



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

September 23, 2003

Mr. Joe Rudi
PO Box 762
Baker City, OR 97814

Re: SWR 155 and 156

Dear Mr. Rudi:

We have received your updated ownership information for the above Surface Water Registrations and have placed them and the accompanying documentation in the files.

Pursuant to your request, enclosed please find copies of Surface Water Registrations 155 and 156.

Please do not hesitate to contact me if we may be of any further assistance.

Sincerely,

Teri Hranac
Adjudications Specialist

Enclosures

September 16, 2003

Ms. Teri Hranac
Water Resources Department
725 NE Summer Street, Suite A
Salem, Oregon 97301-2430

Re: SWR-155 & SWR-156

Dear Ms. Hranac,

Please the enclosed items that you requested during a conversation with our Water Master, Rick Lusk and Kirby Danford from Hanley Engineering here in Baker City.

We brought the property on the Snake River in 1994 and have continued to use the spring and Douglas Creek just as Joann Valleur used them under the allocations allowed by SWR-155 & SWR-156. The spring and Creek are used for drinking water and irrigation on our property.

We also need the Salem Water Resources Dept. to send us the Statement of Registration for SWR-155 & SWR-156 as you have instructed us to request. If you need any other information from us, please let us know.

Thank you in advance for your attention to this matter.

Sincerely,

Joe Rudi
P.O. Box 762
Baker City, Oregon 97814

RECEIVED
SEP 19 2003
WATER RESOURCES DEPT.
SALEM, OREGON



WATER RIGHT OWNERSHIP UPDATE FORM

STATE OF OREGON
WATER RESOURCES DEPT
ATTN: WATER RIGHTS
158 12TH STREET NE
SALEM OREGON 97301-4172

RECEIVED

SEP 19 2003

WATER RESOURCES DEPT.
SALEM, OREGON

NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public [ORS 537.110]. In almost every instance, a Permit OR Water Right Certificate from the **Water Resources Department** is needed before using, diverting; or storing water [ORS 537-130]. However, most domestic wells do not require water rights. A water right stays with the land. In order to keep track of water right ownership, ORS 537.330 requires persons selling property that has a Water Right Certificate to: 1) provide evidence of the Water Right Certificate to the buyer and 2) notify the Water Resources Department of the Water Right Certificate involved with the real estate transaction. Sellers are exempted from this requirement if the water uses are served by a water district or a city.

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the **Water Resources Department at 503-378-8455**.

Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.

Property Seller Information:

Applicant: JOANN VALLEUR
Mailing address: Rt. 2 Box
City HUNTINGTON State Oregon Zip 97907
Phone: 208-452-4361
Home Work Other

Property Buyer Information:

Applicant: JOE RUDI
Mailing address: P.O. Box 762
City BAKER CITY State Oregon Zip 97814
Phone: 541-523-4663 541-523-6485 (CELL) 541-519-7600
Home Work Other

Property Description (attach additional pages if necessary):

County: BAKER Township: 12S Range: 45E Section: 12
Tax lot number(s): 100 & 900

Metes & bounds description (or attach a copy of your property deed & tax lot map with the parcels highlighted):

Attached
Water Right Information (attach copy of water right permit or certificate & final proof map if available):

Application #: _____ Permit #: _____ Certificate #: _____
Will all the lands associated with this water right be owned by the buyer? Yes No

Name of individual completing this form: JOE RUDI Signature: Joe Rudi

Phone: 541-523-6485 Date: 9-16-03

94 32 096

JOANN M. VALLEUR, Grantor

MICHAEL R. NELSON and
JANE E. NELSON, husband and wife,
as tenants in common as to a fifty
percent (50%) interest and
JOSEPH O. RUDI and SHARON A. RUDI,
husband and wife, as tenants in common
as to a fifty percent (50%) interest, Grantee

After recording return to:

Nelson Real Estate
P.O. Box 762
Baker City, Oregon 97814

**Until a change is requested, all tax statements
shall be sent to the following address:**

Nelson Real Estate
P.O. Box 762
Baker City, Oregon 97814

RECEIVED

SEP 19 2003

WATER RESOURCES DEPT.
SALEM, OREGON

WARRANTY DEED - STATUTORY FORM

who acquired title as JOANN M COATS
JOANN M. VALLEUR ("Grantor") conveys and warrants to MICHAEL R. NELSON
and JANE E. NELSON, husband and wife, as tenants in common as to a fifty percent (50%)
interest, and to JOSEPH O. RUDI and SHARON A. RUDI, husband and wife, as tenants in
common as to a fifty percent (50%) interest ("Grantee"), the real property in Baker County,
Oregon described in Exhibit "A" attached hereto and by this reference made a part hereof (the
"Property").

The Property is free from all encumbrances except for those listed in Exhibit "B" attached
hereto and by this reference made a part hereof.

Required Notice. 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 ACCEPTING THIS
INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD
CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO
VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS
AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration for this conveyance is \$175,000.

/ 2 2 1

DATED this 8 day of August, 1994.

X Joann M. Valleur
JOANN M. VALLEUR

STATE OF OREGON)
County of Baker) ss.

The foregoing instrument was acknowledged before me this 8th day of August, 1994, by Joann M. Valleur.



Cheri L. Manning
Notary Public for Oregon
My commission expires: 9-9-96

RECEIVED

SEP 19 2003

WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT A

All that portion of the Southwest quarter of the Southwest quarter of Section 12, Township 12 South, Range 45 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying Northerly and Westerly of the 2085 elevation contour, USGS mean sea level datum, as described in deed to Idaho Power Company, recorded November 12, 1957, in Deed Book 167, page 650;

EXCEPTING THEREFROM that portion included in the Snake River County Road No. 1116, and

FURTHER EXCEPTING THEREFROM that portion conveyed to Ray C. Gardner and Marybelle Gardner, husband and wife, by deed recorded September 16, 1968, in Deed 68-38-029, and amended by quitclaim deed recorded January 12, 1977, in Deed 77-02-076.

ALONG WITH AND INCLUDING:

(a) Any portion of easement granted by Idaho Power Company by instrument, including the terms and provisions thereof, recorded May 31, 1967, in deed 67-22-021, for farming and grazing purposes on land lying between the 2077-foot and 2085-foot contour lines, which is appurtenant to the herein described property.

(b) Easement reserved in deed from John T. Coats and Josephine Coats, husband and wife, to Ray C. Gardner and Marybelle Gardner, husband and wife, recorded September 16, 1968, in Deed 68-38-029, for grazing purposes.

RECEIVED

SEP 19 2003

WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT B

DEED 94 32 099

1. Utility easement granted to Idaho Power Company, a corporation by instrument, including the terms and provisions thereof, recorded November 2, 1962, in Deed 173, page 119. Affects the Southwest quarter of the Southwest quarter of Section 12, Township 12 South, Range 45 East of the Willamette Meridian.

