

STATE OF OREGON
WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO

June 8, 1993

TO: SWR-50 (FREEMAN) FILE

FROM: DON KNAUER

SUBJECT: CHANGE IN OWNERSHIP

MONA M KAMMERER
PO BOX 813
MOLALLA OR 97038

Came into the office and said that both of her parents, Bill C and Bessie M Freeman passed away in the past year. She said the property has been sold to Beyer Tree Farm % Roger Beyer, 39422 South Cooper Road, Molalla Or 97038. I suggested she have Mr Beyer send us proof of ownership and we could then included him in the adjudication process.

STATE OF OREGON
WATER RESOURCES DEPARTMENT
ADJUDICATION SECTION

TO: Reed Marbut
FROM: Don Knauer

DATE: May 29, 1992

SUBJECT: Indorsement of SWR-50

I have completed a review of the registration statement form, map and evidence submitted by the following claimant. I have reviewed the WRD records. Based on my review I suggest the following information be included on the " Notice of Proposed Order " under ORS 539.240 (8):

NAME: Bill C. & Bessie M. Freeman
ADDRESS: 39422 South Cooper Road
Molalla OR 97038

SOURCE: Unnamed Spring a tributary of Butte Creek.

USE: Domestic use for one family

PRIORITY DATE: 1872

AMOUNT OF WATER FOR EACH CLAIMED USE:

5 GPM for domestic use.

DIVERSION POINT:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, T. 6 S., R. 2 E., W.M.

PLACE OF USE:

Domestic SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 22,
Township 6 S., Range 2 E., W.M.

PERIOD OF USE:

Domestic use allowed all year.

FILE C:\WP51\SWR\CLAIMANTS\SWR-0050.0IM

INTERDEPARTMENT MEMO

TO: Watermaster District # 16
FROM: Adjudication Section
RE: Surface Water Registration

Enclosed is a copy of a Registration Statement and accompanying map that has been filed in your district. It has been numbered SWR #50.

We are gathering information about this claim to a pre-1909 water use and would like you to assist us by filing out the checklist below and including any comments that you think might be of significance.

(Yes or No)

1. Do you know anything about this water use? Yes
2. Have there been any distribution problems relating to this claim? No
3. Do you have reason to believe that the claimed priority date is not accurate? No
4. Does the quantity of water claimed look unreasonable for the uses named? No
5. Does the place of use look to be accurately depicted by the CWRE map enclosed? Yes
6. Do you know if there has been a period of more than a five years of non-use? No
7. Should someone in our section contact you concerning this claim? No

If you answered yes to any of the above questions, please explain below on an additional sheet of paper.

Attach any memo's or correspondence that deal with this water use and return to the Adjudication Section at the address below.

Thank you for your assistance.

Sincerely,

Adjudication Section

Enclosures

#1 - ~~Water~~ No live flow to the Butte Cr. System in Summer
#5 - Yes means it ~~is~~ appears to be accurate.

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # 82453 CHECK ENCLOSURES Dek
CHECK BASIN MAP 2B / Mid-Willamette UNADJUDICATED AREA ? yes
SURFACE WATER REGISTRATION NUMBER 50
PRELIMINARY DATA BASE ENTRY DWF
ACKNOWLEDGEMENT LETTER Dek ENTER ON STREAM INDEX h
PUBLIC NOTICE PUBLICATION h ~~WATERMASTER CHECKLIST~~ h
CHECK QUADRANGLE MAP h CHECK GLO PLATS h

FORM REVIEW

☒ blanks filled in *The two forms go together and = 1 good form.*
☒ signed
☒ date received stamped

