

ASSIGNED
 Name R. M. Hegewald
 By _____
 Address P.O. Box 409
Stevenson, Washington

Date filed 8 January 1976
 Priority 8 Jan 1976
 Action suspended until OK cont

Return to applicant _____
 Date of approval JAN 7 1977

CONSTRUCTION

Date for beginning JAN 7 1978
 Date for completion OCT 1 1978
 Extended to _____

Date for application of water OCT 1 1979
 Extended to _____

PROSECUTION OF WORK

Form "A" filed started
 Form "B" filed _____
 Form "C" filed 12-18-78

FINAL PROOF

Blank mailed MAR 9 1989
 Proof received _____
 Date certificate issued MAY 19 1989

Application No. G 7228

Permit No. G G 6886

Certificate No. 61070

See map in file G-7224
 Stream Index, Page No. 12 + 36 (36)

See Files No. G-7224, G-7225, G-7226,
 G-7227, G-7229

573-5315
ASSIGNED
 Date 7-10-79 To Whom Galen & Patricia Hoover
9-19-88 **ASSIGNED** Hedgewald Family Trust et al
9-19-88 Holt & Sons - P.O. Box 647

ASSIGNMENTS

Date	Address	Volume	Page
	7404 Ruby Dr SW, Tacoma, WA 98498	6	566
	P.O. Box 409, Stevenson, WA		
	Burns, OR 97720	7	2065

REMARKS

CARD FOR B. OCT 23 1978

FEES PAID

Date	Amount	Receipt No.
<u>1-14-76</u>	<u>20.00</u>	<u>51072</u>
<u>7-21-76</u>	<u>67.30</u>	<u>55013</u>

Cert. Fee

FEES REFUNDED

Date	Amount	Check No.

Form C (690-9-77)

IMPORTANT—This form is a notice to the Water Resources Director that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. G-7228

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Rudy M. HEGEWALD, the holder of Permit No. G-6886

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 15th day of May, 1978.

Remarks: Well # 2 on MAP

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of Dec., 1978.

Rudy M. Hegewald
(Signature of Applicant)

Riley - ORS
(Address)

