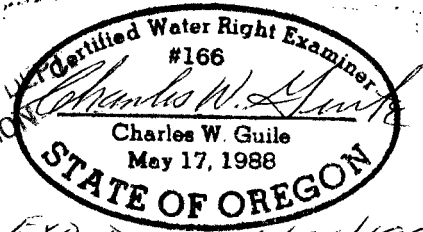


RECEIVED  
MAR 9 1995

WATER RESOURCES  
SALEM, OREGON



EXP. DATE 6/30/1995

## CLAIM OF BENEFICIAL USE REPORT SWR - 241

On February 28, 1995, I and my crew chief met Mr. Lane Ludington on his property which is in Section 5, Township 18 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon. Mr. Ludington's address is 87299 Reynolds Drive, Eugene, OR 97402 and his home phone is 1-503-345-7618. I do not know how the now existing water use project conforms to the pre-1909 use.

The source of water for this report is a spring with gravity flow to the Hose Bib's and the house. The spring and a portion of the buried pipe is on property not owned by Mr. Ludington. Mr. Ludington has the right to use the spring by a recorded deed dated 4/5/1951. Copy attached. There is not a flow out of the spring and there is no defined channel from the spring.

The diversion point is the above mentioned spring which is enclosed in a concrete box with the top measuring 5 x 6 feet in size flush with the ground on the north slope of a hill.

A buried 1 1/2 inch galvanized pipe runs from the spring to the cutoff valve with a buried 1 1/2 inch plastic pipe running from the cutoff valve to the Hose Bib "A" and to the house. The hose bib "A" bears North 25° West 833 feet from the spring and the Southeast corner of the house bears North 33° West 107 feet from the Hose Bib "A".

The ground at the Cutoff Valve is some 88 feet below the spring, the ground at Hose Bib "A" is some 120 feet below the spring and the Southeast corner of the house is some 116 feet below the spring. At the Hose Bib "A", we filled a 5 gallon bucket in 31 seconds, two times.

The **POINT OF DIVERSION** being the spring computes to be 225 feet North and 660 feet West of the Southwest Corner of the E. Bailey Donation Land Claim No. 40, in Section 5, Township 18 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon. To position the location of the said Southwest corner of the Bailey Donation Land Claim, we tied in two property corner monuments along the boundary of Mr. Ludingtons property which were set in that recorded survey being Lane County Surveyors Office File (CSF) No. 21439. From the property corners that we tied, we projected the position of the Donation Land Claim corner from the said recorded survey.

The existing use of the water is for domestic use at the house, for some irrigation of the yard and garden and for livestock watering.

Charles W. Guile

CWRE 166

3/7/1995

I, Lane R. Ludington, agree to the findings of the CWRE and do submit this report and map as my continuing Claim of Beneficial Use of the water for my application SWR - 241.

Lane R. Ludington

3/7/95

# Warranty Deed

THIS INDENTURE WITNESSETH that I, Frank Kinney, of the County of Lane, State of Oregon, do hereby grant, sell and convey unto Marie K. and Henrietta J. Davis, husband and wife and Harold W. Schmale and Beatrice M. Schmale, husband and wife, the grantees,

the Grantors for and in consideration of the sum of Ten and no/100 DOLLARS paid to them hereby, bargain, sell and convey unto Marie K. and Henrietta J. Davis, husband and wife and Harold W. Schmale and Beatrice M. Schmale, husband and wife, the grantees, the following described premises, to-wit:

Beginning at a point in the center of County Road No. 4, said point being on the West line of the Ezekiel Bailey D.L.C., No. 10, in T 18 S, R 14 W, W.M., and being South 2467.4 feet from the Northwest corner of said D.L.C.; thence South along the West line of said D.L.C., 637.2 feet to the North line of Lot 4, Section 5, T 18 S, R 14 W, W.M.; thence N 89° 15' W, along the North line of Lot 4 and the East line of the SW 1/4 of the SW 1/4 of said Section, 1657.6 feet to the Easterly right-of-way line of said County Road No. 4, 10 feet in width; thence N 11° 12' W, along said Easterly line, 241 feet; thence N 00° 27' W, along said Easterly line, 305.4 feet to the center of said County Road; then along the center of said County Road the following bearings and distances: N 70° 21' E, 752.8 feet; S 72° 28' E, 395.6 feet; S 68° 10' E, 250.0 feet; S 69° 31' E, 269.7 feet; S 87° 17' E, 296.9 feet; and N 83° 12' E, 296.9 feet to the point of beginning and containing 34.1 acres, more or less (subject to said County Road) in said Section 5, Lane County, Oregon

also the right to use the water from a spring for domestic and stock purposes and also to have the right to maintain and repair said spring and the right to cross said Mr. Frank Kinney's land to gain access to said spring, and to maintain a pipeline from said spring to above described property. The location of said spring is as follows: South 3594.9 feet and West 650.0 feet from the N.W. corner of the Ezekiel Bailey D.L.C. No. 10, Block, #2236 in Section 5, T 18 S, R 14 W of Willamette Meridian, Lane County, Oregon.

*177 pair. 269.*

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee Marie K. and Henrietta J. Davis, husband and wife and Harold W. Schmale and Beatrice M. Schmale, husband and wife, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owner in fee simple of said premises; and that they are free from all encumbrances.

and that they will warrant and defend the same from all lawful claims whatsoever. IN WITNESS WHEREOF, we have hereunto set our hands and seals this 5th day of April, A.D., 19 51

(SEAL)  
(SEAL)

*Marie K. Davis*  
*Henrietta J. Davis*

NOTARY PUBLIC FOR OREGON

97018

RECEIVED  
MAR - 9 1995  
WATER RESOURCES DEPT.  
SALEM, OREGON

# Warranty Deed

THIS INDENTURE WITNESSETH: That Jake Frentheway and Mary C. Frentheway, husband and wife

the Grantors, for and in consideration of the sum of Ten and no/100 - - - - - <sup>Davis</sup> DOLLARS to them paid, do hereby, bargain, sell and convey unto Merle M. <sup>Davis</sup> and Henrietta A. Davis, husband and wife and Harold W. Schmale and Beatrice D. Schmale, husband and wife the grantee s,

the following described premises, to-wit:

