

March 16, 1995

Oregon

WALTER F HAFNER
HAFNER, WALTER F; LIVING TRUST
18464 SILVER FALL HY SE
SUBLIMITY, OR 97385

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # P-79623;
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

WM 16

March 16, 1995

WALTER F HAFNER
HAFNER, WALTER F; LIVING TRUST
18464 SILVER FALL HY SE
SUBLIMITY, OR 97385

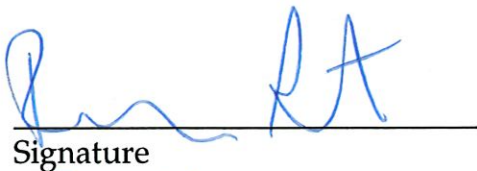
REFERENCE: File(s) P-79623

☒ Reservoir qualifies as exempt

☐ Reservoir does not qualify as exempt

Reservoir is off channel	☒ YES	☐ NO
Height of Dam	☐	
Capacity of Reservoir	☐	
Constructed before 1/1/1993	☒ YES	☐ NO

I Rachel Stevens examined the information included with the file P-79623.
My determination is based on review of the information and field visit to the site and/or
personal knowledge.


Signature

9/22/95
Date

November 8, 1995

REFERENCE: Notice of Exempt Reservoir (Pond)

Dear Pond Owner:

The department has now reviewed the exempt reservoir notice that you filed with us. We are pleased to tell you that from examining your notice and the accompanying data, we have determined that your pond(s) qualifies (qualify) as exempt under our administrative rules and you need not apply for a water right for your pond(s). We encourage you to keep this letter with other property records that you keep. The attached sheet includes a file number which corresponds to the file assigned to your notice and any questions about the file should reference that number.

If you have any questions, please contact Chad Brady at 378-8455 x291, or me at 378-8455 x220.

Sincerely,



Dave Jarrett
Watermaster, District 16

Enclosure: Copy of accepted notice

cc: OWRD



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

Application No. 779623
Permit No.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIVED
DEC 29 1994

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: Walter F. Hatner Living Trust

Authorized Agent: (if applicable) Walter F. Hatner

Address: 18464 Silver Falls Hwy SE

Sublimity

OR

97385

769-6583

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 16, Township 8 South, Range 1 West, in Marion 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: unnamed spring.
3. Maximum height of the dam: 4 feet.
4. Maximum water depth in the reservoir: 6 feet.
5. Maximum storage capacity of reservoir: 1.92 Acre Feet.
6. Size, description and location of any outlet pipe: 4 inch iron pipe.
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 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.