2. Domestic water line easement granted to Ray C. Gardner by instrument, including the terms and provisions thereof, recorded March 18, 1985, in Deed 85-12-002.

19769

ETC
45.00 chg

STATE OF OREGON, County of Baker, SS
I certify that the within instrument was
received for the record on the 9th day of
Aug, 1994, at 2:29 o'clock
P.M.,

Witness my hand and seal of County affixed
Julia Strick Co. Clerk
Name Title
By Janet Spiet Deputy

RECEIVED

SEP 19 2003

WATER RESOURCES DEPT.
SALEM, OREGON

File No. T00007221

EXHIBIT "A"

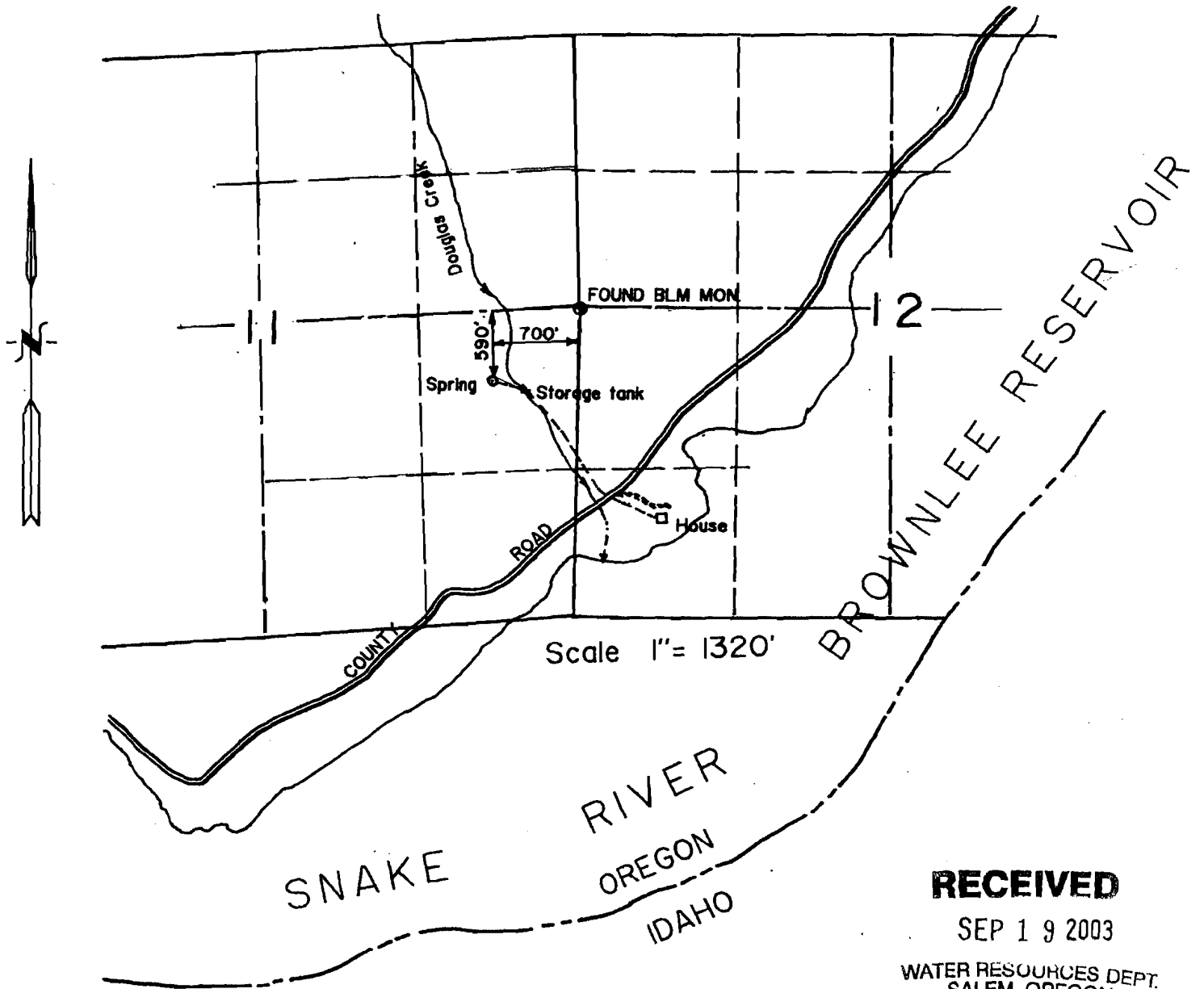
All that portion of the Southwest quarter of the Southwest quarter of Section 12, Township 12 South, Range 45 East of the Willamette Meridian, in the County of Baker and State of Oregon lying Northerly and Westerly of the 2085 elevation contour, USGS mean sea level datum, as described in deed to Idaho Power Company, recorded November 12, 1957, in Deed Book 167, page 650; EXCEPTING THEREFROM that portion included in the Snake River County Road No. 1116, and FURTHER EXCEPTING THEREFROM that portion conveyed to Ray C. Gardner and Marybelle Gardner, husband and wife, by deed recorded September 16, 1968, in Deed 68 38 029, and amended by Quitclaim Deed recorded January 12, 1977, in Deeds 77 02 076.

