

Name Herman C. & Mary M. Hickman
 By Central Oregon I. D.
 Address P.O. Box 548
Redmond, OR 97956

Change in POU
 Date filed Feb 19, 1980
 Date of hearing _____
 Place of hearing _____
 Date of order 3-12-80 Vol. 33, page 57
 Date for application of water 10-1-81
 Proof mailed JAN 12 1987 FEB 13 1987
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

4399

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River
 Trib. of _____ County of Deschutes
 Use irrigation
 Quantity of water _____ No. of acres 13⁰
 Name of ditch Central Oregon Canal
 Date of priority Oct 31, 1900 + Dec 2, 1907
 In name of K.W. Vandervert
Deschutes R. Adjudication, Vol. _____, page 52
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>2-19-80</u>	<u>30.00</u>	<u>16140</u>
TOTAL : . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

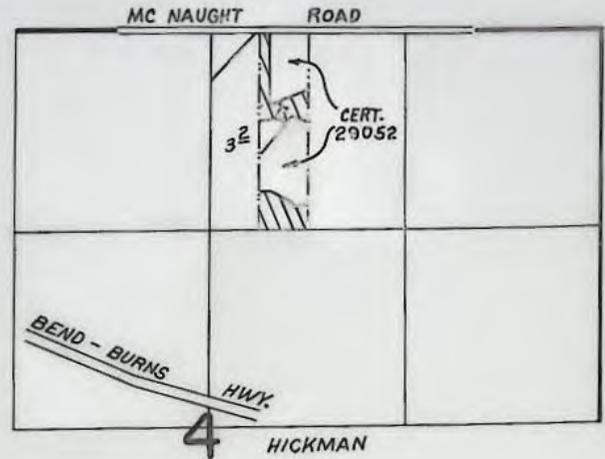
REMARKS

SEE T-4641
Surveyed 6/19/34 (Rex & Hickman)
Proofs signed - finis 20 Feb 87

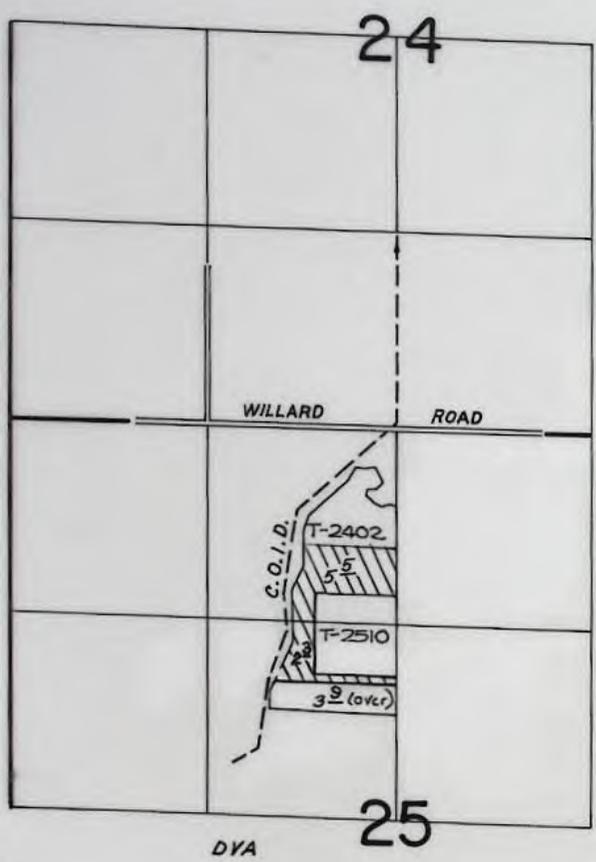
W.R.I.S.	
Assembled <u>2-2-80</u> by <u>SM</u>	
Entered _____ by _____	
Verified _____ by _____	

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>Dej</u>	_____
<input checked="" type="checkbox"/> Stream	<u>Dej</u>	_____
<input checked="" type="checkbox"/> Pt. of Div.	<u>Dej</u>	_____
<input checked="" type="checkbox"/> Calendar	<u>Dej</u>	_____
CHECKED TO RECORDS		
<input checked="" type="checkbox"/> Twp. & Rge.	<u>SRB</u>	_____
<input checked="" type="checkbox"/> Decree-vault	<u>Dej</u>	_____
<input checked="" type="checkbox"/> Decree-safe	<u>SRB</u>	_____
<input checked="" type="checkbox"/> Cert. of W/R	<u>SRB</u>	_____
<input checked="" type="checkbox"/> Per. Folder	_____	_____
<input checked="" type="checkbox"/> Chaindex	_____	_____
<input checked="" type="checkbox"/> Cross Ref.	_____	_____
<input checked="" type="checkbox"/> Power Claim	_____	_____
<input checked="" type="checkbox"/> Abstracts	<u>Dej</u>	_____

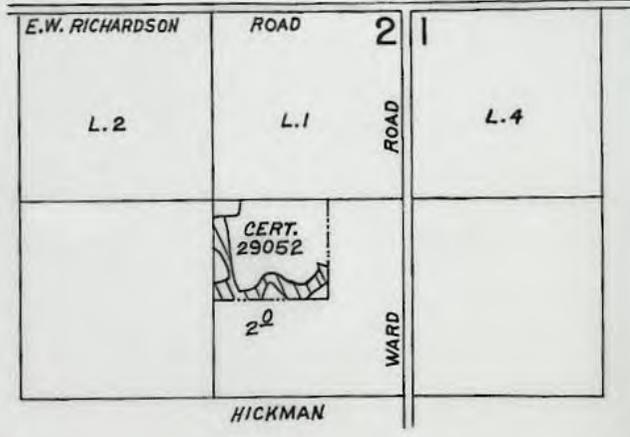
T.18S., R.13E., W.M.



T.17S., R.14E., W.M.



T.18S., R.12E., W.M.



SCALE: 1" = 1320'

FINAL PROOF SURVEY
UNDER

TRANSFER NO. 4399

IN NAME OF

DVA & HICKMAN / C.O.I.D.

Surveyed JUNE 19, 1984, by LESLIE OLSON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
HERMAN C. & MARY M. HICKMAN (CENTRAL)
OREGON IRRIGATION DISTRICT) FOR APPROVAL)
OF A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4399

On February 19, 1980, an application was filed in the office of the Water Resources Director by Herman C. & Mary M. Hickman for approval of a change in place of use of water from Deschutes River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Deschutes County, Oregon, entered September 30, 1958, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Deschutes River and its Tributaries, a water right was allowed in the name of Central Oregon Irrigation District for the use of the waters of Deschutes River for irrigation of, among other lands, a certain 13.0 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, Township 17 South, Range 12 East, W.M., being tabulated in the name of K. W. Vandervert at Volume 16, Page 52, with dates of priority of October 31, 1900 and December 2, 1907, as evidenced by certificate recorded at Page 29052, Volume 21, State Record of Water Right Certificates. These lands also have a supplemental right under permit No. 23256 to the use of water stored in Crane Prairie Reservoir with a date of priority of February 28, 1913. These lands are irrigated by means of the Central Oregon Canal.

