

RECEIVED

JAN - 9 1995

WATER RESOURCES DEPT.
SALEM, OREGON

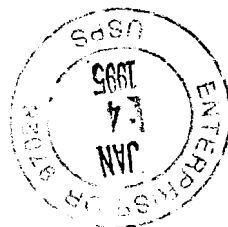
Mr Krauer

Enclosed please find the map for the pu 1909 on our home place. Also, as we talked on 12-29-94, I am enclosing a copy of our recorded deed on the 1/2 of property... in addition I have outlined in black on the map, the portion that is ours and have overlaid a copy of our home place so you can see how it fits together. Please advise what our next step(s) should be.

Also - I appreciated your timely return of my call and your courteous assistance.

Sincerely

Nancy Cannon
8601 West Prairie Rd
Enterprise Or 97828-5050



NR

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That R Y TIMBER INC., an Idaho Corporation

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by ARTHUR G. CANNON and NANCY SUE CANNON, husband and wife

hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the grantees and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Wallowa County, State of Oregon, described as follows, to-wit:

Township 6 North, Range 44 East, of the Willamette Meridian, Wallowa County, Oregon

Section 29: W1SW1

Section 31: Lots 1 and 2; E1NW1; N1SE1; S1NE1; EXCEPTING THEREFROM the following described tract; Commencing at the Northwest corner of the Southwest quarter of the Northeast quarter of said Section 31; thence running South Eight rods; thence East Twenty rods; thence North Eight rods; thence West Twenty rods to the place of beginning.

Section 32: W1NW1

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the grantees and grantee's heirs, successors and assigns forever. And grantor hereby covenants to and with grantees and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 250,000.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which). (The sentence between the symbols (H) if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 24th day of March, 1994, if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW THE 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 LAWN CARE, FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

R Y Timber, Inc.

By: Ronald C Yanke, President; Richard D Neaton, Secretary

WATER 6 SAL

JAN - 9 1995

STATE OF IDAHO, County of ADA) ss.

This instrument was acknowledged before me on March 24, 1994

by Ronald C Yanke and Richard D Neaton as President and Secretary of R Y Timber, Inc an Idaho Corporation

Notary Public for Idaho My commission expires 1/12/95

Form with fields for Grantor's Name and Address (Arthur G. and Nancy Sue Cannon, 85813 East Prairie Rd, Enterprise, OR 97828) and other recording information.

25898

STATE OF OREGON, County of Wallawa } ss.

I certify that the within instrument was received for record on the 29 day of March, 1994, at 1:05 o'clock P.M., and recorded in book/reel/volume No. 25898 on page and/or as fee/file/instrument/microfilm/reception No. 25898 Record of Deeds of said County.

Witness my hand and seal of County affixed.

By: Nancy Talbot, Deputy.



R·Y TIMBER, INC.

RECEIVED

MAR 18 1993

WATER RESOURCES DEPT
SALEM, OREGON

Hurricane Creek Highway • P.O. Box 818 • Joseph, Oregon 97846-0818 • Phone (503) 432-2911 • Fax (503) 432-6285

March 15, 1993

Don Knauer, Adjudication Specialist
Oregon Water Resource Department
3850 Portland Rd. NE
Salem, OR 97310

Subject: SWR-314 West Bear Creek/Lost Prairie
SWR-316 Grande Ronde/Lost Prairie

Dear Mr. Knauer:

Regarding the two Surface Water Registrations (SWR-314 and SWR-316) R-Y Timber, Inc., is requesting an extension of a site inspection and review of these registrations.

At this time, consideration of this property becoming part of the Bureau of Land Management is in process and we feel that until this is resolved, request for continuation for the application for adjudication of Water Rights on this property be extended.

Sincerely,

Dave Shriner
General Manager



R·Y TIMBER, INC.

Hurricane Creek Highway • P.O. Box 818 • Joseph, Oregon 97846-0818 • Phone (503) 432-2911 • Fax (503) 432-6285

December 28, 1992

Water Resource Department
3850 Portland Road N.E.
Salem, OR 97310

RECEIVED
DEC 28 1992
WATER RESOURCES DIVISION
Salem, Oregon

Enclosed is our application for Pre-1909 Vested Water Right Claim on Lost Prairie Property with draining to Grande Ronde River.

Enclosures include:

- 1) Check (Sum of \$275.00)
- 2) Grande Ronde Drainage Documentation
- 3) Notarized letter/testimony of Samuel Duke Cole
- 4) Historical Resource Information
- 5) Map of Lost Prairie Property.

We have chosen Ralph Swinehart as our Certified Water Rights Examiner and at his earliest convenience, will prepare a map and certify flow of water upon this property.