RECEIVED

SEP 19 2003

WATER RESOURCES DEPT.
SALEM, OREGON

T. 12 S., R. 45 E., W.M.



RECEIVED

SEP 19 2003

WATER RESOURCES DEPT.
SALEM, OREGON

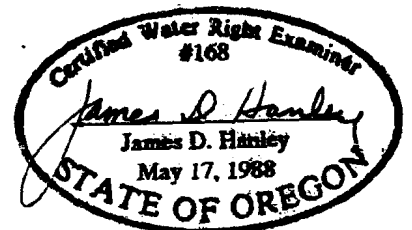
PRE-1909 VESTED WATER RIGHT CLAIM MAP

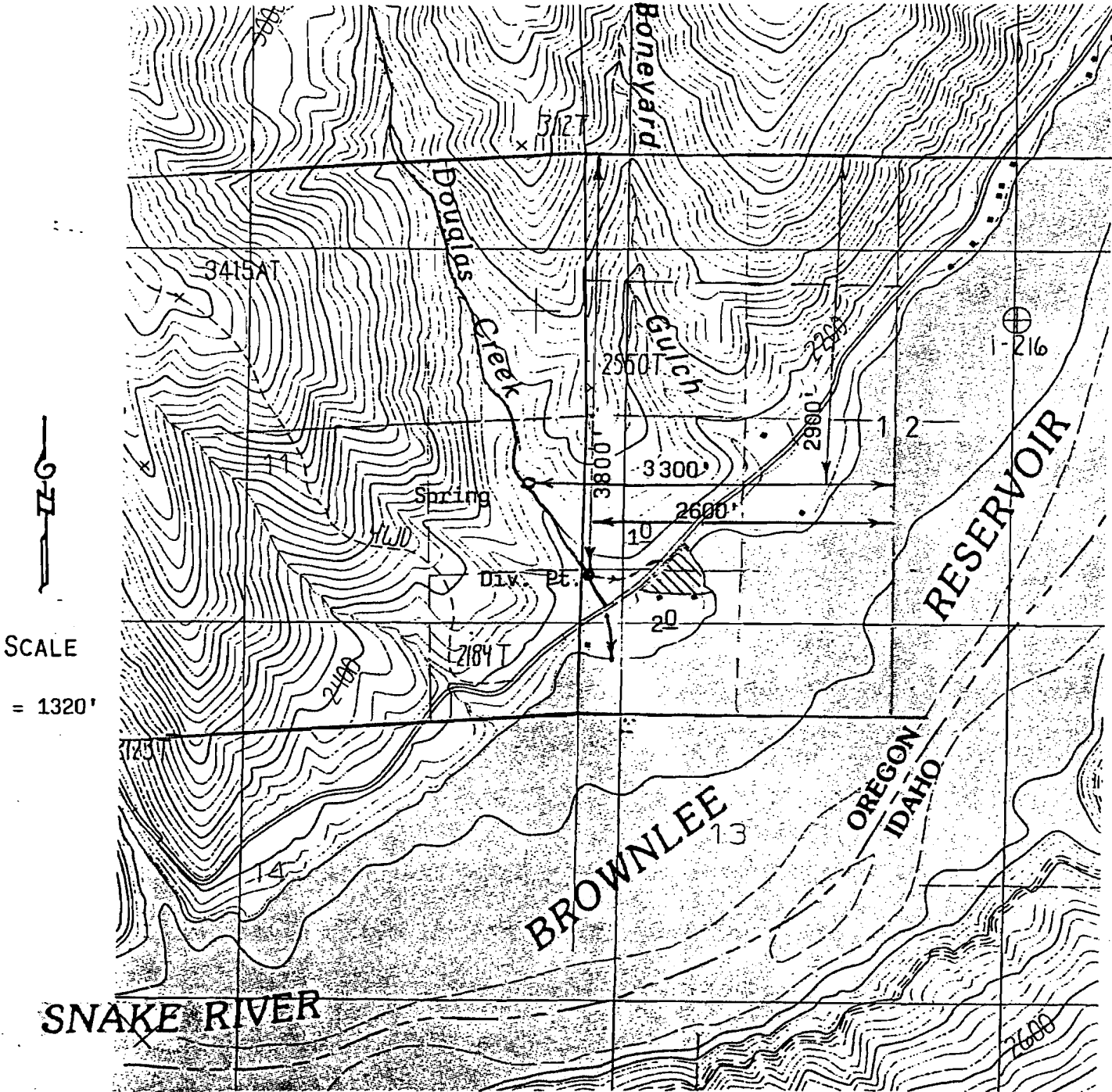
SWR-156

IN NAME OF

JOANN M. VALLEUR

Surveyed November 3, 1993 and June 10, 1994



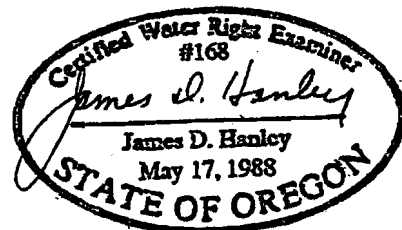


MAP TO ACCOMPANY REGISTRATION STATEMENT
PRE-1909 VESTED WATER RIGHT CLAIM

REGISTRANT
JOANN M. VALLEUR

RECEIVED
SEP 19 2003

WATER RESOURCES DEPT.
SALEM, OREGON



December, 1992

RECEIVED

AUG - 4 1994

PRE-1909 WATER RIGHT CLAIM

WATER RESOURCES DEPT
SALEM, OREGON

The enclosed Pre-1909 map, together with this site report replaces the application map previously furnished Mrs. Valleur, dated December, 1992, and returned to me for compliance with your letter of June 28, 1993.

This map is the result of field survey, U.S.G.S. Connor Creek quadrangle map, and photo print of aerial photograph, and other measurements furnished by Mrs. Valleur.

The East quarter section corner of Section 11, T. 12 S., R. 45 E., W.M. was found, consisting of a BLM brass cap monument, and ties were made to a 24-inch diam. 5 feet long steel storage tank. The spring source was not located, being entirely underground. Survey ties were made to the house site and relative differences were measured by DME slope distance and vertical angles.

Mrs. Valleur was not present when this field survey was made on November 3, 1993, or for the site inspection by me on June 10, 1994. By telephone she informed me that she could locate the approximate spring location with measurements to the above described storage tank. She had these measurements made, and from the distances and direction from the tank I was able to compute the coordinates of the spring location relative to the government quarter corner.

I find the storage tank is about 106 feet elevation above the place of use and the spring is about 115 feet above the house area.

The spring water serves the house and about one-half acre extended domestic use, lawn and garden, located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, said township and range.

James D. Hanley
James D. Hanley, CWRE

HANLEY ENGINEERING

P.O. Box 701, 2043 Main St. BAKER CITY, OREGON 97814 (503) 523-3803

Consulting Engineers and Surveyors
JAMES D. HANLEY P.E., P.L.S.
OREGON WATER RIGHTS EXAMINER
U.S. MINERAL SURVEYOR
THOMAS J. HANLEY P.E., P.L.S.

RECEIVED

AUG - 4 1994

WATER RESOURCES DEPT.
SALEM, OREGON

August 2, 1994

Water Resources Department
Commerce Building
158 12th Street NE
Salem, Oregon 97310

Attention: Don Knauer, Adjudication Specialist

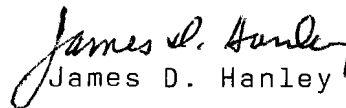
File SWR-156

Dear Mr. Knauer:

I am submitting the mylar drawing of the Pre-1909 vested water right claim map in the name of Joann M. Valleur.