Beginning at a point in the center of County Road No. 4, said point being on the West line of the Ezekiel Bailey D.L.C., No. 40, in T 18 S, R 4 W, W.M., and being South 2467.4 feet from the Northwest corner of said D.L.C.; thence South, along the West line of said D.L.C., 837.2 feet to the North line of Lot 4, Section 5, T 18 S, R 4 W, W.M.; thence N 89° 45' W, along the North line of Lot 4 and the North line of the SW 1/4 of the SE 1/4 of said Section, 1657.6 feet to the Easterly right of way line of a private roadway 40 feet in width; thence N 11° 12' W, along said Easterly line, 94.4 feet; thence N 0° 27' W, along said Easterly line, 305.1 feet to the center of said County Road; thence along the center of said County Road the following bearings and distances: N 17° 24' E, 752.8 feet; S 72° 24' E, 395.6 feet; S 68° 10' E, 250.0 feet; S 69° 31' E, 269.7 feet; S 87° 17' E, 296.9 feet, and N 83° 12' E, 296.9 feet to the point of beginning and containing 34.1 acres, more or less (subject to said County Road), in said Section 5, Lane County, Oregon

NOTE:

Also the right to use the water from a spring for domestic and stock purposes and also to have the right to maintain and repair said spring and the right to cross said Mr. Frank Kinney's land to gain access to said spring, and to maintain pipe line from said spring to above described property. The location of said spring is as follows: South 3594.9 feet and West 650.0 feet from the N.W. corner of the Ezekiel Bailey D.L.C. #40, Notif. #2236 in Section 5, T 18 S, R 4 W of Willamette Meridian, Lane County, Oregon.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee s, their heirs and assigns forever.

And the said Grantors do hereby covenant to and with the said Grantees, their heirs and assigns that they are the owner s in fee simple of said premises; and that they are free from all encumbrances

and that t he y will warrant and defend the same from all - - - - - lawful claims whatsoever. IN WITNESS WHEREOF, we have hereunto set our hands and seal s, this 5th day of April A. D., 19 51

\_\_\_\_\_(SEAL) \_\_\_\_\_  
\_\_\_\_\_(SEAL) \_\_\_\_\_  
*Jake Frentheway* (SEAL)  
*Mary C. Frentheway* (SEAL)

SWR-241

T. 18 S., R. 4 W., W.M.  
SECTION 5

WATER RIGHT APPLICATION  
MAP FOR

LANE R. LUDINGTON

TAX LOT 2900, MAP NO. 18-04-05

LANE COUNTY, OREGON

APRIL 14, 1993

APR 16 1993

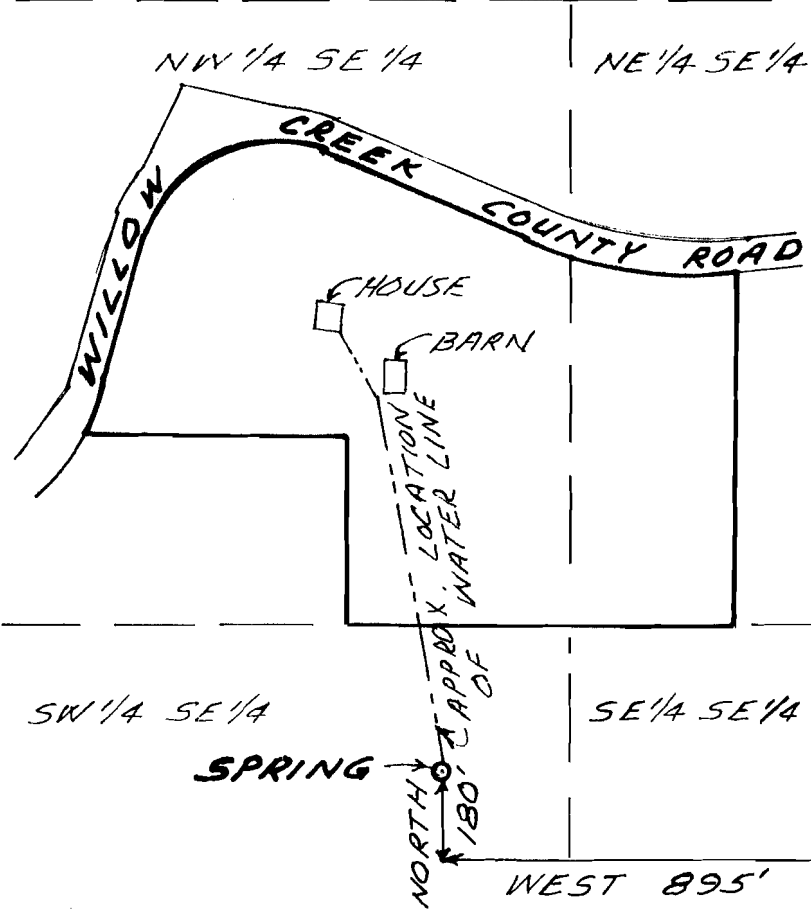
APR 16 1993

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MAR - 9 1995

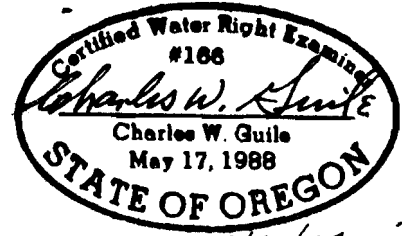
WATER RESOURCES DEPT  
SALEM, OREGON

E. BAILEY D.L.C. NO. 40



SCALE  
1" = 400'

THIS MAP IS FOR WATER  
RIGHT PURPOSES ONLY AND  
IS NOT INTENDED TO PROVIDE  
DIMENSIONS FOR LOCATING  
PROPERTY BOUNDARIES.



EXP. DATE 12/31/93

CHARLES W. GUILÉ  
& ASSOCIATES, CO.  
Land Surveying  
52 Centennial Loop  
Eugene, OR 97401

5 4  
8 9

PREPARED FROM RECORDS.