MAP REVIEW

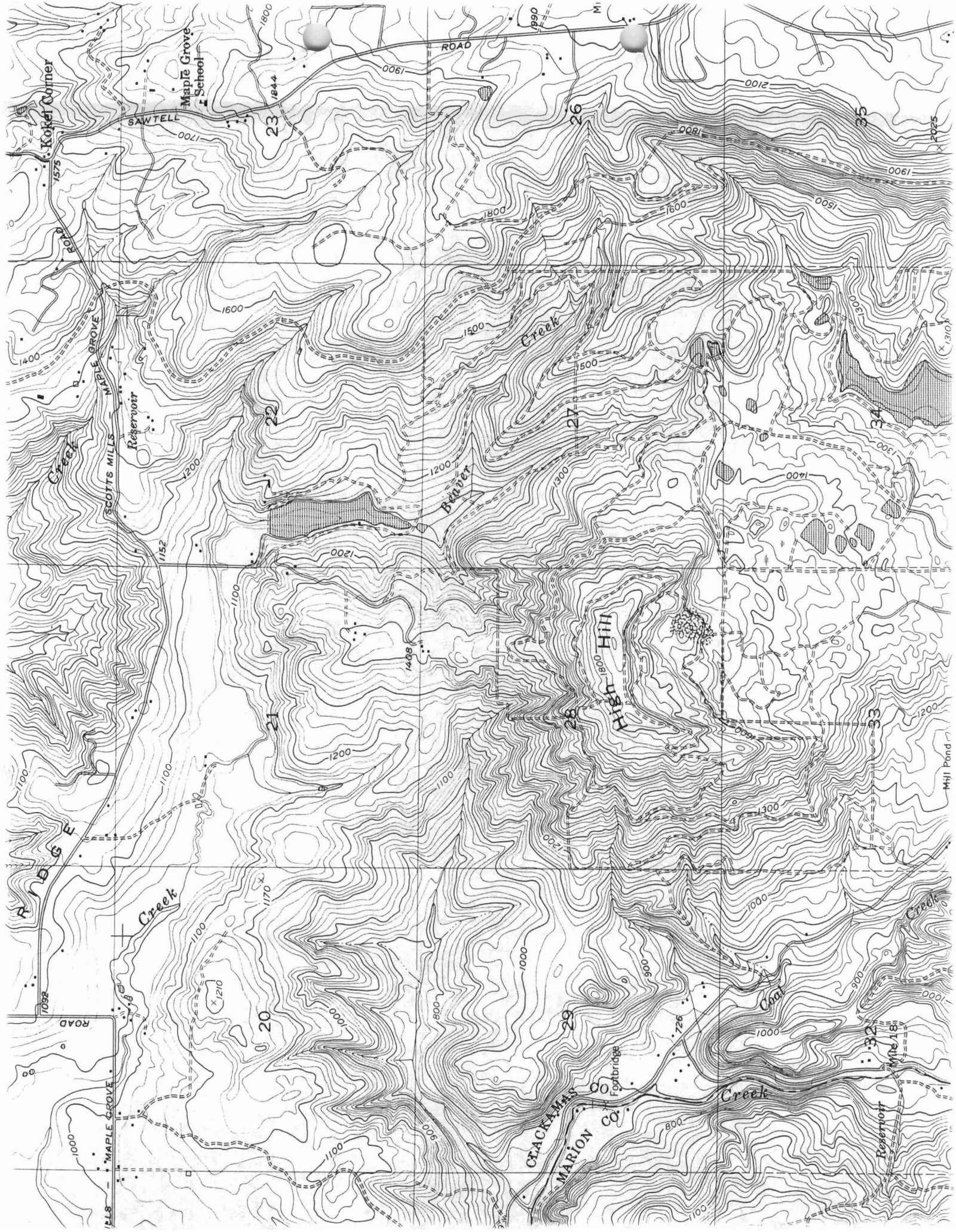
☒ source and trib
☒ diversion point location
☒ conveyances (pipes, ditch, etc.)
☒ place of use
☒ scale
☒ township, range, section
☒ north arrow
☒ CWRE stamp
☒ disclaimer
☒ date survey was performed
☒ P.O.B. of survey
☒ dimensions and capacity of diversion system
☒ "beneficial use" type title
☒ "permanent-quality" paper

