

378-3066

File No. 57148

March 22, 1978

David F. Getner
P.O. Box 1217
Waldport, OR 97394

Dear Mr. Getner:

We have received your application for a permit to appropriate 1/80th of one cubic foot per second of water from an unnamed stream for domestic use of one family and 1/2 acre of lawn and garden along with a map, legal description, and the examination fee of \$20.00 for which our receipt No. 1469 is enclosed. This application has been filed and assigned No. 57148.

In order to file this application, you must authorize cancellation of permit No. 37924 which was for the same use. If you have misplaced the forms sent to you for this purpose, I am enclosing another form which you should sign and date and return to this office.

The water policy statement of the Water Resources Board of Oregon dated March 10, 1975 classifies use of the water from Canal Creek and its tributaries for, among other uses, domestic and the irrigation of lawn or non-commercial garden not to exceed 1/2 acre in area. A commercial use for nursery stock would not be allowed.

Item No. 3 of your application lists the place of use as being in the W1/2 of the SE1/4. The use would appear to be in Lot 7 which is the NE1/4 of the SW1/4.

Item No. 3 of your application shows the use to be irrigation of 1/2 acre lawn and garden. The use listed under item No. 5 is domestic. If the use is to be domestic and irrigation of 1/2 acre lawn and garden, you should submit a recording fee of \$10.00 for the irrigation add \$15.00 for the domestic use for a total of \$25.00. If the use is to be domestic including the irrigation of not to exceed 1/2 acre lawn and garden, then the total recording fee would be \$15.00. Item No. 5 of your application should show the type of use and the irrigation should be listed as non-commercial lawn and garden to be acceptable from this source.

David F. Getner

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March 22, 1978

Your application map should show the township, range, and section in which the use is to be located.

I am returning your application and map for correction and completion. The application is endorsed so that it along with the map and affidavit authorizing cancellation of permit 37924 must be received in this office on or before May 22, 1978 to retain the priority date.

Sincerely

Donald R. Buell
Water Rights Engineer

DRB:cah

378-3066

57148

April 20, 1978

David F. Getner
P.O. Box 1217
Waldport, OR 97394

Dear Mr. Getner:

Thank you for the return of your corrected application No. 57148 and map, and for submitting the recording fee of \$25.00.

Your authorization to cancel your permit No. 37924 which provided for the use of water from an unnamed stream for domestic use for one family was also received. The permit will be of no further force or effect.

Permits will be issued for use of water from the Alsea River and its tributaries. However, water may not be available during dry periods. The water may be needed to satisfy existing rights or minimum flow standards.

Your application is satisfactory and the permit will be issued in 30 to 60 days.

Sincerely,

Donald R. Buell
Water Rights Engineer

DRB:jfv
enclosure: receipt No. 1854

LEGAL DESCRIPTION OF PROPERTY

THAT PORTION OF LOT 7 AND THE W $\frac{1}{2}$ OF THE SE $\frac{1}{4}$ OF SECTION 32, T13S, R10W, W.M. IN LINCOLN COUNTY, OREGON DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF U.S. LOT 7; THENCE NORTH 5 CHAINS; THENCE EAST, 1000 FEET, MORE OR LESS, TO THE WEST OF WAY LINE OF CANAL CREEK COUNTY ROAD; THENCE SOUTHEASTERLY ALONG THE RIGHT OF WAY OF SAID CANAL CREEK ROAD TO A POINT THAT 576 FEET NORTH OF THE SOUTH LINE OF SAID SECTION; THENCE WEST ON A LINE THAT IS PARALLEL TO AND 576 FEET NORTH FROM THE SAID SOUTH SECTION LINE, 350 FEET, MORE OR LESS, TO THE WEST LINE OF THE SE $\frac{1}{4}$ OF SAID SECTION; THENCE NORTH ON SAID WEST LINE TO THE SOUTHEAST CORNER OF U.S. LOT 7; THENCE WEST ON THE SOUTH LINE OF U.S. LOT 7 TO THE POINT OF BEGINNING.

Application No. 57198
Permit No.

RECEIVED
MAR 8 1978
WATER RESOURCES DEPT.
SALEM, OREGON