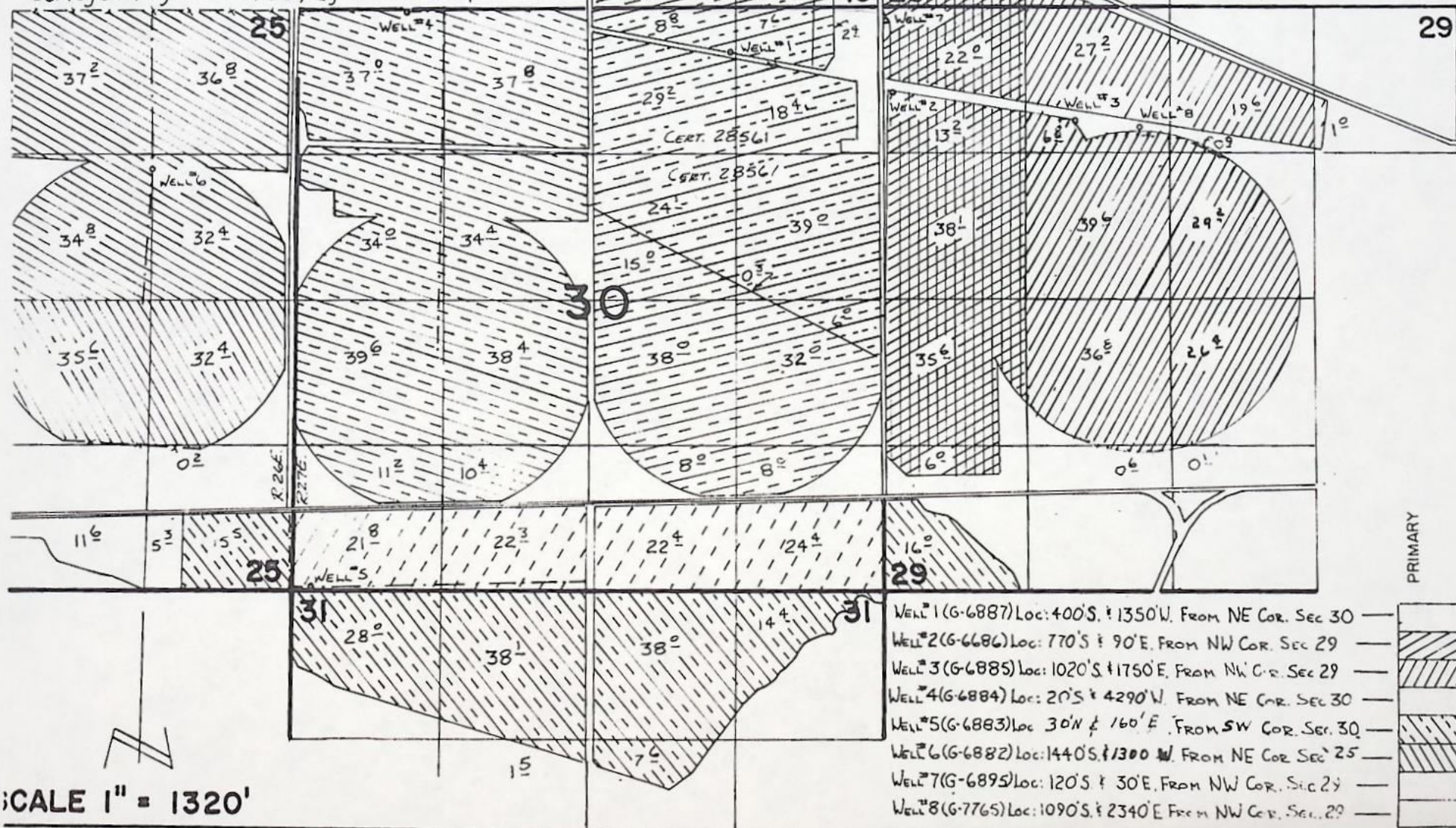
FINAL PROOF SURVEY UNDER

T.23S., R.26 & 27E., W.M

APPL. G-7224
G-7225
G-7229
G-7227
G-8339
G-7228
G-7226

PER. G-6882
G-6883
G-6887
G-6885
G-7765
G-6686
G-6884

IN NAME OF
GALEN & PATRICIA HOOVER
Surveyed May 10, 1988, by B.W. Bishop



T.23S., R.26 & 27E., W.M

PRIMARY

SUPPLEMENTAL

FINAL PROOF SURVEY

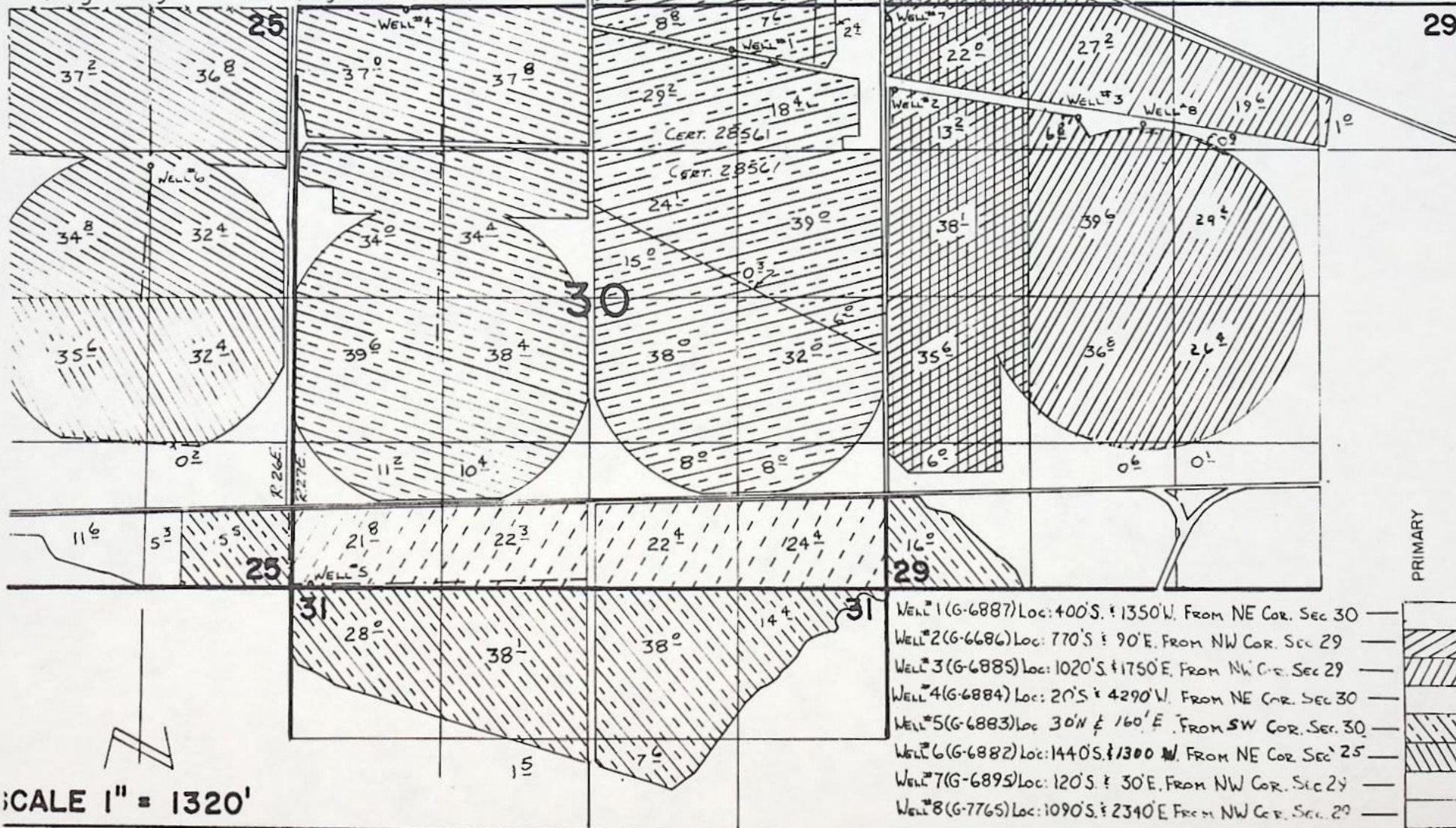
UNDER

T.23S., R.26 & 27E., W.M

APPL. G-7224
G-7225
G-7229
G-7227
G-8339
G-7228
G-7226

PER. G-6882
G-6883
G-6887
G-6885
G-7765
G-6686
G-6884

IN NAME OF
GALEN & PATRICIA HOOVER
Surveyed May 10 1988, by B.W. Bishop



STATE OF OREGON
COUNTY OF HARNEY
PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HOYT AND SONS
P. O. BOX 647
BURNS, OREGON 97720

confirms the right to use the waters of HEGEWALD WELL 2 in the CHICKAHOMINY BASIN for the purpose of IRRIGATING 124.4 ACRES.

The right has been perfected under Permit ~~G-6686~~ ⁶⁻⁶⁸⁸⁶. The date of priority is JANUARY 8, 1976. The right is limited to not more than 1.56 PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW 1/4 NW 1/4, SECTION 29, T 23 S, R 27 E, W.M.; 770 FEET SOUTH & 90 FEET EAST FROM NW CORNER SECTION 29.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

SW 1/4 SW 1/4	9.5 ACRES
SECTION 20	
NW 1/4 NW 1/4	35.2 ACRES
SW 1/4 NW 1/4	38.1 ACRES
NW 1/4 SW 1/4	35.6 ACRES
SW 1/4 SW 1/4	6.0 ACRES
SECTION 29	
TOWNSHIP 23 SOUTH, RANGE 27 EAST, W.M.	

