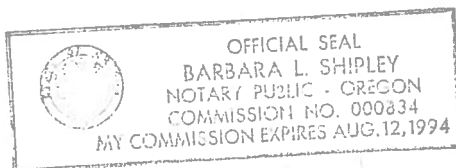


STATE OF OREGON)
)
COUNTY OF JACKSON)

BE IT REMEMBERED, that on this 12 day of July 1994,
before me, the undersigned, a Notary Public in and for said County and State,
personally appeared the within name Richard K. and Darlene N. McCulloch
known to me to be the identical individuals described in and who executed the
within instrument and acknowledged to me that they executed the same freely
and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last
above written.



Barbara L. Shipley
Notary Public for Oregon

My Commission expires: 8-12-94

Application No. P 74390
Permit No.
Name ... RICHARD K MCCULLOCH
MCCULLOCH, DARLENE N
Address ... 40 LAKE CREEK LOOP
EAGLE POINT, OR 97524
Assigned
Address
Beginning construction
Completion of construction
Extended to
Complete application of water
Extended to

////////////////////////////////////
/ ATTENTION /
/ WATER RIGHTS SECTION!!! /
////////////////////////////////////

The following point of diversions may have been filed on a restricted stream

Application	Stream	Restriction
P 74390	UNN STR > DRY CR	WTHDRWN SEO V9 P489
R 74455	SLIDE CR > HILL CR	WTHDRWN SEO V9 P489
R 74455	SLIDE CR > HILL CR	WTHDRWN SEO V9 P489
R 74455	SLIDE CR > HILL CR	WTHDRWN SEO V9 P489

September 6, 1994

Oregon

RICHARD K MCCULLOCH
MCCULLOCH, DARLENE N
40 LAKE CREEK LOOP
EAGLE POINT, OR 97524

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-74390;
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.

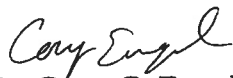
To avoid any misunderstanding, we feel it is important to tell you that although we have received and filed your notice, we have not yet determined whether you are exempt from water right requirements. The watermaster responsible for the area in which the pond(s) is (are) located will help us apply the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

Application No. P74390
Permit No.

RECEIVED

JUL 20 1994

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON

WATER RESOURCES DEPARTMENT

WATER RESOURCES DEPT
158 12th STREET NE
SALEM, OR 97310

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: RICHARD K. & DARLENE N. McCULLOCH

Authorized Agent: (if applicable) _____

Address: 40 LAKE CREEK LOOP
EAGLE POINT, OR 97524 503/826-7237
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 24, Township 36, Range 1E, 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: EXCESS IRRIGATION WATER FROM ADJACENT RANCH.
3. Maximum height of the dam: 2'
4. Maximum water depth in the reservoir: 2'
5. Maximum storage capacity of reservoir: 25000 CU. FT
6. Size, description and location of any outlet pipe: 6" PIPE IN SOUTH WEST CORNER OF 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: Richard K. McCulloch
DARLENE N. McCULLOCH
(Print Name and Title) RICHARD K. McCULLOCH

Date: 16 JUNE, 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 accepted on _____, 1994 and assigned FILE NUMBER _____.

cc: Watermaster District # _____
To Data Center (date) _____

Application No. P74390
Permit No.

JUL 20 1994
WATER
SALES, OREGON

June 16, 1994

To: State of Oregon, Water Resources Department
From: Richard K. & Darlene N. McCulloch
Subject: Notarized Affidavit of Exempt Reservoir Status

We certify that the "pond" for which we are filing for Exempt Reservoir status was in existence prior to 1976. We believe it to have been created about 1960.

The pond is of irregular shape approximately fifty feet by sixty feet with a maximum depth of two feet. It can contain no more than 2,500 cubic feet of water (approximately 18,700 gallons).

The pond was originally created to intercept unwanted, excess irrigation water and rain-water run-off flowing through very old irrigation ditches from the adjacent ranch to the south. Excess water was creating an undesirable, swamp-like condition on this property in the vicinity of the main dwelling. It continues to serve this necessary, intercepting purpose.

The proliferation of mosquito-larvae eating fish, originally provided by Jackson County Vector Control, have allowed several harvests to be returned to Vector Control, gratuitously.

The outlet pipe, six inches in diameter and located in the southwest quadrant of the pond, returns the intercepted water directly to Little Butte Creek approximately fifty feet away.