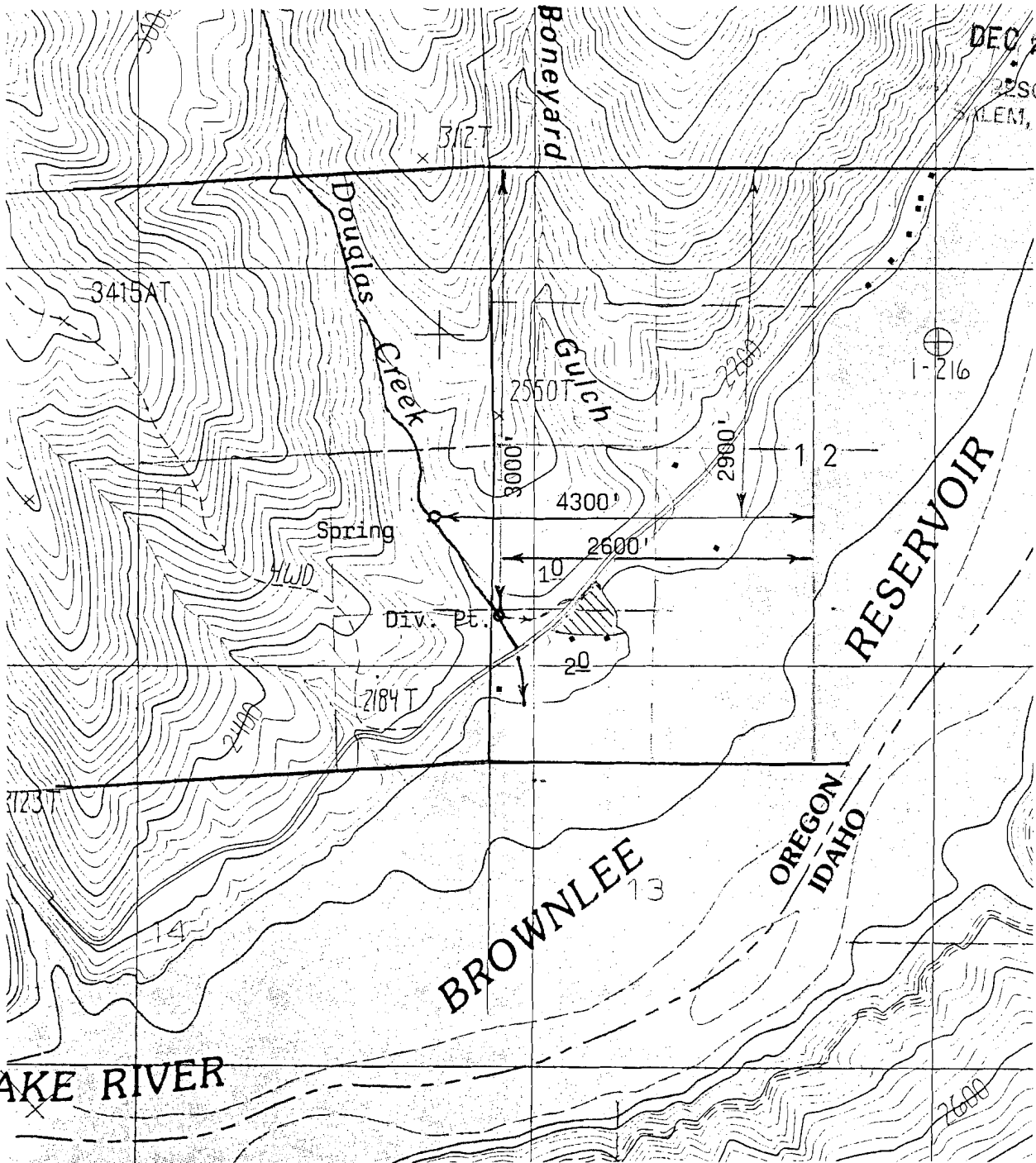
Thank you for your help on this.

Yours truly,


James D. Hanley

T 12 S R 45 E W M

DEC 21 1992
RESOURCES DEPT
SALEM, OREGON

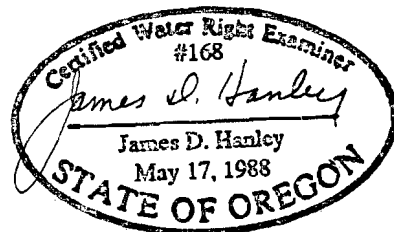


SCALE

1" = 1320'

MAP TO ACCOMPANY REGISTRATION STATEMENT
PRE-1909 VESTED WATER RIGHT CLAIM

REGISTRANT
JOANN M. VALLEUR



December, 1992

HANLEY ENGINEERING

P.O. Box 701, 2043 Main St. BAKER CITY, OREGON 97814 (503) 523-3803

RECEIVED

DEC 26 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Consulting Engineers and Surveyors

JAMES D. HANLEY P.E., P.L.S.

OREGON WATER RIGHTS EXAMINER
U.S. MINERAL SURVEYOR

THOMAS J. HANLEY P.E., P.L.S.

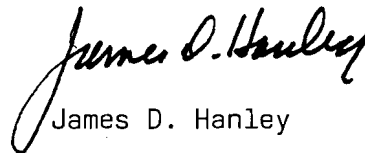
December 26, 1992

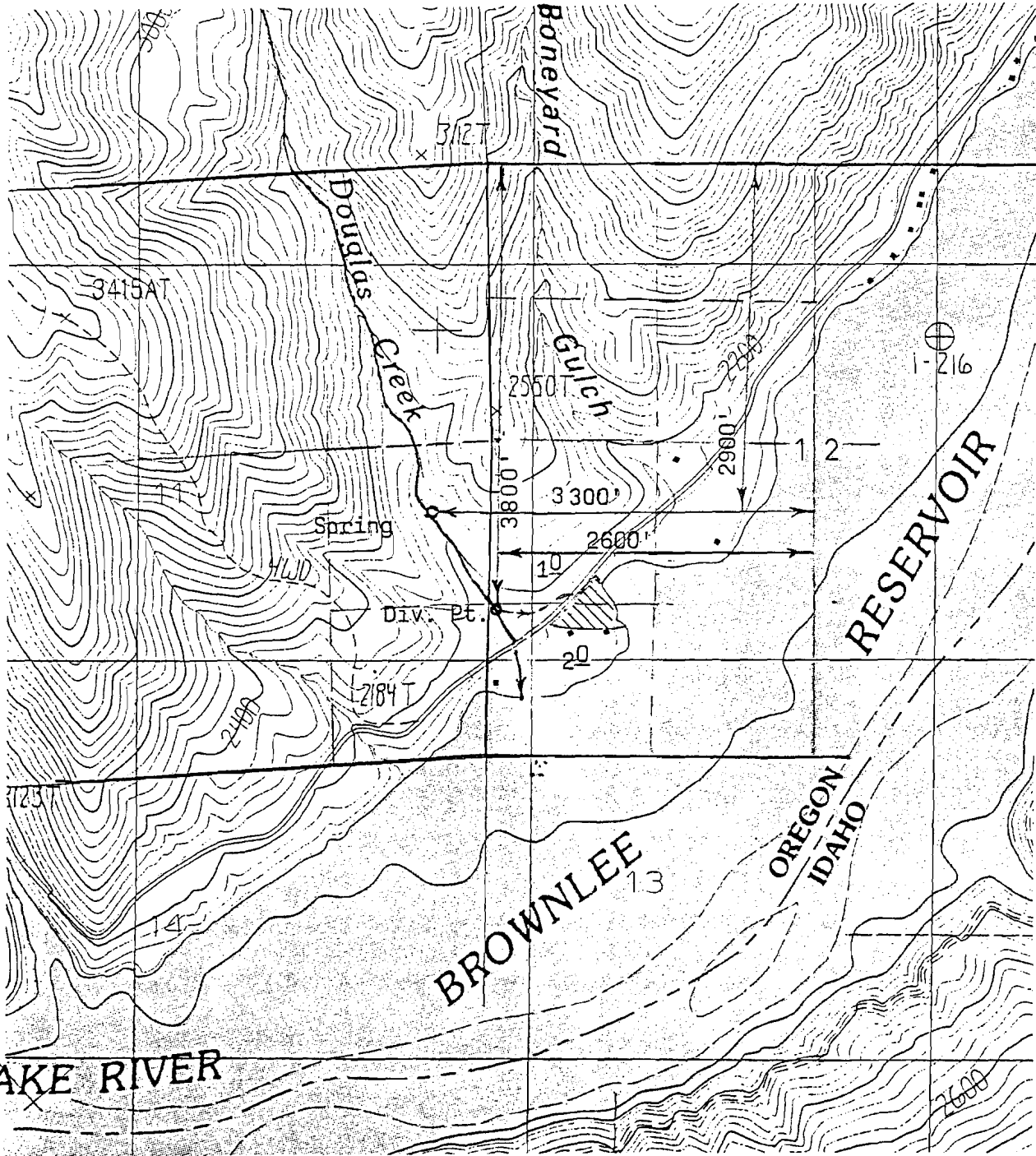
Water Resources Department
3850 Portland Road NE
Salem, Oregon 97310