The applicants herein, owners of the lands above described, propose to transfer the water right therefrom, without loss of priority, to a certain 4.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 18 South, Range 13 East; 7.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 17 South, Range 14 East; and 2.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, Township 18 South, Range 12 East, W.M.

The lands involved herein are within the boundaries of the Central Oregon Irrigation District and the Board of Directors of said District approved the proposed change in place of use of water at a regular meeting held February 12, 1980.

Mr. Robert F. Main, Jr., Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the appli-

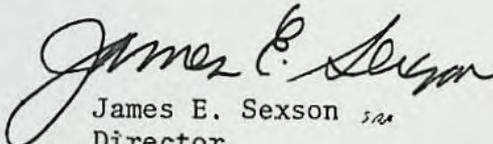
cation should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1981.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the Water Resources Director of complete application of water to beneficial use on the lands to which the water is transferred hereby, a certificate of water right shall be issued to Central Oregon Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon, this 12th day of March, 1980.


James E. Sexson
Director

Ref. file: T-4399
DVA: 004349

STATE OF OREGON

COUNTY OF DESCHUTES

PROOF OF APPROPRIATION OF WATER

Name: Department of Veterans' Affairs (Melvin Rex)

Address: 700 Summer Street, NE, Salem, Oregon 97310

c/o Bob Anderson, Assistant Manager, Central Oregon Irrigation District

Address: PO Box 548, Redmond, Oregon 97756

Source of Supply: Deschutes River and Crane Prairie Reservoir

Tributary of: Columbia River

Transfer: 4399

Priority Date: October 31, 1900, December 2, 1907, February 28, 1913

Use: irrigation of 7.8 acres

Location and Point of Diversion: Central Oregon Canal

The description of land given below and as shown on the attached map corresponds to that found to be irrigated:

5.5 acres NE 1/4 NW 1/4
2.3 acres SE 1/4 NW 1/4
Section 25
Township 17 South, Range 14 East, WM

I have read the above and foregoing proof of appropriation of water defining the extent of use of water under the change in place of use approved by the order of the Water Resources Director entered March 12, 1980; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of March, 1987.

State of Oregon Department of Veterans'
Affairs
BY: Charles E. Gehley
Legal owner of the above described lands
Charles Gehley, Assistant Administrator,
Central Operations

RECEIVED

FEB 20 1987

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF DESCHUTES

PROOF OF APPROPRIATION OF WATER

Name: Department of Veterans' Affairs (Robert D. Tate C104349)
Address: 700 Summer Street, NE, Salem, Oregon 97310
c/o Bob Anderson, Assistant Manager, Central Oregon Irrigation District
Address: PO Box 548, Redmond, Oregon 97756
Source of Supply: Deschutes River and Crane Prairie Reservoir
Tributary of: Columbia River
Transfer: 4399
Priority Date: October 31, 1900, December 2, 1907, February 28, 1913
Use: irrigation of 7.8 acres
Location and Point of Diversion: Central Oregon Canal

The description of land given below and as shown on the attached map corresponds to that found to be irrigated:

5.5 acres NE 1/4 NW 1/4
2.3 acres SE 1/4 NW 1/4
Section 25
Township 17 South, Range 14 East, WM

I have read the above and foregoing proof of appropriation of water defining the extent of use of water under the change in place of use approved by the order of the Water Resources Director entered March 12, 1980; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of February, 198 7.

State of Oregon Department of Veterans'
Affairs, BY: Frederick J. Blanchfield
Legal owner of the above described lands
Frederick J. Blanchfield
Manager, Bend Field Office

8058D/BE
T-4399

RECEIVED

FEB 4 1987

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF DESCHUTES

PROOF OF APPROPRIATION OF WATER

Name: Herman Hickman

Address: 23055 Bear Creek Road, Bend, Oregon 97701

c/o Bob Anderson, Assistant Manager, Central Oregon Irrigation District

Address: PO Box 548, Redmond, Oregon 97756

Source of Supply: Deschutes River and Crane Prairie Reservoir

Tributary of: Columbia River

Transfer: 4399

Priority Date: October 31, 1900, December 2, 1907, February 28, 1913

Use: irrigation of 3.2 acres

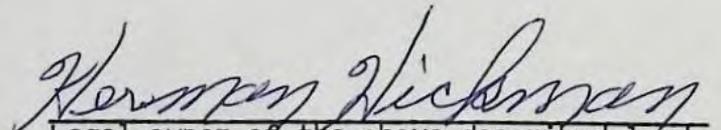
Location and Point of Diversion: Central Oregon Canal

The description of land given below and as shown on the attached map corresponds to that found to be irrigated:

3.2 acres NW 1/4 NE 1/4
Section 4
Township 18 South, Range 13 East, WM

I have read the above and foregoing proof of appropriation of water defining the extent of use of water under the change in place of use approved by the order of the Water Resources Director entered March 12, 1980; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 2 day of Feb., 1987.


Legal owner of the above described lands

RECEIVED

FEB 4 1987

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF DESCHUTES

PROOF OF APPROPRIATION OF WATER

Name: Raymond Hickman, *61345 Vard Rd, Bend*

c/o Bob Anderson, Assistant Manager, Central Oregon Irrigation District

Address: PO Box 548, Redmond, Oregon 97756

Source of Supply: Deschutes River and Crane Prairie Reservoir

Tributary of: Columbia River

Transfer: 4399

Priority Date: October 31, 1900, December 2, 1907, February 28, 1913

Use: irrigation of 2.0 acres

Location and Point of Diversion: Central Oregon Canal

The description of land given below and as shown on the attached map corresponds to that found to be irrigated:

2.0 acres SE 1/4 NE 1/4
Section 2
Township 18 South, Range 12 East, WM

I have read the above and foregoing proof of appropriation of water defining the extent of use of water under the change in place of use approved by the order of the Water Resources Director entered March 12, 1980; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 2 day of February, 1987.

Raymond Hickman
Legal owner of the above described lands

STATE OF OREGON

COUNTY OF Deschutes Grook

Proof of Appropriation of Water

% Bob Anderson, Ass't. Manager
Central Oregon Irrigation District

Name: Dept. of Veterans Affairs

Address: 700 Sumner St. NE, Salem, 97310 P.O. Box 548
Redmond, Or 97756

Source of Supply: Deschutes River & Crane Prairie Reservoir

Permit No.: _____ Transfer No.: 4399

Tributary of: Columbia River

Amount of Water: _____

Priority Date: Oct 31, 1900 December 2, 1907 Feb 28, 1913

Use: irrigation of 7.8 acres

Location and Point of Diversion: Central Oregon Canal
North Canal

The description of land given below and as shown on the attached map corresponds to that found to be irrigated:

5.5 ac. NE^a NW^b
2.3 ac. SE^d NW^b
Sec 25
T 17 S, R 14 E, W 11

I have read the above and foregoing proof of appropriation of water defining the extent of use of water under the change of in place of use approved by the order of the W.R. Director entered Mar 12, 1960; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____ 198_.

