

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIVED

NOV 28 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: THOMAS C. KIRCHEN

Authorized Agent: (if applicable) _____

Address: 705 MISSOURI FLAT RD.
GRANTS PASS OR 97527 (503) 846-9039
City State Zip Telephone No.

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

NOTE: Multiple reservoirs may be included in a single notification. For items 1-6 below, attach extra sheets for additional reservoir descriptions.

1. The reservoir is located in Section 25, Township 37, Range 5W., W.M., 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: WINTER SURPLUS WATER AND WELL WATER.

3. Maximum height of the dam: EXCAVATED RESERVOIR.

4. Maximum water depth in the reservoir: 10 FT.

5. Maximum storage capacity of reservoir: 0.40 ACRE 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:

See ATTACHED →

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 must 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-75367
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 690-11-014 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 690-11-014 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: _____

Thomas C. Kirchen

(Print Name and Title) THOMAS C. KIRCHEN (OWNER)

Date: Nov 23, 1994

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 received on _____, 1994 and assigned FILE NUMBER P-75367.

cc: Watermaster District # _____

THOMAS C. KIRCHEN

705 MISSOURI FLAT RD. GRANTS PASS, OR 97527

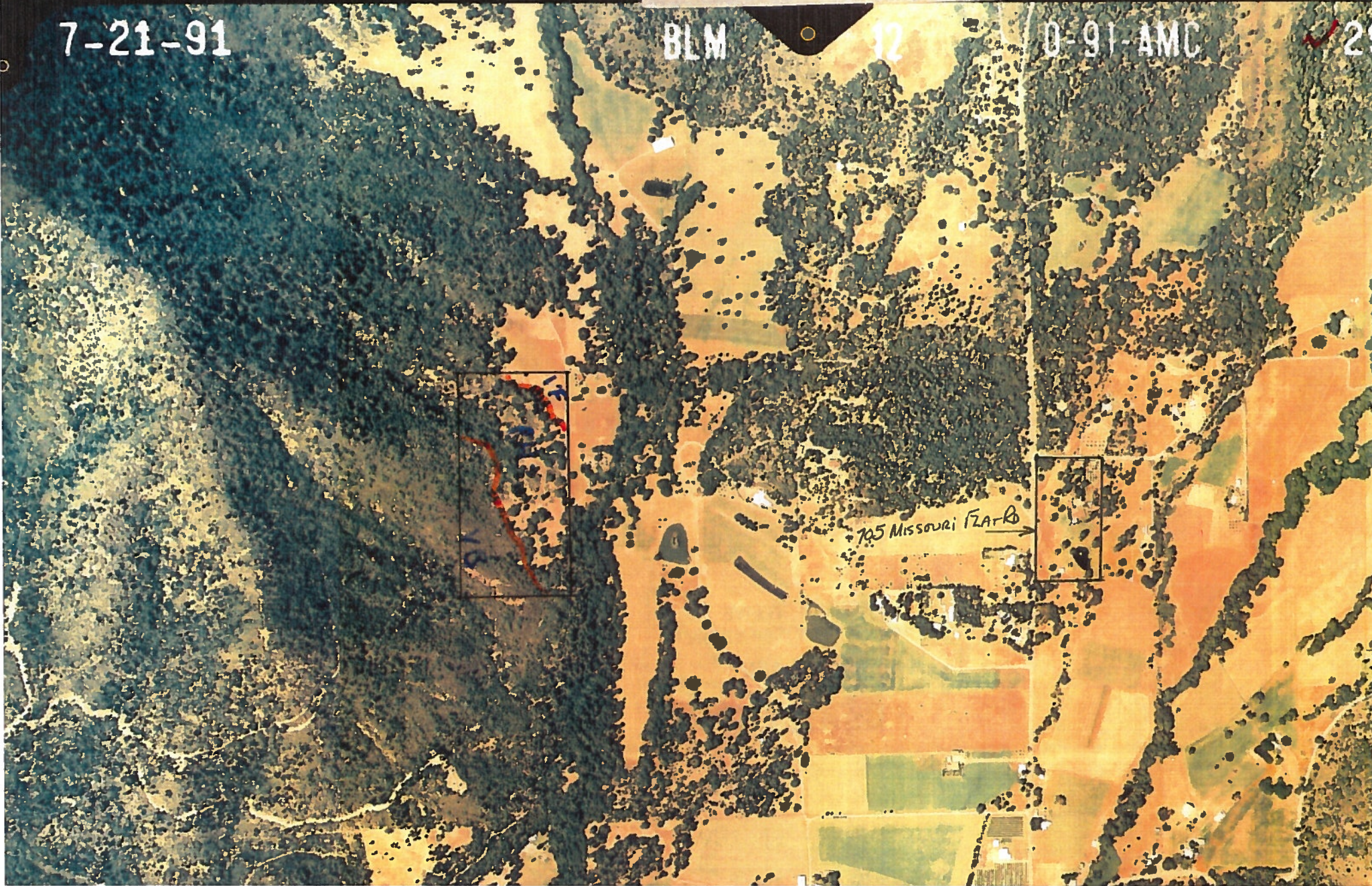
7-21-91

BLM

12

D-91-AMC

2



Application No P-75367
Permit No

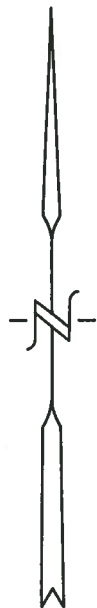


705 MISSOURI FLAT RD

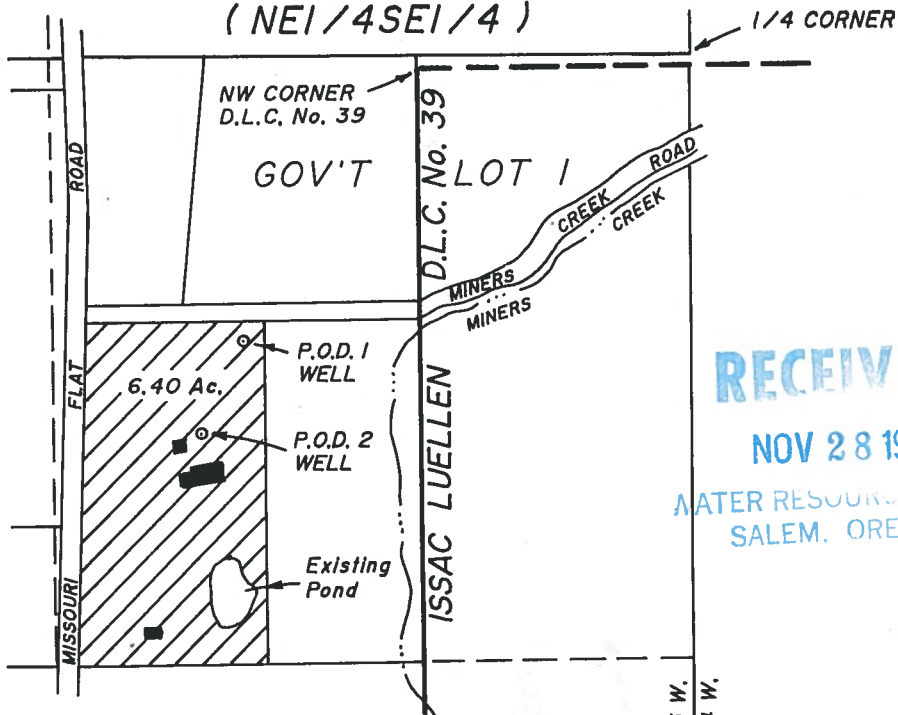
P-75367

GOV'T LOT I, SEC. 25, T.37 S., R.5 W., W.M.

(NE 1/4 SE 1/4)



SCALE:
1" = 400'



RECEIVED

NOV 28 1994

WATER RESOURCES DEPT.
SALEM, OREGON

LEGEND:



Proposed Place of Use
per this Application

P.O.D. 1 = Existing Well = Point of Diversion
(575'S & 360'W of the NW Corner of D.L.C. No. 39)

P.O.D. 2 = Existing Well = Point of Diversion