Sincerely,

Dave Shriner
General Manager

/nMcd

GRANDE RONDE RIVER DRAINAGE, TRIBUTARIES:

Corner Spring (Section 31) - 11 gallons/minute

Log Spring (Section 32) - 2-1/2 gallons/minute

House Spring (Section 31) - 4-1/2 gallons/minute

Little Creek (Section 25/30) - 70 gallons/minute

Picnic Spring - (Section 20) - 2-1/2 gallons/minute

Swamp Spring - (Section 20) - 6-1/2 gallons/minute

Spring - (Section 17) - 1 gallon/minute

Total gallons/minute to Grande Ronde River Drainage, tributaries

98 gallons/minute or 22% of one cubic foot of second (cfs)

Above water measurements were made by Bob and Gail Gray on October 15, 1991 using one gallon jug and a stop watch.

OREGON STATE/WATER RESOURCE DEPT.

PER ATTACHED

\$275.00

12-18-92

December 4, 1992

Lost Prairie: T 6 N, R 44 E and T 6 N, R 43 E

Dear Water Resources Department:

I, Samuel Doke Cole, was born at Lost Prairie on December 11, 1909.

My father, James Cole, homesteaded at Lost Prairie on Section 31, NE quarter, in the early 1890's. My grandfather, Samuel Doke Cole, homesteaded on Section 30, SE quarter, in 1888. My father's and grandfather's homesteads were adjacent to each other.

James Madison Fordice homesteaded at Lost Prairie in 1887 (south of and adjacent to my father's place) at Sections 31, 32 and 29 (T 6 N, R 44 E) and Section 5 (T 5 N, R 44 E). James's son W. B. (Willard) Fordice married my aunt Hattie in 1893. W. B. built a good two story house about 1900. In Sections 31 and 32 are very strong springs that not only provided house water but water for the Fordice livestock, year round. Water for the two story house comes from (and still does) a draw directly east of the house. Water collects in a cement spring box, then travels downhill through pipes to the original house site, and three livestock water troughs. A newer house was built in 1957, using the original water supply system. Southwest of the house water draw is another year round strong spring that provides livestock water at springs, ponds, ditches and throughs. This water travels downhill from Section 31 to a lower Section 31 (at the former James Huston Fordice place), fills several livestock ponds, ditches, and canyons. Some of the water - depending on the season - travels to the Grande Ronde River at Section 25 and 26.

W. B. Fordice's brother, James Huston Fordice, homesteaded at Lost Prairie in Section 31 and part of Section 36 in about 1905. (West of and adjacent to W. B.'s place). James built his house in 1905. Just south of James's house several springs arise, providing water for livestock ponds and a good well that supplies the house water. Some of the water - depending on the season - travels downhill through Section 31 to the Grande Ronde River at Section 25 and 26.

William Locke homesteaded at Section 25 in 1888 (T 6 N, R 43 E). He built a two story house at his place in about 1889. Mr. Locke got his water for his house and his livestock from a spring NW of his house, and from a strong year round creek that arises in Section 30, my grandfather's place (now Roberts).

Sincerely,

Samuel D. Cole

Samuel Doke Cole

401 East Logan
Enterprise, OR 97828

Water has been used continuously for household and livestock since the homesteads were established in 1887, 1888 and 1905

NO. 201

INDIVIDUAL ACKNOWLEDGMENT

State of Oregon
County of Wallowa } SS.

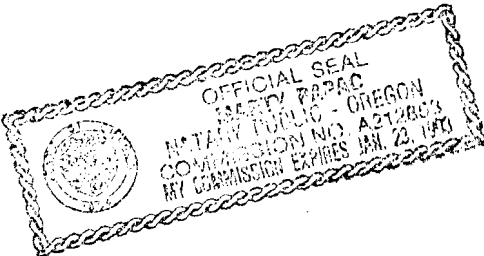
On this the 7th day of December 1992, before me,

Smith Papac

the undersigned Notary Public, personally appeared

Samuel Doke Cole

- personally known to me
 - proved to me on the basis of satisfactory evidence to be the person whose name subscribed to the within instrument, and acknowledged that executed it.
- WITNESS my hand and official seal.