8058 D

don't send until
Hanna Hickman proof signed
329 overbridge

AE

6-19-84
LGO
179-212

3 proofs
sayer 2641 A

BE

% Bob Anderson, Asst. Man.
Central Ore Irr. Dist.
P.O. Box 588
Redmond, OR 97756

REPORT ON INSPECTION UNDER TRANSFER
OF WATER RIGHT FOR CHANGE IN:

POD
POU
USE
Add'l POD

DVA
155 NE 10th St
Bend
3.9 overacreage

Raymond Hickman
61845 Ward Rd, Bend
Herman Hickman
23055 Brown Owl Rd, Bend

County Deschutes

Transfer No. T-4399

Old Certificate No. 2905.2

1. Name Melvin L. Rex / COID DVA & HICKMAN / COID

Address (26525 Willard Rd, Bend)

2. Source of Supply Deschutes River & Crane Prairie Res, Trib of Col. R.

3. Use irrigation of 3.2 ac., 2.0 ac., 7.8 acres

4. Amount of Water _____

5. Priority Date 10/31/1900, 12/2/1907, & Feb 28, 1913

6. Proposed Point of Diversion C.O. Canal

7. Completion Date 10-1-81

8. Place of Use: _____

V.33 157

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	382-4490 with 618
18S	13E	4	NW NE	4 ⁰ ac Hickman	179-137
17S	14E	25	NE NW	7 ⁰ ac Rex	
18S	12E	2	SE NE	2 ⁰ ac Hickman	
18S	13E	4	NW NE	3.2 AC HICKMAN	
18S	13E	4	NE NW	5.5 AC D.V.A.	
17S	14E	25	SE NW	2.3 AC	
18S	12E	2	SE NE	2.0 AC	
17S	14E	25	SE NW	3.9. OVERACREAGE	
	SE NE - 2		NW NE - 9		

501 25
4-123
1-81
2-82
2-84

25 V.33 157
315 C-29052
10 out + 3786

place of use
W R Director
March 13, 1980

Rex portion

Info: Gary Albin, DVA & pers obs.

Decided back this place to DVA this past winter. No irr. equipment left on place, but DVA thinks it was irr. last summer. Good stand of alfalfa & grass.

See also 2402, 2570, 6-81

TG: 179-212L

5-22-84

Seolis Olson

WRE

Hickman portion 18-12-2

Info: Mrs. Hickman

Hbr: RB

Pump: elec.

Crop: grass & alfalfa

They raise horses & water every thing except a narrow rd along south side hse (S. side, NW & SW corners. They have 2 ponds, one on west & 1 on east. Have about 12 Ac. land.

TG 181216

6-18-84

Seolis Olson

WRE

Hickman portion 18-13-4

Info: Mr. Hickman g to billed 10⁰⁰ fr. 201

Water entire 10 acres. All of this 9⁰⁰ goes to his property. Only thing not watered is house. There is a marginal piece right behind house.

TG 179-137L

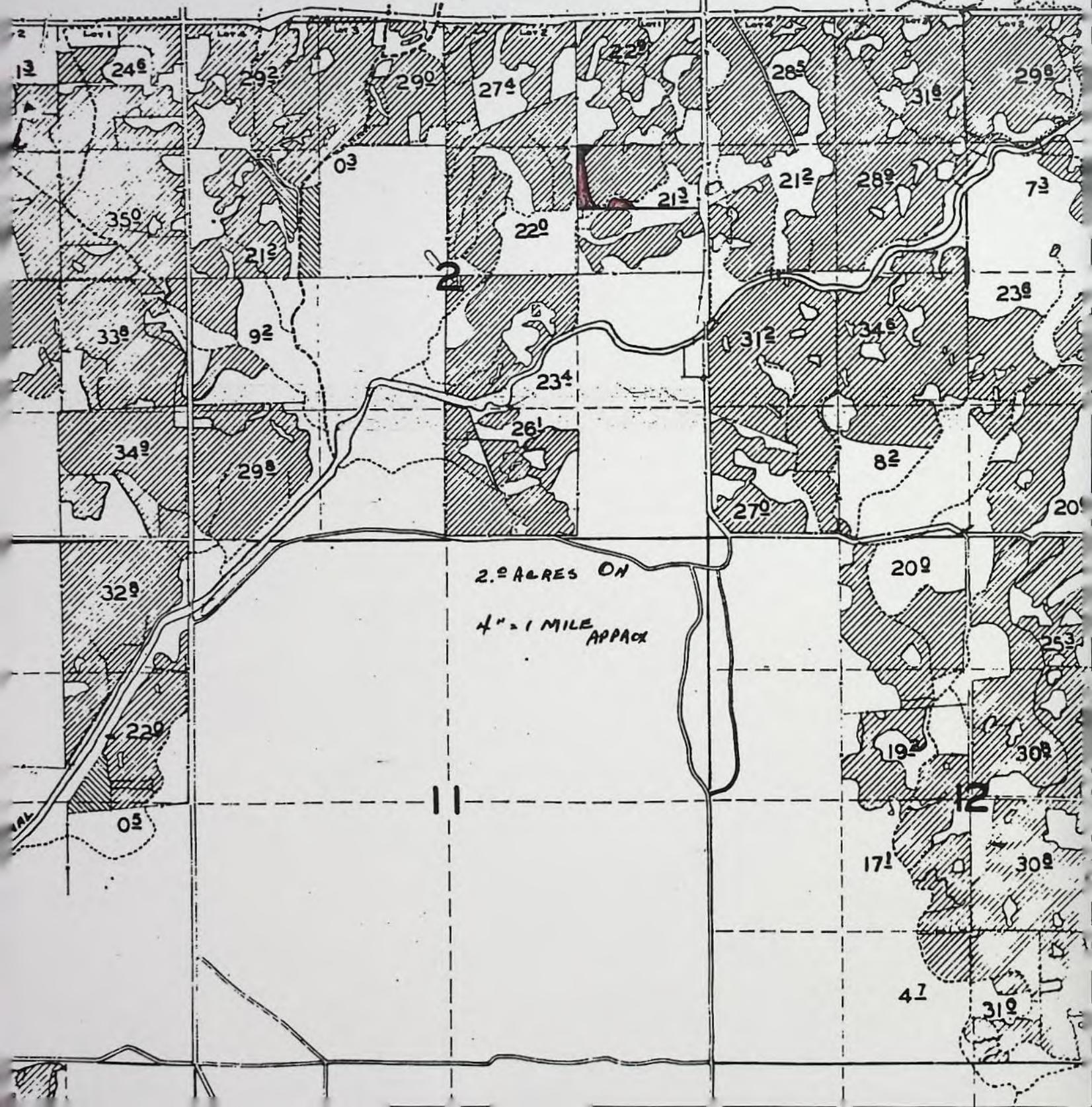
6-19-84 Seolis Olson, WRE

Sprinkler
feature

Says someone
from state
came out 2 yrs
ago to survey.

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FEB 10 1980
WATER RESOURCES DEPT
SALEM, OREGON

T-4399



4.0 ACRES ON
4" = 1 MILE APPROX

T-4399



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FEB 19 1980
WATER RESOURCES DEPT
SALEM, OREGON

*** OREGON WATER RESOURCES DEPARTMENT ***
*** WATER RIGHTS DIVISION ***
*** WATER RIGHT DATA INPUT FORM ***

WATER RIGHT NO. T0000 *43991* PERMIT NO. 016 *052* CERTIF. NO. 029052
ORIG. NO. C000290521 PREV. NO. C000290521 SUPER. NO.

