

99104 ROCHELLE A HAUSER
Name ~~99085~~ LYNN LANE
By BROOKINGS, OR 97415
Address
FILE#: S 71355

Date filed MAR 12 1991
Priority
Action suspended until COT
Return to applicant
Date of approval JUN 30 1995

CONSTRUCTION
Date for beginning JUN 30 1996
Date for completion OCT 1 1997
Extended to 10-1-97
Date for application of water OCT 1 1998
Extended to 10-1-97

PROSECUTION OF WORK
Form "A" filed 8/4/97
Form "B" filed 10-2-97
Form "C" filed 10-2-97

FINAL PROOF
Blank mailed
Proof received
Date certificate issued

Application No. 71355 WQF
Permit No. 51634
Certificate No.
Curry
Stream Index, Page No. 17
17-2130-0110
V7A chatco R ymisc

ASSIGNMENTS				
Date	To Whom	Address	Volume	Page

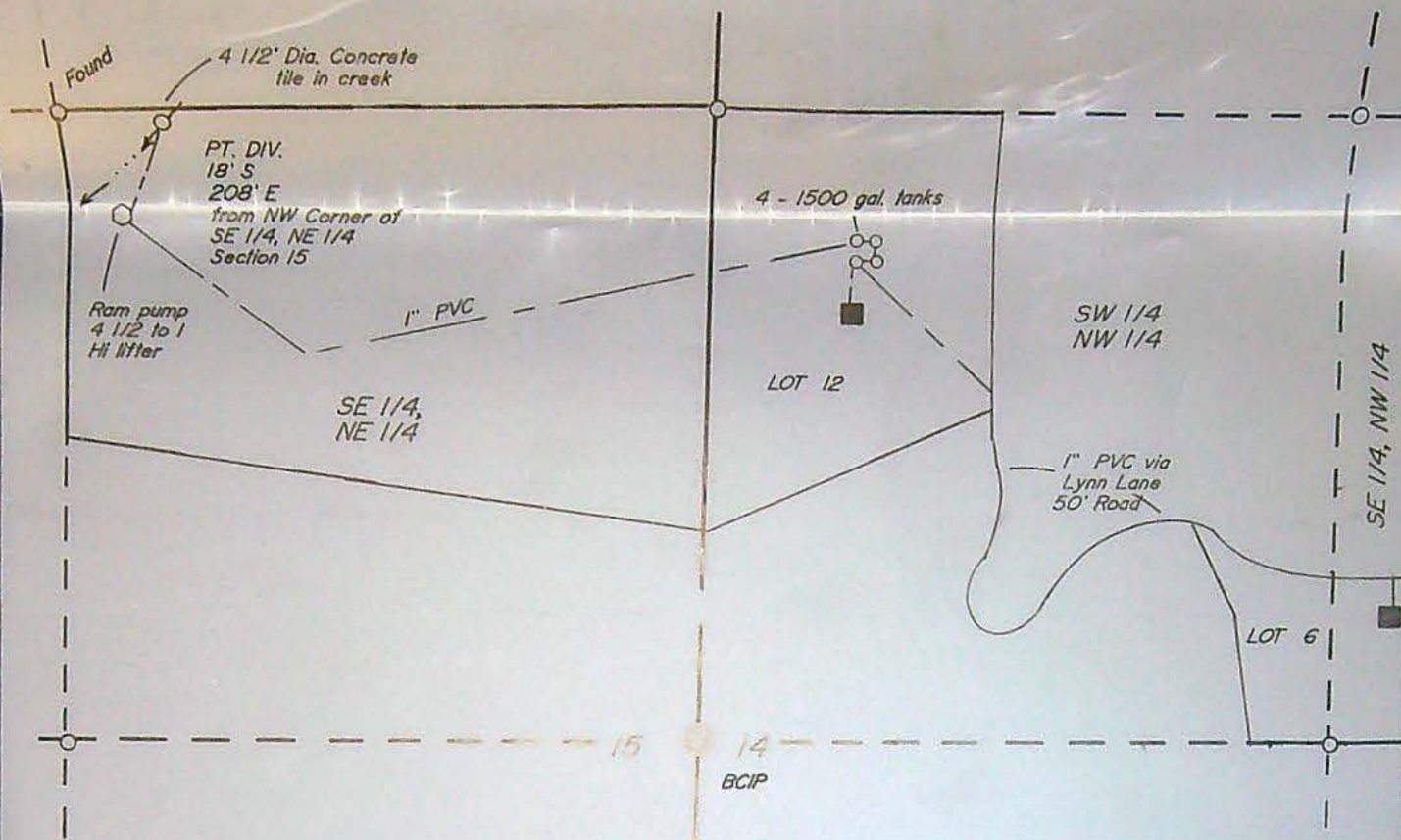
REMARKS
A- Form 90 sent SEP 27 1996
118 sent 8/18/97

FEES PAID		
Date	Amount	Receipt No.
3-12-91	\$325.00	72222
2-24-99	100.00	27942
FEES REFUNDED		
Date	Amount	Check No.

STATE OF OREGON
Office of the Water Resources Director
Salem, Oregon 97310

The terms of your water right permit No. _____, require you to begin on or before _____ actual construction of the works and/or the purchase and installation of the pump and other equipment necessary to your use of water. We have not received the notice of beginning of construction. If you have begun such work you should promptly fill out, sign and forward the notice (Form A) which was attached to your permit.

In case you failed to begin construction work, your right has been lost. In order that the records of this office may be complete without strict notice procedure, a statement of the fact and authorization to cancel the permit would be greatly appreciated.



The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property lines.

Application No. 71355
Permit No. 51634



Scale : 1" = 400'

February, 1991

Rochelle A. Hauser
99085 Lynn Lane
Brookings, Oregon

NOTE :

Lot 6, Lot 12 & Lynn Lane
are in Grandview Acres Subdivision

**WATER FILING APPLICATION for
ROCHELLE A. HAUSER Located in
the SE 1/4, NE 1/4, Section 15,
T 40 S, R 13 W, W.M.
Curry County, Oregon**



H.J. Newhouse - Land Surveying
P.O. Box 360
Wedderburn, Oregon 97491
(503) 247-6923
C.W.R. # 402

No. 1999-4608

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SEP 29 2003

WATER RESOURCES DEPT.
SALEM, OREGON

SMITH
INST:91-3990
APM:40-13-15A
TL:500

SW1/4 OF THE NW1/4 OF SECTION 14
&
SE1/4 OF THE NE1/4 OF SECTION 15
ALL IN T40S, R13W, W.M.
CURRY COUNTY, OREGON

HALL PARTITION

PLAT 1991-10

NORTHWEST CORNER OF LOT 12
ALSO NE COR, SE1/4-NE1/4 OF SEC 15

EXISTING SEPTIC DISPOSAL
EASEMENT AREA PER
GRAND VIEW ACRES SUB.

○ RECORD POS.

(D) RECORD DEED
PER BR:127

(G) RECORD PLAYS
PER GRAND V

ZONII

PARCEL 2 = FOF
PARCEL 1 = RR

PARCEL 2
24.52 ACRES

HAUSER
BR:127 PG:23
APM: 40-13-15A
TL: 600

PARCEL 1
10.38 ACRES

GEORGEFF/SMITH
INST:96-5044
APM:40-13-14B
TL: 1600

existing home

existing _____
septic area

(G)S04°20'36"E
190.97'

(G)S82°45'40"W
25.03'

EXISTING
50' PRIVATE ROAD &
UTILITY EASEMENT
(PORTION LOT 11)

GRAND VIEW

- EXISTING 30' ROADWAY &
UTILITY EASEMENT (BR:105 PG:111)

REGIS
PROFES
LAND S

ORE
JULY
RICHARD
2
EXPIRES

I HEREBY CERTIFY

Application No. 71355

Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses in Addition to Classified Uses

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

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Applicant's Name: Rochelle A. Hauser

Address: 99085 Lynn Lane

City: Brookings, State: Ore Zip: 97415 Day Phone: 469-5683

MAR 12 1991

WATER RESOURCES DEPT
SALEM, OREGON

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

40-13-14B

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
900	RR-5		✓	✓
1600	RR-5		✓	✓
40-13-15A				
600	FG	✓	✓	

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used. Curry

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within city limits. In this case, only the city planning agency must complete this form. Please request extra forms as needed.

For Local Government Use Only

Local government planning officials are to complete the remainder of this form. If this form can not be completed while the applicant waits, please sign and detach the receipt as instructed below. Please mail the completed form directly to the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below. If the form is not completed within 60 days, the Department may take action to approve the water use.

a) Check the appropriate box below and provide requested information.

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 3.081. Go to section b) on reverse side.

Curry County Zoning Ordinance

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

(over)

Receipt for Request for Land Use Information

WRD Applicant Name: _____

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government can not provide the above requested land use information while the applicant waits.

City or County: _____

Staff Contact: _____ Phone: _____

Signature: _____ Date of Information Request: _____

Application No. 71355

Planning Official Initials: _____

Description of Water Use

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: Rochelle A. Hauser
Address: 99085 Lynn Lane
Breackings, Ore. 97415
Phone: 462-5683

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MAR 12 1991

WATER RESOURCES DEPT.
SALEM, OREGON

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- ☐ Irrigation (crop type, golf course, nursery or greenhouse): _____
- ☐ Livestock (type of livestock, feedlot, slaughterhouse): _____
- ☒ Residential (# units, single or multi-family, # lots if partition or subdivision): 2 single family
- ☐ Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____
- ☐ Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____
- ☐ Institutional (i.e., school, library, etc.): _____
- ☐ Mining (aggregate, metal, open pit, placer, etc.): _____
- ☐ Recreation (park, campsite, pond, etc.): _____
- ☐ Fish and Wildlife (pond, hatchery, etc.): _____
- ☐ Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- ☐ Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
☐ Surface Water Name sources: <u>Un-gamed Stream</u> <u>a tributary of N. Fork</u> <u>Chetco</u>	<u>0.01</u> Cubic feet per second. ____ Gallons per minute. ____ Acre-Feet
☐ Reservoir or pond	
☐ Ground Water	

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: LAREN R. WOOLLEY

Title: PLANNER

Date: 3-6-91

Phone: 247-7011 ex. 225

Signature: Laren R. Woolley

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet. For additional information call Roberta Jortner or Rick Bastasch at 378-3671.

Additional Comments:

Dwellings Are Located within Grandview ACRES
SUBDIVISION which is located in a PR-5 zone.

NUMBER 81070

Check 325⁰⁰ NO Cash

- ☒ Surface Application
- Reservoir Application *20*
- Ground Water Application *125*
- Transfer Application
- Power Claim
- Hydroelectric Examination
- Hydroelectric License
- Copying
- Assignment
- Extension of Time
- Other
- P-6
- Quadrangle
- Basin
- Protest
- Constructors Examination
- Constructors License
- Adjudication



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

November 20, 2003

ROCHELLE HAUSER
99104 LYNN LN
BROOKINGS, OR 97415

REFERENCE: Application #S-71355 (Permit #S-51634)

Dear Permit Holder:

The Water Rights Section received your written progress report for Permit #S-51634 (Application #S-71355). Receipt of the progress report was published on the Department's weekly Public Notice, dated October 14, 2003. The Department did not receive any public comment on the progress report.

Additionally, the Department determined that diligence toward completion of the project and compliance with the terms and conditions of the permit and extension has been demonstrated.

If you have any questions, please feel free to contact me by telephone at (503) 986-0808.

Sincerely,

Lisa J. Juul
Water Rights Specialist
Water Rights Section

cc: Appl #S-71355 (Permit #S-51634)
Mitch Lewis, Watermaster District #19



Extension of Time Progress Reports Procedure

1. Progress Report complete?

☒ YES - proceed to Item #2.