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: Walter Hatner

(Print Name and Title) Walter F. Hatner

Date: 12-28-94

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

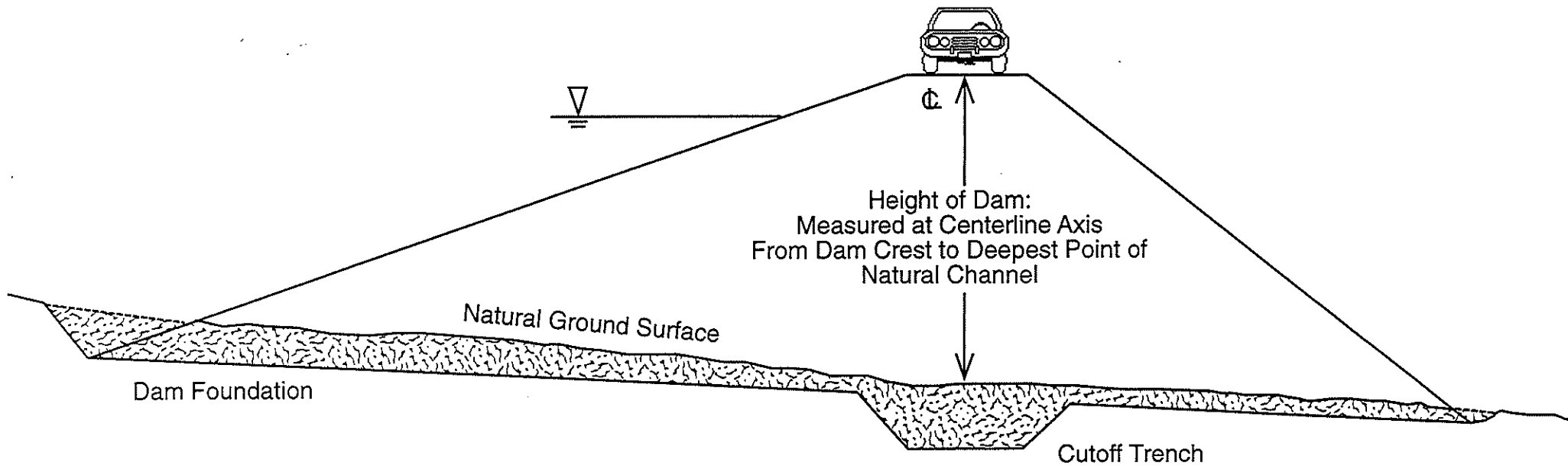
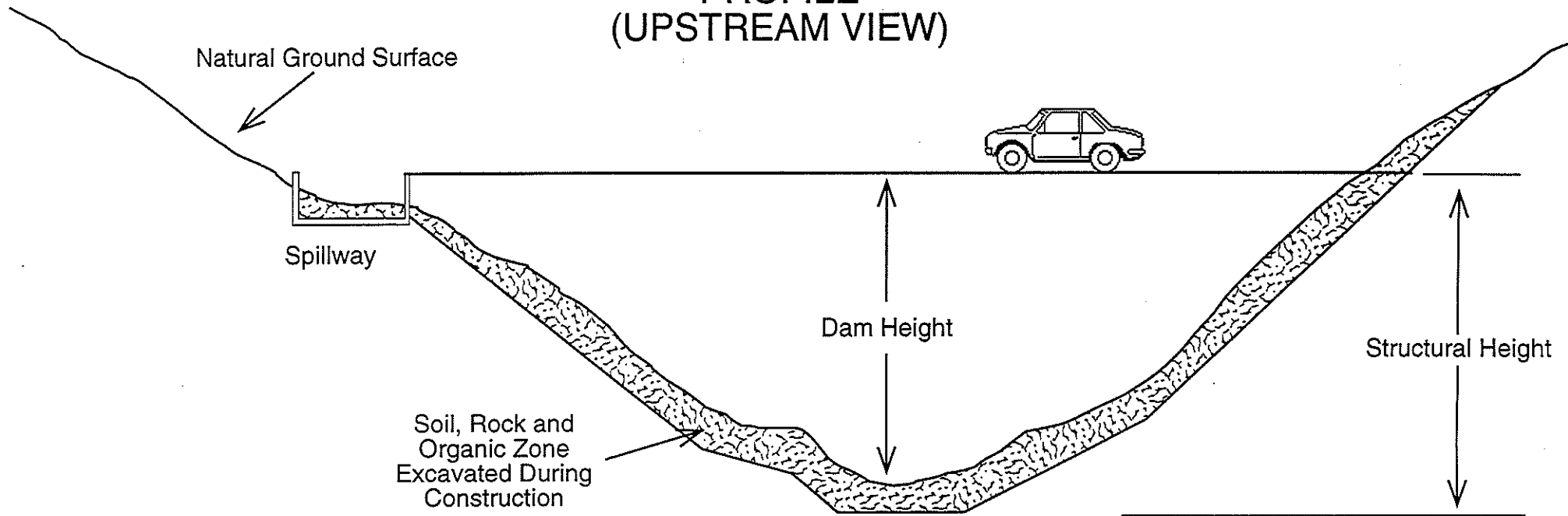
FILE NUMBER P-79623

PAGE _____ OF _____.

[illegible]

DEC 29 1994
WATER RESOURCES DEPT.
SALEM, OREGON

PROFILE (UPSTREAM VIEW)



CROSS SECTION (TYPICAL)

March 6, 1995

WALTER F HAFNER
18464 SILVER FALLS HWY SE
SUBLIMITY OR 97385

Dear Mr. Hafner,

The Department has received your Notice of Exempt Reservoir. Fees are not required to file this Notice, so your check #3920 in the amount of \$80.00 is enclosed.

If you have any questions regarding this matter, please call our water rights section at 378-8455.

Sincerely,

Cory C. Engel
Mr. Cory C. Engel
Water Rights Research Assistant

Application No. *P-79623*
Permit No.

WALTER F. HAFNER ODL 407300 JOHN T. HAFNER ODL 1153807 18464 SILVER FALLS HWY SE 769-6583 SUBLIMITY, OREGON 97385		24-12/1230	3920
Pay to the Order of <i>Water Resources Department</i>		<i>12-28</i> 19 <i>94</i>	\$ <i>80.00</i>
<i>Eighty and 00/100</i>			Dollars
 First Interstate Bank	First Interstate Bank of Oregon, N.A. Stayton Branch P.O. Box 498 Stayton, Oregon, 97383-0498	<i>Walter F. Hafner</i>	
For _____			
⑆123000123⑆341 001663 211 920			



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

Application No *P-79623*
Permit No.

DEC 29 1994
WATER RESOURCES DEPT.
SALEM, OREGON

December 28, 1994

State of Oregon
Water Resources Department
158 12th St. NE
Salem, Oregon

Dear Sir:

The two ponds located on my property in Section 16, Township 8 South, Range 1 West were constructed prior to January 1, 1993.