Please exchange the copies of maps accompanying Joann M. Valleur Pre-1909 vested water right claims with these amended copies. The original copies of accompanying maps contain typo dimensional errors.

Thank you.

Yours truly,


James D. Hanley

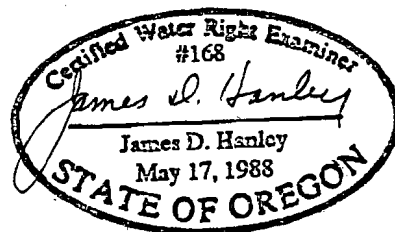


SCALE

1" = 1320'

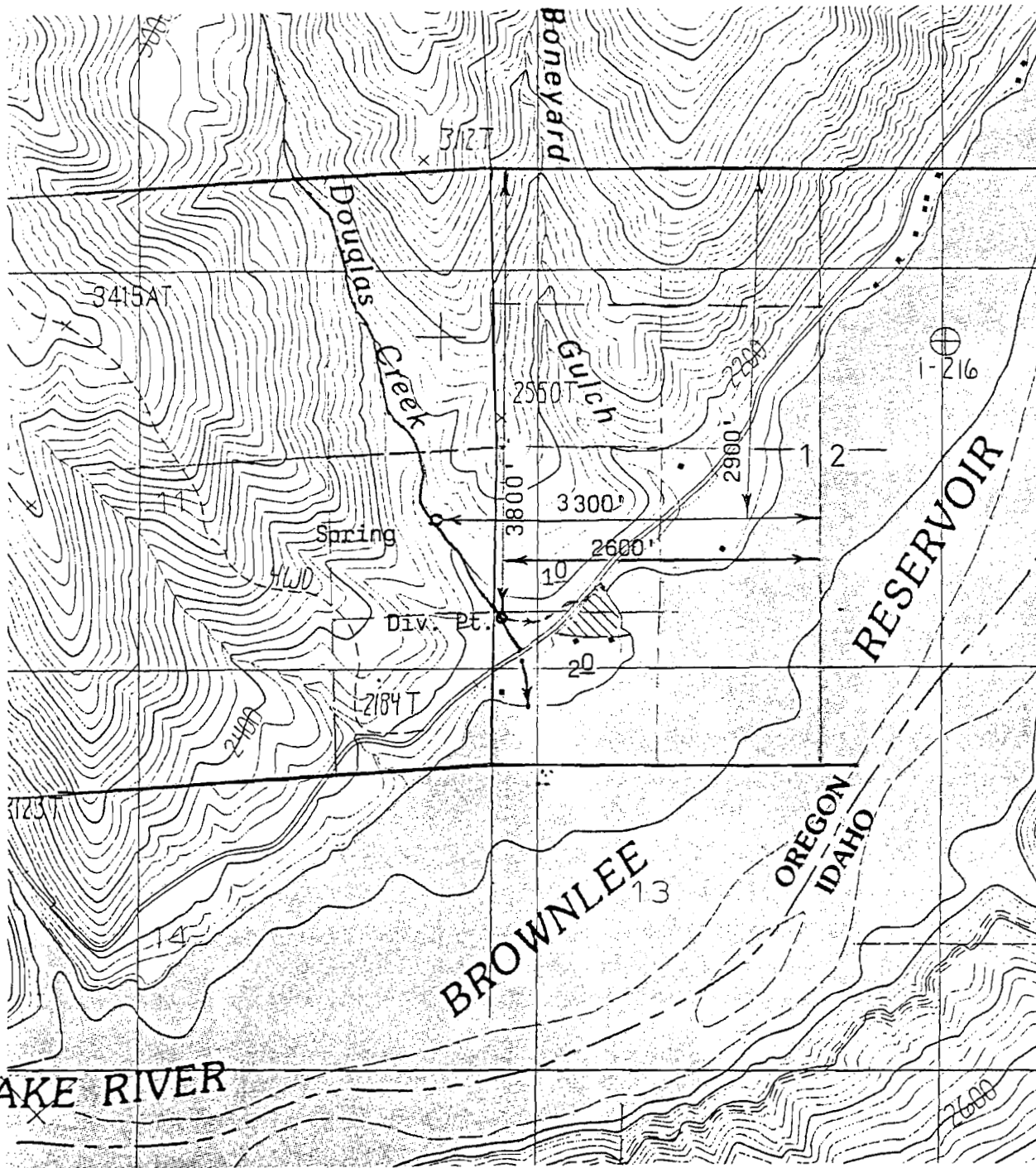
MAP TO ACCOMPANY REGISTRATION STATEMENT
PRE-1909 VESTED WATER RIGHT CLAIM

REGISTRANT
JOANN M. VALLEUR



December, 1992

Amended Dec. 26, 1992

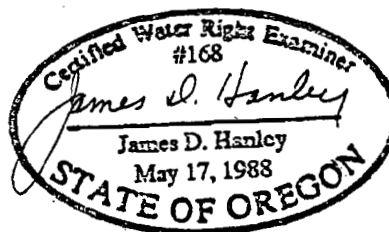


SCALE

1" = 1320'