93-27

CHARLES W. GUILLE & ASSOCIATES, Co.  
LAND SURVEYING

52 CENTENNIAL LOOP  
EUGENE, OREGON 97401  
TELEPHONE 343-9855

RECEIVED RESIDENCE  
ELMIRA, OREGON  
MAR - 9 1995  
TELEPHONE 935-2025  
WATER RESOURCES DEPT.,  
SALEM, OREGON

Mr. Don Knauer  
Adjudication Specialist  
Oregon Water Resources Department  
Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210

March 7, 1995  
93-27

RE: SWR - 241

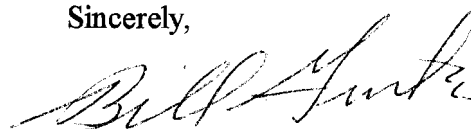
Dear Mr. Knauer:

Enclosed is the Final Proof mylar and the Beneficial Use report that we prepared for Mr. Lane Ludington for the above referred SWR-241.

Also, I am returning the map that you returned to me.

Thank you for your patience with me in finalizing the above. If you have any questions, please give me a call. Thank you.

Sincerely,



Bill Guile

CHARLES W. GUILLE & ASSOCIATES, Co.  
LAND SURVEYING

52 CENTENNIAL LOOP  
EUGENE, OREGON 97401

TELEPHONE 343-9855

Mr. Lane R. Ludington  
87299 Reynolds Drive  
Eugene, OR 97402

RESIDENCE  
ELMIRA, OREGON

TELEPHONE 935-2025

October 7, 1994  
92-88

SWR-241

Dear Lane:

In regards to your Pre-1909 Vested Water Right Claim, Mr. Don Knauer of the State of Oregon Water Resources Department says that the Map I prepared for you is not right, that I should have prepared a **FINAL PROOF MAP AND A BENEFICIAL USE REPORT** for you to submit along with your claim. On May 29, 1991, Mr. Knauer did send out a memo stating this, of which I placed it in my water right's file along with numerous other mailings from the Department and forgot about receiving his memo when you contacted me to prepare the map.

I was not asked to do a map for a Pre-1909 claim until late in 1992 and early in 1993. The instructions to you that we discussed was only that a map prepared by a CWRE must be submitted along with your claim of use. The instructions to you did not specify that a final proof map and beneficial use report was require. If it had, I would have known what was needed and would have advised you differently and would have prepared the final proof map and the beneficial use report, if you still thought that you had a claim.

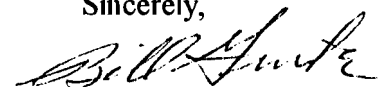
To prepare a Final Proof Map, I will need to survey the area of actual use and make a tie to a government corner. To prepare the Beneficial Use Report, I will need to get data from the motor, pump, sprinklers, etc., so to prepare the report. In case of springs, we will have to survey the spring and the lines to the place of use for the map.

For the maps that I prepared from records, I will have to charge for the field survey and the data collected for the beneficial use report, but will prepare the new final proof map at no charge. For the maps that I did do a field survey for, I will only charge for the time spent in gathering the data for and preparing the Beneficial Use Report.

The above four sentences are a form type letter for you and others. On April 19, 1993, the Water Resources Department received your application map and on September 3, 1993, Mr. Knauer wrote me a letter that additional information was needed.

If you wish to proceed with your claim, please write or give me a call. Thank you

Sincerely,



Bill Guile

cc: Mr. Knauer

CHARLES W. GUILÉ & ASSOCIATES, Co.  
LAND SURVEYING

52 CENTENNIAL LOOP  
EUGENE, OREGON 97401  
TELEPHONE 343-9855

RESIDENCE  
ELMIRA, OREGON  
TELEPHONE 935-2025

RECEIVED

AUG 31 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

August 30, 1994

Mr. Don Knauer  
Adjudicated Specialist, Water Resources Dept.  
Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210

RE: Beneficial Use Permits and Final Proof Maps  
For Adjudication

Dear Mr. Knauer:

I have misplaced your last letter but I remember by the tone of your letter it appears that I am not only the CWRE that has not responded to your request of submitting a Beneficial Use Report and a Final Proof Map for the various owners that I prepared a map for their adjudicated request's.

Again, I feel that the property owners were misled when the application only stated that a map by a CWRE was needed and did not explain to them that the above was needed.

I will begin contacting the clients that I was involved with. Some, I did not know they were applying for adjudication as they also applied for a Water Permit with the maps that I prepared. One I only revised the map as her first CWRE was sick not knowing the background. The City of Eugene had specialist Attorney's in Water Rights from Portland involved and they did not mention that the above was needed. Some I would have advised against if I knew the above was needed.

Anyway, I am now in the process of notifying my clients that additional data is needed. I cannot give you a precise time table, only that it will probably run into next year. I will concentrate first on the ones that are irrigating land. Some of them might not qualify.

I am enclosing a copy of my letter to you dated December 14, 1993 which shows the ones that I have to contact. I have already completed the field survey for the Bryan's.

Thank you.

Sincerely,



Charles W. "Bill" Guile  
CWRE 166

RECEIVED

DEC 20 1993

CHARLES W. GUILÉ & ASSOCIATES, Co.  
LAND SURVEYING

52 CENTENNIAL LOOP  
EUGENE, OREGON 97401

TELEPHONE 343-9855

WATER RESOURCES DEPT  
RESIDENCE  
SALEM, OREGON

TELEPHONE 935-2025

Mr. Don Knauer  
Adjudicated Specialist  
Water Resources Department  
Salem, OR 97310

December 14, 1993

RE: Your Letters as follows for:

File # SWR-139 dated June 22, 1993 - Bryan	(92-79)
File # SWR-148 dated June 24, 1993 - Wright	
File # SWR-163 dated June 29, 1993 - Tradeau	(92-81)
File # SWR-180 dated July 30, 1993 - Owens	(92-91A)
File # SWR-241 dated September 3, 1993 - Luddington	(93-27)
File # SWR-268 dated September 21, 1993 - Ach	(92-87)
File # SWR-341 dated October 26, 1993 - Knowlson	(92-26)
File # SWR-342 dated October 26, 1993 - Wilbur	(92-26)
File # SWR-347 dated October 27, 1993 - Winger	(92-85)
File # SWR-351 dated October 28, 1993 - Murr	(92-88)
File # SWR-354 dated October 29, 1993 - City of Eugene	(92-89A)
File # SWR-355 dated October 29, 1993 - City of Eugene	(92-89B)

Dear Mr. Knauer:

I apologize for being so late in answering the above referred letters from you for the above referred File numbers.

