

2153

Application No. R 75721

RECEIVED

DEC 22 1994

State of Oregon
WATER RESOURCES DEPARTMENT
WATER RESOURCES DEPT.
SALEM, OREGON

Application for a Permit to Construct a Reservoir

Applicant(s) DONALD M. & CLARISSA G. HOEKSTRE
(Please print or type - use dark ink)

Mailing Address: 13945 HWY. 22
DALLAS OREGON 97338 503-623-3707
City State Zip Daytime Phone No.

I (We) make application for a permit to construct ONE reservoir and store the following described waters of the State of Oregon:

1. **SOURCE OF WATER** for the proposed use: SURFACE WATER,
a tributary of MUDD CREEK.
If not in channel of a stream, state how it is to be filled: _____

2. **THE DAM:** The maximum height of the structure will be 6 Feet feet above stream bed or ground surface at the centerline.
The dam will be (check one) earthfill, _____ concrete, _____ flashboard, _____ other.
If "other" give description: _____

Give the location, description, and dimensions of the outlet conduit: NONE

NOTE: All dams across natural stream channels must be provided with an outlet conduit, minimum diameter of 8", or be of such capacity and location as to pass the normal flow of the stream at any time.

3. **THE USE(s)** of the impounded water will be: GARDEN LIVESTOCK
ALFALFA - up to Five ACRES - ROTATED
Every other year.

4. **THE AMOUNT OF WATER** to be stored is: 1 1/2 Acre acre-feet.
The area submerged by the reservoir, when filled, will be ~~to~~ 0.3 acres,
and the maximum depth of water will be 6 Feet feet.

5. **SPILLWAY DESCRIPTION** (location and dimensions). State whether over or around the dam. _____

6. **PROJECT SCHEDULE:** (List month and year)
Proposed date construction work will begin Completed
Proposed date construction work will be completed Completed
Proposed date water use will be completed Prior 1960

NOTE: Prior to issuance of a permit, it will be necessary to submit a map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the property on which the water is to be used. The legal description may be copied from your deed, title insurance policy, or land sales contract.

7. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):
 Applicant _____ CWRE _____ Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):
 Applicant _____ CWRE _____ Other (Identify in REMARKS section)

8. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

REMARKS: _____

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

<u>Donald M. Hoekstre</u> Signature	<u>12-22-94</u> Date
<u>Clorissa H. Hoekstre</u> Signature	<u>12-22-94</u> Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____, 19____.

WITNESS my hand this _____ day of _____, 19____.

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 22 day of Dec, 1994, at 10:40 o'clock, A M.

APPLICATION NO: 75 721

MEMORANDUM

DATE: April 23, 1996

TO: Files S-75723, R-75721

FROM: Cory Engel



RE: REJECTION/WITHDRAWAL OF HB 2376 SECONDARY APPLICATION

S-75723 is being rejected/withdrawn; it is secondary to R-75721 (HB 2376) and is therefore exempt.

February 14, 1996

WATER
RESOURCES
DEPARTMENT

DONALD HOEKSTRE
CLARISSA HOKSTRE
13945 HWY 22
DALLAS OR 97338

RE: Application # P-75721

Donald and Clarissa,

As you requested on January 22, 1996, your application has been converted to a 2376 Eempt Notice. Enclosed is a check in the amount of \$40.00 which is a refund of the entire amount previously submitted under 2153.

Should you have any questions please feel free to call the Water Rights Information Group at 1-800-624-3199, extension 261.

Sincerely,



Gerry Clark
Completeness Team

enclosures



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130



Oregon Water Resources Department Notice of Exempt Reservoir

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For reservoirs built before January 1, 1995, that:

- Store less than 9.2 acre-feet of water, or
- Have a dam less than 10 feet high.

WATER RESOURCES DEPT.
SALEM, OREGON

The deadline for submitting a Notice of Exempt Reservoir is January 31, 1997.

Landowner: HOEKSTRE, DONALD M
Last name First name MI

Authorized Agent: HOEKSTRE, CHARISSA G.
Last name First name MI

Address: 13945 Hwy 22
DALLAS OR. 97338
City State Zip

Phone: 503-623-3707 SAME
Home Work

FAX: _____ E-Mail Address: _____

A. County of use: Polk . B. River basin (see reverse): _____

C. Legal description of reservoir location:

Township	Range	Section	Quarter/Quarter	Tax Lot #

D. Name, if any, of reservoir: _____ . E. Reservoir in existence since: / /
MM DD YY

F. Source of water: _____ which flows into _____
Name of river or creek Name of river or creek

G. Maximum height of dam: _____ feet.

H. Quantity of water stored in reservoir at maximum capacity (see reverse): _____ acre-feet.

I. Water stored in reservoir is used for (see reverse): _____

J. Rate and area of use—Refer to chart on the back of this form. For each type of water use listed in Item I., show the quantity of water used and, if applicable, the number of acres on which water is used.