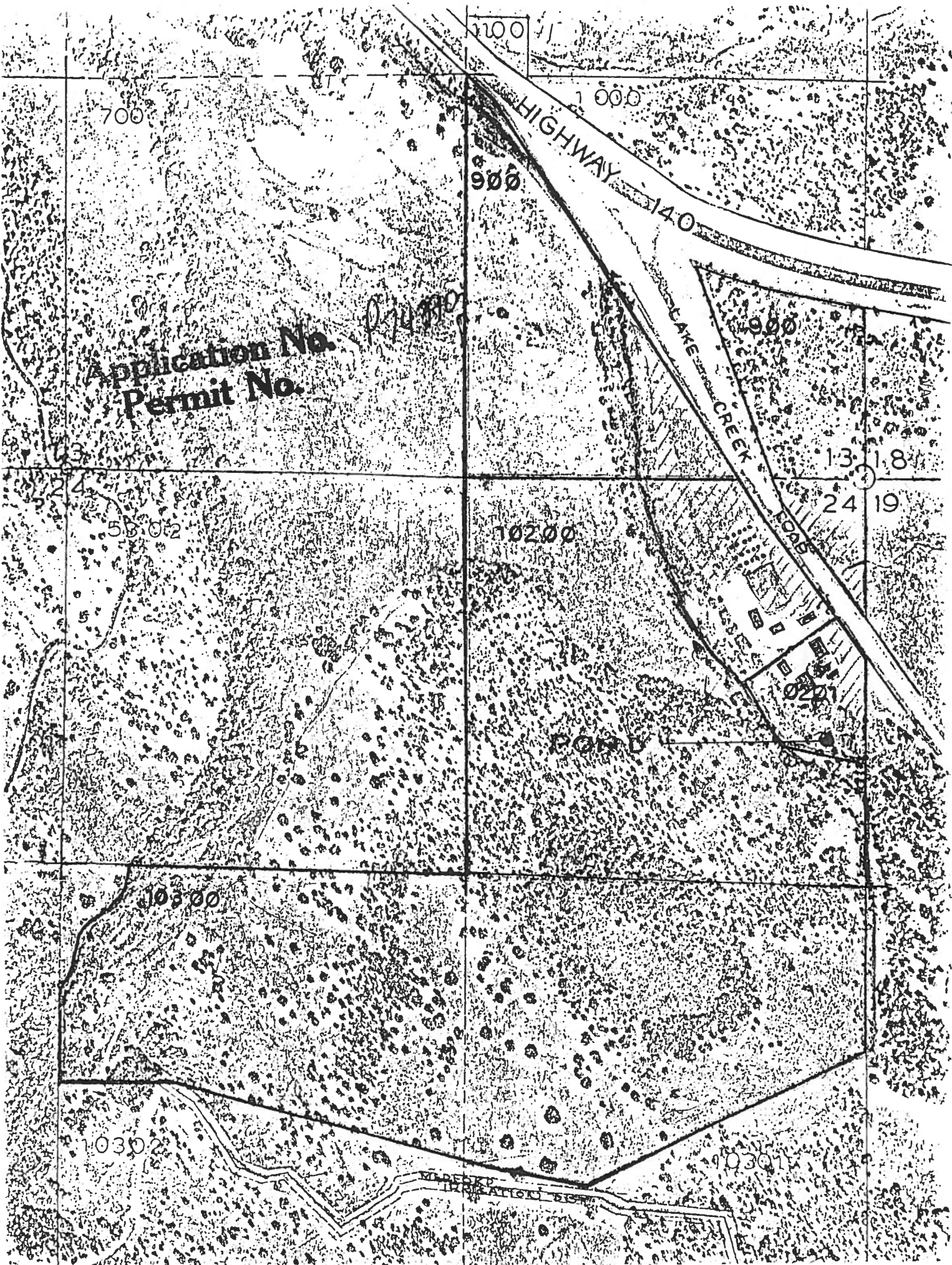
Richard K. McCulloch

Richard K. McCulloch
40 Lake Creek Loop
Eagle Point, Oregon 97524

Darlene N. McCulloch

Darlene N. McCulloch
40 Lake Creek Loop
Eagle Point, Oregon 97524

Application No.
Permit No.



PRE-TR APPLICATION PROCESSING OUTLINE

Application File # P 74390

MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

DATE 7/30/94 INITIAL CE

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

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

2/30/94 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