Sincerely,

Walter F. Hafner

Walter F. Hafner

State of Oregon)
) ss.
County of Marion)

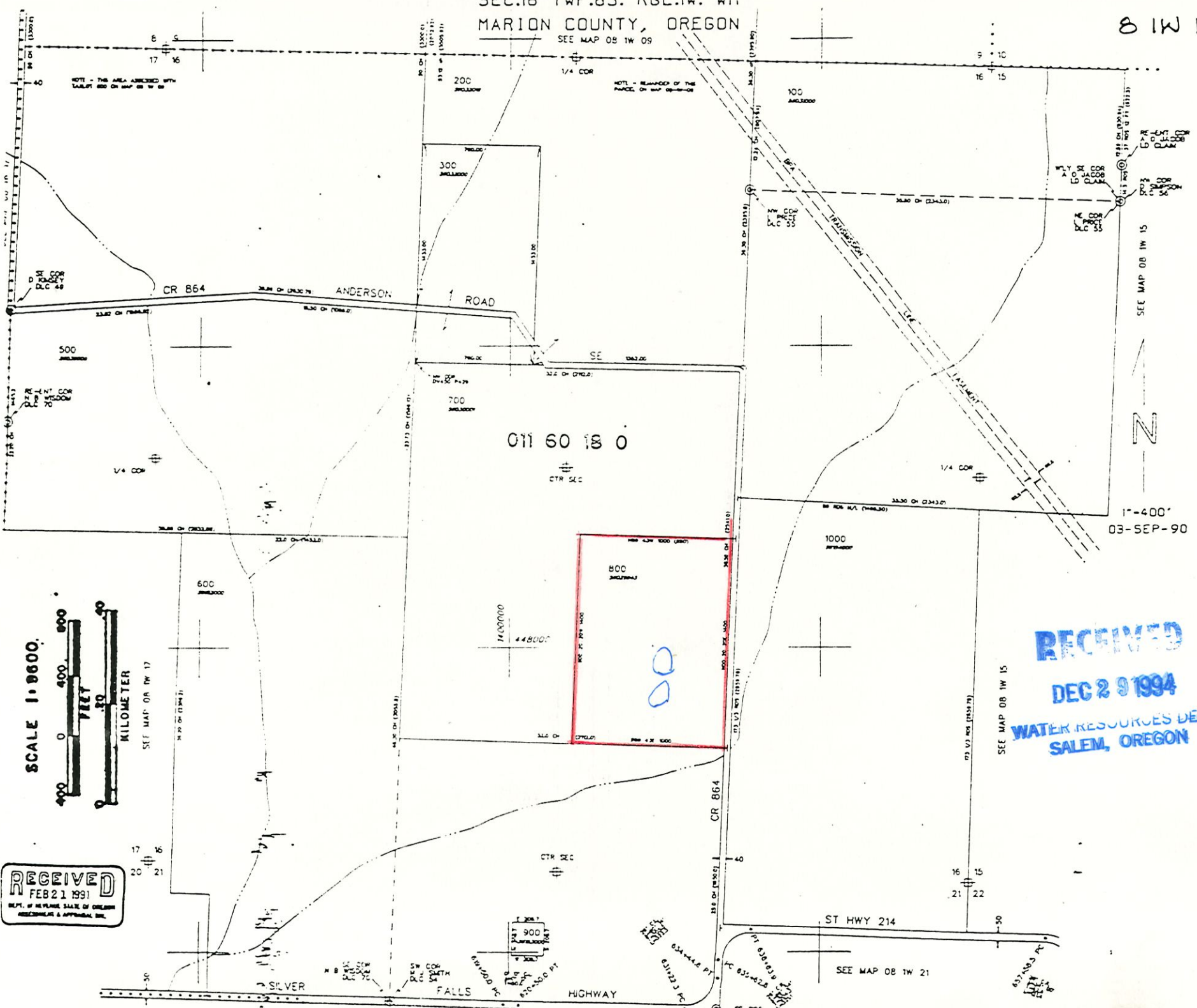
Acknowledged before me this 28th day of December, 1994 by Walter F. Hafner.



Joan Silbernagel
Notary Public for Oregon
My commission expires: 2/24/96

SECTION 16, T4S, R6E, W1E
MARION COUNTY, OREGON
SEE MAP 08 1W 09

8 1W 16



RECEIVED
FEB 21 1991
DEPT. OF REVENUE, SALES OF OREGON
REGISTRATION & APPRAISAL DIV.

RECEIVED
DEC 29 1994
WATER RESOURCES DEPT.
SALEM, OREGON

Application No. P-79623
Permit No.

PRE-TR APPLICATION PROCESSING OUTLINE P 79623

Application File # _____

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
_____	_____	HB 2153/HB 2107 APPLICATION -- SEE REVERSE
_____	_____	Oath
_____	_____	Application date stamped per money receipt date
_____	_____	Land use approved _____ pending _____
_____	_____	If reservoir < 5 AF \$_____, if > 5 AF \$_____
_____	_____	Route to Data Center (Unless 2153/2107)

DATA CENTER

_____	_____	Stream Code _____
_____	_____	Entered into WRIS

SUPPORT SERVICES

<u>4/7/95</u>	<u>PX</u>	Stamp contents with application number
_____	_____	Mail ack letter (provided by Data Center) with
<u>4/7/95</u>	<u>PX</u>	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	<u>YES</u> <u>NO</u>
_____	_____	If dam is over 10 feet or storage exceeds 9.2	
_____	_____	AC-FT, route file to Dam Safety Section	

TR CASEWORKER

_____	_____	TR Checklist complete	<u>YES</u> <u>NO</u>
_____	_____	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

3/6/95 CB
(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