When I began to receive your letters, I got so disgusted that I just threw them into a file as I could see that all would be returned. I think that all of the maps that I prepared for my clients who applied for Adjudicated Rights have now been returned. Also, I had many projects that had to be done by the end of 1993 which have now been completed. Therefore, I must take care of the above referred Files.

I guess what disturbs me the most is that I do not remember seeing anything that said the CWRE had to make a final proof map and a beneficial use report to be submitted along with my clients application for their Adjudicated Rights claims.

I have a copy of your pamphlet titled "Should I File a Pre-1909 Water Right Claim" dated April, 1990 which says that the claimant needs a map prepared by a CWRE and that the claimant needs to document their claims. I do not see where a beneficial use report from the CWRE is required.

Also, as I remember, the forms that my clients filled out with their application for their claim only said that a map by a CWRE was required. I told some of my clients who asked before they made application if they felt that they could document their proof of use, I would make the map.



RECEIVED

DEC 20 1993

WATER RESOURCES DEPT  
SALEM, OREGON

Page 2

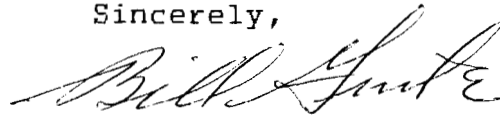
Therefore, I called my maps application maps and except for 5 of the maps, they were prepared from records and not from a field survey.

It appears that in all of the above referred File Numbers, you are asking me to prepare a Final Proof Map and a Beneficial Use Report for each. Please let me know by letter if this is what you expect for each and I will contact each client as to how I should proceed to meet your requirements as stated in your letters.

I have another client, Mr. Dale Carlson, who wants me to prepare the map for his claim. I want to do it correct the first time and I would appreciate hearing from you first. I told him I could do it in January, 1994.

Thank you for your understanding and promptness in replying.

Sincerely,



Charles W. "Bill" Guile

cc: clients

SWR 241

T. 18 S., R. 4 W., W.M.  
SECTION 5

WATER RIGHT APPLICATION  
MAP FOR

LANE R. LUDINGTON

TAX LOT 2900, MAP NO. 18-04-05

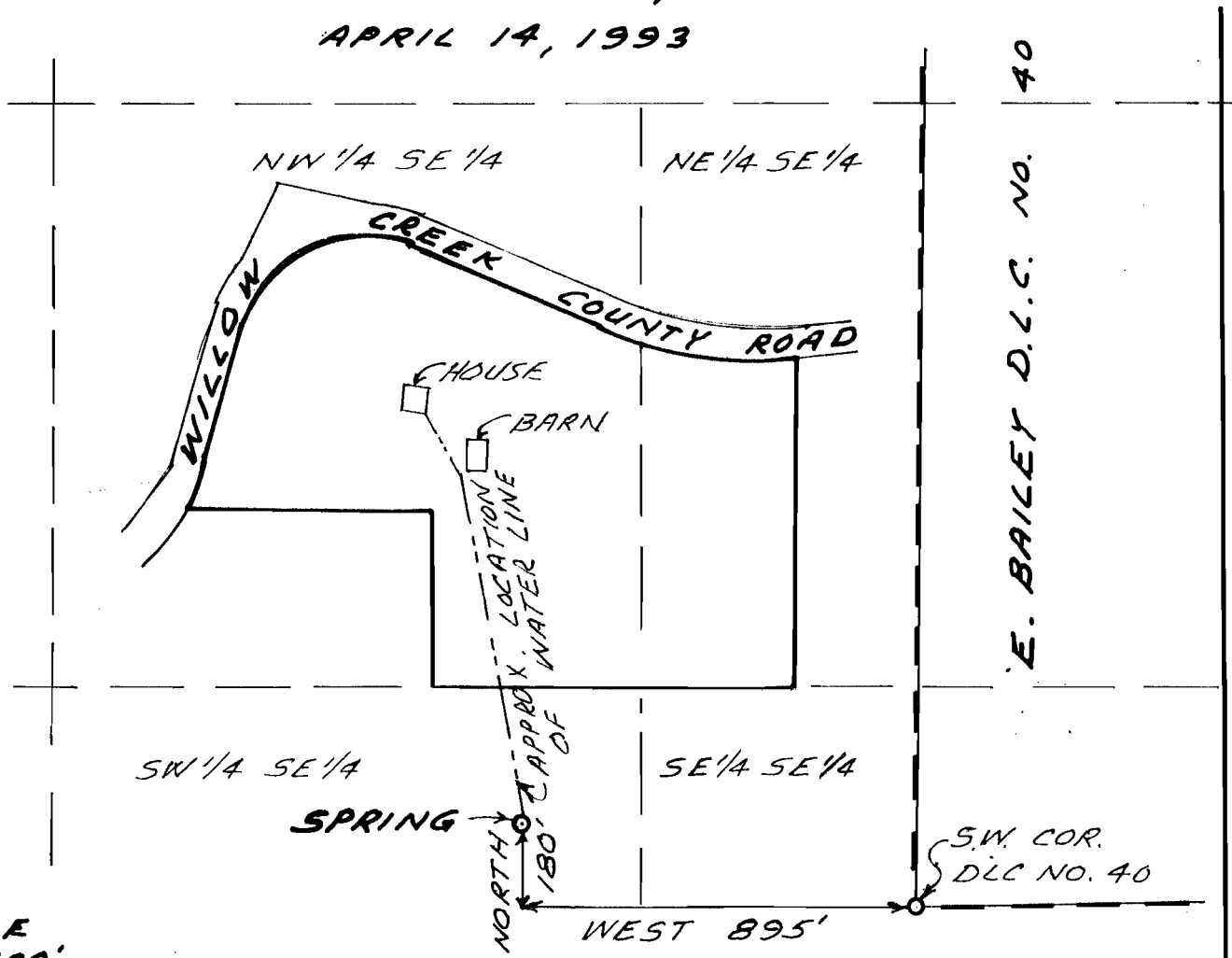
LANE COUNTY, OREGON

APRIL 14, 1993

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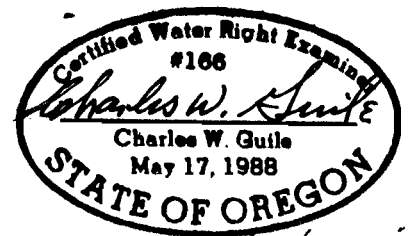
APR 15 1993