NAME: *HERMAN & MARY HICKMAN*

ADDRESS: COID PO BOX548

CITY/STATE/ZIP/COUNTY: REDMOND, OR 97756

~~07~~
09

STREAM-ID 05 1980

RIV.MI. 0.0 WM.DIST. 11 W.R.TYPE SC STATUS V

CANCEL YEAR---->

CONSTR.COMPLT--> *10 01 1981* YR.LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 10 31 1900

PUT TO USE-----> *10 01 1981* LAST TRANS.DATE-->

LAST TRANS.TYPE-->

APPLICATION--> *02 19 1980*

SURVEYED-----> *06 19 1984* EXAM.FEE-----> *20.00*

RECORDING FEE----> *10.00*

PERMIT ISSUE--> *03 12 1980*

CONCURRENCE-----> CYCLE STATUS----->

REPORTED FLAG---->

CONSTR.STRT.--> *03 12 1980*

CERTIFIED-----> CORRES.INIT.----->

CORRES.DATE----->

POINT-OF-DIVERSION DATA:

TWNSP	RNGE	SECT	QTR/QTR	STREAM-ID	RIV.MI.	RATE	STATUS	S	OR	P
170S	120E	29	A D	05 1980	<i>164.0</i>		V		P	
180S	120E	13	A C	05 1980	171.0		V		P	
					0.0					

** REMARKS; - - - - -
** DATED-->

** ~~PRIORITY ALSO 12-2-1907 CHANGES POI~~

** ~~PART OF C-29052 PILOT BUTTE CENTRAL~~

** ~~OREGON CANAL TAB IN NAME OF K. W.~~

** ~~VANDERVERT.~~

PLACE-OF-USE DATA:

TWNSP	RNGE	SECT	QTR/QTR	CNTY	USE %	CNSMTV	ACRES	STATUS	S	OR	P
<i>170S</i>	<i>140E</i>	<i>25</i>	<i>B A</i>	<i>09</i>	<i>IR</i>	<i>100.00</i>	<i>7.00</i>	<i>V</i>		<i>P</i>	
<i>180S</i>	<i>120E</i>	<i>02</i>	<i>A D</i>				<i>2.00</i>				
<i>190S</i>	<i>130E</i>	<i>04</i>	<i>A B</i>				<i>4.00</i>				

** -----

** -----

** -----

W.R.I.S.

Assoc. No. *2-8-85* *SMA*

Entered _____ by _____

Verified _____ by _____



ALFALFA

23

24

26

25

7 ACRES ON
4" ± 1 MILE
APPROX.

STOCK

STOCK

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FEB 10 1980
WATER RESOURCES DEPT
SALEM, OREGON

COUNTY COUNTY

T-4399

Handwritten:
H. Johnson
1/10/80

CANAL

COUNTY
GRAVEL
PIT

RECEIVED

OCT 5 1981

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

PLACE OF USE OF WATER FROM DESCHUTES RIVER

PURSUANT TO TRNASFER APPLICATION NO. 4399

I, Raymond Hickman hereby certify that completion of works and use of water to the extent intended within the provisions of the order of the Water Resources Director approving said water right transfer application was accomplished by April, 1980

Oct. 1 1981
Date

Raymond Hickman
Signature

(Mail to the Water Resources Department, Salem, Oregon 97310.)

382 6031
61845 Ward Rd.
Blnd, Ore. 97702

OK
lin

RECEIVED

A. 26 1981

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

POU of water from Deschutes River

PURSUANT TO TRANSFER APPLICATION NO. 4399

Herman C. Hickman

I, Mary M. Hickman, hereby certify that completion of works and use of water to the extent intended within the provisions of the order of the Water Resources Director approving said water right transfer application was accomplished by April 1, 1981.

8-24-81

Date

Herman C. Hickman Mary M. Hickman
Signature

(Mail to the Water Resources Department, Salem, Oregon 97310.)

OK
Sig

RECEIVED

NOV 20 1980

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

PLACE OF USE OF WATER FROM DESCHUTES RIVER

PURSUANT TO TRNASFER APPLICATION NO. 4399

I, Melvin L. Refs, hereby certify that completion of works and use of water to the extent intended within the provisions of the order of the Water Resources Director approving said water right transfer application was accomplished by May 1, 1980

11-17-80
Date

Melvin L. Refs
Signature

(Mail to the Water Resources Department, Salem, Oregon 97310.)

OR
Qij

T-4399

RECEIVED
FEB 10 1980
WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

Wex, Herman C. Hickman and Mary M. Hickman
(Name of applicant)

of 23055 Bear Creek Road Bend
(Mailing address) (City)

State of Oregon 97701 382-4490, do hereby make application for change
(Zip Code) (Phone number)

in place of use

(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? No. K.W. Vandervert, page 52 ~~ST No. 3196~~
(If not, give name)

2. Was your water right determined by Decree of Court? yes If so, give title of proceedings
(Yes or No)

Adjudication of the Deschutes River number of certificate 29052

3. Was your water right acquired by Water Right Permit? No If so, give number
(Yes or No)

of permit Number of certificate

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is Deschutes River, Central Oregon Canal

5. What is the date of priority of your water right? Oct. 31, 1900 and Dec. 2, 1907

6. The authorized point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)

corner of being within the 1/4 1/4 of Section Tp. R. W. M.,
(No. N. or S.) (No. E. or W.)

in the county of Deschutes The name of the ditch used is

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)

corner of being within the 1/4 1/4 of Section Tp. R. W. M.,
(No. N. or S.) (No. E. or W.)

in the county of The name of the ditch to be used is

8. The use to which the water is applied is irrigation
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
17	12	26	NW¼ SW¼	13.0

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? Yes
(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? No
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? No
(Answer Yes or No)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Option dated August 28, 1979	Wickland Development	Copy attached

13. The use to which the water is to be applied is irrigation
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
18	13	4	NW¼ NE¼	4.0
17	15 1/4	25	NE¼ NW¼	7.0
18	12	2	SE¼ NE¼	2.0

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are More beneficial use as lands from which the
rights are being removed are designed for subdivision.

15. Construction work will be completed on or before

16. The water will be completely applied to the proposed use on or before Oct. 31, 1980

Remarks 4.0 acres are being transferred to Herman C. Hickman, 7.0 acres to Melvin
Rex and 2.0 acres to Raymond Hickman. Approved by The Board of Directors of Central Oregon
Irrigation District at a regular meeting held February 12, 1980

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

AFFIDAVIT OF APPLICANT

We, Herman C. Hickman and Mary M. Hickman, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 5th day of December, 1979.

x Herman C. Hickman
x Mary M. Hickman
(Name of applicant)

Subscribed and sworn to before me this 10th day of DECEMBER, 1979.