Basin #
2B
MID-WILLAMETTE

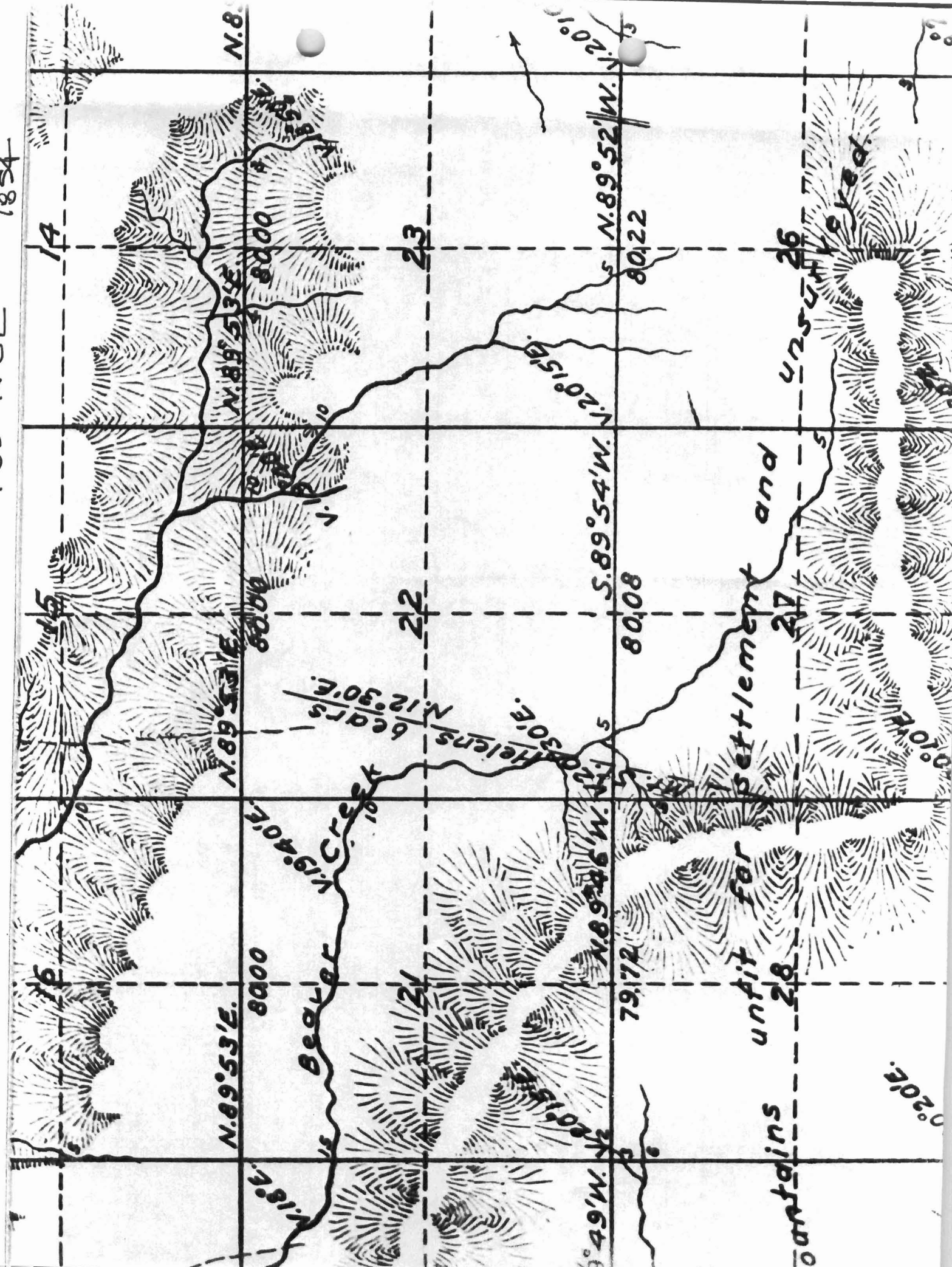
WATER RIGHT RECORD CHECK Dek ENTER ON PLAT CARDS _____
FIELD INSPECTION NOT PLANNED FINAL FILE REVIEW Dek
FINAL DATA BASE ENTRY _____

