

**SURFACE WATER REGISTRATION STATEMENT
PRE-1909 VESTED WATER RIGHT CLAIM OF BENEFICIAL USE
December 17, 1992**

RECEIVED

JAN 04 1993

WATER RESOURCES DEPT.
SALEM, OREGON

Information

Surface Water Registration Statement No. _____
Permit to Appropriate the Public Waters No. _____

Permittee: Michael J. Flury
 Jennifer Youngberg
 14531 S. Clackamas River Drive
 Oregon City, Oregon 97045
 TEL: (503) 655-7547 Home
 TEL: (503) 246-5054 Mike's Office
 TEL: (503) 224-2944 Jennifer's Office
 FAX: (503) 224-2946 Jennifer's Office

Field Survey: December 12, 1992 with Mike & Jennifer in field.
 Edward A. Crane, CWRE
 Crane Engineering Associates, Inc.
 12042 Sunnyside Road, Suite 604
 Clackamas, Oregon 97015
 TEL: (503)-698-7747
 FAX: (503)-698-4851

Variation: The use of the water from pre-1909 to today has
 remained the same: garden & lawn irrigation.

SOURCES:

The Flury-Youngberg property has an intake in the Clackamas River, one centrifugal electrical motor driven pump and 1-1/4" diameter supply pipelines (see attached Maps 1/2 and 2/2) that supplies summer irrigation water for lawn and garden areas only on this residential property.

DIVERSION POINTS:

The intake in the Clackamas River is located 655 feet North and 225 feet West of the Northerly Northwest Corner of the James Winston Donation Land Claim No. 69, located in the Southeast 1/4 of Section 16, Township 2 South, Range 2 East of the Willamette Meridian in Clackamas County, Oregon. The original badly rusted galvanized 1-1/4" steel pipe - pump suction has been replaced as well as most of the distribution system with newer PE piping (Polyethylene) and PVC (PolyVinyl Chloride) piping.

MOTORS:

The irrigation pump motor is a General Electric Model 5KC47K7EX, 115/230 volt, capacitor started, 1 horsepower, single phase, 60 cycle and 3450 rpm motor that is presently connected to 115 volt power. A manual on-off type switch located on the house exterior wall controls the operation of the irrigation pump motor.

RECEIVED

JAN 04 1993

WATER RESOURCES DEPT.
SALEM, OREGON

PUMP:

The pump is a Jacuzzi Model E WKD 255 pump, G1A11 with 1-1/4" x 1-1/4" suction and discharge connections. There is no pump house or vault, the pump is removed each winter for dry storage.

PIPING:

The suction and system old pipe is 1-1/4" galvanized steel and the new pipe is also 1-1/4" PE & PVC. Operational control is manually accomplished during dry period & only as required.

HEADS:

The Clackamas River surface is near Elevation 36 feet at River Mile 3 at this property. The highest irrigated areas back near Clackamas River Drive are at about elevation 80 feet and areas nearest the house are at about elevation 70 feet. Irrigated areas are therefore between elevations 70 to 80 feet. There are five fixed galvanized hose bibbs from which hand set hose and lawn type sprinklers are used minimum pressure of 40 psi and a maximum pressure of 60 psi. depending how many sprinklers are being used in the irrigation distribution system.

USES:

Irrigation of lawn areas, garden crops, and incidental native bush and tree areas on the bank of the Clackamas River.

CALCULATIONS:

The quantity of water diverted was based on a gross property area of 0.57 acres minus 0.27 acres of house & driveways for a net irrigated area of 0.30 acres. Applying 1/80 cfs per acre means 0.0038 cfs or 1.68 gpm would be used for irrigation of lawn and garden on this residential property.

REMARKS:

The home owner that bought the house in the 1940's, said that previous owners used a hand pump for all water use, that in the 1940's the well was dug and that an electric pump was then installed to pull irrigation water from the river. The intake pump supply and irrigation distribution system does not have a master irrigation meter. The old worn out original pump is believed to be under the deck constructed by the prior property owner, who replaced this pump with a newer model.

The original house was constructed on this property in 1895. Additions have been added on to three sides of this old house which is the core of the existing home. Relatives and/or descendants of all previous owners are giving statements as to the continuous irrigation history of this property as well as other general historical background data. These statements will be available to the Water Resources Staff to review as requested.