☐ ~~NO - Send certified letter requesting missing information.~~

~~> Certified letter mailed on: _____~~

2. Published on the Department's Public Notice, dated: 10/14/03

3. Return File to Filing Cabinet after published on the Public Notice.

Div 320

Extension of Time Checkpoint Progress Report
PUBLIC NOTICE INFORMATION

Permit Holder: Rochelle A. Hauser

Mailing Address: 99104 Lynn Lane, Brookings, OR 97415

Application #: S- 71355 Permit #: S- 51634

County: Curry

Quantity of Water: 0.005 cfs

Source of Water: An Unnamed Stream, trib of N. Fork Chetco River

Permitted Use: Domestic Use Expanded for One Household

Current Authorized Extension Date: October 1, 2007

Rochelle A. Hauser

Appl # S-71355 / Permit # S-51634

Progress Report Review

- ☒ a. The amount of construction completed; - established electrical power to the site.
- completed sand filter septic system. - constructed right-of-way road for utility easement.
- ☒ b. The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
No use yet → House not yet built.
- ☒ c. A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and
- meter installed (see 2-24-99 Ext. Appl.)
- ☒ d. Financial investments made toward developing the beneficial water use.
- investments made (see progress report.)

* Diligence shown - progress made.

Reviewed by:

[Signature]

Date:

10-1-03

September 26, 2003

Oregon Water Resource Department
725 Summer Street N.E., Suite "A"
Salem, OR 97301-2430

Re: Application File # S-71355 (Permit #S-51634)

To Whom It May Concern:

The following is my written progress report due by October 1, 2003:

A) Amount of construction completed:

1. Cistern installed 1992
2. Installation of High-lifter pump--1992
3. 1 1/2-in. pipe runs on top of ground from cistern to high-lifter pump, installed in 1992
4. A 1-in pipe runs from high-lifter pump back to near cistern on top of the ground; then pipe goes underground up the mountain to the water tank.
5. 1,000 gal water tank installed on Tax Lot 700 the end of October 1996 when I sold Tax Lot 1600 and took one of the tanks from there and installed it on Lot 700.
6. Two 500 gal. water tanks installed 1998. (These tanks were moved from Tax Lot 700 where former mobile home was located to present site on Tax Lot 700.
7. 1-inch water pipe from two 500 gal. tanks follows the road underground down to the green house, installed 1999.
8. 30 x 50-foot commercial greenhouse completed in 2000.
9. Right-of-way road for utility easement completed March, 2001.
10. Electrical power lines installed March 2001 currently servicing the greenhouse.
11. Sand filter septic system completed October, 2001.
12. Sewer line run from toilet in greenhouse to sand filter, completed 2002.

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WATER RESOURCES DEPT.
SALEM, OREGON

Currently under construction, 20003:

13. Trenching and installation of 1-in. pipe from 1000 gal. water tank, back down mountain following the road underground, and connecting to the two 500 gal water tanks (formerly installed with pipe already installed to greenhouse).

Future construction 2004 -2007:

14. Connect water line to home. Two home sites have been designated in conjunction with completed sand filter system.

B). The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (type of use, acres irrigated etc.) contained in the permit, and the percent of the total allowable water use that this represents:

1. Currently no water is being drawn from cistern/high-lifter pump. I formerly used the high-lifter water when I owned a home on Tax Lot 1600 but I sold that in October 1996 and disconnected the underground water line. (Lot 1600 has another spring dedicated to give it water—I did not give water rights to the new owner from the cistern/high-lifter water). I moved one of the tanks from Lot 1600 down to Lot 700. Once trenching and line installation is completed I will resume using the cistern/high-lifter water to supply the greenhouse this winter and eventually my new home which I plan to build within the next two years. The 1000-gal. tank has water to it now, and by the end of October, 2003, the system will be completed down to the two 500-gal. tanks. At that time I will switch the valve shutting off the water from the electrical pump and begin using the water from the cistern/high-lifter pump.
2. Formerly, the water volume from the cistern/high-lifter system filled the entire 1000 gallon tank in 24 hours. This was a yield of approximately 40 gallons per hour.
3. It is difficult to say what percentage of the cistern's water will be used for household use, greenhouse use, irrigation of garden, and pasture for livestock. We will likely connect the electrical pump for irrigating the pasture that lies below the former mobile home site (there is already pipe to the area), and use the cistern water for the pasture above the greenhouse. But at this point it is difficult to say for sure.

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C). A review of the permittee's compliance with terms and conditions of the permit and/or previous extension

1. The extension permit allows me until 2007 to complete the water system into a domestic dwelling. By this fall the system will be completed down to both potential home sites and eventually connected to the home when it is completed.

D). Financial investment made toward developing the beneficial water use.

1. At this point I do not have financial records available back to the time the cistern, high-lifter pump, and water lines were established. All my business records from prior to October 1996 (when I sold Tax Lot 1600) are in storage. However I have enclosed financial records for :

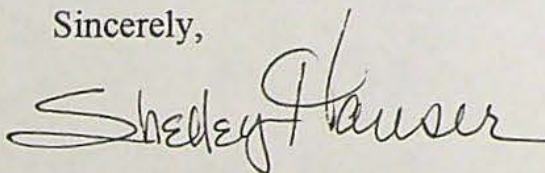
- a. Electrical power line: \$3,22.00
- b. Read easement construction: \$1,500.00
- c. Sand Filter Septic system permit: \$125.00
- d. Sand Filter system cost to install: \$9,890.000

My family has done much of the labor installing the green house, trenching for water lines, etc, so there is no record of any cost.

Enclosed is a map on which I have drawn the approximate location of the cistern, high-lifter pump, water lines, water tanks, greenhouse, potential building sites, and location of existing roads. Also enclosed is proof of power easement development, road, and Sand Filter Septic system.

I hope this is a satisfactory report! My phone number is 541-469-2408. I'm hard to reach so leave a message and I will call you back if you have any questions.

Sincerely,



Rochelle (Shelley) Hauser

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SEP 29 2003
WATER RESOURCES DEPT.
SALEM, OREGON

SINGLE RESIDENTIAL & IRRIGATION DISTRIBUTION LINE EXTENSION CONTRACT

THIS CONTRACT, dated this 27TH day of MARCH, 2001, by and between COOS-CURRY ELECTRIC COOPERATIVE, INC. (Cooperative), and Rochele Hauser (Applicant),

WITNESSETH:

1. The Cooperative agrees to furnish, under the terms and conditions specified in Policy Bulletin No. 13, Line Extension Policy, and herein further specified, electric distribution facilities and to provide electric service therefrom to the premises described as

99104 Lynn Lane
located in Curry County, Oregon.

2. **IN CONSIDERATION THEREFOR**, Applicant agrees to pay to the Cooperative the total estimated material cost as follows:

Total Material Cost: \$ 3,220.00

Residential & Irrigation Applicants:

(a) Applicant may exercise the option of paying (in full) ninety per cent (90%) of the total estimated cost of construction adjusted for the applicable extension allowance. This amount equals:

Total Cost \$ 3,220.00

times 90% x .90

Optional Payment: \$ 2,898.00

(b) Applicant has the option to pay the net cost as specified above on a monthly basis for a period of not more than sixty (60) months. The monthly payment under this option shall be \$ 53.67 per month for 60 months. In no event shall this payment be less than \$20.00 per month. Should this payment provision apply, the contract shall be for a period of 60 months. Upon completion of construction, all of the above estimated costs shall be adjusted to reflect actual construction costs.

Applicant has selected option (a) or X (b).

3. Applicants with loads requiring more than 30 kVA of transformer capacity agree to pay a monthly charge of \$ N/A for a period of sixty (60) months. This monthly charge is equal to the minimum as provided in the most recent rate schedule in effect at the time this application is made.

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WATER RESOURCES DEPT.
SALEM, OREGON

4. In the event that such payments are not made in accordance with this contract as hereinabove provided, it is understood and agreed that upon applicant's failure to make the same or any of them, Coos-Curry Electric Cooperative, Inc., shall have the right and option to declare the whole sum due and payable and shall institute an action of law to enforce the terms of this contract; in such event, the Cooperative shall be entitled to attorney's fees as the court adjudges reasonable.

It is understood and agreed that past due payments shall bear interest at the rate of 12% per annum and that waiver by the Cooperative of a default in making a payment shall not constitute a waiver for future payments nor a waiver of the Cooperative's right to exercise its option to accelerate as hereinabove set forth.

5. This contract shall inure to the benefit of and be binding upon the respective successors and assigns of the parties hereto except that no assignment shall become effective without the written consent of Coos-Curry Electric Cooperative, Inc.

SPECIAL PROVISIONS: _____

COOS-CURRY ELECTRIC COOPERATIVE, INC.

APPLICANT(S)

By _____
General Manager

Rochelle Hauser

STATE of OREGON)
)
County of CURRY)

BE IT REMEMBERED, that on this 27TH day of MARCH, 2001, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ROCHELLE HAUSER, known to me to be the identical person described herein and who executed the within instrument and acknowledged to me that She executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and Notarial Seal the day and year last written above.



Joan E. Simons
Notary Public for CEEC
My Commission Expires 2-2-05

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WATER RESOURCES DEPT.
SALEM, OREGON

Work Order No. 20014071**RIGHT-OF-WAY-EASEMENT**\$1,500⁰⁰ Road Construction

NOW ALL MEN BY THESE PRESENTS, that we the undersigned, for a good and valuable consideration, receipt thereof acknowledged, do hereby grant unto COOS-CURRY ELECTRIC COOPERATIVE, INC., a cooperative corporation whose post office address is P.O. Box 1268, Port Orford, Oregon, and to its successors or assigns, the right to enter upon the land of the undersigned, situated in the County of Curry, State of Oregon, as described in the official County Records at Instrument No. _____,

being located in Township 40 South, Range 13 West WM, Section 14 & 15, and more particularly described as follows: a parcel of land lying within the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec 14 & the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec 15, T40S, R13W, WM, Curry Cnty, OR, being more fully desc as follows: Beg at a brass capped iron pipe marking the 1/4 corner common to Sec 14 & 15; th S 88°56'37" W following the E-W centerline of sd Sec 15, 1336.48 ft to the SW cor of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$; th N 01°15'52" following the W li of sd SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ 619.00 ft; th leaving sd li S 81°11'21" E 1374.04 ft to a pt lying on the W li of Sec 14; th S 00°50'35" W following sd li 236.39 ft; th leaving sd li & following the Srly boundary of Lot 11, Grandview Acres Sub as recorded in Plat Bk 2, pg 157, Official Records of Curry Cnty, N 89°46'21" E 370.00 ft; th N 65°17'48" E 260.58 ft to the pt on the Srly r/w of a 50 ft wide private rd & utility easement known as Lynn Ln; th following sd r/w the following courses: alg a 85.00 ft radius curve to the left, the arc length 194.81 ft, the lg chord of which bears S 56°39'26" E 89.97 ft; S 88°36'39" E 27.19 ft to the beg of a 85.00 ft rad curve to the left, having a central angle of 52°13'15" alg sd curve the arc length of 77.47 ft, the lg chord of which bears N 65°16'43" E 74.82 ft; N 39°10'06" E 176.00 ft, to the beg of a 125.00 ft radius curve to the rt, having a central angle of 25°54'08"; alg sd curve the arc length of 56.51 ft, the lg chord of which bears N 52°02'10" E 56.03 ft; N 65°04'14" E 72.38 ft to the NW cor of Lot 6, sd Grandview Acres Sub; th leaving sd r/w & alg the W li of sd Lot 6, S 24°55'39" E 227.45 ft; th S 07°00'49" E 284.26 ft to a pt lying on the E-W centerline of sd Sec 14; th S 89°46'21" W following sd E-W centerline 1131.56 ft to the p.o.b. Map No. 0-13-14B, Tax Lot 1700 (40296), Map No. 40-13-15A, Tax Lot 700 (153343) SEE EXHIBIT "A" and to construct, reconstruct, operate and maintain on the above described land and/or upon all streets, roads or highways abutting said land, an electric transmission or distribution line or system.