[Notarial Seal]

Robert R. Hudson
NOTARY PUBLIC FOR OREGON

My commission expires 11/19/83

Name and Position Address of Appropriator	Date of Relative Priority	Amount (Cubic Feet Per Second)	Number Acres	Use	Name of Stream	Stream	Description of Land or Place of Use
Central Oregon Irrigation District - Continued:							
Lawrence Keyte			30.0				30.0 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26, T. 17 S., R. 12 E., W.M.
Roy Bradetich			85.0				35.0 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 30.0 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 20.0 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, T. 17 S., R. 12 E., W.M.
Leo Fisher			49.0				23.0 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, 23.0 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, 3.0 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 27, T. 17 S., R. 12 E., W.M.
Thomas Burton			36.0				36.0 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, T. 17 S., R. 12 E., W.M.
E. W. Vandervort			32.0				32.0 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, T. 17 S., R. 12 E., W.M.
Harold Harbour			65.0				34.5 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 30.5 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, T. 17 S., R. 12 E., W.M.
O. J. Grover			8.0				8.0 acres in that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, T. 17 S., R. 12 E., W.M., described as: Lot 1, 3 Wells Tracts
Ernest Ruhr			10.5				10.5 acres in that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, T. 17 S., R. 12 E., W.M., described and appurtenant as follows: Lot 2, Wells Tracts, 3.0 acres Lot 3, Wells Tracts, 2.5 acres Lot 4, Wells Tracts, 2.5 acres Lot 5, Wells Tracts, 2.5 acres
Lyle Carrington			5.5				5.5 acres in that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, T. 17 S., R. 12 E., W.M., described and appurtenant as follows: Lot 6, Wells Tracts, 3.0 acres Lot 7, Wells Tracts, 2.5 acres
Ruth Repnock			2.0				2.0 acres in that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, T. 17 S., R. 12 E., W.M., described as: Lot 8, Wells Tracts
Ted Holliday			10.0				10.0 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, T. 17 S., R. 12 E., W.M.

See also under:
Section 19, T. 17 S., R. 13 E., W.M.



TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: Feb 25, 1980.

FROM: ** Bob Main, Watermaster

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4399

IN THE NAME OF Herman & Mary Hickman

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In my opinion the proposed change in POU from Deschutes River
MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

Headgate notices HAVE HAVE NOT been issued for diversion from the sources which serves this right.

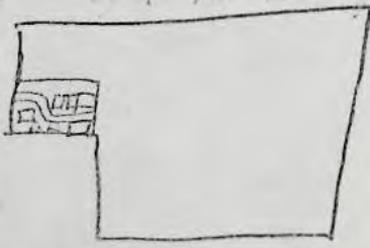
If for change in point of diversion, is there any intervening point of diversion between the authorized and the proposed points of diversion? _____
(yes or no)

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- ____ (1) PRIOR to the diverting of water at the new point of diversion . . .
- X (2) When in the judgment of the watermaster it becomes necessary . . .

* The approval of this transfer application would result in injury to other water rights because Note: there is a house, garage, 2 barns and a number of sheds plus a drive way which have not been irrigated, all the rest have been

house, barn, sheds and number of...



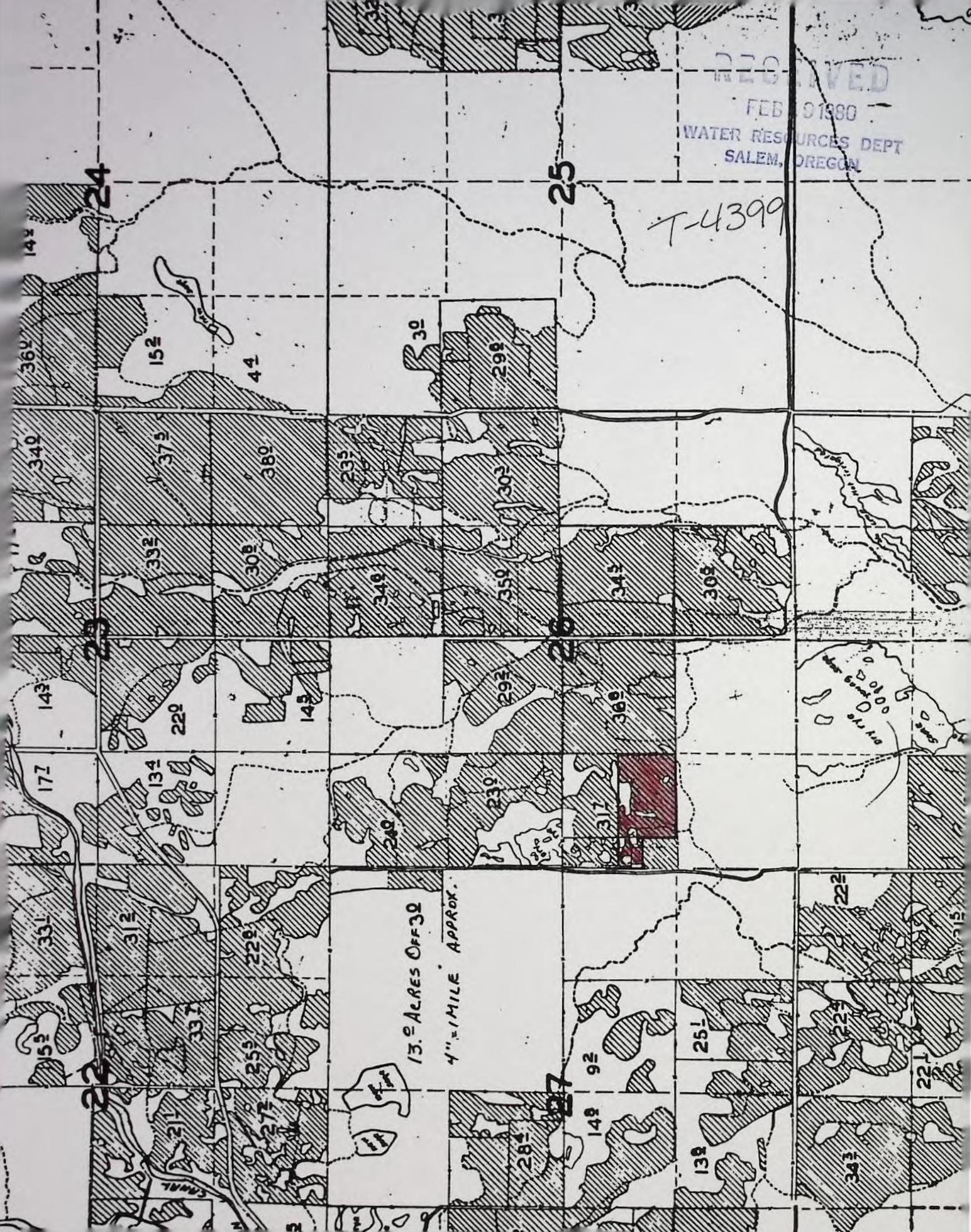
** Quane Clark
Watermaster's signature or initials

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FEB 9 1980

WATER RESOURCES DEPT
SALEM, OREGON

T-4399



13.0 ACRES OFF 30
4" = 1 MILE APPROX.

500 FT
100 FT
50 FT
20 FT
10 FT
5 FT
2 FT
1 FT
0 FT

CANAL

23844BAC

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T-4399

FEB 19 1980

8198
WARRANTY DEED

WATER RESOURCES DEPT.
SALEM, OREGON VOL

181 PAGE 681

DOROTHY B. VANDEVERT

hereinafter called grantor, conveys to

HERMAN C. HICKMAN and MARY M. HICKMAN, husband and wife

hereinafter called grantee

all the following described real property situated in Deschutes County, State of Oregon, to-wit:

The Northwest ^{Quarter} of the Southwest Quarter (NW 1/4 SW 1/4) of Section Twenty-six (26), Township Seventeen (17) South, Range Twelve (12) E.W.M., Deschutes County, Oregon.