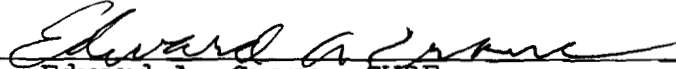
RECEIVED

JAN 04 1993

WATER RESOURCES DEPT.
SALEM, OREGON

CWRE STATEMENT:

The Pre-1909 Vested Water Right Claim Survey and inspection of the use as completed by me on December 12, 1992 and the facts contained in this report and accompanying Registration Claim Map are correct to the best of my knowledge.



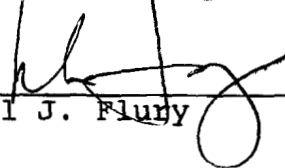
Edward A. Crane, CWRE
Certified Water Right Examiner

PERMITTEE STATEMENT:

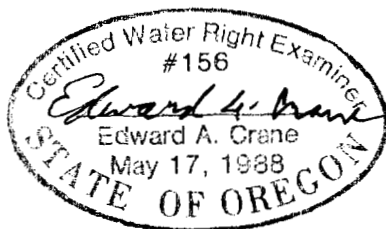
We, Michael J. Flury and Jennifer Youngberg, agree to the findings of the CWRE and do submit this claim, site report and map as our Claim of Beneficial Use of the water as provided under the terms and conditions of the Registration Statement Pre-1909 Vested Water Right Claim of Beneficial Use.



Jennifer Youngberg



Michael J. Flury





Crane Engineering Associates, Inc.

Suite #604
12042 S.E. Sunnyside Rd.
Clackamas, OR 97015
(503) 698-4851
Mobile: 789-1983

RECEIVED

JAN 04 1993

WATER RESOURCES DEPT.
SALEM, OREGON

December 17, 1992

Mr. Steve Applegate, Manager
Application & Permit Section
Water Rights Division
Water Resources Department
3850 Portland Road, N.E.
Salem, Oregon 97310

SUBJECT: Michael Flury & Jennifer Youngberg
Surface Water Registration Statement & Map
Pre-1909 Vested Water Right Claim

Dear Mr. Applegate:


Enclosed is the "Surface Water Registration Statement Pre-1909 Vested Water Right Claim" along with the required "Claim Map" for Michael Flury & Jennifer Youngberg. Their facilities includes a centrifugal pump with intake in the Clackamas River, along with a 1-1/4" GI and PVC distribution system. Attached is the completed claim and "Claim Map" for your review, comments, and corrections.

I personally inspected the intake pump site and old distribution system on December 12, 1992. Attached is a map showing the location of their pump and piping in addition to the location of the residence and other buildings on their property.

Enclosed is a check from Michael Flury & Jennifer Youngberg in the amount of \$30 which is the minimum required Claim Fee.

Please contact either Michael Flury & Jennifer Youngberg at (503) 655-7547 if you have any questions about their pump or distribution system. I'd be happy to answer any questions or concerns that you may have about the enclosed Surface Water Registration Statement Pre-1909 Vested Water Right Claim or map.

Sincerely,
CRANE ENGINEERING ASSOCIATES, INC.


Edward A. Crane, CWRE

cc: Michael Flury & Jennifer Youngberg
14531 S. Clackamas River Drive
Oregon City, Oregon 97045



Fidelity National Life Company of Oregon

401 S.W. Fourth Avenue, Portland, Oregon 97204-2273
(503) 223-8333

Page No. 5
Order No. 511449-008

EXHIBIT A

Part of Section 14, Township 2 South, Range 2 East of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