MAP TO ACCOMPANY REGISTRATION STATEMENT
PRE-1909 VESTED WATER RIGHT CLAIM

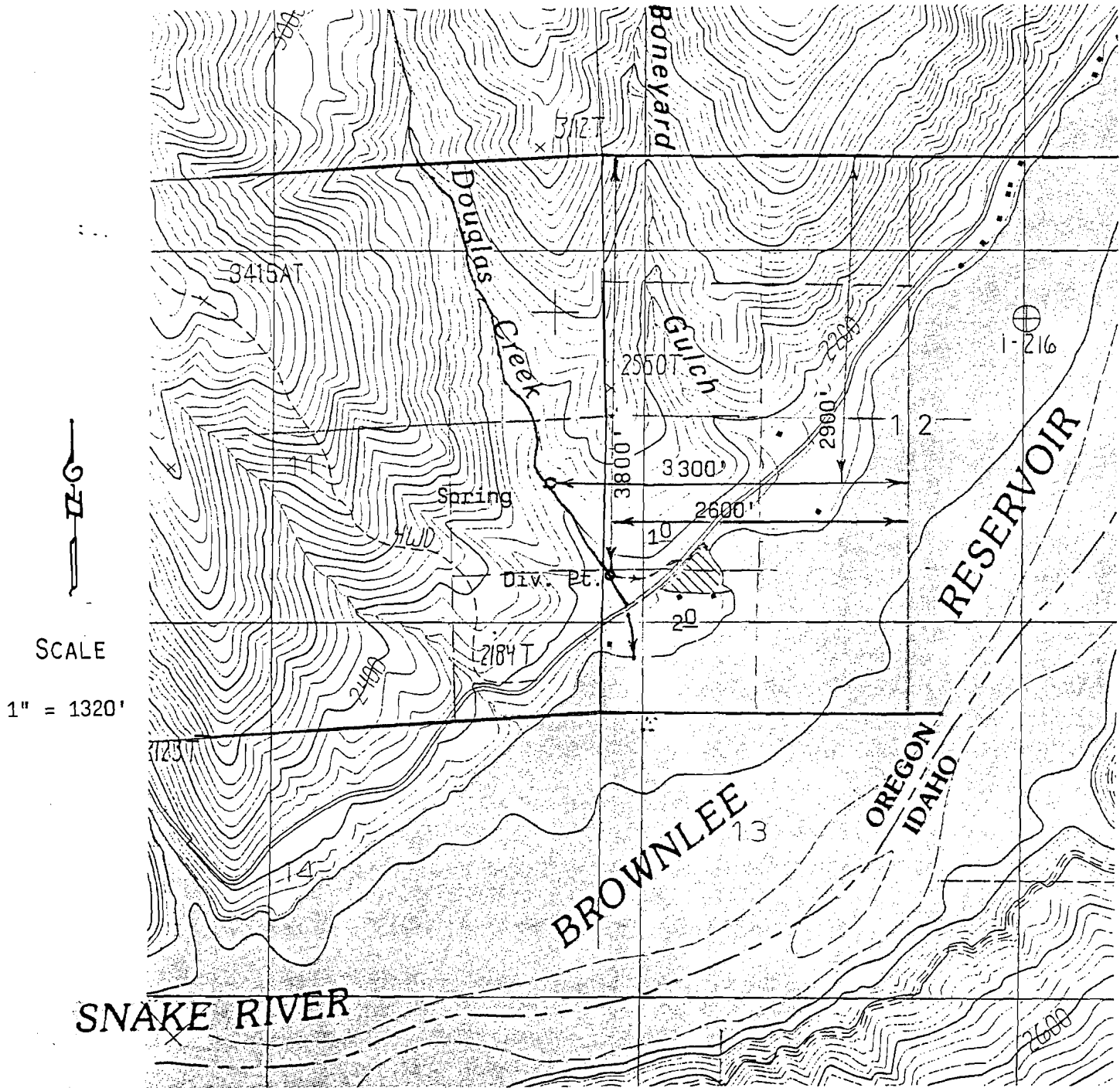
REGISTRANT
JOANN M. VALLEUR



December, 1992

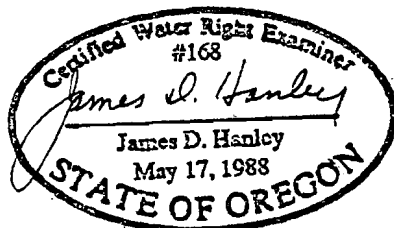
Amended Dec. 26, 1992

T 12 S R 45 E W M

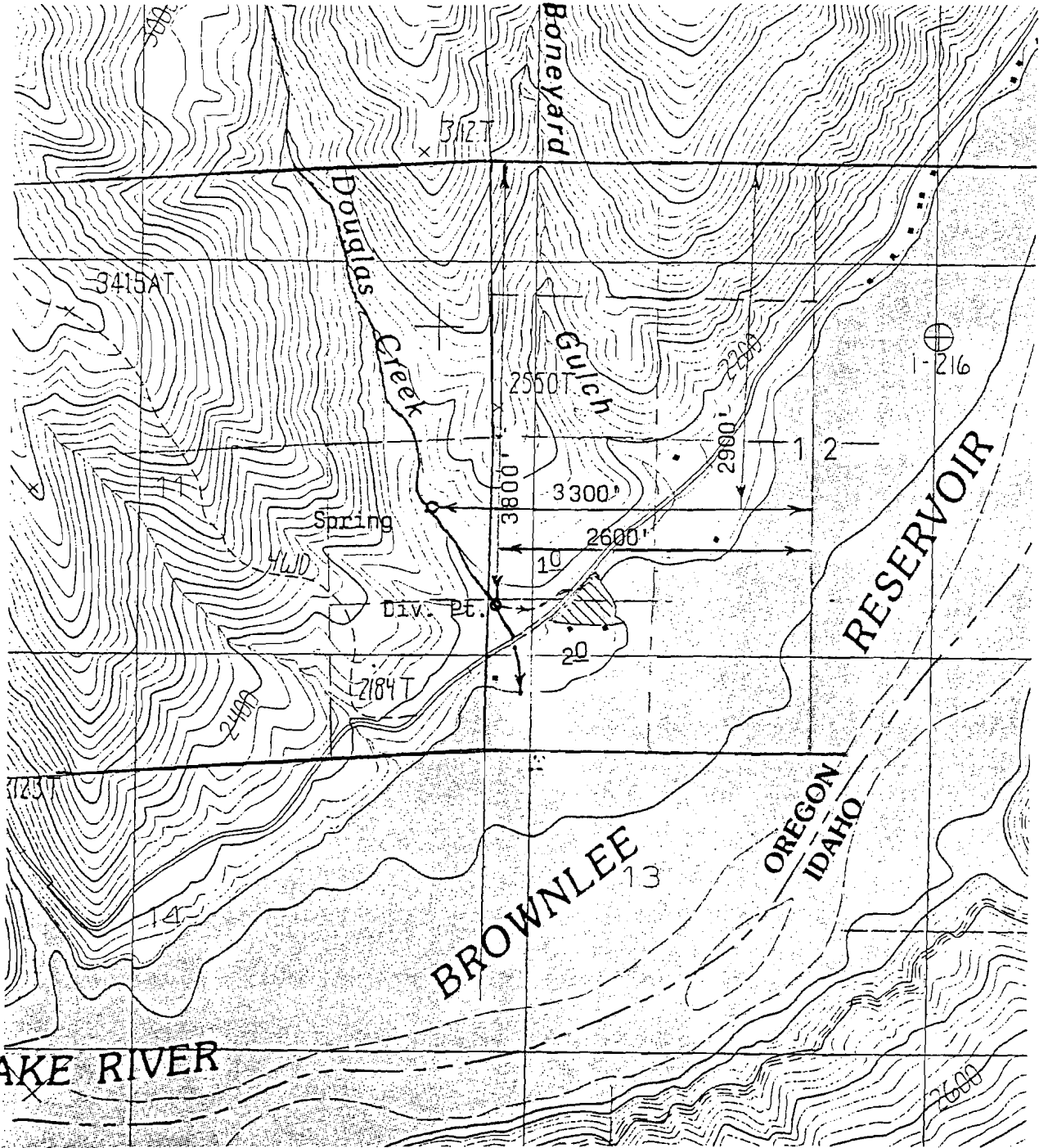


MAP TO ACCOMPANY REGISTRATION STATEMENT
PRE-1909 VESTED WATER RIGHT CLAIM

REGISTRANT
JOANN M. VALLEUR

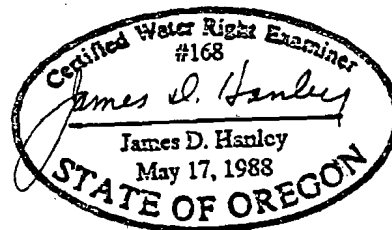


December, 1992
Amended Dec. 26, 1992



MAP TO ACCOMPANY REGISTRATION STATEMENT
PRE-1909 VESTED WATER RIGHT CLAIM

REGISTRANT
JOANN M. VALLEUR



December, 1992
Amended Dec. 26, 1992

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP see NAME Powater Ave # 9 UNADJUDICATED AREA ? YES
RECEIPT # 95307 (SNAKE) S W R NUMBER 156
CHECK ENCLOSURES see PRELIMINARY DATA BASE ENTRY DWR
ACKNOWLEDGEMENT LETTER see ENTER ON STREAM INDEX _____
CHECK QUADRANGLE MAP see CHECK GLO PLATS _____
WATERMASTER CHECKLIST _____ PUBLIC NOTICE PUBLICATION see

FORM REVIEW

_____ blanks filled in
_____ signed
_____ date received stamped

MAP REVIEW

~~#13~~ ✓ source and trib
~~#14~~ ✓ diversion point location
_____ conveyances (pipes, ditch, etc.)
_____ place of use
_____ scale
_____ township, range, section
_____ north arrow
_____ CWRE stamp
_____ disclaimer
_____ date survey was performed
#12 ✓ P.O.B. of survey
_____ dimensions and capacity of diversion system
#14 ✓ "beneficial use" type title
_____ "permanent-quality" paper

WATER RIGHT RECORD CHECK _____ FIELD INSPECTION _____

FINAL FILE REVIEW _____ FINAL DATA BASE ENTRY _____

ENTER ON PLAT CARDS _____

August 4, 1994

JAMES D HANLEY
PO BOX 701
BAKER CITY OR 97814

RE: SWR-156

Dear Mr Hanley,

This will acknowledge the receipt of map to support the pre-1909 vested water right claim in the name of JOANN VALLEUR you returned with corrections and completions. I have added the map to the file. Thank you for your attention to this matter. If you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

J:\WAS\C\1\SWR-0156.002



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

Harvey - 163

STATE OF OREGON
WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO

May 11, 1994

TO: WATER RIGHT EXAMINERS

FROM: DON KNAUER

SUBJECT: PRE-1909 VESTED WATER RIGHT CLAIM MAPS

Alright you guys, this is a test, DO YOU KNOW WHAT TIME IT IS? The answer is, it's time to get the maps, reports, answers, mylars and all that kind of stuff back to the Water Resources Department. There's talk around the office of putting together a "map-patrol" with a tough leader to travel around and retrieve the required documents.