(770'S & 445'W of the NW Corner of D.L.C. No. 39)

■ Existing Building

NOTE: Location of Buildings and Pond are Approximate Only.

This plat was prepared for the purpose of identifying the location of the water right only. There is no intent to provide dimensions or locations of property ownership lines.

Subject Property: T.L. 1800, Map No. 37-05-25

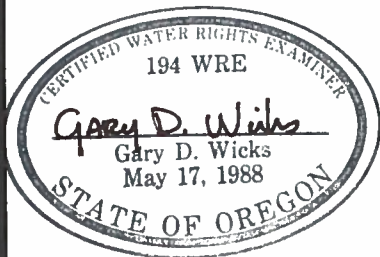
Application No. P-75367
Permit No.

PROJECT NO.
390-94-283

DRAWING NO.
53-8.5.11

DATE
11/15/94

SCALE
1" = 400'



PLAT OF
WATER RIGHT APPLICATION
LOCATED IN
GOV'T LOT I, SEC. 25, T.37 S., R.5 W., W.M.
JOSEPHINE COUNTY, OREGON

PREPARED FOR:

THOMAS KIRCHEN
705 Missouri Flat Rd.
Grants Pass, OR 97527
Tel. 846-9039

PREPARED BY:

WICKS ENGINEERING & SURVEYING
406 N.E. "E" Street
Grants Pass, OR 97526
Tel. 479-3436

December 20, 1994

Oregon

THOMAS C KIRCHEN

705 MISSOURI FLAT RD
GRANTS PASS, OR 97527

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-75367;
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

December 20, 1994

THOMAS C KIRCHEN

705 MISSOURI FLAT RD
GRANTS PASS, OR 97527

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-75367;
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

Watermaster HB-2153
Check-List

December 20, 1994

THOMAS C KIRCHEN

705 MISSOURI FLAT RD
GRANTS PASS, OR 97527

REFERENCE: File(s) P-75367

Reservoir qualifies as exempt

Reservoir does not qualify as exempt

Reservoir is off channel	<u>YES</u>	<u>NO</u>
Height of Dam	_____	_____
Capacity of Reservoir	_____	_____
Constructed before 1/1/1993	<u>YES</u>	<u>NO</u>

I _____ examined the information included with the file P-75367.
My determination is based on review of the information and field visit to the site and/or
personal knowledge.

Signature

Date

PRE-TR APPLICATION PROCESSING OUTLINE

Application File # P-75367

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

4/11/95 PX
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

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

11/28/94
CS
(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