BEFORE YOU SIGN AND SUBMIT THIS APPLICATION . . . HAVE YOU:

Answered each question on this form as completely as possible?

Attached a legible map showing township, section, range, quarter-quarter & tax lot number?

By my signature below, I swear that all statements made and information provided in this application are true to the best of my knowledge.

Donald M Hoekstre Charissa G. Hoekstre 1-22-96
(Signature of Landowner/Agent) (Printed name and title) (Date)

For Department Use	File # _____	Date received _____	10-95
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R - 25721

K5 1A

31
32
5

WELL ROAD

T922

See map K4

See map K4

See map

J5L

T919

4/165

5/244

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WATER RESOURCES DEPT
SALEM, OREGON

See map J5L

T2290

NHEL

Not To Scale

See J5L T985

2/143

7/447

2/119

T955
HEL/PC

T956
PC

7/28

1/4/195

HEL/PC

PC

NHEL

2/143

3/28

5/20

PC

T2542

FW

NHEL/FW

irrigation
Rotational

5

10/24

HEL

2/28

T2382

JAMES

January 16, 1996

WATER
RESOURCES
DEPARTMENT

Dear **Applicant**,

The 1995 Legislature passed House Bill 2376, a law which requires the Department to issue water right certificates on reservoirs applied for under House Bill 2153 (1993 Ponds Bill).

Our staff is preparing to issue your certificate(s). However, we need a map showing the location of the use, such as the house or area irrigated, and an indication as to the number of acres irrigated.

In order to expedite the processing of your certificate(s), we request that you submit the additional information listed above by **January 31, 1996**. A copy of your original application map is enclosed.

Should you have any questions please feel free to call the Water Rights Information Group at 1-800-624-3199, extension 499.

Sincerely,



Gerry Clark
Completeness Team



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158 12th Street NE
Salem, OR 97310-0210
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FAX (503) 378-8130

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JAN 30 1995

WATER RESOURCES DEP.
SALEM, OREGON

January 29, 1995

WaterWatch of Oregon, Inc.
921 S. W. Morrison #438
Portland, OR 97205

Water Resources Department
158 12th St. N. E.
Salem, OR 97310

RE: Application for Permit #R75721, Donald Hoekstre
Mudd Cr., Polk Co., Irrigation & Livestock

WaterWatch has reviewed the limited amount of information contained in the public notice of this water right application. Based upon that information, WaterWatch raises the following issues, questions, and concerns:

Is there unappropriated water available for this proposed use? Does the Department have adequate data to accurately determine the 50% and 80% exceedence levels?

What effect will this proposed use have on instream flows necessary to protect the public's interest in fish, wildlife, recreation, and a healthy aquatic system?

This water source may suffer from water quality problems. Has the Department consulted with the Department of Environmental Quality to determine the effect this proposed withdrawal will have on water quality?

If this water source provides habitat to native fish during any phase of their life cycle, WaterWatch requests that the Department include conditions requiring the installation and maintenance of fish screening and bypass devices prior to any diversion of water.

Will this proposed diversion require a dredge & fill permit from the U. S. Army Corps. of Engineers, a fill and removal permit from the Division of State Lands, or a 401 certificate from the Department of Environmental Quality?

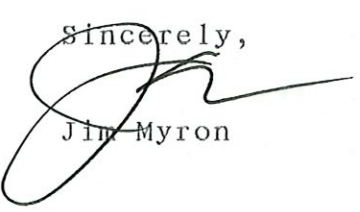
Will this proposed use be compatible with Goal 5 elements of the local comprehensive plan?

It is a high priority of the state to eliminate waste and improve the efficiency of water use. Statewide policy also calls upon water users to use and maintain their water systems in a manner consistent with the state's priority. What conditions are proposed for this permit that will carry out and encourage compliance with state policy?

This is apparently an existing illegal use. Will the continued use without a permit cause harm to existing water rights and the public interest?

Please send WaterWatch a copy of the department's technical review of this application.

Sincerely,



Jim Myron