Together with thirty-two (32) acres Central Oregon Irrigation District water rights.

and covenants that grantor is the owner of the above described property free of all encumbrances except subject to:

Reservations in the Dedication and Patent; and

Rules, regulations and assessments of Central Oregon Irrigation District; and

Mineral reservation in deed from State of Oregon, recorded October 25, 1944 in Volume 65, page 527, Deed records

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$13,000.00.

Dated this 20 day of December, 1971.

Dorothy B. Vandevent

STATE OF OREGON, County of Deschutes)ss.

Personally appeared the above named Dorothy B. Vandevent and acknowledged the foregoing instrument to be her voluntary act.

8198

Bonnie C. Hickman
Notary Public for Oregon
My Commission Expires: May 3, 1974



STATE OF OREGON
County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 21 day of Jan A.D. 1972 at 3:26 o'clock P. M., and recorded in Book 181 on Page 681 Records of Deeds

INDEX

ROSEMARY PATTERSON
County Clerk

By Jessie Crane Deputy

CHARLES R. MARSH
ATTORNEY AT LAW
83 OREGON AVE.
BEND, OREGON

~~Hickman~~ Copy

T-4399
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FEB 19 1980
WATER RESOURCES DEPT
SALEM, OREGON

O P T I O N

THIS AGREEMENT made this 28th day of August, 1979

BETWEEN: HERMAN C. HICKMAN and MARY M. HICKMAN,
hereinafter called Optionor,

AND: WICKLAND DEVELOPMENT, an Oregon corporation
hereinafter called Optionee,

W I T N E S S E T H :

WHEREAS, Optionor is the owner of the real property
described on Exhibits A and B attached hereto, and

WHEREAS, Optionee desires to acquire an option to
purchase the real property described on Exhibits A and B,

NOW, THEREFORE, in consideration of the payment of
\$1,000 and of the mutual promises contained herein, the
parties agree as follows:

1) GRANT OF OPTION: In consideration of the
promises contained herein, Optionor hereby grants to Optionee
the sole right and exclusive option to purchase the real prop-
erty described on Exhibits A and B.

2) TERM: The term of this option shall be for
thirty (30) days commencing August 28, 1979, and terminating
at midnight on September 27, 1979.

3) EXTENSION OF TERM: Optionee may extend the term
of the option herein granted on the following terms and con-
ditions:

a) Optionee may extend the option term to mid-

GRAY, FANCHER, HOLMES & HURLEY
ATTORNEYS AT LAW
1044 N.W. BOND STREET
BEND, OREGON 97701

night on November 15, 1979, by making an additional option price payment to Optionor in the amount of \$9,000 on or before September 27, 1979.

b) If Optionee has made the payment specified in paragraph a above, then in such event Optionee may further extend the option term to midnight on February 28, 1980, by making an additional option price payment to Optionor in the amount of \$5,000 on or before November 15, 1979.

c) If Optionee purchases the real property described on Exhibit A within the option term or within any extension term obtained by Optionee in accordance with paragraphs a and b above, then in such event Optionee shall have a continuing option to purchase the real property described on Exhibit B until midnight on January 31, 1981.

4) PRICE AND TERMS: The purchase price for the real property described on Exhibit A shall be the sum of \$280,000. Said price shall be paid in accordance with the terms of the proposed contract of purchase, a copy of which is attached hereto marked Exhibit C and by this reference made a part hereof. The purchase price for the real property described on Exhibit B shall be the sum of \$ 200,000.00. Said purchase price shall be paid as follows: Down payment \$ 58,000.00; balance amortized over 4 years at 10 percent interest. A contract similar to Exhibit C will be prepared at

the appropriate time if Optionee purchases the real property described on Exhibit B.

5) EXERCISE OF OPTION: Optionee may exercise the option herein granted at any time during the term of this option or within any extension term obtained by Optionee in accordance with paragraphs 3a or 3b above by giving 15 days advance written notice of its intent to exercise to Optionor. Upon receipt of such notice, Optionor shall deposit with Bend Title Company the originals of Exhibit C. Within five days of such deposit, Optionee shall deposit with Bend Title Company the required down payment (less option price payments made to Optionor) and will execute the originals of Exhibit C and will comply with the escrow requirements of Bend Title Company. The parties agree that in no event may Optionee exercise the option to purchase the real property described on Exhibit B until Optionee has purchased the real property described on Exhibit A.

6) TERMINATION OF OPTION: If Optionee has not exercised the option to purchase the real property described on Exhibit A within the term of this option or within any extension term obtained by Optionee in accordance with paragraphs 3a and 3b above, then in such event the option herein granted to purchase the real property described on Exhibit A and the option to purchase the real property described on Exhibit A shall terminate and thereafter be null and void. In such event Optionor shall retain all sums paid by Optionee.

7) ASSIGNMENT: Optionee may not sell or assign all or any part of the option herein granted without the written consent of Optionor which consent will not be unreasonably withheld.

8) TIME OF ESSENCE: Time is of the essence hereof, and if any payment or other condition hereof is not made, tendered or performed by Optionee as herein provided, then this agreement shall be void and of no effect, and both parties hereto shall be absolutely released from all obligations hereunder.

9) NOTICES: Any notice required to be given under the terms of this agreement shall be deemed to have been given within 48 hours after the same shall have been deposited in the mails of the United States, postage prepaid, addressed to Optionor at 23055 Bear Cr. Rd, Bend, and to Optionee at 47 NW OREGON AVE, BEND, OR, until such time as the parties hereto shall designate any other address.

10) SUCCESSOR INTERESTS: The covenants, conditions and terms of this agreement shall extend to and be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

11) LITIGATION FEES AND EXPENSES: In the event suit or action be instituted to enforce any of the terms or conditions of this agreement, the losing party shall pay to the prevailing party, in addition to the costs and disbursements allowed by statute, such sum as the court may adjudge reasonable as

attorney fees in such suit or action, in both trial court and appellate courts.

12) DEVELOPMENT APPROVALS: Optionee shall be responsible for obtaining all government approvals needed for developing the property.

13) WATER RIGHTS: Should the Optionee execute the option, the water rights on the property shall remain the property of the Optionor. The Optionee agrees to execute whatever papers are necessary to transfer the water rights of the Optionor. Further, the Optionee agrees to convey a water easement for the benefit of the following described property:

The South Half of the North Half of the Northwest Quarter of the Southwest Quarter (S1/2 N1/2 NW1/4 SW1/4) of Section Twenty-six (26), Township Seventeen (17) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon.