☒ OVERHEAD SYSTEM: To remove and trim trees and brush within 20 feet of electric facilities and to remove all dead, weak, leaning and other dangerous trees beyond that distance which are tall enough to strike the facilities in falling. Also, to require that no fence or structure be constructed within 10 feet of the base of any pole.

☐ UNDERGROUND SYSTEM: To remove and trim trees and brush within 10 feet of electric facilities and to require that no structure, foundation, pad driveway and the like be constructed over the facilities. Also, no fence located closer than 5 feet from the centerline of the facility.

owners covenant that they, their heirs, successors & assigns shall not site fences or structures upon this right-of-way that attach to or interfere with access to the electric facilities or violate the clearance provisions of the then current edition of the National Electrical Safety Code. Further, the undersigned covenant they are owners of the above described lands and that said lands are free and clear of all encumbrances and liens whatsoever character, except those held by the following persons:

WITNESS WHEREOF, the undersigned have set their hands this 27TH day of MARCH, 2001.

OWNER SIGNATURE(S):

Rochelle Hauser

Rochelle Hauser

DATE OF OregonCounty of CURRY**RECEIVED**

SEP 29 2003

WATER RESOURCES DEPT.
SALEM, OREGON

I REMEMBERED on this 24TH day of MARCH, 2001, personally appeared the within named _____

ROCHELLE HAUSER

and acknowledged to me that 5 he _____ executed the

oing freely and voluntarily.

Joan E. Simons
(Notary Public for Oregon)

Commission Expires: 2-2-05



n to:

Curry Electric Cooperative, Inc.
Box 460, Coquille, OR 97423



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SEP 29 2003

WATER RESOURCES DEPT.
SALEM, OREGON

Control No.

125.00

Fee

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY

PERMIT NO. _____

☐ New Construction☐ Repair☒ Other RenewalPermit Issued To Rochelle Hauser
(Property Owner's Name)40
(Township)13
(Range)15A
(Section)700
(Tax Lot / Acct. No.)Curry
(County)99014 Lynn Lane
(Road Location)Brookings
(City)[Signature]
(Issued by - Signature)6/1/01
(Date Issued)**PERMITS ARE NOT TRANSFERABLE**

ALL WORK TO CONFORM TO OREGON ADMINISTRATIVE RULES, CHAPTER 340. WORK SHALL BE DONE BY PROPERTY OWNER OR BY LICENSED SEWAGE DISPOSAL SERVICE. (MAKE NO CHANGES IN LOCATION OR SPECIFICATIONS WITHOUT WRITTEN APPROVAL)

SPECIFICATIONSEXPIRATION DATE 6/1/02TYPE OF SYSTEM Conventional Sand FilterTank Volume 1000 Dosing
GallonsDisposal Trenches ☒Design Sewage Flow 450 Gallons/Day
300Maximum Depth 30 inches.Minimum Depth 24 inches.150 Square Feet
Linear FeetEqual ☒ Loop ☐ Serial ☐Pressurized ☐Minimum Distance Between Trenches 10 Feet on Center

Total Rock Depth _____ inches.

Below Pipe _____ inches.

Above Pipe _____ inches.

☐ Rake SidewallSpecial Conditions (Follow Attached Plot Plan) Infiltrator Proposed. Maintain a minimum of 100 ft. from any well; 50 Ft. from any stream.PRE-COVER INSPECTION REQUIRED — CONTACT 247-7011**CERTIFICATE OF SATISFACTORY COMPLETION**As-Built Drawing
with Reference LocationsInstaller JL LANDCLEARING

Final Insp. Date _____

REFER TO ATTACHED "AS-BUILT" PLOT PLAN

☒ Inspected By [Signature]☐ Issued by Operation of Law☐ Pre-cover inspection waived
pursuant to OAR 340,
Division 71**RECEIVED**

SEP 29 2003

WATER RESOURCES DEPT.
SALEM, OREGON

In accordance with Oregon Revised Statute 454.665, this Certificate is issued as evidence of satisfactory completion of an on-site sewage disposal system at the location identified above.

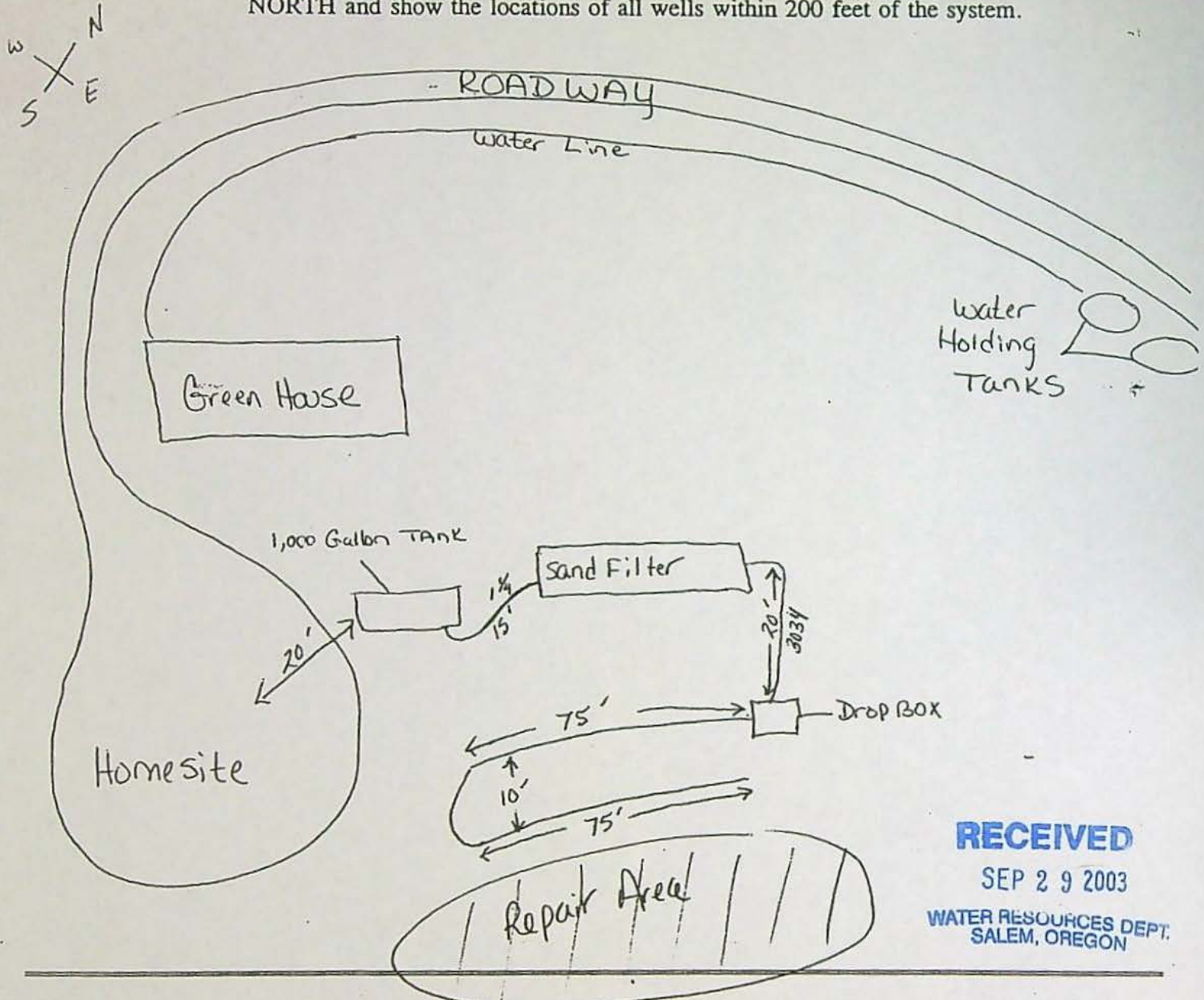
Issuance of this Certificate does not constitute a warranty or guarantee that this on-site disposal system will function indefinitely without failure.

[Signature]
(Authorized Signature)[Signature]
(Title)10/17/01
(Date)[Signature]
(Office)

Property Owner Rochelle Hawser Permit Number 08-043-00 County Curry

SECTION 3:

AS-BUILT PLAN OF THE CONSTRUCTED SYSTEM. Indicate the direction of NORTH and show the locations of all wells within 200 feet of the system.



RECEIVED
SEP 29 2003
WATER RESOURCES DEPT.
SALEM, OREGON

SECTION 4:

CONSTRUCTION WAS PERFORMED BY:

____ Property Owner (Permittee)

☒ Sewage Disposal Service Business: J.C. Land Clearing, Inc. 36492
(Print Full Business Name) (License Number)

I certify the information provided in this notice is correct, and that the construction of this system was in accordance with the permit and the rules regulating the construction of on-site sewage disposal systems (OAR Chapter 340, Divisions 71 and 73).

[Signature] President/owner 10/05/01
(System Installer's Signature) (Title) (Date)

J.
C.

LandClearing, INC.

96290 Cape Ferrelo Rd, Brookings, OR 97415
Phone#(541)469-7287 Fax#(541) 412-0326
Jim & Eva Clayton CCB License #69431

TO: Shelly Hauser 469-0188 2408
99104 Lynn Lane, Brookings, OR 97415

I propose to furnish all materials and perform all labor necessary to complete the following:

Install A conventional Sand Filter system according to
Curry County rules and regulations, on tax lot 700.

Total cost Sand filter
All of the above work to be completed in a substantial and workman-like manner according to the standard practices for the sum of: \$9,890.00

NineThousandEightHundredNinetydollars No/100
\$4,945 down balance due upon completion.

Any alteration and deviation from the above specifications involving extra cost of material or labor will only be executed upon written orders for the same, and will become an extra charge over the sum mentioned in this contract. All agreements must be made in writing.

Alterations or Deviations

If bid accepted please sign and return second copy to
J.C. LandClearing

Respectfully submitted,

By

Jim & Eva Clayton
Jim & Eva Clayton, Owners

7/25/00

Acceptance

Landowner is responsible for property boundaries. You are hereby authorized to furnish all materials and labor required to complete the work mentioned in the above proposal, for which I (we) agree to pay the amount mentioned in said proposal, and according to terms there of.

Signed

Date / /

RECEIVED

SEP 29 2003

WATER RESOURCES DEPT.
SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

CERTIFIED LETTER Return Receipt Requested

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

File # S-71355

August 29, 2003

Rochelle A Hauser
99104 Lynn Lane
Brookings, OR 97415

REFERENCE: Application File #S-71355 (Permit #S-51634)

Dear Permit Holder:

On August 30, 1999, the Department issued a Final Order approving an Extension of Time for Permit #S-51634. The Final Order extended the time in which to complete construction of the water system from October 1, 1997, to October 1, 2007, and the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #S-51634 from October 1, 1998, to October 1, 2007.

The Final Order approving the Extension of Time also included the following condition that requires:

The permittee must submit a written progress report to the Department by **October 1, 2003**. The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted.

The report shall include:

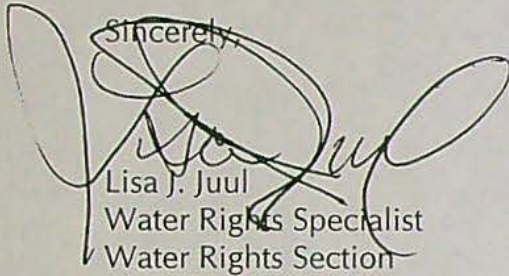
- a) The amount of construction completed;
- b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
- c) A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and
- d) Financial investments made toward developing the beneficial water use.

