Trust

Date: July 22, 1994

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**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) \_\_\_\_\_