You may remember, I reviewed maps for compliance with Oregon Revised Statutes and Oregon Administrative Rules submitted to support pre-1909 vested water right claims. For the past few months and up to a year ago I have returned maps, requested mylars, asked for clarification, and asked for reports. Some of these files are getting stale.

It is very important that you give me something, preferably the map, mylar, report, etc. but at minimum you must give me a submittal date. The review of the files cannot be completed without the map, report, etc. It is a deterrent to the claimant, your client, for this issue to go unresolved.

If you need copies of anything in the files, just let me know. I have hand written below the file numbers of those I returned to you. The toll free number is 1-800-624-3199.

j:\wp51\swr\claimant\cwrememo.94

SWR-155 VALLEN
-156 VALLEN
-152 FINK

6-13-94 James Harvey called -
WE WILL GET INFO AND MAP
IN SOON.
JLK

SWR - 152, 155, 156

~~August 24, 1993~~
SEPT 29, 1993

JIM HANLEY, CURR

CALLED TO SAY HE

HOPES TO GET THE

MAPS TO ME SOMETIME

AROUND THE FIRST END

PART OF OCTOBER

MEK

MEMORANDUM TO THE FILE

*Oregon Water Resources Department
Adjudication Section*

TO: FILE #'S 152, 155, 156

FROM: Dwight French *DF*

DATE: August 12, 1993

RE: MAP SUBMITTAL SCHEDULE

MR JAMES HANLEY CALLED THIS MORNING WITH SOME GENERAL QUESTIONS ABOUT MAPPING STANDARDS FOR PRE-1909 CLAIMS.

HE SAID WE COULD EXPECT AT LEAST A DRAFT MAP ON THESE THREE FILES BY SEPTEMBER 28, 1993.

June 28, 1993

JAMES D. HANLEY
PO BOX 701
BAKER CITY OR 97814

RE: File# **SWR-156**

DEAR JAMES D. HANLEY,

The Water Resources Department (WRD) received a little over 500 surface water registration statements in December, 1992. All of the files have been set up and receipts for the fees have been sent. The next step is to insure the maps received in support of the claims are acceptable based on Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR).

I am returning the map you prepared for Joann M. Valleur, You will find the item which requires completion or correction shown below. I have the description followed by the ORS or OAR site and paraphrased statute or rule.

✓ conveyance	ORS 539.120 "...the location of and each ditch, canal, pipeline or other means of conveying the water..."
✓ place of use (¼ ¼)	ORS 539.240 (2) (d) (B) "The location of place of use by quarter-quarter section..."
✓ diversion point size	OAR 690-28-025-(4)-(c) "The dimensions and capacity of any existing diversion systems."
✓ paper	OAR 690-14-170-1 "...in ink on permanent-quality linen or 0.003-inch mylar..."