Failure to submit a progress report by the due date above will result in cancellation of the undeveloped portion of the permit by the Department pursuant to ORS 537.260 or ORS 537.410 to 537.450. Within one year after cancellation, the permittee must submit a Claim of Beneficial Use and Final Proof Survey, pursuant to ORS 537.230 and 537.250, for the portion of the permit developed as of October 1, 2003.

To date, the Department has not received this progress report from you. In order to maintain the ability to continue developing water under this permit, you should submit this progress report immediately. For your reference, I have enclosed a copy of the Extension of Time Final Order containing this condition.

If you have any questions concerning this matter, please feel free to contact me by telephone at 503-378-8455, extension 272.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa J. Juul', is written over the typed name and title. The signature is fluid and cursive, with a large loop at the end.

Lisa J. Juul
Water Rights Specialist
Water Rights Section

Enclosure

cc: Application File #S-71355 (Permit #S-51634)
Mitch Lewis, Watermaster Dist. #19

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number 71355

Final Order
Extension of Time for Permit Number 51634

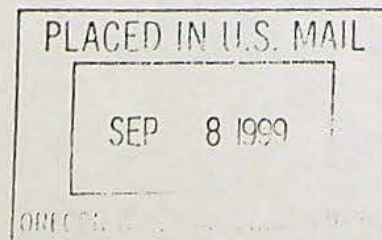
Application History

On February 24, 1999, Rochelle Hauser submitted an application to the Department for an extension of time for permit number 51634. The Department issued Permit number 51634 on June 30, 1995. The permit called for completion of construction of the water development project by October 1, 1997 and complete application of water to the full beneficial use by October 1, 1998. In accordance with OAR 690-320-0010(8), on April 20, 1999, the Department issued a Proposed Final Order proposing to extend the time to complete development of the water development project to October 1, 2007, and the time to fully apply water to beneficial use to October 1, 2007. The protest period closed June 4, 1999. No protest was filed.

The permittee must submit a written progress report to the Department by October 1, 2003. The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:

- a) The amount of construction completed;
- b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
- c) A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and
- d) Financial investments made toward developing the beneficial water use.

The Department will review the progress report to determine whether the permittee is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.



dbv
copies ✓

Failure to submit a progress report by the due date above will result in cancellation of the undeveloped portion of the permit by the Department pursuant to ORS 537.260 or 537.410 to 537.450. Within one year after cancellation, the permittee must submit a final proof survey pursuant to ORS 537.230 and 537.250.

If the Department finds that diligence is questionable, the Department may:

- a) request the permittee to submit additional information with which to evaluate diligence;
- b) apply additional conditions and performance criteria for perfection of the right; or
- c) cancel the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410 to 537.450. The Department will grant the permittee a hearing on the cancellation, if one is requested.

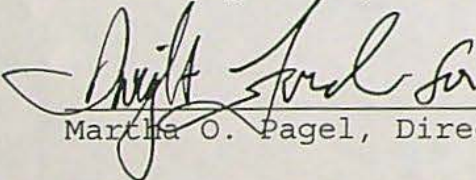
In determining whether the permittee has been diligent, the Department will consider information submitted to the Department by the permittee and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

If information is received through the public notice process indicating that the applicant has not been diligent toward completing the project, and if the director determines there are significant disputes related to the use of water, the Department will conduct a hearing.

Order

The extension of time for Application 71355, Permit Number 51634, therefore, is approved. The extension is issued as limited by the conditions set forth in the permit and the conditions incorporated herein. The deadline for completing construction is extended to October 1, 2007. The deadline for applying water to full beneficial use is extended to October 1, 2007.

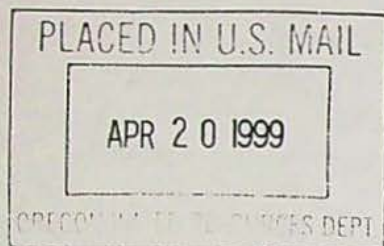
DATED August 30, 1999


Martha O. Pagel, Director

Appeal Rights

Under the provisions of ORS 536.075, the applicant may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served. ORS 183.484.

**Oregon Water Resources Department
Water Rights Division**



Water Right Permit Extension Application
for Permit Number 51634

Water Right Application Number 71355

Proposed Final Order

This Proposed Final Order applies only to permit number 51634.

Summary of Recommendation

The Department proposes to:

grant the extension for complete construction of the water system from October 1, 1997 to October 1, 2007, and

grant the extension for complete application of water from October 1, 1998 to October 1, 2007.

Application History

Permit no. 51634 was granted by the Water Resources Department on June 30, 1995. The permit authorizes use of 0.005 cfs of water from unnamed stream for Domestic expanded for one household in the North Fork Chetco River basin. It specified that construction must be completed by October 1, 1997, and water applied to full beneficial use by October 1, 1998. A copy of permit no. 51634 is attached.

On February 24, 1999, the Department received an application from Rochelle Hauser for an extension of time to complete construction and to apply water to full beneficial use. The applicant has requested until October 1, 2007 to complete construction of the water system and until October 1, 2007 to apply water to full beneficial use. This is the first permit extension request.

Findings of Fact

ORS 537.230(2) and 537.630 (1) allows the Department to grant an extension of time to perfect a water right for good cause. In evaluating good cause, the Department has considered the written record in the permit application file in relation to the requirements of ORS 537.230(2), ORS 537.630 (1) and ORS 539.010(5) and makes the following findings.

1. The applicant is legally entitled to apply for an extension on this permit.
2. The applicant has submitted a completed permit extension form and the required fee.
3. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit.
4. The applicant has been diligent in building the water system, but has not applied the water. The delay cited for the water use, are problems obtaining easements and the building permit. The permittee reports there has been litigation over an easement to her lot that was not settled in court until December of 1998. Without the easement a building permit could not be gotten. Another case is being brought against the applicant about not having the right to subdivide a lot that affects this property. These actions have kept the applicant from applying the water to the use.
5. The applicant has pursued perfection of the right in good faith and with reasonable diligence.
 - a) Work on the water development project completed to date includes construction of diversion, pump, storage tanks, meters and pipeline. Water has not yet been applied.
 - b) The applicant has invested approximately \$ 10,000 of an estimated total water system project cost of \$ 20,000.
 - c) The work remaining to be completed consists of the remaining construction of the water delivery system and complete application of water. There is ongoing work to obtain the necessary building permits, and settling court case over property sale.
6. Based on the written record, the Department finds there is good cause to approve the extension request. The applicant has pursued perfection of the right in good faith and with reasonable diligence.
7. Due to the reasons outlined above in item 4 and the water development progress to date, the Department finds that the length of time requested for completion of construction should be extended to October 1, 2007 and the length of time requested for completion of the application of water should be extended to October 1, 2007 as requested by the applicant.

Conclusions of Law

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230, and ORS 537.630.
2. The applicant has submitted an extension application form and the fee required by ORS 536.050(1)(L).
3. The applicant has pursued perfection of the right in good faith and prosecuted construction with reasonable diligence.
4. The applicant has shown good cause for the untimely completion of the water development project and complete application of water to full beneficial use pursuant to ORS 537.230(2), and ORS 537.630 (1).

5. The permit extension should be approved until October 1, 2007 to complete construction and until October 1, 2007 to complete the application of water.

Conditions

The permittee must submit a written progress report to the Department by October 1, 2003. The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:

- a) The amount of construction completed;
- b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
- c) A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and
- d) Financial investments made toward developing the beneficial water use.

The Department will review the progress report to determine whether the permittee is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.

Failure to submit a progress report by the due date above will result in cancellation of the undeveloped portion of the permit by the Department pursuant to ORS 537.260 or 537.410 to 537.450. Within one year after cancellation, the permittee must submit a final proof survey pursuant to ORS 537.230 and 537.250.

If the Department finds that diligence is questionable, the Department may:

- a) request the permittee to submit additional information with which to evaluate diligence;
- b) apply additional conditions and performance criteria for perfection of the right; or
- c) cancel the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410 to 537.450. The Department will grant the permittee a hearing on the cancellation, if one is requested.

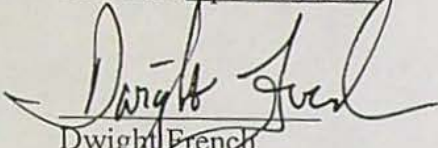
In determining whether the permittee has been diligent, the Department will consider information submitted to the Department by the permittee and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

If information is received through the public notice process indicating that the applicant has not been diligent toward completing the project, and if the director determines there are significant disputes related to the use of water, the Department will conduct a hearing.

Recommendation

The Department proposes to issue an order to:
extend the permit time to complete construction from October 1, 1997 to October 1, 2007
and
extend the permit time to complete application of water from October 1, 1998 to October 1, 2007.

DATED: April 20, 1999


Dwight French
Water Rights Section Manager

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Protest Rights and Comments

1. Under the provisions of OAR 690-320-0010(8) you have the right to protest this proposed final order. Your protest must be in writing and must include the following:
 - a) Your name, address and telephone number;
 - b) Your interest in this proposed final order, and if you claim to represent the public interest, a precise statement of the public interest represented;
 - c) A detailed description of how the action in the proposed final order would impair or be detrimental to your interest;
 - d) A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e) Any citation of legal authority supporting your protest, if known; and
 - f) A \$25 protest fee required under ORS 536.050 (1)(j).
2. Each person submitting a protest shall raise all reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the comment period.
3. The Water Resources Department must receive written protests or written comments no later than **June 4, 1999**.
4. After the close of the comment and protest period, the Director will either issue a final order, or schedule a contested case hearing if the Director finds there are significant disputes related to the use of water.

This document was prepared by Dallas Miller. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me toll free within Oregon at 1-800-624-3199 extension 272. Outside of Oregon you can dial 1-503-378-8455.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Adam Sussman. His extension number is 262.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 499.

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROCHELLE A HAUSER
99085 LYNN LANE
BROOKINGS, OREGON 97415

503-469-5683

to use the waters of AN UNNAMED STREAM, a tributary of NORTH FORK CHETCO RIVER, for DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD.

This permit is issued approving Application 71355. The date of priority is MARCH 12, 1991. The use is limited to not more than 0.005 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NE 1/4, SECTION 15, T 40 S, T 13 W, W.M.; 18 FEET SOUTH AND 208 FEET EAST FROM THE NE 1/16 CORNER OF SECTION 15.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under this permit is as follows:

SW 1/4 NW 1/4
SE 1/4 NW 1/4
SECTION 14
TOWNSHIP 40 SOUTH, RANGE 13 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion.

Actual construction work shall begin on or before June 30, 1996, and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

Application 71355

Water Resources Department

PERMIT 51634

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, June 30, 1995.


for Water Resources Department
Martha O. Pagel
Director

Mailing List for PFO Extension Copies

Application #

PFO Date 4 27 99

71355

Original mailed to:

Applicant:

Rochelle Hauser

Mailed
(support staff)

on: 4/20/99
(date)

Copies sent

Regional Manager SW

Watermaster 19

ODFW Todd Canter, Gold Beach

DEQ Jan Rosetta, Portland

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **27942**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Rochelle A. Hauser
BY: _____

APPLICATION	71355
PERMIT	51634
TRANSFER	

CASH: ☐ CHECK: # 24-22 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 100.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY)

\$

OTHER: (IDENTIFY)

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

(New) TC165 DEPOSIT LIAB. (IDENTIFY)

\$

(Existing) TC168

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

RECORD FEE

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

0206

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

0240 OTHER (IDENTIFY) EST. OF TIME \$ 100.00

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HRDRO APPLICATION

\$

RECEIPT #

27942

DATED:

2-24-99

BY:

Rosa Wright

Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

FEB 24 1999

WATER RESOURCES DEPT.
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, ROCHELLE HAUSER (541)
99104 LYNN LN BROOKINGS OR 97415 469-5683
NAME ADDRESS CITY STATE ZIP PHONE

record owner of application No. 71355 permit No. 51634, do hereby request that the time in which to:

☐ complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1998, be extended to October 1, 2007, and/or the time in which to

☒ accomplish beneficial use of water under the terms of the permit, which time, 2007, be extended to October 1, 2007.