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

G-7228.VC

41025-278-1442 (Land)
 41025-179-1431 (Well)
 5/10/88

Abstract of Permit No. G-6686

Application No. G-7228

Certificate No.

Name R. M. Hegewald
 Address P. O. Box 409
 Stevenson, WA

ASSIGNED
Galen & Patricia Hoover

PTS

Source of water supply Well No. 2

Use Irrigation

Point of diversion 1320'S from NW cor., sec.29, being within NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec.29, T.23S.,
 R.27E., W.M.; Harney County
 Number of acres 221

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
23 S	27 E	20											40					
		29						40	40			40	36	25				

Priority date January 8, 1976

Amount of water 2.8 c.f.s.

Time limit to begin construction 01-07-78

Time limit to complete construction 10-01-78 extended to

Time limit to completely apply water 10-01-79 extended to

Remarks: Limitations: 1/80th c.f.s., 3 a.f.

$$Q_{acres} \frac{221}{80} = 2.76$$

$$Q_P \frac{150(7.04)}{100 + 1.1(2.31)60} = 4.1$$

$$Q_H 900 + 263 \times 7.8 = 6.6$$

$$Q_{allow} 2.76 cfs$$

extended to

extended to

Silver Creek Mills

HOOVER
P G-6002
5/9/80

HOOVER
P G-6667
5/9/80

SPRINT

WELL

3

HOOVER
P G-6002
5/9/80

31

32

HOOPER
P. 6-6887
5/9/88

PIPER
CROSSING

WELL 4

WELL 1

OWELL
26

PIPER
CROSSING

1000
5/9/88

31

32

SECTION 15[illegible]

SECTION 25

N E				N W				S W				S E				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
✓ 40	✓ 40	✓ 35	✓ 40															
																Decree, Vol. 12	Page 332	14054
																38472	26461	21212
																G-7224		
																18° 19'	G-72256-6883	
		5										40	40	18°	12°	G-72246-6882		
40	40	35	40													Supplemental G-7224	G-6882	

SECTION 19[illegible]

(SEE BACK OF CARD FOR PLAY OF SECTION

SECTION 19[illegible]

TOWNSHIP 23S RANGE 27E W. M.SECTION 28

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
		40	40			40	40					320				2353	1331	CANCELLED
						30	30	40	40							Decree, Vol. 12 Page 335		14071
								29	32							Decree, Vol. 12 Page 335		14071
												40	40	40	40	Decree, Vol. 12 Page 335		14071a
22	40	29	33	38												22770	17899	CANCELLED
				40	40											G-7227	G-6885	
				40	40											Supplemental 584310	41553	
40	40	40	40													54310	41553	
				40	40	40	40									G-8339	64765	4

TOWNSHIP 23S RANGE 27E W. M.SECTION 29

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
			35									40			40	Decree, Vol. 12 Page 335		14071
37	19	40										40	40			22770	17899	CANCELLED
	75			33	38	38	38	39	38	10	9					U-360	U-326	CANCELLED
	39											38	7			Supplemental U-360	U-326	CANCELLED
												63				G-4430	G-4174	39667
40	40	40		40		40	40			12		110				G-7227	G-6885	
				40	40			40	36	25						G-7228	G-6886	
40	40	40		10		40	40			12		40				G-8339	64765	4



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

October 17, 1988

R. M. and Helen B. Hegewald and
Hegewald Family Trust
P. O. 409
Stevenson, WA 98648

REFERENCE: Files G-7224, G-7225, G-7226, G-7227, G-7228, G-7229,
G-7362, and G-8339

The assignment by decree to you of permits numbered G-6882, G-6883, G-6884, G-6885, G-6886, G-6887, G-6895, and G-7765 (partial assignment) has been filed in the records of the Water Resources Department. Our records have been changed accordingly.

Our receipt numbered 56167 covering the \$35 recording fee along with a copy of this letter is being sent to Jett Blackburn Real Estate.

