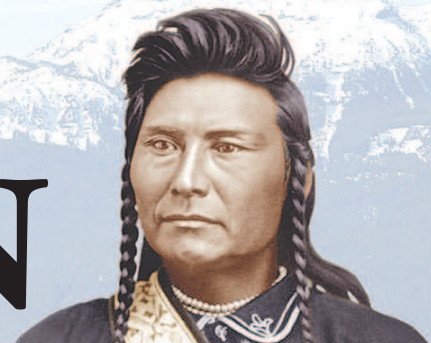




WALLOWA COUNTY TEAMS PERFORM WELL IN DISTRICT TOURNAMENTS

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WALLOWA COUNTY CHIEFTAIN



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Joseph council member looks for legal relief in land-use dispute



Joseph City Council member Teresa Sajonia, right, looks on at the city's attorney Wyatt Baum (left).

By Christian Ambrosion
Wallowa County Chieftain

In small communities people often find themselves wearing more than one hat, so to speak. Sometimes those hats conflict.

The city of Joseph recently found itself in a sticky land-use dispute. Scott Reinhardt and Patricia Bufford of Joseph have made several claims against the city of Joseph centered on the disputed right to use a water meter and pipeline and

the city's failure to remove such at Reinhardt and Bufford's request.

Bufford, a member of the Joseph City Council, brought the suit as a resident of Joseph and not in the capacity as a city council member, and has recused herself from deliberations on the matter as an interested party.

The initial complaint, which was filed in November of 2018 in the Circuit Court for Wallowa County, claims that Joseph has no legal right

to possess the land as it is by using and maintaining the water meter and pipeline. The complaint asserts that there are no recorded liens or easements allowing this conduct to continue.

Reinhardt and Bufford, through their attorney Benjamin Boyd of the Hostetter Law Group, further claim that they officially requested that the city remove the meter and pipeline back in November of 2017.

The city, represented by Robert E. Franz Jr. of Spring-

field, responded by claiming that the disputed meter and pipeline, along with the city's access to them, have been in use for over 20 years.

As such, the attorney claims that the city does in fact have rights to continue using the meter under Oregon's prescriptive easement laws. Under very specific circumstances, Oregon law may recognize such an easement right through its adverse possession laws, even without being officially recorded.

Elk encroachment on Wallowa County ranch-land

A COMPLEX ISSUE



Ellen Morris Bishop

By Melissa Wagoner
for Wallowa County Chieftain

What happens when the balancing act between the human population and nature is thrown off? Is it more important to protect the man-made infrastructure or the natural environment that predated it? These questions and many more are being asked all over Oregon and beyond as ranchers struggle to hold their ground while native species of wildlife – in this case elk – encroach on their grazing land, reducing their cattle's feed and leaving them struggling to survive.

"Historically the elk were only on the prairie for a few months during the summer," John Williams, a retired Wallowa County extension agent and Associate

Professor of Animal and Range Sciences for Oregon State University, explained. "Now these elk spend most of the year on the prairie."

"Living off ranching is marginal anyway," 77 year old Bill Tsiatsos, a rancher near Starkey, Ore. said. "And I'm paying more for these elk than I get off the lease of my land."

Although Tsiatsos has always had elk herds grazing on his property, the past 20 years have shown a sharp increase in the herd size and, in direct correlation, the destruction they cause.

"Years past the numbers weren't so high and the damage wasn't so significant," he remembered. "I was born and raised here and in that period of time we never had a problem with elk."

The elk in question, which are made up of two subspecies, are both native

to Oregon but because of market hunting in the late 1800s they became nearly extinct.

"Settlers hunted elk as a primary source of meat and harvest was unregulated. During the latter half of the nineteenth century 'market hunting' and human encroachment on elk range took a heavy toll on Oregon's elk populations," said Michelle Dennehy, the Communications Coordinator for Oregon Fish and Wildlife. "Market hunters killed thousands of elk for meat, hides and antlers. These products were sold in population centers in Oregon and shipped throughout the nation."

That scarcity led Oregon Legislation to provide protection for the few elk that remained. Conservation efforts led to the restocking of herds – 15 from Jackson Hole, Wyoming in 1912 and another 15

in 1913.

"The scale of transplanting in the early 1900s was limited and alone does not account for the rapid increases in elk numbers and distribution," Dennehy noted. "Recovery of elk in Oregon and elk expansion into much of their original range is largely the result of total protection of local remnant populations."

Although the initial protection lasted only until 1904, when a small amount of hunting became permitted, two further periods of protection occurred from 1909 to 1932 and again, by decree of the War Department, during World War II – at which time the herd size increased dramatically and complaints about the encroachment of elk on cattle ranches began.

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Winter driving in Wallowa County proves hazardous

By Ellen Morris Bishop
Wallowa County Chieftain

It was just a patch of slush lurking at milepost 40 on Highway 82. But when Marty Steven's Honda CRV's rear wheels hit it on Friday morning, the normally reliable all-wheel drive vehicle spun out of control, struck the guard rail and plummeted into the Wallowa River. The side airbags deployed. And fortunately for Marty and her two dogs, the CRV came to rest on its wheels in the shallow, icy cold river.

Even more fortunately, neither Stevens nor her two dogs, an Airedale and

Labrodoodle, were hurt. But they were about 25 vertical feet below the roadway, in a spot difficult to see. Stevens left her two dogs in the vehicle, and then hiked up the steep embankment to summon help.

"I was driving really carefully, staying in the bare-pavement wheel tracks," Stevens said. "Then I hit a patch of icy slush, and the next thing I remember we were in the river. It all happened really fast."

Oregon State Police, Wallowa Fire Department and the Wallowa Ambulance responded to her call.



Ellen Morris Bishop

Wallowa Firefighters watch as Steven's Honda CRV is towed out of the Wallowa River.

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