WATER RESOURCES DEPT  
SALEM, OREGON



SCALE  
1" = 400'

THIS MAP IS FOR WATER  
RIGHT PURPOSES ONLY AND  
IS NOT INTENDED TO PROVIDE  
DIMENSIONS FOR LOCATING  
PROPERTY BOUNDARIES.



EXP. DATE 12/31/93

CHARLES W. GUILLE  
& ASSOCIATES, CO.  
Land Surveying  
62 Centennial Loop  
Eugene, OR 97401

5 4  
8 9

PREPARED FROM RECORDS.

93-27

SWR-241

T. 18 S., R. 4 W., W.M.  
SECTION 5

RECEIVED  
APR 18 1993

WATER RIGHT APPLICATION  
MAP FOR

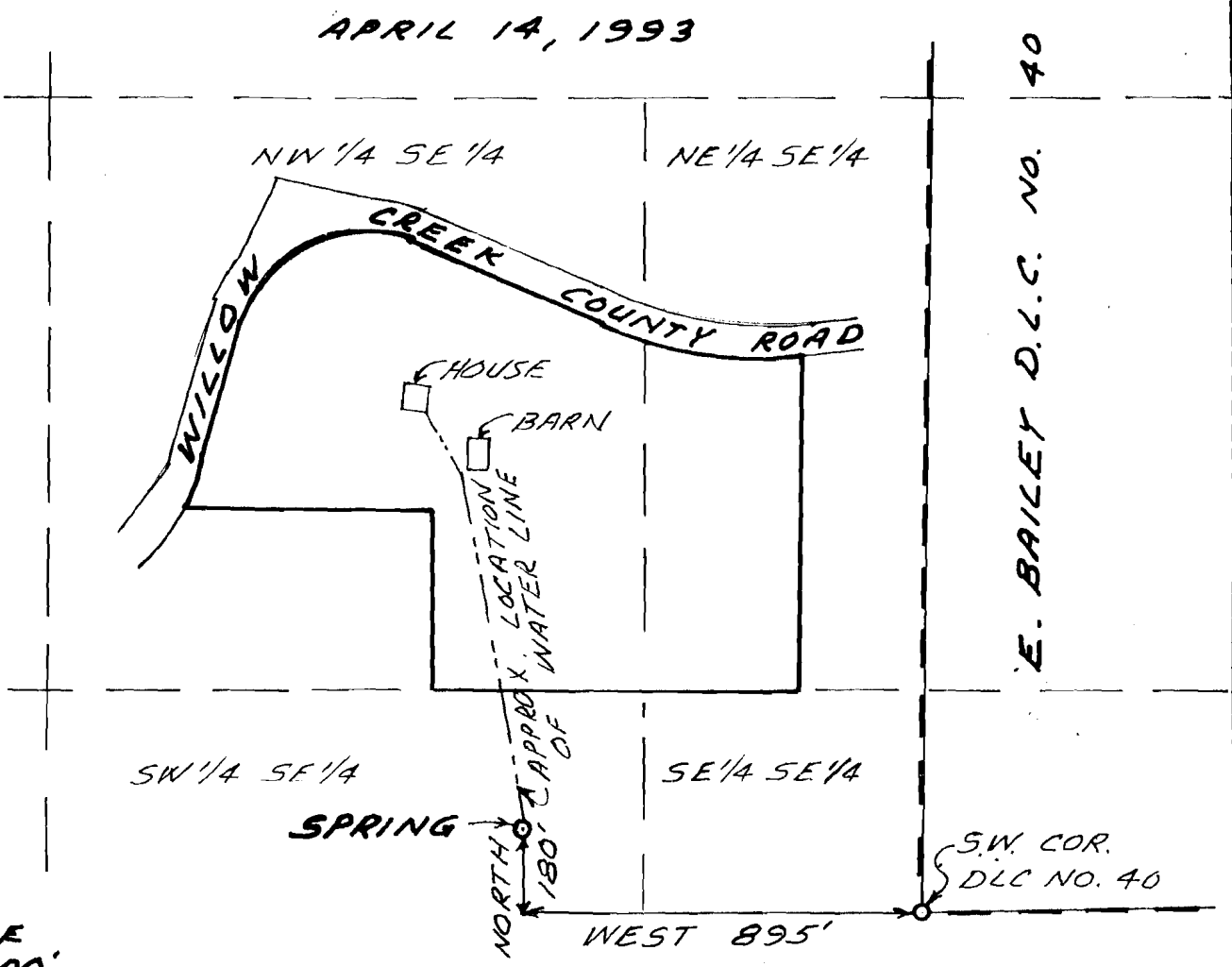
WATER RIGHTS DIVISION  
DEPT. OF GEOLOGY & MINERALS

LANE R. LUDINGTON

TAX LOT 2900, MAP NO. 18-04-05

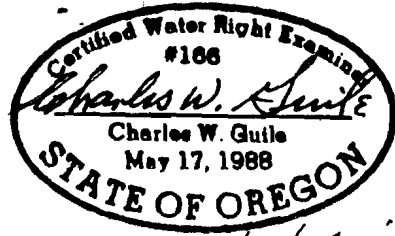
LANE COUNTY, OREGON

APRIL 14, 1993



SCALE  
1" = 400'

THIS MAP IS FOR WATER  
RIGHT PURPOSES ONLY AND  
IS NOT INTENDED TO PROVIDE  
DIMENSIONS FOR LOCATING  
PROPERTY BOUNDARIES.