Sincerely,

Thomas E. Shook
Water Right Specialist

TES:cld

cc: Bill Beal, Watermaster District 10



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

October 17, 1988

Hoyt & Sons
P. O. 647
Burns, OR 97720

REFERENCE: Files G-7224, G-7225, G-7226, G-7227, G-7228, G-7229,
G-7362, G-8339, 54310, and 57108

The assignment of permits numbered G-6882, G-6883, G-6884, G-6885, G-6886, G-6887, G-6895, G-7765, 41553, and 42944 from Hegewald Family Trust et al to you has been recorded in the records of the Water Resources Department. Our records have been changed accordingly and the originals are enclosed.

Our receipts numbered 55597, 55598, 55599, 55600, 55601, 55602, 55603, 55604, 55605, and 55607 covering the \$100 recording fees along with a copy of this letter is being sent to Jett Blackburn Real Estate.

Sincerely,

Thomas E. Shook
Water Right Specialist

TES:cld

cc: Bill Beal, Watermaster District 10

Enclosures

The completed assignment must be submitted to the Water Resources Director, 3850 Portland Road N.E., Salem, OR 97310, together with a recording fee of \$10.00.

690-10-140

7-1-88
\$10.-
55599



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

RECEIVED

SEP 10 1988

WATER RESOURCES DEPT.
SALEM, OREGON

PHONE

503-378-3739

September 7, 1988

JETT BLACKBURN REAL ESTATE
771 PONDEROSA VILLAGE
BURNS, OR. 97720

REFERENCE: Files G-7224, G-7225, G-7226, G-7227, G-7228, G-7229, G-7362, G-8339, 54310, 57108

To date, we have not received a reply to my letter dated July 6, 1988.

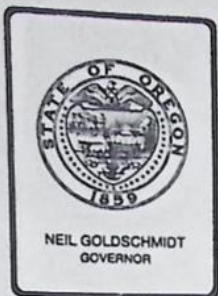
Will you advise us of which course of action you prefer?

Sincerely,

Thomas E. Shook
Water Right Specialist

mailed 9/13/88. MC

9-19-88
\$35⁰⁰
56167



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE

378-3739

July 6, 1988

Jett Blackburn Real Estate
771 Ponderosa Village
Burns, OR 97720

REFERENCE: Files G-7224, G-7225, G-7226, G-7227,
G-7228, G-7229, G-7362, G-8339, 54310, 57108

We have received a check in the amount of \$100 from Hoyt and Sons, as well as assignment requests for permits G-6882, G-6883, G-6884, G-6885, G-6886 G-6887, G-6895, G-7765, 41553, 42944, and copies of Interlocutory decree of strict foreclosure of real estate contract and notice of sale.

Although we will be able to act on the assignments for permits 41553 and 42944 because they are in the name of R.M. Hegewald the balance of the request is still in the name of Galen and Patricia Hoover. We will file the Interlocutory decree; however, a filing fee of \$5 is needed and Helen B. Hegewald will have to sign each of the enclosed assignments along with the trustees for the Hegewald Family Trust.

Also, permit G-7765 shows an area of use within the S1/2 NW1/4 of Section 28, T.23 S., R. 27 E., WM and this area is not included in the deed descriptions you submitted. Please clarify.

Sincerely,

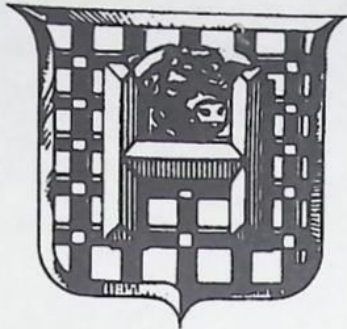
THOMAS E. SHOOK
Water Right Specialist

cc: Hoyt & Sons
R.M. & H.B. Hegewald

0049M

↑
This Description was
an error on the
permit and should
be removed as the
property belongs to
some one else. July
25-1988
Jett Blackburn