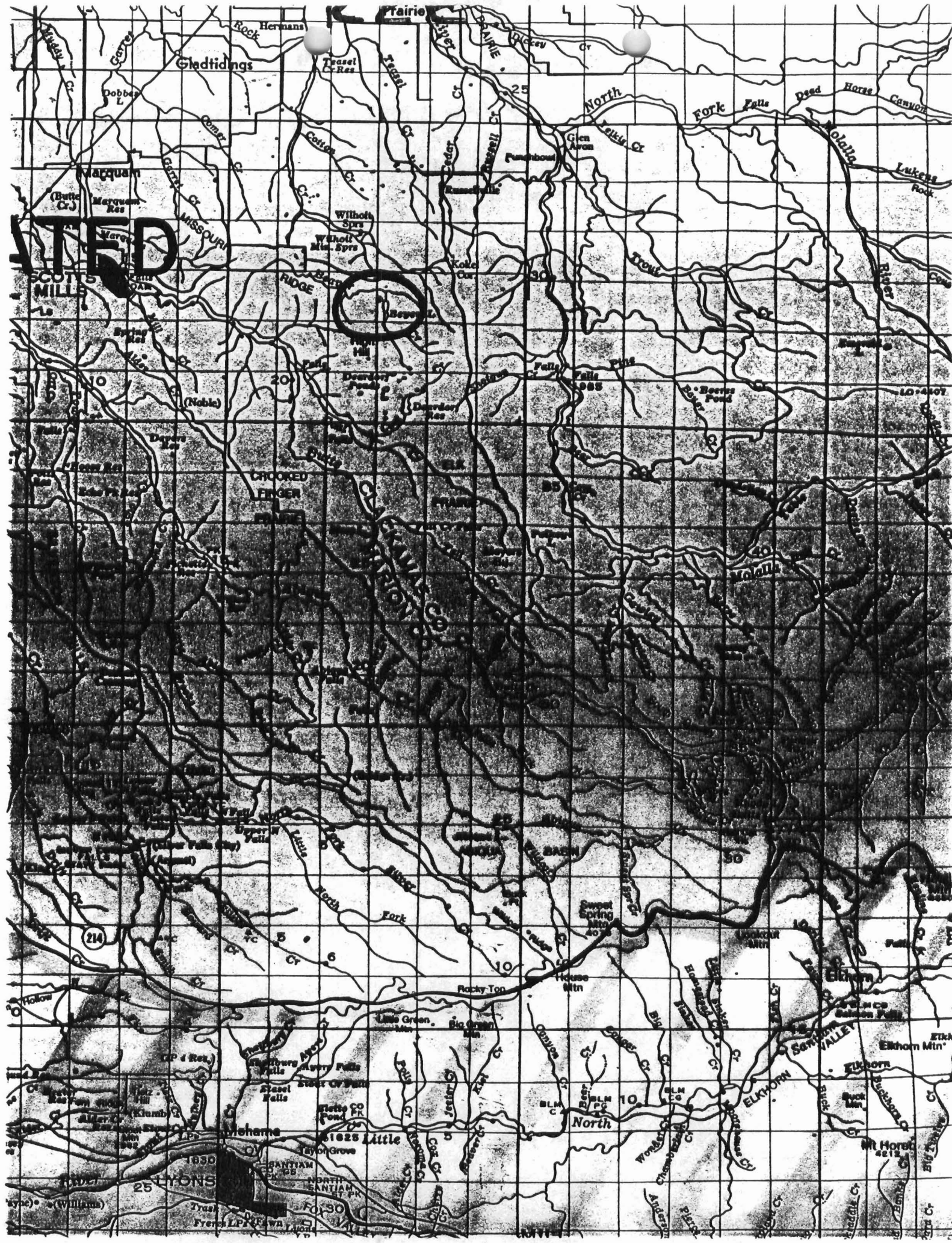
A:SWRCHECK

12-24-91



T6S R 2E 1854





January 13, 1991

Bill and Bessie Freeman
39422 South Cooper Road
Molalla OR 97038

RE: Surface Water Registration # 50

Dear Mr. and Mrs. Freeman,

This will acknowledge that your Surface Water Registration Statement in the name of Bill C. and Bessie M. Freeman has been received by our office. The fees in the amount of \$ 200.00 have been received and our receipt # 82453 is enclosed. Your registration statement has been numbered SWR-50.

Our office will review your form and map in the near future. If necessary we will schedule a meeting with you that will include a site inspection. If there are problems with your form we are usually able to take care of them during our visit. We will be able to answer any questions you might have about the adjudication process at that time.

Please feel free to contact this office if you have any questions.

Sincerely,



Adjudications Section

enc

A:SWR-0050.001



STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 82453

3850 PORTLAND ROAD NE

SALEM, OR 97310

378-3739/378-8130 (FAX)

RECEIVED FROM: Bill Freeman

BY: _____

APPLICATION

PERMIT

TRANSFER

CASH: ☐

CHECK: #

OTHER: (IDENTIFY)



24-12



TOTAL REC'D

\$ 200.⁰⁰**01-00-0 WRD MISC CASH ACCT**

842.010 ADJUDICATIONS

\$ 200.⁰⁰

831.087 PUBLICATIONS/MAPS

\$

830.650 PARKING FEES Name/month

\$

OTHER: (IDENTIFY)

\$

02-00-0 FEDERAL FUNDS

OTHER: (IDENTIFY)

\$

03-00-0 WRD OPERATING ACCT**MISCELLANEOUS:**

840.001 COPY FEES

\$

880.109 MISC REVENUE: (IDENTIFY)

\$

520.000 OTHER (P-6): (IDENTIFY)

\$

WATER RIGHTS:

842.001 SURFACE WATER

EXAM FEE

\$

842.002

RECORD FEE

\$

842.003 GROUND WATER

\$

842.004

\$

842.005 TRANSFER

\$

842.006

\$

WELL CONSTRUCTION**EXAM FEE**

842.022 WELL DRILL CONSTRUCTOR

\$

842.023

LICENSE FEE

\$

842.016 WELL DRILL OPERATOR

\$

842.019

\$

LANDOWNER'S PERMIT

842.024

\$

06-00-0 WELL CONST START FEE

842.013 WELL CONST START FEE

\$

CARD #

MONITORING WELLS

\$

CARD #

45-00-0 LOTTERY PROCEEDS

864.000 LOTTERY PROCEEDS

\$

69001 SUSPENSE ACTIVITY

LIC NUMBER

842.115 POWER LICENSE FEE(FW)

\$

842.115 HYDRO LICENSE FEE(FW)

\$

832.009 HYDRO EXAM FEE(GF)

\$

RECEIPT # 82453

DATED: 1-10-92

BY: DBushnell

Distribution—White Copy-Customer, Yellow Copy-Fiscal, Brown Copy-Fiscal

December 16, 1991

WATER
RESOURCES
DEPARTMENT

Mrs. Bessie Freeman
39422 S. Cooper Rd
Molalla OR 97038

re: Surface Water Registration Statement

Dear Mrs. Freeman,

I am returning the registration statement, attached history sheet, map and cashier check for \$ 325.00. A review of the submitted documents shows a number of corrections and completions needed.

Item #2 on the form needs to have the type of source shown. It appears you should enter "Unnamed Spring" from the information on the map. Item #5 must be corrected to show the actual amount of water you use for your domestic purpose. 192 cfs and 10.4 gallons per minute are both very large amounts of water, more than any normal domestic use could require. The certified water right examiner is required to show the diversion and system capacity on the map. Once this is done you might have a better idea of the figure to enter.

The fees required for a domestic use involved in a claim to a pre-1909 water right are \$ 200.00.

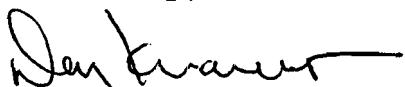
I am sending a "Surface Water Registration Checklist", on which I have circled in blue, the additional information needed on the map. I suggest you give it and the "Form and Map Requirements" and "Claim of Beneficial Use" to your CWRE for completion and correction.



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

It looks like there might have been some confusion about the map and fee requirement. The map is titled " Application Map " and the fees were in the amount for a new application. Applications and Registrations are two very different ways to establish a water right and the requirements are very different. I have enclosed one of my business cards for you or the CWRE to use. Please call me if there are any questions I can help you with.

Sincerely,



Don Knauer
Adjudication Specialist

enc

SWP - 0050
A: FREEMAN .002

Mrs. Bessie Freeman
(map - Bill Freeman)

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # _____

CHECK ENCLOSURES _____

CHECK BASIN MAP _____

UNADJUDICATED AREA ? _____

SURFACE WATER REGISTRATION NUMBER _____

ACKNOWLEDGEMENT LETTER _____

ENTER ON STREAM INDEX _____

PUBLIC NOTICE PUBLICATION _____

WATERMASTER CHECKLIST _____

CHECK QUADRANGLE MAP _____

CHECK GLO PLATS _____

FORM REVIEW

- _____ blanks filled in
- _____ signed
- _____ date received stamped
- _____ date received filled out on back

MAP REVIEW

- ☒ source and trib
- ☒ diversion point location
- ☒ conveyances (pipes, ditch, etc.)
- ☒ place of use
- ☒ scale
- ☒ township, range, section
- ☒ north arrow
- ☒ CWRE stamp
- ☒ disclaimer
- ☒ date survey was performed
- ☒ P.O.B. of survey
- ☒ dimensions and capacity of diversion system
- ☒ "beneficial use" type title
- ☒ "permanent-quality" paper

NEEDED
ON MAP

EXISTING WATER RIGHT RECORD CHECK _____

ENTER ON PLAT CARDS _____

A:SWRCHECK

12-16-91

JAN 14 1992

SITE REPORT

BACKGROUND: This site report conducted by CWRE with owner, Bessie M. Freeman on Monday, December 30, 1991 is for the purpose to verify claim of beneficial use to serve domestic water for single family residence at 39422 South Cooper Rd.