EXP. DATE 12/31/93

CHARLES W. GUILÉ  
& ASSOCIATES, CO.  
Land Surveying  
52 Centennial Loop  
Eugene, OR 97401

5 4  
8 9

PREPARED FROM RECORDS.

93-27

SWR 241

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.

APR 15 1993

Applicant's Name: LAKE R. LUDINGTON
Address: 87299 REYNOLDS DRIVE
City: EUGENE State: OR Zip: 97402 Day Phone: 687-0546

WATER RESOURCES DEPT RECORD

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.

Table with columns: Tax Lot or Local I.D.#, Plan Designation/Zoning (e.g. Rural Residential/RR-5), and Check All That Apply (Water Diverted, Water Conveyed, Water Use). Row 1: 18-04-05, 2900 F-2 PLOT 284, X.

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

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

[X] 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.)

Table with columns: Type of Land Use Approvals Needed, Cite Most Significant, Applicable Plan Policies & Ordinance Section References, and Please check the box that applies: (Already Obtained, Already Denied, Being Pursued Satisfactorily). Row 1: F-2 Special Use Pmt. Res., LC 16.211, NO APPLICATION SUBMITTED AT THIS TIME FOR PROPOSED RESIDENCE.

(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: \_\_\_\_\_

**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: LANE R. LUDINGTON  
 Address: 87299 REYNOLDS DRIVE  
EUGENE, OR 97402  
 Phone: 687-0596

APR 19 1993

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): ONE RESIDENCE
- 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 type="checkbox"/> Surface Water Name sources: _____ _____	<u>0.005</u> Cubic feet per second. _____ Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water ( <u>SPRING</u> )	

TAIMS INDEX RESOLUTION 12/28/92 12:28:42

ENTRY	ACCOUNT	YR	CODE	LANE CO
1	R281970	92	4-96	LUDINGTON LANE & JANICE
2	R281970	91	4-96	
3				
4				
5				
6				
7				
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9				
10				
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15				

RECEIVED

DEC 28 1992

WATER RESOURCES DEPT.  
SALEM, OREGON

RETURN INFORMATION FOR ENTRY # OR ENTER 'X' TO RETURN TO INDEX DISPLAY

INITIAL REQUEST:

/NAME LUDINGTON LANE

TAIMS INDEX RESOLUTION 12/28/92 12:28:55

ENTRY	ACCOUNT	YR	CODE	LANE CO
1	R722338	92	4-15	LUDINGTON LANE R & JANICE G
2	R722338	91	4-15	
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				

RETURN INFORMATION FOR ENTRY # OR ENTER 'X' TO RETURN TO INDEX DISPLAY

INITIAL REQUEST:

/NAME LUDINGTON LANE

RSUM REAL PROP ACCOUNT SUMMARY 12/28/92 12:29:12  
 ACCT: 281970 1992 ASSESSMENT YEAR COUNTY: LANE  
 INDEX: F ACCT EQ 20100281970 YRA X  
 ACCT STAT: PAYOR, POST  
 PROP DESCR: 17 03 32 23-00200 NAME ADDR: LUDINGTON LANE & JANICE  
 LEGAL: 86 B OF E RX121 070786 87299 REYNOLDS DR 97402  
 EUGENE OR

PROP ADDR: RES NEIGH 2000X COM NEIGH  
 YRIA YRLA 82 LAST ACTIVITY 08-25-92 CONTROL GROUP 29 496  
 PROP CLASS 300 STAT CLASS LEVY CODE 4-96  
 ACRES CYCLE 2 ZONE TAX CERTIFIED: 206.88  
 ASSESSED (AV) REAL MARKET (RMV)  
 LAND 9,110 9,110  
 IMPS 1992 YEAR TAX: 206.88  
 TIMBER TAX DUE 1992 YEAR:  
 GROSS: 9,110 9,110 TAX DUE PRIOR YEARS:  
 EXMPTS: INTEREST AS OF 12-28-92  
 NET: 9,110 9,110 TOTAL BALANCE DUE:  
 OLDEST DELINQUENT YEAR

RSUM REAL PROP ACCOUNT SUMMARY 12/28/92 12:29:27  
 ACCT: 722338 1992 ASSESSMENT YEAR COUNTY: LANE  
 INDEX: F ACCT EQ 20100722338 YRA X  
 ACCT STAT: PMH, SADJ, PAYOR, POST  
 PROP DESCR: 18 04 05 00-02900 NAME ADDR: LUDINGTON LANE R & JANICE G  
 LEGAL: 87299 REYNOLDS DR 97402  
 EUGENE OR

RECEIVED

DEC 28 1992

WATER RESOURCES DEPT.  
SALEM, OREGON

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

SURFACE WATER REGISTRATION STATEMENT  
PRE-1909 VESTED WATER RIGHT CLAIM

1. Name of Registrant: LANE S. LUDINGTON  
 Mailing Address: 87297 Reynolds Dr  
Eugene OR 97402 Telephone No: 315 7618
2. Source of water: SPRING  
 Tributary to: Ø
3. Purpose(s) for which water is used: House  
 (Irrigation, Stockwater, Domestic, Hydroelectric power, Industrial, Etc.)  
 If irrigation, total number of acres irrigated: Ø
4. Priority Date  
 a) Date of first use: Pre 1900  
 b) Date water use development first initiated: Pre 1900  
 c) Name of party who initiated development: \_\_\_\_\_
5. Amount of water claimed: Small Spring (all of it)  
(in CFS or GPM)  
 (Water put to beneficial use)
6. Location of place of use:  
5 Sections, Township 18 N/S, Range 43 E/W. Acc # 12338  
Area 02700  
 \_\_\_\_\_ Sections, Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W.  
 (Attach additional pages if necessary)
7. Usual period of use: Year to Year  
 month day month day

RECEIVED

DEC 28 1992

WATER RESOURCES DEPT.  
SALEM, OREGON

8. Remarks: The spring is off property  
about 50 feet & has a easement; originally  
it was all the same farm and parcels  
were sold off  
Ware

9. Total fees submitted with claim \$2000

Notarized Statement Signed by Claimant.