The extension of time requested should be to finish the project. Should this request be granted, it will be the Department's expectation that you will complete the project within the new time period allowed. Future extensions may not be granted.

1-Did water system construction/well drilling begin within the time specified in the permit [yes/no]? YES

2-Have you put any water to use under this permit [yes/no]? NO
 If yes, has that use been made consistent with the terms and conditions of the permit [yes/no]? NO If no, please explain.
 Which terms and/or conditions have not been completely fulfilled at this time. PLEASE SEE ATTACHED PAGES

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit.

(a) within past year _____

(b) prior to this past year INSTALLED High-Lifter pump & all pipes, connections, meter, water tanks, etc.

© and have accomplished beneficial use of water to the extent of (amount of water used or acres irrigated) _____

4-Cost of project to date 10,000. Projected cost for completion of project 10,000.

5-Have there been any unforeseen events which delayed development of water system? _____

not The water system, perse, but Land use Easements were just settled in court Dec, 1998; also new problem of property sale/ownership has just

6-Have there been any significant government requirements that have delayed the completion of construction or application of surfaced water? [please explain] _____ in

NO

Dec 1998

7-What reasons was the project not completed within permit time limits? _____

The H₂O system is complete but no domestic house could be built because of ① easements ② property ^{ownership} rights

8-Has there been any change in the demand for water or power since permit was issued? (please explain) _____

NO

9-Has there been any change in the market for water or power since the permit was issued? (please explain) _____

NO

RECEIVED

FEB 24 1999

WATER RESOURCES DEPT.
SALEM, OREGON

10-Will the income or use from this project provide reasonable returns against the investment in this project? (please explain)

no

11-If the extension request is denied, is the current level of water use economically feasible? (please explain)

no

12-Is there an alternative source of water available [yes/no please explain]?

no

13-Has the use of water under the permit caused an adverse impact on the surface/groundwater resource in the area ? (please explain)

no

All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information you might have that would aid us in making our decision. Please use an additional sheet of paper, if needed.

I am the permittee or have authorization from the permittee to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

Signature

Rochelle Hansen

Feb-20'99
Date

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$ 100 TO:
WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES
158 12TH ST NE
SALEM, OREGON 97310

Enclosed

FEB 24 1999

The condition that has not been fulfilled is that I do not have my house built in which to hook up the water system. The water system itself has been completed.

The delay in building my house is due to the following circumstances:

1. Litigation over road use easements to lots 1700, 700, and 600 were not settled by the court until December, 1998; consequently I could not get a building permit to lot 600--site of water-rights permit.

I do want to mention that at the time when I applied for water rights (March 1991), I thought I had legal access to all my properties and indeed my title insurance indicated so.

2. It has been my intention to build a house on lot 600 once the easement dispute was settled. However, a new complication has arisen.

The party (an attorney) who purchased lot 1600 from me in 1996, now claims lot 600 (site of water-rights) could not be legally split from lot 1600 and therefore the entire sale of lot 1600 was illegal. My attorney, Richard Stark (of Medford), is looking into this matter. Unfortunately this involves two title companies, my realtor, and who knows how many attorney--consequently this could take years to settle.

Therefore I am asking for your patience and understanding in this matter and that you would grant me an extension of ten years in which to have my house completed. I know this is an inordinate amount of time to request but judging by the years it took to litigate the road easement issue it is conceivable I won't be 'legally free' to build on lot 600 for a number of years.



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

July 21, 1998

ROCHELLE HAUSER
99104 LYNN LN
BROOKINGS OR 97415

REFERENCE: File 71355

This letter is in regard to your water use Permit 51634. As we pointed out to you in our letter of October 7, 1997, your claim of beneficial use must be received in this office by **October 2, 1998**.

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Rights Examiner, which accompany a request from the permittee for issuance of a certificate of water right.

You are hereby notified that unless your claim is received on or before **October 2, 1998**, your permit will be canceled without further notice.

If you have any questions, please contact the Water Rights Section.

Sincerely,

DALLAS MILLER
Water Rights Specialist

DM:jh

cc: John Drolet, Watermaster
Howard Newhouse, CWRE

CERTIFIED - RETURN RECEIPT REQUESTED



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

October 7, 1997

ROCHELLE HAUSER
99104 LYNN LANE
BROOKINGS OR 97415

REFERENCE: File 71355

We have received your notice that complete application of water has been made under Permit 51634.

In order to obtain a certificate of water right, you are required by law to hire a Certified Water Right Examiner (CWRE) to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before **October 2, 1998**. A list of Certified Examiners is enclosed for your information.

The Department requires that the CWRE has a copy of the permit or transfer order to compile the claim of beneficial use. All permit conditions need to be addressed in the claim and map you submit.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

In the meantime, the permit you hold is valid evidence of your right to use the water.

If you have any questions, please contact the Water Rights Section at 378-3739, or toll-free within Oregon 1-800-624-3199.

Sincerely,

DALLAS MILLER
Water Rights Specialist

DM:jh

enclosure

cc: John Drolet, Watermaster
Howard Newhouse, CWRE

Form C (690-9-77)

IMPORTANT—This form is a notice to the Water Resources Director that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. 71355

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

Rochelle Hauser, the holder of Permit No. 51634

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 28th day of September, 1997.

Remarks: _____

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of September, 1997.

Rochelle Hauser
(Signature of Applicant)

99104 Lynn Lane Brookings, OR
(Address)
97415

Form B (690-9-77)

Application No. _____

NOTICE OF COMPLETION OF CONSTRUCTION

I, Rochelle Hauser, the holder of Permit No. 51634

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 28th day of September, 1997

Remarks: _____

If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed develop-

ment, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of September, 1997.

Rochelle Hauser
(Signature of Applicant)

99104 Lynn Ln. Brookings, OR 97415
(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

71355

RECEIVED

AUG - 4 1997

WATER RESOURCES DEPT.
SALEM, OREGON

DEAR WATER Resource Director,

July 31, '97

Regarding permit No 51634: This is to inform you that construction on the water system was begun in 1994. The cistern for water collection, plastic piping to the high-lifter pump, and piping to storage tanks are installed. At present the tanks are not connected, awaiting the decision of the County planning department regarding division of my land.

I need to know what type of Flow-meter is required. Please send this information to:

ROCHELLE HAUSER
99104 Lynn Ln
Brookings, OR 97415
(541 469-5683)

Thank you—

Rochelle Hauser

A
OK-PSM

meter
sent
8/8/97
DD



STATE OF OREGON

INTEROFFICE MEMO

RECEIVED

AUG 21 1995

WATER RESOURCES DEPT.
SALEM, OREGON

TO: Dwight French
OWRD

DATE: Aug. 16, 1995

FROM: Jerre Woody *42w*
Dist. #19

SUBJECT: Permit #51634

Dwight, I have enclosed a copy of permit #51634 and CWRE map.

Please note the permit was issued for Domestic use expanded for one household and the location is in the SW1/4 NW1/4, and SE1/4 NW1/4 of T40W, R13W, Sec. 14. The CWRE map shows two house locations, one in SW1/4 NW1/4 and the other in the SE1/4 NW1/4.

Should the permit actually read two households or should one of the houses on the CWRE map be eliminated?

Please enlighten us.....thank you for your help.

03-12-91

51634

RECEIVED

AUG 21 1995

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROCHELLE A HAUSER
99085 LYNN LANE
BROOKINGS, OREGON 97415

503-469-5683

to use the waters of AN UNNAMED STREAM, a tributary of NORTH FORK CHETCO RIVER, for DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD.

This permit is issued approving Application 71355. The date of priority is MARCH 12, 1991. The use is limited to not more than 0.005 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NE 1/4, SECTION 15, T 40 S, T 13 W, W.M.; 18 FEET SOUTH AND 208 FEET EAST FROM THE NE 1/16 CORNER OF SECTION 15.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under this permit is as follows:

SW 1/4 NW 1/4
SE 1/4 NW 1/4
SECTION 14

TOWNSHIP 40 SOUTH, RANGE 13 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion.

Actual construction work shall begin on or before June 30, 1996, and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

Application 71355

Water Resources Department

PERMIT 51634

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

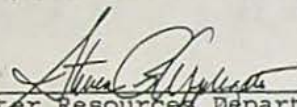
This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

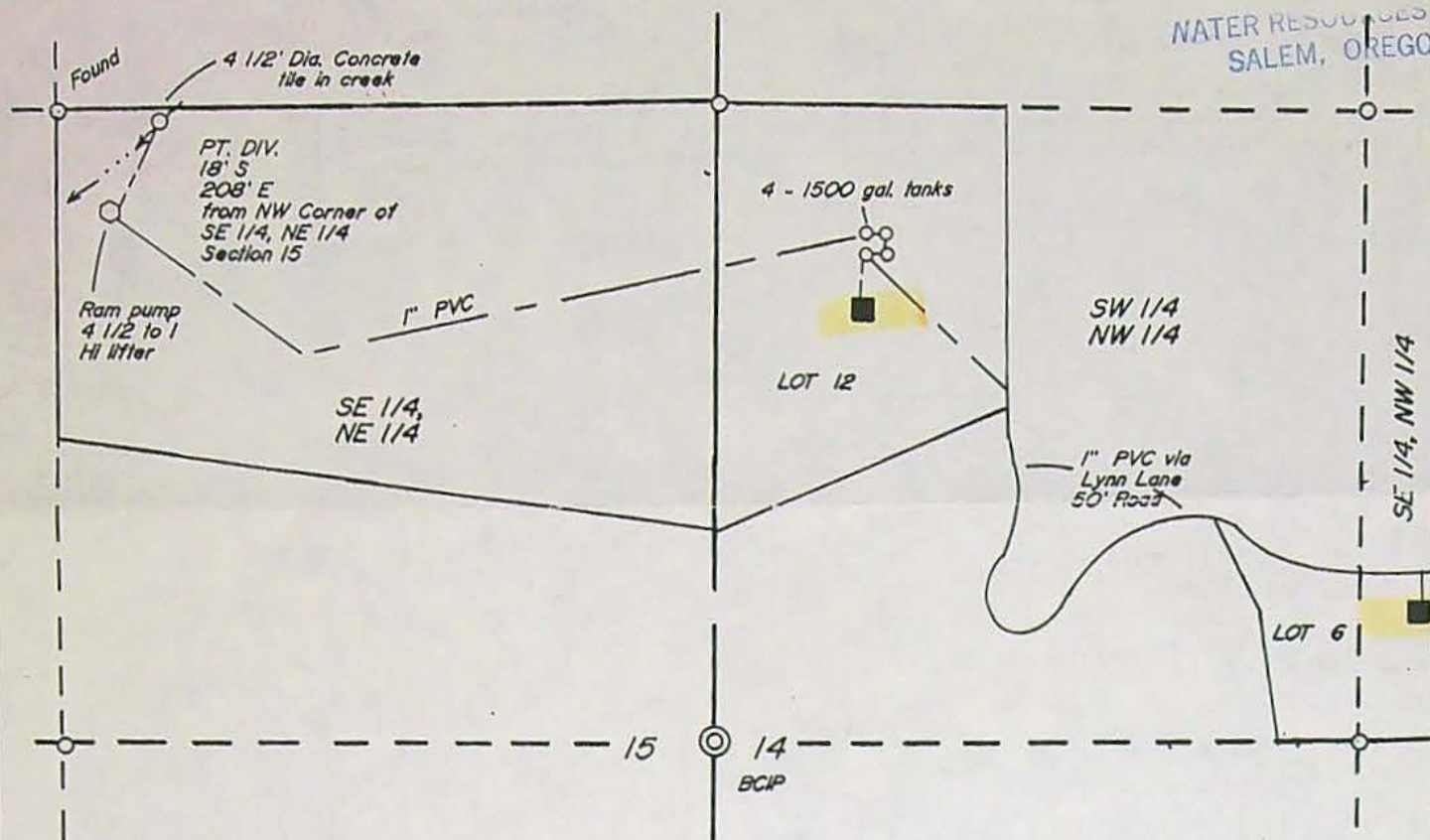
Issued this date, June 30, 1995.


for Water Resources Department
Martha O. Pagel
Director

51634

RECEIVED

AUG 21 1995

WATER RESOURCES DEPT.
SALEM, OREGON

The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property lines.