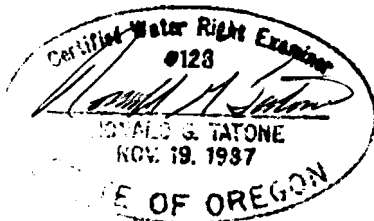
SOURCE: The intake system is a 4'x6' wooden structure approximately 10 feet deep excavated in an unnamed drainage way and supplied from springs. Spring overflow and surface drainage collect in drainage channel below intake and discharge to Beaver Creek a tributary of Butte Creek a tributary to Pudding River.

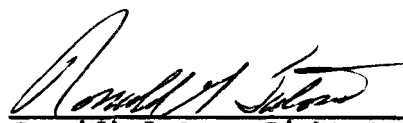
DIVERSION: The intake structure is equipped with 1½ inch PVC Schedule 40 piping that discharges to a 1½ inch PVC Sch. 40 supply line.

SUPPLY: The supply line below ground surface passes under South Cooper Road and continues to the point of use. The supply line is approximately 180 feet in length and is gravity fed.

USE: Water use is for single family domestic purposes. Water demand is expected to be an average of 250 gallons per day. Instantaneous use is limited to open discharge from an available head of approximately 25 feet. This calculates to be approximately 25 gpm.

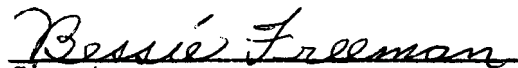
The final proof survey and inspection of the use as found to be in service as to the pre 1909 vested water right claim was completed by me on December 30, 1991 and the facts continued in this report and accompanying final proof map are correct to the best of my knowledge.





Certified Water Right Examiner

I, Bessie M. Freeman agree to the findings of the CWRE and do submit this site report and map as my claim of beneficial use of the water as provided under the terms and conditions of the pre 1909 vested water right claim.



Signature

The Indians were here first and used the water from the spring. Clara Myrtel Cooper's Great Grand Parents lived here in 1872 and used the water from the spring. Then her parents lived here, they were the Gray's. They used the water from the spring, just as their parents before them and the Indians.

The water bubbled up out of a terra cotta. Every one thought that was the spring. But when we put in our original drain field we cut the flume into and the water stopped. The flume was hand hued 1" X 6" and put together with pitch. There was no road when we moved here. We followed the direction of the water was flowing and discovered the main water source was actually 300 ft. to the west of our house, we dug it out and stuck a garden hose in it. We hung the other end in a tree, when anyone needed water they just lowered the end of the hose and filled their buckets then hung the hose back up, until more water was wanted.

The next summer we dug a hole 4' X 6' and cribbed it up with 2" X 6" cedar to a depth of 8', this allowed us to have a supply of water. Then we piped the water over to the house and had running water, gravity flow. We had plenty of water for the house hold use (drinking, cooking, washing and bathing).

*Myrtle Cooper's Grand Parents lived here
and used the water from the spring
1872 - & The water has been used for
Domestic use, Every Since.*

Clara Myrtel Cooper



ZAROSINSKI-TATONE ENGINEERS, INC.

STRUCTURAL—CIVIL—WATER AND SEWERAGE SYSTEMS

DONALD J. ZAROSINSKI, P. E.

PHONE (503) 235-8795

RONALD G. TATONE, P. E.

3737 S.E. EIGHTH AVENUE

PORTLAND, OREGON 97202

January 2, 1992

Bill and Bessie Freeman
39422 South Cooper Road
Molalla, Oregon 97038

Re: Pre 1909 vested Water Right Claim

Dear Mr. & Mrs. Freeman:

This is to acknowledge your recent notice that the water right application to serve the residence at 39422 South Cooper Road is to be a vested right prior to 1909.

Enclosed is a mylar map, a report of site investigation and a partially completed registration statement for pre 1909 claim.

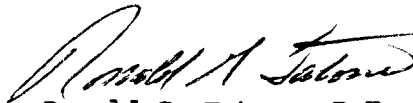
Should you agree with the report please sign in the space provided.

A fee of \$200.00 is required to register the claim for residential use.

The completed application, map, report and fee should be submitted to the Water Resources Department, 3850 Portland Road N.E., Salem, Oregon 97310.

Sincerely,

Zarosinski-Tatone Engineers, Inc.



Ronald G. Tatone, P.E.

RGT/mjb

Encl.

P.S. Enclosed are duplicate copies of the Site Report. Please sign and return one of the copies to this office.