STATE OF OREGON )  
County of Lane ) : ss

I, Walter R. Leuberg, having been duly sworn,  
depose and say that I, and being the claimant of the existing surface  
water right described herein, have read the contents of this claim and  
to the best of my knowledge all of the matters stated herein  
are true and correct.

[Signature]  
Signature of Claimant

Signed and attested before me this 28 day of Dec, 19 92

[Signature]  
NOTARY PUBLIC for the State of Oregon  
My commission expires: 10-10-93

**THIS FORM MUST BE ACCOMPANIED BY A MAP PREPARED BY A CERTIFIED WATER RIGHT EXAMINER (CWRE).**

Certified Water Right Examiner  
Name: Bill CHARLES W. Swile CWRE#: 166  
Address: 52 Commercial 4  
Eugene OR 97401  
Telephone: 343 9855



CHARLES W. GUILÉ & ASSOCIATES, Co.  
LAND SURVEYING

52 CENTENNIAL LOOP  
EUGENE, OREGON 97401  
TELEPHONE 343-9855

RESIDENCE  
ELMIRA, OREGON  
TELEPHONE 935-2025

Mr. Don Knauer  
Adjudication Specialist  
Oregon Water Resources Department  
3850 Portland Road NE  
Salem, OR 97310

February 22, 1993

RE: SURFACE WATER REGISTRATION MAP  
LANE LUDINGTON  
SWR-241

Dear Mr. Knauer:

I am in receipt of your letter dated February 17, 1993.

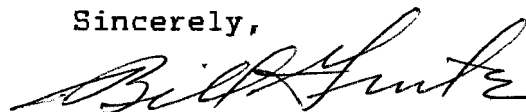
Mr. Ludington contacted me on December 28, 1992 about preparing a water right application map for his adjudication procedure on a spring. I gave him an estimate to prepare the map.

Then the next day, as I remember, he called me on his cellular phone telling me he was on his way to Salem to submit his application and that he would have 30 days to submit the application map. I gave him my CWRE number.

As of this date, I have not heard from Mr. Rudington authorizing me to make the application map. Therefore, I do not have an anticipated schedule for the preparation of the map.

If you have any questions, please give me a call. Thank you.

Sincerely,



Charles W. "Bill" Guile

**SURFACE WATER REGISTRATION CHECKLIST**

(received after July 18, 1990)

CHECK BASIN MAP Dec NAME Upper # 2A UNADJUDICATED AREA ? yes  
WILLAMETTE  
RECEIPT # 95516 S W R NUMBER 241  
CHECK ENCLOSURES Dec PRELIMINARY DATA BASE ENTRY DWR  
ACKNOWLEDGEMENT LETTER Dec ENTER ON STREAM INDEX \_\_\_\_\_  
CHECK QUADRANGLE MAP \_\_\_\_\_ CHECK GLO PLATS \_\_\_\_\_  
WATERMASTER CHECKLIST \_\_\_\_\_ PUBLIC NOTICE PUBLICATION log

**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  
\_\_\_\_\_ 1/10 to acre

#12 WATER RIGHT RECORD CHECK \_\_\_\_\_ FIELD INSPECTION \_\_\_\_\_  
#19 FINAL FILE REVIEW \_\_\_\_\_ FINAL DATA BASE ENTRY \_\_\_\_\_  
ENTER ON PLAT CARDS \_\_\_\_\_

March 10, 1995

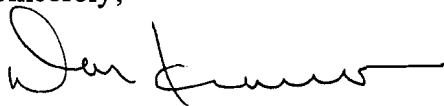
CHARLES GUILLE  
52 CENTENNIAL LOOP  
EUGENE OR 97401

RE: SWR-241

Dear Mr Guile,

This will acknowledge the receipt of map to support the pre-1909 vested water right claim in the name of LANE LUDINGTON 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

M:\A\W\S\C\2\SWR-0241.006



---

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

---

3-7-95

SWR-241

Bill Guire said he  
will have the map  
in the mail today.

WEEK

---



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

---

# Oregon

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WATER  
RESOURCES  
DEPARTMENT

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October 17, 1994

CHARLES W GUILLE  
52 CENTENNIAL LOOP  
EUGENE OR 97401

re: SWR-148,SWR-163,SWR-180,SWR-241,SWR-268,SWR-341,SWR-342,SWR-347,SWR-351,SWR-354,SWR-355

Dear Mr Guile,

This will acknowledge the receipt of the copies of letters for the above referenced files. I have added the copies to the files.

Sincerely,

Don Knauer  
Adjudication Specialist

j:\w\s\c\1\swr-<sup>241</sup>0355.004



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

SWR-166

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\vwrememo.94

SWR-139 : BRYAN  
- 148 : WRIGHT  
- 163 : THURMAN  
- 241 : LUDINGTON  
- 268 : ACH  
- 341 : KNOWLSON

SWR-342 : WILSON  
-347 : WINGEE  
-351 : BUTLER  
-354 : EUGENE WAREZ & BIRD  
-355 : EUGENE WAREZ & BIRD

December 21, 1993

CHARLES W GUILLE  
52 CENTENNIAL LOOP  
EUGENE OR 97401

Dear Mr Guile,

This will acknowledge your letter of December 14,1993. I have thought about how I can best address your distress over the problems with the maps you prepared to support pre-1909 vested water right claims. There has been some misunderstanding with regards to the pre-1909 map requirements in the past by both claimants and Certified Water Right Examiners (CWRE). When I took this project over, I made many efforts to provide the necessary information to the folks involved. I arranged and held public meetings, mailed notices and memos, had public notices published in local newspapers, among other things.

I took a look in my files and copied two of the memos I hope will help to show my attempt to inform you of the pre-1909 vested water right mapping requirements. I have always made myself available to the CWRE,s. I do not have a record, nor do I recall, you contacting me about the pre-1909 mapping requirements.

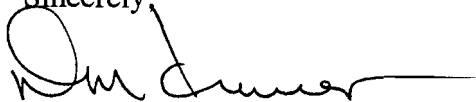
My notes show I sent copies of my checklist, the mapping requirements and the claim of beneficial use sheet while returning the maps for SWR-139, SWR-163 and SWR-268. I am sending you another copy.