OPTIONOR:

Herman C. Hickman
HERMAN C. HICKMAN

Mary M. Hickman
MARY M. HICKMAN

OPTIONEE:

WICKLAND DEVELOPMENT

By *Charles E. Landis*
By *Joan*

EXHIBIT "A"

The West Half of the South Half of the Northwest Quarter of the Southwest Quarter (W1/2 S1/2 NW1/4 SW1/4) of Section Twenty-six (26), Township Seventeen (17) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPT the Westerly Forty (40) feet thereof, and

EXCEPT a Sixty (60) foot strip of the above described property from Denser Road to the Easterly boundary of the above described property. The exact location of said strip will be determined when Optionee (Purchaser) has filed a preliminary plat on the above described property.

SUBJECT TO:

1. The 1979-1980 Taxes, a lien not yet payable.
2. The existence of roads, railroads, irrigation ditches and canals, telephone, telegraph and power transmission facilities.
3. The premises under search fall within the boundaries of Central Oregon Irrigation District and are subject to rules, regulations, assessments and liens thereon.
4. Mineral reservation in deed from State of Oregon, recorded October 25, 1944, in Volume 65, Page 527, Deed records.

EXHIBIT "B"

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The East Half of the North Half of the Northwest Quarter of the Southwest Quarter (E1/2 N1/2 NW1/4 SW1/4) of Section Twenty-six (26), Township Seventeen (17) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon.

SUBJECT TO:

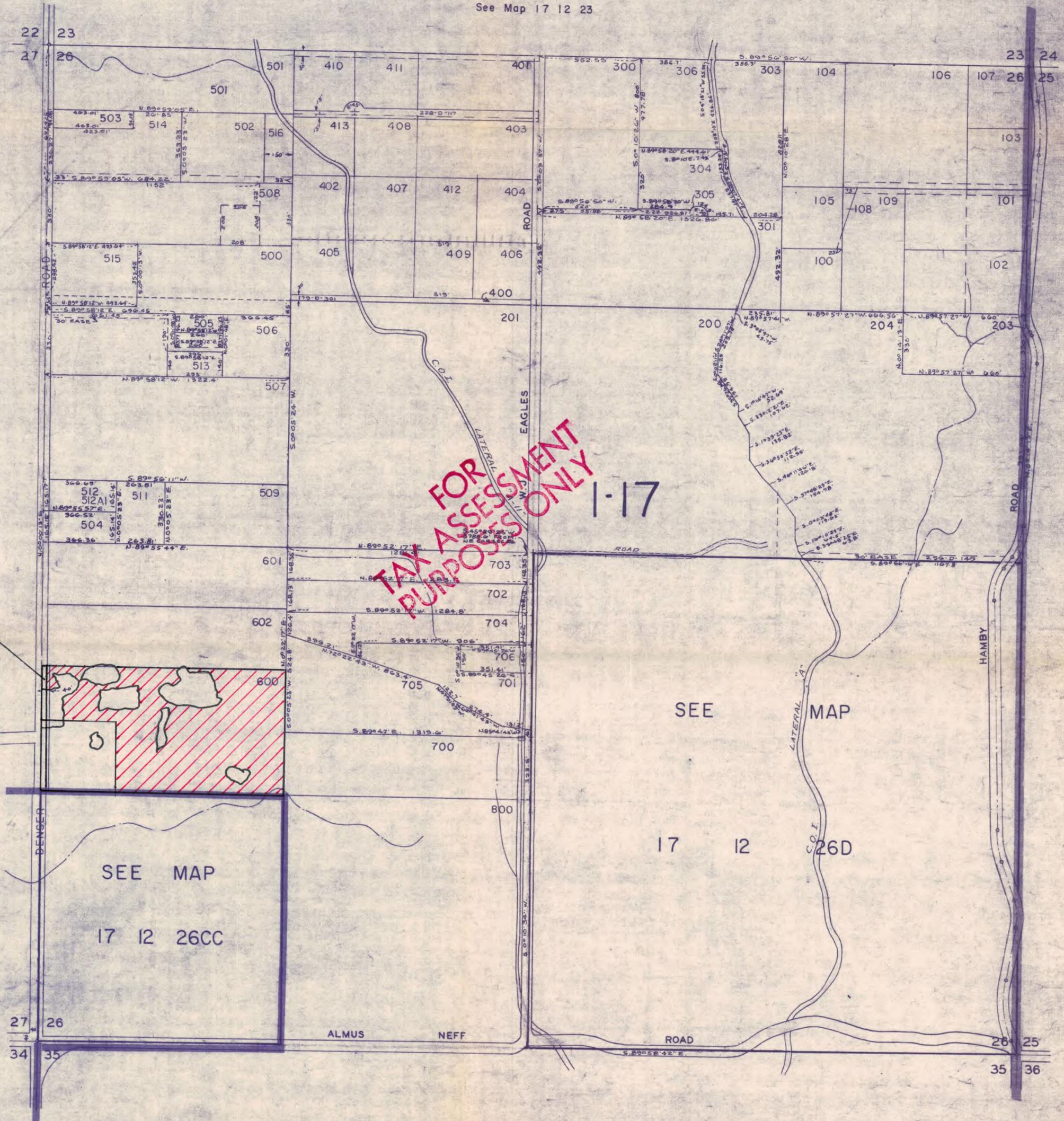
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DESCHUTES COUNTY

SCALE: 1" = 400'

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See Map 17 12 23



See Map 17 12 27

See Map 17 12 25

See Map 17 12 35

DESCHUTES COUNTY

SCALE: 1" = 400'