You must return the map before the claim can be processed. If you cannot have the map to the WRD within 60 days, please inform me as to when it can be expected. Please mark all correspondence with the file number.

As always, if you have any questions, please give me a call.

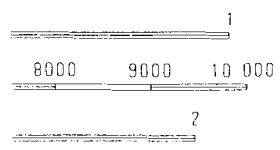
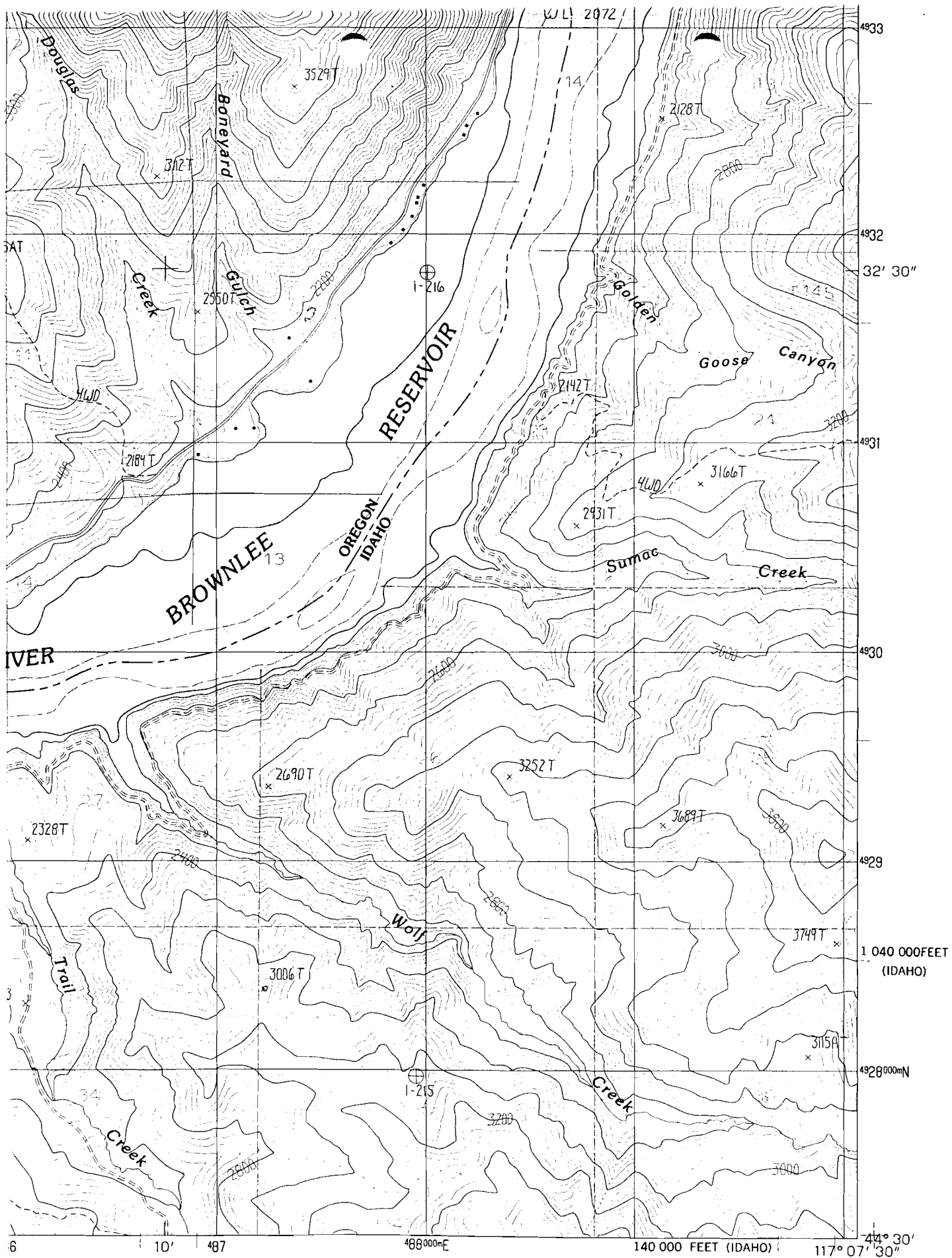
Sincerely,

A handwritten signature in black ink, appearing to read "Don Knauer", with a long horizontal flourish extending to the right.

Don Knauer
Adjudication Specialist

Enclosures

J:\WP51\SWR\CLAIMANT\SWR-0156.00M



INTERIOR GEOLOGICAL SURVEY, RESTON, VIRGINIA-1987

ROAD LEGEND

- Improved Road
- Unimproved Road
- Trail

January 20, 1993

JOANN M VALLEUR
RT 2 BOX 9
HUNTINGTON OR 97909

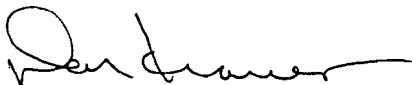
Dear MS VALLEUR,

This will acknowledge that your Surface Water Registration Statement in the name of JOANN M VALLEUR has been received by our office. The fees in the amount of \$230.00 have been received and our receipt #95307 is enclosed. Your registration statement has been numbered SWR-156.

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,



Don Knauer
Adjudication Specialist

Enclosure

C:\WP51\SWR\CLAIMANT\SWR-0156.001



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

STATE OF OREGON
WATER RESOURCES DEPARTMENT
 3850 PORTLAND ROAD NE
 SALEM, OR 97310
 378-8455/378-8130 (FAX)

RECEIPT # **95307**

RECEIVED FROM: <u>John Vallejo</u>	APPLICATION
BY:	PERMIT
	TRANSFER

CASH: CHECK: # 92-9 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 230.⁰⁰

01-00-0 WRD MISC CASH ACCT		
842.010	ADJUDICATIONS	\$ <u>230.⁰⁰</u>
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	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6): (IDENTIFY)	\$
WATER RIGHTS:		
842.001	SURFACE WATER	\$
842.003	GROUND WATER	\$
842.005	TRANSFER	\$
WELL CONSTRUCTION		
842.022	WELL DRILL CONSTRUCTOR	\$
842.016	WELL DRILL OPERATOR	\$
	LANDOWNER'S PERMIT	\$

06-00-0 WELL CONST START FEE		
842.013	WELL CONST START FEE	\$
	MONITORING WELLS	\$

45-00-0 LOTTERY PROCEEDS		
864.000	LOTTERY PROCEEDS	\$

07-00-0 HYDRO ACTIVITY		
842.011	POWER LICENSE FEE(FW/WRD)	\$
842.115	HYDRO LICENSE FEE(FW/WRD)	\$
_____	HYDRO APPLICATION	\$

RECEIPT # **95307** DATED: 12-22-92 BY: D Bushnell