Smith Papac 1-23-93
Notary's Signature

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to another document.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Title or Type of Document Will

Number of Pages (1) Date of Document 12/4/92

Signer(s) Other Than Named Above Samuel Doke Cole

Lost Prairie: T 6 N, R 44 E & T 5 N, R 44 E & T 6 N, R 43 E

Historical resources:

Mr. Samuel Doke Cole, born at Lost Prairie, December 11, 1909. Mr. Cole's father, James Cole, and his grandfather, Samuel Doke Cole, homesteaded at Lost Prairie in the early 1890's and in 1888. The present Mr. Cole lived at Lost Prairie until 1972. He now lives at 401 E. Logan, Enterprise, OR, 97828. Gail Gray extensively interviewed Mr. Cole at his home on November 19, December 2 and December 7, 1992. Mr. Cole's statements were notarized at his home, December 7, 1992.

Carving the North End Wilderness: Flora; by F. Lorlene Beddow; Crooked Arrow Publishing Co., P. O. Box 160009, Portland, OR, 1985.

School Days in the Wallowas (A history of the 91 one-room schools and communities, past and present, of Wallowa County, OR) by Irene Locke Barklow; Enchantments Publishing of Oregon, 704 Residence Street, Enterprise, OR 97828, 1992.

all childhood
young years,
lost wood at
L.P.

January 11, 1995

ART & NANCY CANNON
86001 LOST PRAIRIE ROAD
ENTERPRISE OR 97828-5050

re: SWR-316


Dear Mr & Mrs Cannon,

This will acknowledge the receipt of the copy of a map and deed you submitted in regards to property you purchased from R-Y TIMBER INC. The deed shows you have purchased a portion of the property covered by a pre-1909 vested water right claim, file # SWR-316, in the name of R-Y Timber Inc. In the past I sent you copies of the claim form and correspondence from the file which you sent to me. I'm returning those copies to you for your records.

As described in my letter to R-Y Timber Inc. on Oct. 8, 1993, this file lacks the required map and site report prepared by a Certified Water Right Examiner. To complete the filing, this requirement must be met.

If you have any questions, please give me a call. The toll free number is 1-800-624-3199.

Sincerely,



Don Knauer
Adjudication Specialist

cc: R-Y Timber Inc.
jtw/ls/c3/swr-0316.006



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

12/29/94

SWR-316

NANCY CANNON, 828-7747, CALLED
AND SAID THEY HAD BOUGHT PART
OF THIS PROPERTY. WE TALKED
ABOUT SWR'S & FUNDS. I
TOLD HER I WOULD SEND COPIES
OF THE FIVE AND SHE SHOULD
SEND A COPY OF THE DEED.

WJK

October 8, 1993

DAVE SHRINER, GENERAL MANAGER
R-Y TIMBER INC
PO BOX 818
JOSEPH OR 97846-0818

RE: ~~SWR-314~~, ~~SWR-315~~, SWR-316

Dear Mr Shriner,

It has been since March that I last heard from you in regard to the required mapping to support the pre-1909 vested water right claims in the name of R-Y TIMBER, INC. I am in the process of reviewing the files and I cannot proceed with R-Y TIMBER'S claims until I have the maps. Would you give me an update as to your plans for map submission? If you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

j:\w\slc\3\swr-0314.005

316.005



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

March 3, 1993

RALPH SWINEHART
PO BOX 266
ENTERPRISE OR 97828


RE: Surface Water Registration Map

Dear MR SWINEHART,

R-Y TIMBER INC 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-316.

Sincerely,



Don Knauer
Adjudication Specialist

C:\WP51\SWR\CLAIMANT\SWR-0316.002

March 3, 1993

R-Y TIMBER INC
PO BOX 818
JOSEPH OR 97846



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

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP check NAME GRAND KNOX # 2 UNADJUDICATED AREA ? YES
RECEIPT # 95690 S W R NUMBER 316
CHECK ENCLOSURES check PRELIMINARY DATA BASE ENTRY _____
ACKNOWLEDGEMENT LETTER check ENTER ON STREAM INDEX _____
CHECK QUADRANGLE MAP _____ CHECK GLO PLATS _____
WATERMASTER CHECKLIST _____ PUBLIC NOTICE PUBLICATION _____

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

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

March 29, 1993

DAVE SHRINER, GENERAL MANAGER
R-Y TIMBER, INC
PO BOX 818
JOSEPH OR 97846-0818

RE: SWR-314 AND SWR-316

Dear Mr Shriner,

This will acknowledge the receipt of the required fees for SWR-314 in the amount of \$50.00 and for SWR-316 in the amount of \$125.00. Our receipts # 98240 and # 98241 are enclosed. When the required maps are received, we will complete the review of the claims.