On to the problem at hand. You must prepare a "final proof map and a beneficial use report" to satisfy the statutory and administrative requirements for the map to support a pre-1909 vested water right claim.

I am sending one of my cards and if there is anything you want to discuss please give me a call. The toll free number is 1-800-624-3199.

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

M:\WP51\SWR\CWRE\CORRESPO\GUILE.01



September 3, 1993

CHARLES GUILLE  
52 CENTENNIAL LOOP  
EUGENE OR 97401

RE: File# SWR-241

DEAR CHARLES GUILLE,

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 Lane R. Luddington. 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.

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,



Don Knauer  
Adjudication Specialist

Enclosures

J:\WP51\SWR\CLAIMANT\2\SWR-0241.00M



## **INTEROFFICE MEMORANDUM**

*Oregon Water Resources Department  
Adjudications Section*

TO: File SWR-241

FROM: Dwight French

DATE: April 15, 1993

RE: MAP

Mr. Luddington asked me to put a note in the file regarding the expected submittal date for his CWRE map.

Mr. Luddington had hoped to have it in by April 17, 1993. Now it looks like it might be a week later.

March 2, 1993

CHARLES W GUILLE  
52 CENTENNIAL LOOP  
EUGENE OR 97401

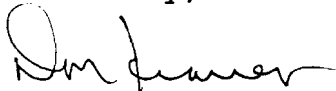
RE: Surface Water Registration Map

Dear MR GUILLE,

LANE LUDINGTON has indicated to the Oregon Water Resources Department (WRD) that you have been hired to prepare the claim of beneficial use map for their Surface Water Registration Statement. Would you please inform me of your anticipated schedule of map preparation and submission to the WRD.

Please mark all correspondence related to this claim with the file number SWR-241.

Sincerely,



Don Knauer  
Adjudication Specialist

M:\WP51\SWR\CLAIMANT\SWR-0241.004



February 24, 1993

WATER  
RESOURCES  
DEPARTMENT

LANE R LUDINGTON  
87299 REYNOLDS DRIVE  
EUGENE OR 97402

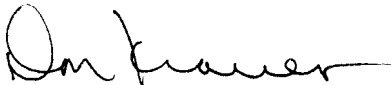
RE : SWR-241

Dear Mr Ludington,

I am sending a copy of the letter I received from Charles W Guile, CWRE # 166. As you were notified in my letter of February 17, 1993, you had 60 days to send a letter to this address indicating you have contracted with a CWRE to prepare your map. That has not changed.

If you have any questions, please do not hesitate to give me a call.

Sincerely,



Don Knauer  
Adjudication Specialist

cc: Charles Guile

C:\WP51\SWR\CLAIMANT\SWR-0241.003



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

February 17, 1993

CHARLES W GUILLE  
52 CENTENNIAL LOOP  
EUGENE OR 97401

RE: Surface Water Registration Map

Dear MR GUILLE,

LANE LUDINGTON has indicated to the Oregon Water Resources Department (WRD) that you have been hired to prepare the claim of beneficial use map for their Surface Water Registration Statement. Would you please inform me of your anticipated schedule of map preparation and submission to the WRD.

Please mark all correspondence related to this claim with the file number SWR-241.

Sincerely,



Don Knauer  
Adjudication Specialist

C:\WP51\SWR\CLAIMANT\SWR-0241.002



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

February 17, 1993

LANE R LUDINGTON  
87299 REYNOLDS DRIVE  
EUGENE OR 97402

Dear MR LUDINGTON,


This will acknowledge that your Surface Water Registration Statement in the name of LANE R LUDINGTON has been received by our office. The fees in the amount of \$200.00 have been received and our receipt #95516 is enclosed. Your registration statement has been numbered SWR-241.

You failed to submit a map prepared by a Certified Water Right Examiner (CWRE). ORS 539.240 (2) (d) requires the map be prepared by a CWRE. Within 60 days of this letter you must send a letter to this address indicating you have contracted with a CWRE to prepare your map. You should send your letter to my attention. In your letter you must identify the name of the CWRE who will prepare your registration statement map. We will contact the CWRE to arrange a map submittal deadline.

We will not be able to process your claim until we have received your map. If you have any questions regarding this process, please do not hesitate to give me a call.

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

Sincerely,



Don Knauer  
Adjudication Specialist

Enclosure

C:\WP51\SWR\CLAIMANT\SWR-0241.001



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

RECEIPT # **95516**STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
3850 PORTLAND ROAD NE  
SALEM, OR 97310  
378-8455/378-8130 (FAX)RECEIVED  
OVER THE COUNTER

RECEIVED FROM:

BY:

Land Auto Imports

APPLICATION

PERMIT

TRANSFER

CASH:

CHECK: #

OTHER: (IDENTIFY)

TOTAL REC'D

\$ 200.00

**01-00-0 WRD MISC CASH ACCT**842.010 ADJUDICATIONS  
831.087 PUBLICATIONS/MAPS  
830.650 PARKING FEES Name/month  
OTHER: (IDENTIFY)\$ 200.00  
\$  
\$  
\$**REDUCTION OF EXPENSE**

CASH ACCT.

\$

COST CENTER AND OBJECT CLASS

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  
842.003 GROUND WATER  
842.005 TRANSFER**EXAM FEE**\$ 842.002  
\$ 842.004  
\$ 842.006**RECORD FEE**

\$

\$

\$

**WELL CONSTRUCTION**842.022 WELL DRILL CONSTRUCTOR  
842.016 WELL DRILL OPERATOR  
LANDOWNER'S PERMIT**EXAM FEE**\$ 842.023  
\$ 842.019  
842.024**LICENSE FEE**

\$

\$

\$

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

CARD #

CARD #

**45-00-0 LOTTERY PROCEEDS**

864.000 LOTTERY PROCEEDS

\$

**07-00-0 HYDRO ACTIVITY**

LIC NUMBER

842.011 POWER LICENSE FEE(FW/WRD)  
842.115 HYDRO LICENSE FEE(FW/WRD)  
  

\$

\$

HYDRO APPLICATION

\$

RECEIPT #

**95516**

DATED:

12/25/92

BY:

C. Taylor

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