See Map 17 12 35

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SALEM, OREGON

T-4399



1. FOR TAX ASSESSMENT PURPOSES ONLY

1.27 ACRES ON

73 ACRE ON

1.3

See Map 18 12 3

See Map 18 12 1

SECTION 4 T.18S. R.13E.W.M.
DESCHUTES COUNTY

dead numbers 607
403
404

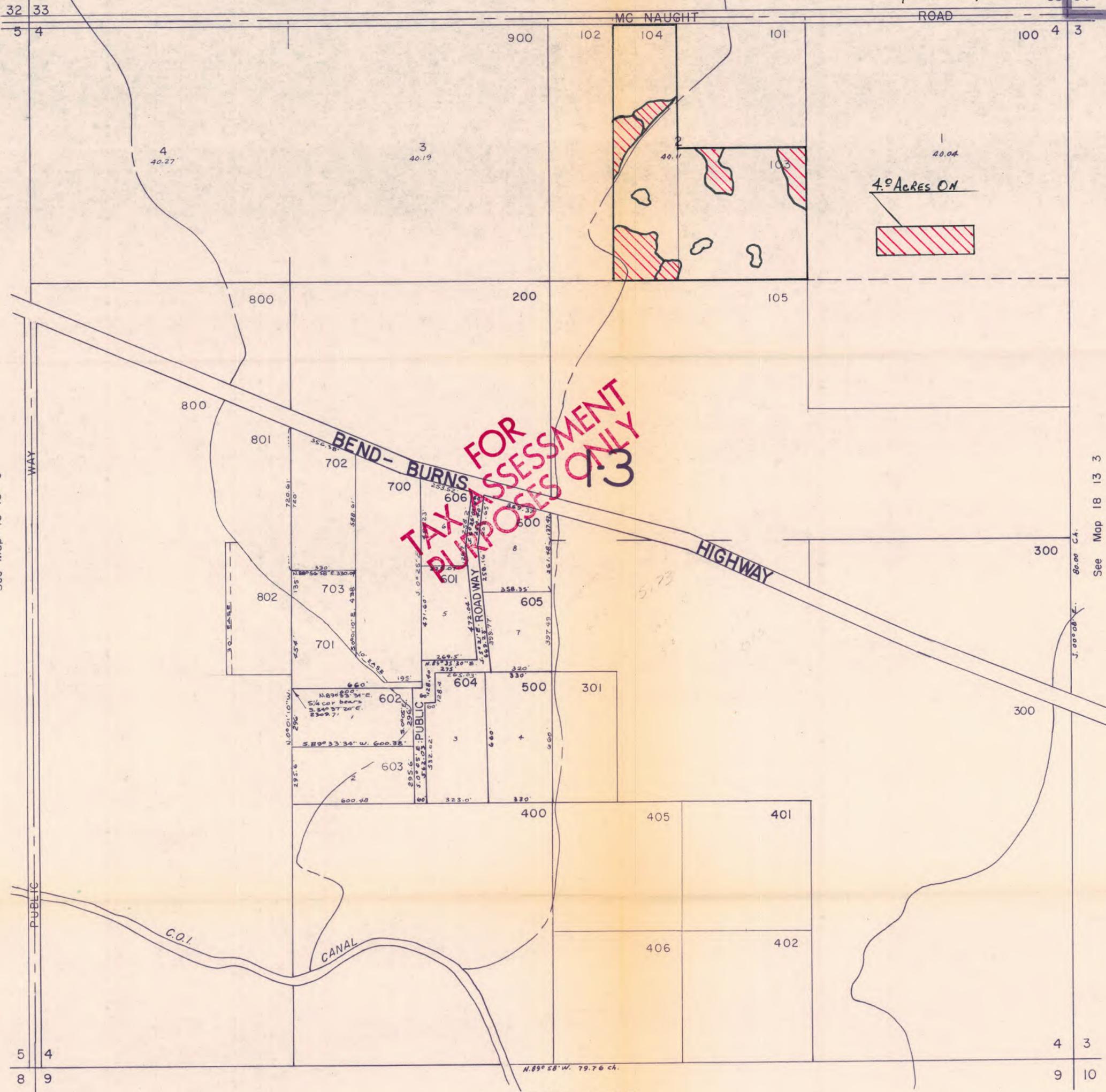
18 13. 4

1"=400'

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SALEM, OREGON

See Map 17 13

T-4399



TAX ASSESSMENT
PURPOSES ONLY
1-3

See Map 18 13 5

See Map 18 13 3

See Map 18 13 9

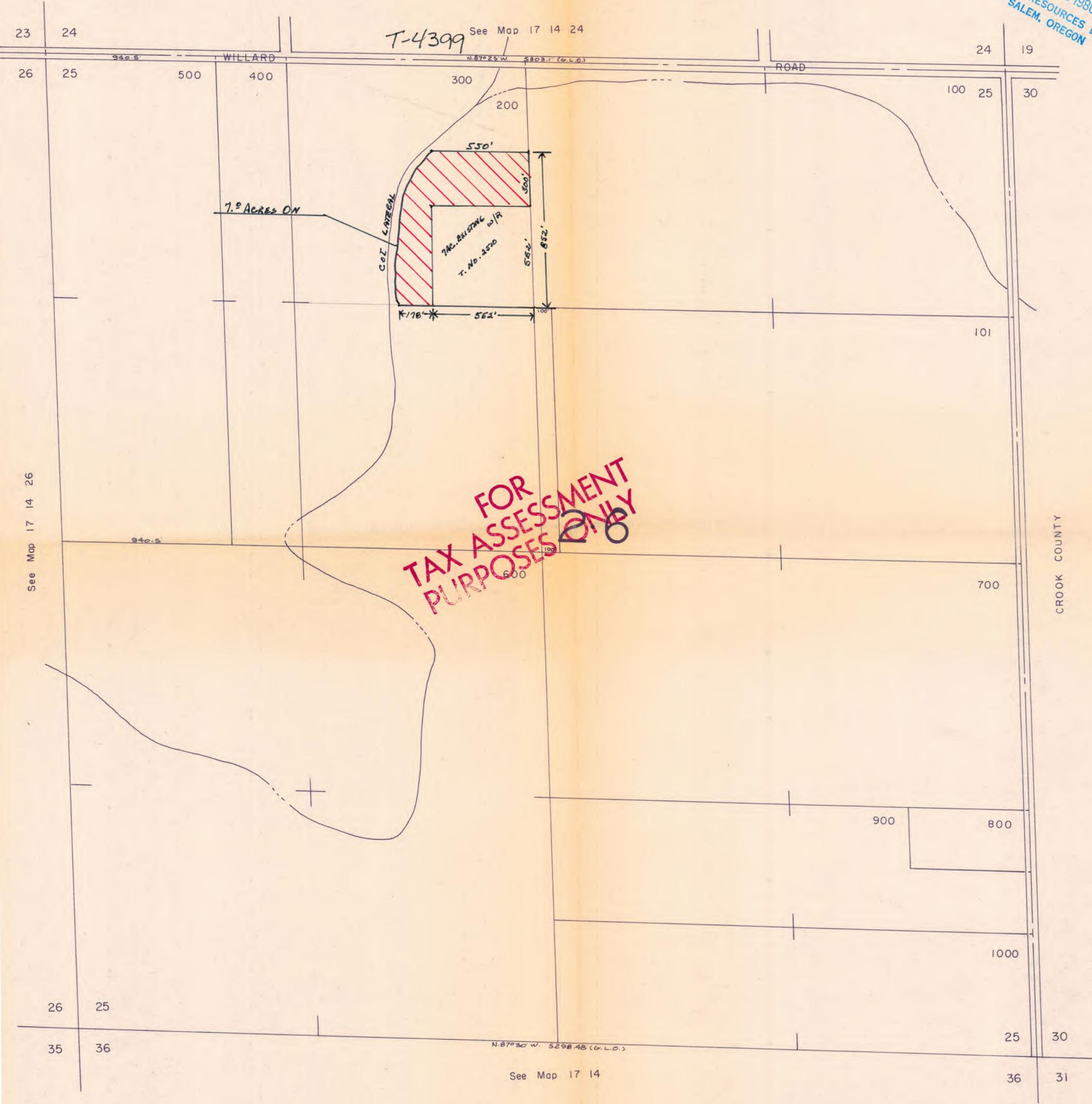
18 13 4

SECTION 25 T.17S. R.14E.W.M.
DESCHUTES COUNTY

1"=400'

17 14 25

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SALEM, OREGON



TAX ASSESSMENT
PURPOSES ONLY

CROOK COUNTY

See Map 17 14

17 14 25