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

Sincerely,



Don Knauer
Adjudication Specialist

M:\MSICS\SWR-0316.004



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

RECEIPT # **98241**
 RECEIVED FROM: KY 111000 - 111
 BY: _____

CASH:
 CHECK: # 421 OTHER: (IDENTIFY)

APPLICATION 5107-16
 PERMIT _____
 TRANSFER _____

TOTAL REC'D \$ 105.00

01-00-0 WRD MISC CASH ACCT

842.010 ADJUDICATIONS
 831.087 PUBLICATIONS/MAPS
 830.650 PARKING FEES Name/month
 OTHER: (IDENTIFY) _____

\$ 105.00
 \$ _____
 \$ _____
 \$ _____

REDUCTION OF EXPENSE

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) _____

CASH ACCT. _____
 VOUCHER # _____

\$ _____

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

EXAM FEE
 \$ _____
 \$ _____
 \$ _____
EXAM FEE
 \$ _____
 \$ _____
 \$ _____

842.002
 842.004
 842.006
 842.023
 842.019
 842.024

\$ _____
 \$ _____
 \$ _____
 \$ _____
RECORD FEE
 \$ _____
 \$ _____
 \$ _____
LICENSE FEE
 \$ _____
 \$ _____
 \$ _____

06-00-0 WELL CONST START FEE

842.013 WELL CONST START FEE
 MONITORING WELLS

\$ _____
 \$ _____

45-00-0 LOTTERY PROCEEDS

864.000 LOTTERY PROCEEDS

CARD # _____
 CARD # _____

07-00-0 HYDRO ACTIVITY

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

LIC NUMBER _____

\$ _____
 \$ _____
 \$ _____

RECEIPT # **98241**

DATED: 7/26/03 BY: [Signature]
 Distribution—White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

R-Y 11A.1

15274

3/15/93 SURFACE WATER REGISTRATION 125.00

STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

MAR 26 1993

STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

R-Y TIMBER, INC. P.O. Box 305 • Dunbar, California 93618

15274

3/15/93 SURFACE WATER REGISTRATION 125.00

RECEIVED

MAR 26 1993

WATER RESOURCES DEPT.
SALEM, OREGON

R-Y TIMBER, INC.

P.O. Box 305 • Dunbar, California 93618 • (209) 591-2000

WEST ONE
BANK
BOISE, IDAHO
92-1/1241

GENERAL No. 15274
ACCOUNT

DATE

3/15/93

AMOUNT

LARS*****125.00

*Surface Water
Registration*

PAY
TO
THE
ORDER
OF

ONE HUNDRED TWENTY FIVE

OREGON WATER RESOURCE
3850 PORTLAND RD NE
SALEM, OR 97310

SWR - 316

R-Y TIMBER, INC.

H. Amb

⑈015274⑈ 125

March 19, 1993

DAVE SHRINER, GENERAL MANAGER
R-Y TIMBER, INC
PO BOX 818
JOSEPH OR 97846-0818

RE: SWR-314 AND SWR-316

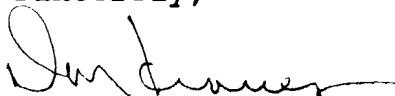
Dear Mr Shriner,

This will acknowledge your letter of March 15, 1993 requesting an "extension of a site inspection and review of these registrations". After review of the letters sent to you March 3, 1993 it appears you are requesting an extension of time to submit the required fees and maps. There is no statutory authority to extend the time for these requirements. I will remind you that the deadline for filing a claim to a pre-1909 vested water right was December 31, 1992.

The amount of fees due for SWR-314 are \$50.00 along with a map prepared by a CWRE. The amount of fees due for SWR-316 are \$125.00 along with a map by a CWRE. These claims will not be processed until the remaining fees and maps are received.

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

Sincerely,



Don Knauer
Adjudication Specialist

M:\WIS\C\SWR-0314.003
2



March 3, 1993

R-Y TIMBER INC
PO BOX 818
JOSEPH OR 97846

Dear MR SHRINER,

You failed to submit enough fees with your Surface Water Registration Statement as required under ORS 539.081.

You sent \$275.00 and your receipt #95690 is enclosed. You should have sent a total of \$400.00. The amount now due is \$125.00. Your claim will not be processed until these remaining fees are received. Your claim has been numbered SWR-316.

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

Sincerely,



Don Knauer
Adjudication Specialist

Enclosure

C:\WP51\SWR\CLAIMANT\SWR-0316.001

March 3, 1993



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

RECEIPT # **95690**

RECEIVED FROM: R Y Timber Co
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # 92-1 OTHER: (IDENTIFY)

TOTAL REC'D \$ 275.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$ <u>275.00</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
_____	OTHER: (IDENTIFY)	\$

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	842.002	\$
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

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

RECEIPT # **95690**

DATED: 12-30-92 BY: D. Bushnell