Application No. 71355
Permit No. 51634



Scale: 1" = 400'

February, 1991

Rochelle A. Hauser
99085 Lynn Lane
Brookings, Oregon

NOTE:

Lot 6, Lot 12 & Lynn Lane
are in Grandview Acres Subdivision

**WATER FILING APPLICATION for
ROCHELLE A. HAUSER Located in
the SE 1/4, NE 1/4, Section 15,
T 40 S, R 13 W, W.M.
Curry County, Oregon**



H.J. Newhouse - Land Surveying
P.O. Box 360
Wedderburn, Oregon 97491
(503) 247-6923
C.W.R. # 402

Public Interest Review

File No. 71355

I. Findings relating to OAR 690-11-195(2):

- ✓ The proposed water use is NOT prohibited by statute or scenic waterway criteria.

Comments:

- ✓ The proposed water use IS a classified use under the applicable basin program (OAR 690- 517) OR an application for the use HAS BEEN filed under ORS 536.295 and OAR Chapter 690, Division 82;

Comments:

- ✓ The proposed water use IS consistent with conditions previously imposed by the Commission on appropriations from the same source;

Comments:

- ✓ The proposed water use will NOT conflict with existing water rights;

Comments:

- ✓ Water IS available from the source to support the proposed water use.

Comments:

II. Findings relating to OAR 690-11-195(3):

- ✓ Population growth demands for domestic and municipal uses:

Finding: Nothing in the record developed for this application establishes the proposed water use would interfere with future demands for domestic and municipal uses as estimated by current rates of population growth in the area.

- ✓ Economic development for agriculture, navigation, manufacturing, industry, power generation, commercial fishing, forestry and mining:

Finding: Nothing in the record developed for this application establishes the proposed water use would appropriate water otherwise needed for economic development for agriculture, navigation, manufacturing, industry, power generation, commercial fishing, forestry and mining.

- ✓ Health and safety requirements for sanitation, drainage, flood control, and fire protection:

Finding: Nothing in the record developed for this application establishes the proposed water use would appropriate water otherwise needed for health and safety requirements for sanitation, drainage, flood control, and fire protection.

- ✓ Public values and uses for recreation, pollution abatement, fish and wildlife resources, and scenic waterway protection:

Finding: The water availability determination made for this application reflects public value needs listed above as incorporated in instream water rights applications and certificates and scenic waterway flow data.

Public Interest Review

File No. 71355

III. Findings relating to OAR 690-11-195(4):

✓ Existing claims to water from the same source:

Finding: The proposed water use has been analyzed in light of other needs from the same source. Exercise of any permit issued for the proposed use would not interfere with existing uses. The water availability determination made for this application takes into account water needed for pending applications proposed for approval from the same source.

✓ Land use goals, comprehensive plans, or other land use matters:

Finding: The application is compatible with the comprehensive plan of the affected local government, as evidenced by the required land use information form (or receipt). No other land use matters have been raised by citizens, local governments, or state agencies.

✓ Identified environmental concerns:

Finding: No general environmental concerns relating to the exercise of the proposed permit have been identified in the review of agency records or by others.

✓ Character and extent of other natural resources which are present in the water source basin:

Finding: No other natural resources in the water source basin will be adversely effected according to the agency records.

✓ Riparian and aquatic fauna and flora characteristics:

Finding: No riparian and aquatic fauna and flora characteristics in the water source basin will be adversely effected in review of agency records or by others.

✓ Recreational use and potential of the water source and its basin area:

Finding: Nothing in the records indicate the proposed use will interfere recreational use and potential use within the basin.

✓ Agricultural potential of the area:

Finding: The proposed use(s) will not adversely affect agricultural potential of the area according to the records of the agency.

✓ Designated historic, cultural, or natural resource protection areas:

Finding: Nothing in the records indicate the proposed use will interfere with designated historic, cultural or natural resource protection areas.

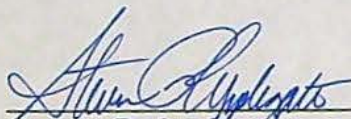
Public Interest Review

File No. 71355

IV. Public Interest Determination Summary

Based on the record in the application file and the analysis of the Department as presented to the Commission in the findings displayed above, the following public interest factors have been duly considered:

- ✓ Conserving the highest use of the water for all purposes, including irrigation, domestic use, municipal water supply, power development, public recreation, protection of commercial and game fishing and wildlife, fire protection, mining, industrial purposes, navigation, scenic attraction or any other beneficial use to which the water may be applied for which it may have a special value to the public.
- ✓ The maximum economic development of the waters involved.
- ✓ The control of the waters of this state for all beneficial purposes, including drainage, sanitation and flood control.
- ✓ The amount of waters available for appropriation for beneficial use.
- ✓ The prevention of wasteful, uneconomic, impracticable or unreasonable use of the waters involved.
- ✓ All vested and inchoate rights to the waters of this state or to the use of the waters of this state, and the means necessary to protect such rights.
- ✓ The state water resources policy formulated under ORS 536.295 to 536.350 and 537.505 to 537.525.


Steven P. Applegate

Administrator

Water Rights and Adjudications Division

6/30/95
Date

71355

RECEIVED

MAR 12 1991

WATER RESOURCES DEPT.
SALEM, OREGON

Application for a Permit to Appropriate Surface Water

Rochelle A. Hauser

Applicant(s)

(Please print or type - use dark ink)

Mailing Address:

99085 Lynn Lane

~~Brookings~~

~~Ore.~~

~~97415~~

City

State

Zip

Daytime Phone No. _____

I (We) make application for a permit to appropriate the following described waters of the State of Oregon:

Unnamed stream

1. **SOURCE OF WATER** for the proposed use: unnamed stream
a tributary of the North Fork Chetco River

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: 0.01 cubic feet per second, OR _____ gallons per minute. If water is to be used from more than one source, give the quantity of water from each:

3. **INTENDED USE(s) OF WATER:** domestic use including the irrigation
of a lawn or garden not to exceed 1/2 acre of irrigation.

If for more than one use, give the quantity of water from each source for each use; _____

If for DOMESTIC use, state the number of households to be supplied; two

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

If for MINING use, state the nature (gold, silver, etc.) of the mines to be served; _____

If for **IRRIGATION**, or other land area use, state the **TOTAL** number of acres to be developed under each use:

Irrigation

Other (describe)

4. **DESCRIPTION OF WATER DELIVERY SYSTEM:** Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

The system presently under construction consists of a $4\frac{1}{2}$ foot concrete tile in the streambed of a unnamed creek. Thence by pipeline downstream to a ram pump, high lifter $4\frac{1}{2}$ to 1. The pumped water goes by a 1 in. PVC pipe to 4, interconnected 1500 gallon tanks. From said tanks by gravity to the two existing dwellings. The dwelling on Lot 6, Grandview subdivision is served via Lynn Lane, a 50 foot wide road. All pipelines in the distribution system are one inch PVC.

5. **PROJECT SCHEDULE:** (List month and year)

Proposed date construction work will begin Jan. 1, 1991

Proposed date construction work will be completed Jan. 1 1992

Proposed date water use will be completed Jan. 1, 1993

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

6. 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)

7. 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.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Rochelle Nansen
Signature of Applicant

March 8, 1991
Date

Date _____

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROCHELLE A HAUSER
99085 LYNN LANE
BROOKINGS, OREGON 97415

503-469-5683

to use the waters of AN UNNAMED STREAM, a tributary of NORTH FORK CHETCO RIVER, for DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD.

This permit is issued approving Application 71355. The date of priority is MARCH 12, 1991. The use is limited to not more than 0.005 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NE 1/4, SECTION 15, T 40 S, T 13 W, W.M.; 18 FEET SOUTH AND 208 FEET EAST FROM THE NE 1/16 CORNER OF SECTION 15.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under this permit is as follows:

SW 1/4 NW 1/4
SE 1/4 NW 1/4
SECTION 14
TOWNSHIP 40 SOUTH, RANGE 13 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion.

Actual construction work shall begin on or before June 30, 1996, and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

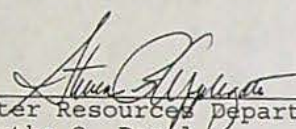
This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, June 30, 1995.


for Water Resources Department
Martha O. Pagel
Director

December 30, 1993

ROCHELLE A HAUSER
99085 LYNN LANE
BROOKINGS, OR 97415

Reference: File 71355

Hello:

This letter informs you of the current status of your application for a water use permit and accompanies the Satisfactory Report of Technical Review For Water Use Permit(s). We apologize for the delay in transmitting this information and Report to you and for any inconvenience the wait may have caused you.

The enclosed Report of Technical Review is the Department's summary of a specialized analysis of various legal and scientific aspects of your application and proposed water use. We are required by the state of Oregon's administrative rules (in OAR 690-11-160) to conduct this official technical review of each application submitted to the Oregon Water Resources Department for a water use permit. This process was designed to insure that your application receives a fair evaluation and to secure protection of existing water rights and of the public at large.

AS THE RESULT OF OUR TECHNICAL EVALUATION, WE HAVE DETERMINED THAT YOUR APPLICATION SATISFIES THE REQUIREMENTS OF THE TECHNICAL REVIEW.

The Department will now move your application to the next phase of processing. This phase includes a public interest review of your proposed water use. No final action may be taken on your application until the public interest review is completed.

You should also note that the Report of Technical Review describes conditions currently anticipated which may limit the water use proposed in your application.

If you wish to object to any of the analyses contained in the Report, you must submit your objection to the Department in writing within 60 days of the date of mailing of this Report or by the date specified below. Your objection must allege that the technical review is defective and you may also submit evidence which demonstrates that your proposed water use will not impair or be detrimental to the public interest.

Copies of the Report of Technical Review will be distributed to all persons who have filed comments or otherwise expressed an interest in the water use proposed in your application. Interested parties must also submit their objections within the prescribed objection period. Those objections must allege that the technical review is defective and/or that the proposed water use may impair or be detrimental to the public interest.



If an objection contains allegations that the technical review is defective, it must be accompanied by facts which support such allegations. If an objection contains allegations that the proposed water use may impair or be detrimental to the public interest, the objection must specify the particular public interest standards which apply as set out in Oregon Revised Statutes (ORS 537.170(5)) and Oregon Administrative Rules (OAR 690-11-195) and state facts showing how such standards would be violated.

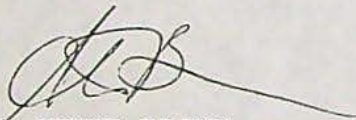
All evidence and objections must be received by our Salem office no later than 5:00 p.m. on or before March 11, 1994 or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

If objections and evidence are submitted on or before the above time and date, the Director of the Water Resources Department will evaluate each issue raised in the objections and either accept or deny them. Objectors are encouraged to indicate whether they would be interested in resolving their concerns through alternative dispute resolution.

If any of the objections are denied, the objector will be allowed thirty days to submit a protest to the denial. The protest must meet the standards set forth in OAR 690-02-030 through 080.