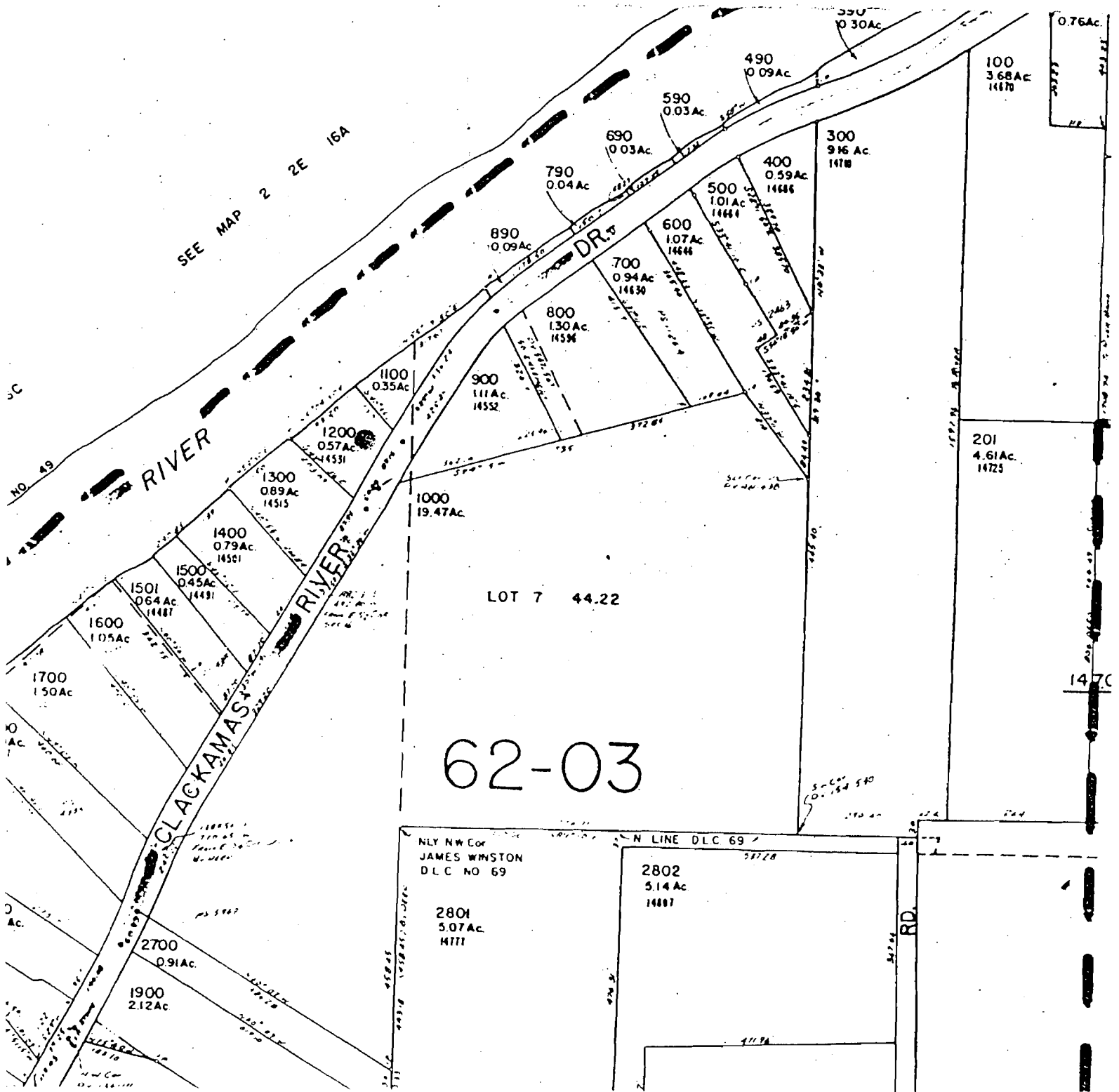
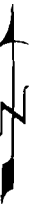
Beginning at an iron pipe driven in the Bakers Ferry and Oregon City Road at the most easterly corner of that certain tract of land conveyed to Claude Frohn by deed recorded in Book 251, Page 273, Clackamas County Deed Records, which point is 723.80 feet South and 1391.71 feet West of the one-quarter corner between Sections 13 and 15, Township 2 South, Range 2 East of the Willamette Meridian; thence North $49^{\circ} 36'$ West tracing the northeasterly boundary of the said Claude Frohn tract 203.09 feet to an iron pipe driven in the meander line on the left bank of the Clackamas River; thence tracing the meander line of the left bank of the Clackamas River upstream North $31^{\circ} 00' 50''$ East 163.20 feet; thence South $40^{\circ} 55'$ East 150.00 feet to a point on the Bakers Ferry and Oregon City Road; thence along said road South $29^{\circ} 00'$ West 100 feet to an iron pipe; thence along said road South $32^{\circ} 30'$ West 100 feet to the point of beginning.