If you have any questions, please feel free to telephone me or any of the Department's Water Rights Section staff. My telephone number is 378-3739, in Salem, or you may call toll free from within the state to 1-800-624-3199.

Sincerely,



STEVE BROWN
Manager
Water Rights Division

Enclosures

Report Date: December 30, 1993

OREGON WATER RESOURCES DEPARTMENT

SATISFACTORY REPORT OF TECHNICAL REVIEW

FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: March 11, 1994

1. APPLICATION FILE NUMBER - 71355
2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

ROCHELLE A HAUSER
99085 LYNN LANE
BROOKINGS, OR 97415
CURRY COUNTY

Date application received for filing and/or tentative date of priority: 3/12/1991

SOURCE: UNNAMED STREAM
TRIBUTARY TO: NORTH FORK CHETCO RIVER

Purpose and/or use: DOMESTIC USE FOR ONE FAMILY INCLUDING THE IRRIGATION OF LAWN & NON-COMMERCIAL GARDEN NOT TO EXCEED .5 ACRE

Flow: 0.01 cfs

Point of Diversion Location:

SE 1/4 NE 1/4 SECTION 15, T 40 S, R 13 W, W.M. 1/8 FEET SOUTH AND 208 FEET EAST FROM THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15
T 40 S, R 13 W; SEC. 15

Place of use:

SWNW
SENW
Section 14
T 40 S, R 13 W, W.M.

SURFACE WATER AVAILABILITY

Water is likely available in excess of needs for all existing rights 50% of the time during each monthly period proposed by the technical review.

Water availability tables are available in the application file and may be reviewed in the office of the Water Resources Department in Salem.

CONFLICTS WITH OTHER WATER RIGHTS:

There are no existing rights from this point of diversion. proposed permit conditions.

There are no existing water rights appurtenant to the lands described in the application.

REPORT CONCLUSIONS:

Based on the Department's review of water availability and Oregon Administrative Rules, water in the amount of 0.005 cfs is likely available for year around for human consumption only. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

- .

PROPOSED PERMIT CONDITIONS

Application: 71355

The following conditions will apply to water use under the permit, and will appear in the permit, if issued.

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: Year round.
3. Rate of use: 0.005 cfs
4. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
5. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
6. Failure to comply with any of the provisions of the permit may result in action including, but not limited

permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.

7. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

RECEIVED

MAR 11 1994

WATER RESOURCES DEPT.
SALEM, OREGON



DEPARTMENT OF
FISH AND
WILDLIFE

March 9, 1994

Water Rights Section
Water Resources Department
3850 Portland Rd., NE
Salem, OR 97310

RE: Water Right Application #71355; Report of Technical Review

ODFW district fish personnel report that the presence of fish at the point of diversion is uncertain. Although ODFW will not require screening of the diversions at this time, we do wish to notify the applicant that we hold this option open for the future. Therefore, ODFW requests that WRD add the following as a condition to the proposed permit.

The permittee may be required in the future to install, maintain and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script, reading "Albert H. Mirati, Jr.".

Albert H. Mirati, Jr.
Water Right Review Coordinator

c. WaterWatch of Oregon (public information request)
Unterwegner, Gold Beach

FILE: 71355.TEC



2501 SW First Avenue
PO Box 59
Portland, OR 97207
(503) 229-5400
TDD (503) 229-5459

RECEIVED

APR 18 1995

WATER RESOURCES DEPT.
SALEM, OREGON

Oregon

DEPARTMENT OF
FISH AND
WILDLIFE



HABITAT
CONSERVATION
DIVISION

April 14, 1995

Dwight French
Oregon Water Resources Department
158 12th St. NE
Salem, OR 97310

RE: ODFW Objections to Permit Applications

Dear Dwight:

Oregon Department of Fish and Wildlife (ODFW) staff has reviewed your letter and accompanying material dated April 7, 1995. Since Water Resources Department (WRD) has agreed to include all conditions requested by ODFW in our most recent objection letters related to fish screening, bypass devices, and in-channel obstructions to fish passage, we hereby withdraw our objections to the following permit applications:

71355	71367	71368	71522	71828	71536
71537	71591	71601	71607	71641	72544
72920	73452				

If WRD is agreeable to this request, ODFW also withdraws its objections to these permit applications.

We hope these actions will enable WRD to continue processing water right applications in a timely manner.

Sincerely,

Stephanie Burchfield

Stephanie Burchfield
Water Resources Program Manager
Habitat Conservation Division



2501 SW First Avenue
PO Box 59
Portland, OR 97207
(503) 229-6967

April 7, 1995

Stephanie Burchfield
Oregon Department of Fish and Wildlife
P.O. Box 59
Portland, OR 97207

RE: ODFW Objections

Dear Ms. Burchfield:

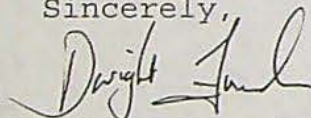
The Oregon Department of Fish & Wildlife has objected to a number of technical reviews regarding fish screening and fish by-pass devices.

The Water Resources Department will place the condition(s) set out in the copies of your objection letters (enclosed) in each of the permits for the applications listed below:

71355	71367	71368	71522	71828	71536
71537	71591	71601	71607	71641	72544
72920	73452				

Please let us know, by letter, if ODFW is willing to withdraw its objections on any or all of the applications listed above.

Sincerely,



Dwight French, Manager
Water Rights Section

cc: file



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

8

COPY CHECK-OFF SHEET FOR TECHNICAL REVIEWS

CC: FILE # 71 355 ✓

WATERWATCH ✓

ODF&W ✓

WATERMASTER # 19 ✓

REGIONAL MANAGER - SW ✓

CWRE - Howard J Newhouse ✓

DEQ ✓

KEN STAHR ✓

OTHER ADDRESSES: ✓

CASEWORKER ES

ORIGINAL TO APPLICANT 12/03/93

TECHNICAL REVIEW CHECKLIST

FORM-71393

- (1) Application: 71355
- (2) Review Date: 12/28/93

S Indicates information was completed or adequately addressed.
 U Indicates information is needed, or incomplete, or inadequately addressed
 N/A Indicates Not Applicable

SUMMARY

S Completeness

S Land Use

N/A GW Interference (if potential interference with surface water, see results of water availability analysis)

_____ Conflicts

_____ Water Availability

- (3) N/A The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge.

- (4) S No oath is required because application was filed before June 5, 1992.

- (5) S Application fees:

Examination fee:	\$ <u>300</u>
Recording fee:	\$ <u>25</u>
TOTAL REQUIRED	\$ <u>325</u>
TOTAL SUBMITTED	\$ <u>325</u>
AMOUNT DUE prior to issuance of permit	\$ <u>0</u>
AMOUNT OVERPAID	\$ <u>0</u>
refund due applicant	\$ <u>0</u>

- (6) S Proposed dates of beginning and completion of construction, and complete application of water.

- (7) S MAP: X Prepared by a CWRE
- _____ Exempt under OAR 690-11-150(3)
- _____ A map or drawing included (non-CWRE)
- _____ No map or drawing in file

- (8) S A CWRE map is not required for applications filed before November 9, 1987.
- (9) S A written copy of the legal description of the property on which the water is to be used.
- (10) N/A A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.
- (11) S The proposed use is not restricted or prohibited by statute.
- (12) S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
- (13) S Domestic use(s) is/~~are~~ classified uses(s) under the S. 60057 Basin Program, OAR 690 512-001(8)
- (14) S The application, map and supporting data are complete and free of defects.

Land Use Compatibility:

- (15) As expressed by the Planning Department of Oreilly
- (16) S The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section 3.081).
- (17) N/A The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.
- (18) S The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For ground water applications:

- (20) S A copy of the constructor's log, if available, for any well already constructed, or required information regarding actual or anticipated construction.
- (21) S The report from groundwater section has been received.

For reservoir applications:

- (22) ✓ Plans, specifications and supporting information for the dam and impoundment area.

Basin: N. Fork Chetco 50%

Detailed Report for Water Availability Subbasin 3102000000000000
 Water Availability By Month for Exceedance Level 50
 14:26 12/28/1993

MO	Gross Water Avail	Consumptive Use		Storage Rights		Net Min Flow	Instream Water Rights		Net Water Avail
		Applic	Permit	Applic	Permit		Applic	Permit	
1	374	0	0	0	0	374	0	135 0	239 374
2	403	0	0	0	0	403	0	135 0	268 403
3	323	0	0	0	0	323	0	135 0	188 323
4	168	0	0	0	0	168	0	135 0	33 168
5	63	0	0	0	0	63	0	135 0	-72 63
6	48	0	0	0	0	48	0	80 0	-32 48
7	26	0	0	0	0	26	0	55 0	-29 26
8	15	0	0	0	0	15	0	55 0	-40 15
9	9	0	0	0	0	9	0	55 0	-46 9
10	18	0	0	0	0	18	0	135 0	-117 18
11	139	0	0	0	0	139	0	135 0	4 139
12	399	0	0	0	0	399	0	135 0	264 399
Stor	98100	0	0	0	0	98100	0	0	98100

ISWR

S2SW SEC 9 T40S R13W RM 6.0

to

SWNE SEC 35 T40S R13W RM 0.0

APPLICATION PROCESSING OUTLINE

Basin: _____
 Sub-basin: _____
 Fees paid: Examination fee: _____
 Recording fees: _____
 Total: _____

Application No. 71355
 Permit No. _____

RATE AND DUTY _____ for irrigation

1. Check for minimum information (OAR 690-11-020)

yes	no	
_____	_____	Name and mailing address of the applicant.
_____	_____	Source of the water.
_____	_____	Quantity of water to be appropriated.
_____	_____	Location of point of diversion to 1/4 1/4 Section.
_____	_____	Nature and place of use.
_____	_____	Name and mailing address of all legal owners of the properties involved.
_____	_____	Signature of the applicant
_____	_____	Examination fees.

If minimum information not supplied, excepting legal owner information, then return to applicant with letter explaining deficiencies.

yes	no	
_____	_____	Water Resources Commission classification limits or restrictions -- If yes, note: _____
_____	_____	State Engineer's withdrawals -- If yes, note: _____
_____	_____	Legislative withdrawals -- If yes, note: _____
_____	_____	If policy statement is unclear check with Resources Management Division.
_____	_____	Scenic Waterway: _____
_____	_____	_____ on _____ up-stream _____ w/in 1/4 mile
_____	_____	Notify Parks and Recreation Department
_____	_____	Out-of-basin diversion
_____	_____	Need to route to Geology Section due to:
_____	_____	well within one mile of a stream
_____	_____	well within restricted surface water area
_____	_____	wells with request for greater than 5 cfs
_____	_____	well is for heating &/or cooling
_____	_____	well constructed by land owner
_____	_____	well is artesian
_____	_____	artificial ground water recharge project
_____	_____	ground water area under study
_____	_____	Within Irrigation District: _____
_____	_____	Notify _____ Need excerpt from District
_____	_____	Legal description of property
_____	_____	Ownership statement
_____	_____	Other parties to Notify: _____
_____	_____	Water Resources Commission review if:
_____	_____	Request for greater than 5 cfs
_____	_____	Dam height greater than 10 feet
_____	_____	Storage of more than 9.2 acre-feet
_____	_____	Out-of-basin diversion
_____	_____	within or above a scenic waterway
_____	_____	conditional uses under basin program
_____	_____	requests for larger rate or duty than allowed
_____	_____	ground water recharge project
_____	_____	other substantial public interest issues
_____	_____	requests for review by an agency or person
X	_____	Watermaster consent form sent with copy of draft permit
_____	_____	application and map
_____	_____	Watermaster comments received
_____	_____	Hydrographic section comments requested
_____	_____	Hydrographic section comments received
X	_____	O.D.F.W. sent copy of application and map (except groundwater) requesting comment
_____	_____	O.D.F.W. comments received
_____	_____	Report from D.E.Q. received
X	_____	Publish application information in weekly public notice.
_____	_____	Notify other owners of development
_____	_____	PROTESTED
_____	_____	filed
_____	_____	resolved

Application No. 71355
Permit No.

WARRANTY DEED (INDIVIDUAL)

1989 Curry Co.
Instrument

№ 001001

INDEX

PETER SEAN MCHENRY, as an estate in fee simple

hereinafter called grantor, convey(s) to

HAUSER FAMILY PARTNERSHIP

all that real property situated in the County

of CURRY, State of Oregon, described as:

Lot Five (5), Grand View Acres Subdivision, County of Curry and
State of Oregon.

TOGETHER WITH that certain 30 foot wide roadway and utility
easement, including the terms and provisions thereof, as
disclosed by instrument recorded June 12, 1984 in BR: 105
Pages 111-4 and BR: 105 Page 108-10.

EXCEPTIONS:

- The rights of the public in and to that portion of the herein
described property lying within the limits of public roads or
highways.
- An easement recorded November 30, 1953 Deed Volume: 41 Page: 325.
- Covenants, easements and restrictions recorded February 5, 1980
BR: 75 Page: 500.
- Subject to those certain roadway and utility easement as
disclosed by the recorded plat of Grandview Acres Subdivision.

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except
as shown above

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$ 10,000.00

Dated this 9 day of October, 1989

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY
DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE
LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR AC-
CEPTING THIS INSTRUMENT, THE PERSON ACQUIRING TITLE
TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR
COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Peter Sean McHenry
Peter Sean McHenry

STATE OF OREGON, County of CURRY

ss.

October 9
Peter Sean McHenry
his

1989 personally appeared the above named
and acknowledged the foregoing

instrument to be his voluntary act and deed.



Before me:

Vicki Whalen

Notary Public for Oregon

My commission expires: 8-4-91

*The dollar amount should include cash plus all encumbrances existing against the property to which the
property remains subject or which the purchaser agrees to pay or assume.

XX
XX
XX

WARRANTY DEED (INDIVIDUAL)

STATE C

Peter Sean McHenry

County of

TO

on the

Hauser Family Partnership

at

on page

With

XX
Send tax statements to:
Hauser Family Partnership
515 Pine Hill Rd.
CA 94508

STATE OF OREGON }
COUNTY OF CURRY } ss
'89 OCT 11 PM 3 24

ELAINE JOY
CURRY COUNTY CLERK

ed for record
19

I hereby certify that the within
instrument was received and duly
recorded in the OFFICIAL RECORDS
OF CURRY COUNTY:

By: mw Deputy

ity.

Title

BOOK OF RECORDS

CURRY COUNTY FILE 56467-2

RECEIVED
MAR 12 1990
WATER RESOURCE
SALEM, OREG

EXHIBIT "A"

PARCEL I:

40-13-14B-1600

Lot Twelve (12), Grandview Acres Subdivision in the County of Curry and State of Oregon.

RECEIVED

MAR 12 1991

PARCEL II:

40-13-15A TL 6.00

A parcel of land lying within the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of Section Fifteen (15), Township Forty (40) South, Range Thirteen (13) West, Willamette Meridian, Curry County, Oregon, being more particularly described as follows:

Beginning at the Northwest Corner of said Lot Twelve (12), also being the Northeast Corner of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) said Section Fifteen (15);

Thence South 00° 50' 35" West following the East line of said Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) 902.17 feet;

Thence leaving said line North 81° 11' 21" West 1374.04 feet to a point on the West line of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4);

Thence following said line North 01° 15' 52" East 692.80 feet to the Northwest Corner of said Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4);

Thence North 89° 05' 10" East following the North line of said Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) 1356.49 feet to the Point of Beginning.

"Together with that certain 30 foot roadway and utility easement as disclosed by instrument recorded June 19, 1984 in Book of Records 105, Page 111-114."

EXCEPTIONS AFFECTING PARCEL I:

- 1) The rights of the public in and to that portion of the herein described property lying within the limits of public roads or highways.
- 2) An easement recorded in Deed Volume: 41 Page: 325 in favor of Albert M. Vollmer for 18 foot easement along existing roadway.
- 3) Covenants, easements and restrictions recorded BR: 75 Page: 500
- 4) An easement recorded BR: 105 Page: 108-110 in favor of Robert G. Carpenter et., ux. for right of way.
- 5) An easement recorded BR: 105 Page: 111-114 in favor of Owners of Lots 3,4,5,6 and 12 for Installation and maintenance of a water system.

EXCEPTIONS AFFECTING PARCEL II:

- 1) The rights of the public in and to that portion of the herein described property lying within the limits of public roads or highways.
- 2) An easement recorded Deed Volume: 41 Page: 325 in favor of Albert M. Vollmer for right of way.
- 3) As disclosed by the assessment and tax roll, the premises herein have been specially assessed as forest land. If the land becomes disqualified for this special assessment under the statute an additional tax plus interest may be levied for the last five or lesser number of years in which the land was subject to this special land use agreement.

Indexed to Needs
State of Oregon }
County of Curry }

I hereby certify that the within instrument was
filed for record Needs March 3, 1991
at 3:43 o'clock P.M. and recorded
in Book of Records Vol. 127 Page 23-24
JAMES D. HALLMAN, County Clerk

OREGON DEPARTMENT OF FISH AND WILDLIFE FIELD REPORT
FOR WATER RIGHT APPLICATIONS

15 APR 1991

TO: Tim Unterwegner, Gold Beach

Investigation by:

FROM: Greg Robart

File No. & Amount of water: 71355

DATE: 4-11-91

Respond to HCD by: 4-25-91

APPLICANT: (name and address):

CURRY

71355 ROCHELLE A HAUSER

99085 LYNN LANE BROOKINGS, OR 97415

AN UNNAMED STREAM, A TRIBUTARY OF NORTH FORK CHETCO RIVER

for DOMESTIC USE FOR TWO FAMILIES INCLUDING THE

IRRIGATION OF LAWN AND NON-COMMERCIAL GARDEN NOT TO EXCEED ONE-HALF ACRE EACH.

0.01 CUBIC FOOT PER SECOND

SE 1/4 NE 1/4 Section 15 T 40 S R 13 W WM.

Point of Diversion:

Purpose:

RECEIVED

MAY 1 1991

WATER RESOURCES DEPT.
SALEM, OREGON

Intake type: (screening needs)

Standard

Dam construction: (passage needs)

COMMENTS:



No Comment (This water right is not damaging to fish and wildlife habitat)

A. Fish involved (species, size, age & number - specific anadromous and/or resident fish):

B. Type of habitat (spawning, rearing or migration route):

C. Problems this water diversion will impose (include impact on angler use):

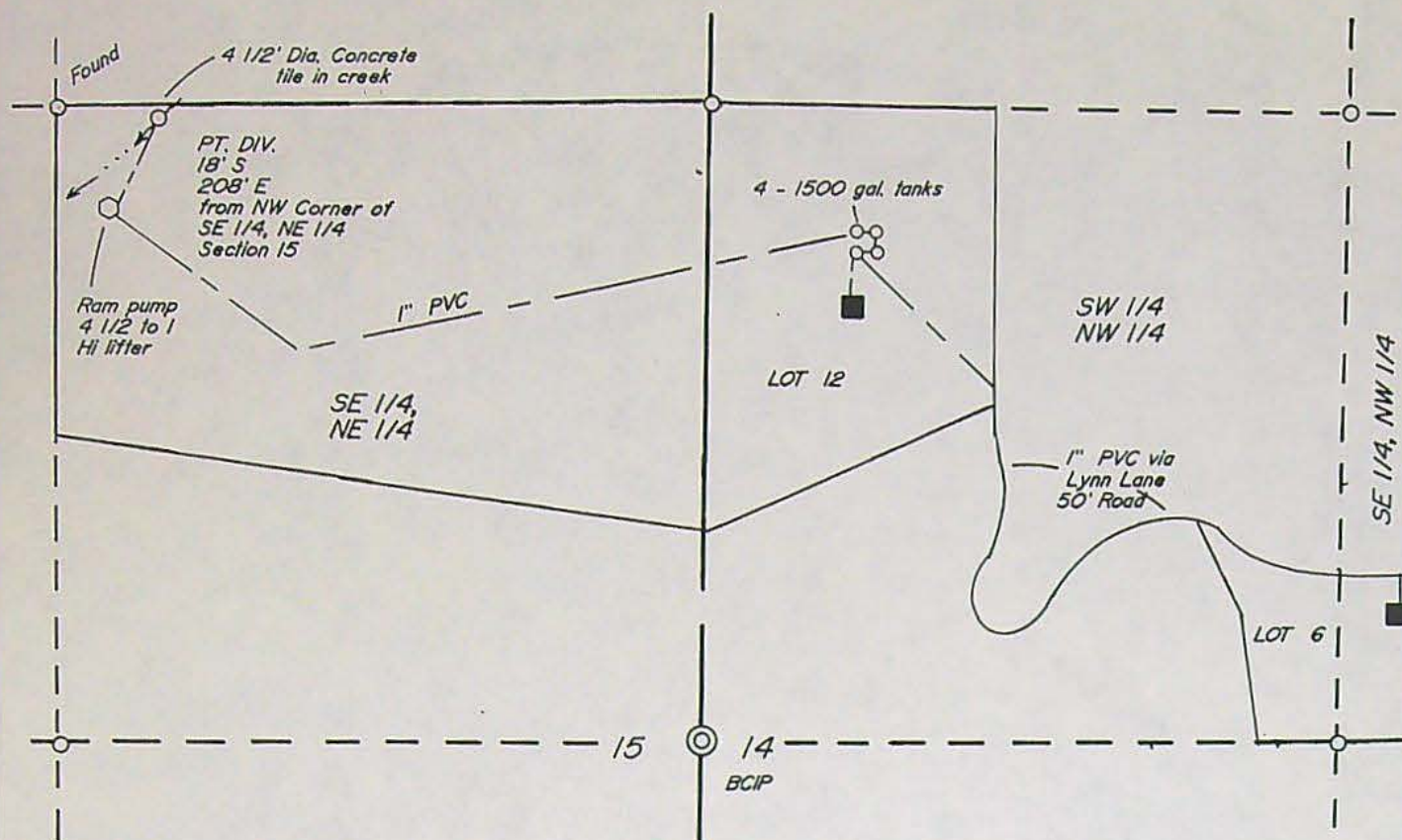
D. Recommendations for limiting, restricting, mitigating, conditioning this permit are: for example, season of use, flow adjustment, metering requirements, erosion, control instream habitat improvement, etc.):

E. Describe stream or watershed or fish habitat enhancement projects completed or currently in progress.

F. Particular significance of this stream or this system?

- Fish species?

- Recreation days?



The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property lines.

Application No. 71355
Permit No. 51634



Scale : 1" = 400'

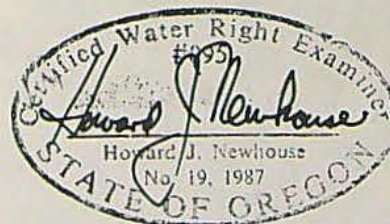
February, 1991

Rochelle A. Hauser
99085 Lynn Lane
Brookings, Oregon

NOTE :

Lot 6, Lot 12 & Lynn Lane
are in Grandview Acres Subdivision

**WATER FILING APPLICATION for
ROCHELLE A. HAUSER Located in
the SE 1/4, NE 1/4, Section 15,
T 40 S, R 13 W, W.M.
Curry County, Oregon**



COPY

H.J. Newhouse - Land Surveying
P.O. Box 360
Wedderburn, Oregon 97491
(503) 247-6923
C.W.R. # 402