Fidelity National Title Co. of Oregon

The sketch below is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

Map map 22 160



Land Use Information Form: Water Right Transfers, Use of Conserved Water, Exchanges

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 request for water use. DO NOT FILL OUT THIS FORM IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) you are applying for a water right transfer involving: a) a change in the place of use with no structural changes, and b) irrigation uses located in irrigation districts or exclusive farm use zones.

Applicant's Name: MICHAEL FLURY & JENNIFER YOUNGBERG
Address: 145315 CLACKAMAS RIVER DRIVE
City: OREGON CITY **State:** OR **Zip:** 97945
Phone: (503) 6550-7547 **WRD Application No.:** _____

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 may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Used
TT 1200 IN 2 2 16 D		XX	XX	XX

The following section must be completed by all local planning departments responsible for the property(ies) listed above. Please ask the Department for extra forms, as needed.

For Local Government Use Only

Local government planning officials are to complete the remainder of this form and return it to the applicant for inclusion in the application.

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): 309. Go to section b) on reverse side.

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

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: MICHAEL FLURY & JENNIFER YOUNGBERG
 Address: 145315 CLACKAMAS RIVER DRIVE
OREGON CITY, OR 97045
 Phone: (503) 655-7547

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): LAWN & GARDEN
- Livestock (type of livestock, feedlot, slaughterhouse): _____
- Residential (# units, single or multi-family, # lots if partition or subdivision): _____
- 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.
<input checked="" type="checkbox"/> Surface Water Name sources: <u>CLACKAMAS RIVER</u> _____ _____	<u>0.003</u> Cubic feet per second. <u>1.68</u> Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input type="checkbox"/> Ground Water	

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP DWF NAME Lower Wisconsin # 2C UNADJUDICATED AREA ? OK DWF
RECEIPT # 95873 S W R NUMBER 472
CHECK ENCLOSURES DWF PRELIMINARY DATA BASE ENTRY DWF
ACKNOWLEDGEMENT LETTER DWF ENTER ON STREAM INDEX _____
CHECK QUADRANGLE MAP _____ CHECK GLO PLATS _____
WATERMASTER CHECKLIST _____ PUBLIC NOTICE PUBLICATION SCW

FORM REVIEW

_____ blanks filled in
_____ 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
 1/10th scale

WATER RIGHT RECORD CHECK _____ FIELD INSPECTION _____
FINAL FILE REVIEW _____ FINAL DATA BASE ENTRY _____
ENTER ON PLAT CARDS _____

April 9, 1993

MICHAEL J FLURY & JENNIFER YOUNGBERG
14531 S CLACKAMAS RIVER DRIVE
OREGON CITY OR 97045

Dear MICHAEL FLURY & JENNIFER YOUNGBERG,

This will acknowledge that your Surface Water Registration Statement in the name of MICHAEL J FLURY & JENNIFER YOUNGBERG has been received by our office. The fees in the amount of \$30.00 have been received and our receipt #95873 is enclosed. Your registration statement has been numbered SWR-472.

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,



Dwight French
Adjudication Section

Enclosure

1J:\WP51\SWR\CLAIMANT\SWR-0472.001



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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **95873**

3850 PORTLAND ROAD NE
 SALEM, OR 97310
 378-8455/378-8130 (FAX)

RECEIVED FROM: Springer Building
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # 401 OTHER: (IDENTIFY)

TOTAL REC'D \$ 30.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$ <u>30.00</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
_____	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

_____	CASH ACCT.	\$
_____	VOUCHER #	

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:				
840.001	COPY FEES		\$	
850.200	RESEARCH FEES		\$	
880.109	MISC REVENUE: (IDENTIFY)		\$	
520.000	OTHER (P-6): (IDENTIFY)		\$	
WATER RIGHTS:				
842.001	SURFACE WATER	\$	842.002	\$
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842.006	\$
WELL CONSTRUCTION				
842.022	WELL DRILL CONSTRUCTOR	\$	842.023	\$
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	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

842.011	POWER LICENSE FEE(FW/WRD)	LIC NUMBER	\$
842.115	HYDRO LICENSE FEE(FW/WRD)		\$
_____	HYDRO APPLICATION		\$

RECEIPT # **95873**

DATED: 1-4-93 BY: J. Smith