Registered Shorthorns



Hoyt and Sons

P. O. Box 647
Burns, Oregon 97720

Phone: (503) 573-5215

RECEIVED

JUL - 1 1988

WATER RESOURCES DEPT.
SALEM, OREGON

28 June 1988

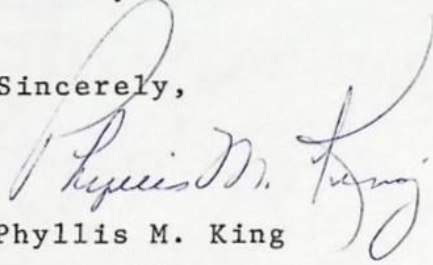
Water Resources Director
State of Oregon
3850 Portland Road N.E.
Salem, OR 97310

Dear Sir:

In accordance with attached letter from Mr. Jett Blackburn,
we are enclosing our check for \$100.00 to cover Assignments
per enclosed documents, to Hoyt and Sons.

Thank you.

Sincerely,


Phyllis M. King
Comptroller

Encls.

/k

JETT BLACKBURN

771 PONDEROSA VILLAGE — BURNS, OREGON 97720

Phone 573-7206

Real Estate
RECEIVED

JETT C. BLACKBURN
Broker

JUL - 1 1988

WATER RESOURCES DEPT.
SALEM, OREGON

June 24, 1988

Steve Applegate
Water Resources Director
3850 Portland Road N.E.
Salem, OR 97310

Re: Hegewald water rights

Dear Mr. Applegate:

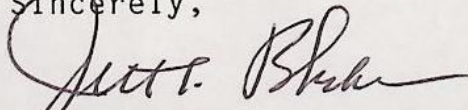
As per our conversation of the other day I would like to re-explain that Hegewalds had previously sold this ranch to Hoovers and as per Interlocutory Decree of Strict Foreclosure of Real Estate Contract attached, you can see that they got possession of the property back on the 20th February 1981. Due to these circumstances they would not be able to get any cooperation out of Hoovers on signing any documents, but this decree will substantiate that Hoovers are completely out of any ownership of the property and that Mr. Hegewald made the original application. Also enclosed is a Notice of Sale dated the 5th of June 1983 where Mr. Hegewald sold to Hoyts. I am attaching copies of these documents for your reference and have had Mr. Hegewald sign all of the original Assignments to Hoyt & Sons.

I am forwarding all documents to Hoyts so that they can place a cover letter and moneys necessary with them to complete the Assignments.

If you have any further questions please contact myself or Hoyt & Sons.

Thank you.

Sincerely,



Jett C. Blackburn

RANCHES

HOMES

BUSINESS PROPERTIES

RECEIVED

JUL - 1 1988

WATER RESOURCES DEPT.
SALEM, OREGON

1 CIRCUIT COURT, STATE OF OREGON, HARNEY COUNTY

2 GALEN HAYES HOOVER and
3 PATRICIA M. HOOVER,

No. 82-01-8132

4 Plaintiffs,

INTERLOCUTORY DECREE OF
STRICT FORECLOSURE OF
REAL ESTATE CONTRACT

5 v.

6 R. M. HEGEWALD and HELEN B.
7 HEGEWALD, husband and wife,
8 and GARY HEGEWALD, MAX HEGEWALD
9 and ROBERT K. LEICK, Trustees
for the HEGEWALD FAMILY TRUST,

FILED
NOV 24 1982

2:35 O'Clock P.M.
AVAL DIAZ COUNTY CLERK
BY *D. George* DEPUTY

10 Defendants.

11 The Court having filed its Memorandum of Opinion dated
12 October 15, 1982, and it appearing to the Court defendants
13 are entitled to the relief prayed for in their Answer and
14 Counterclaim, and the Court being fully advised,

15 IT IS ADJUDGED AND DECREED:

- 16 1. Plaintiffs having fully failed to establish any claim
17 asserted in their complaint, judgment is granted to
18 defendants on it.
19 2. Plaintiffs are required to pay to defendants through
20 the Clerk of the Court the sum of \$2,291,313.13, with
21 interest thereon at the following rates:

22	<u>Principal</u>	<u>Interest Rate</u>
23	\$ 28,000.00	9 1/8%
24	\$ 875,000.00	9 3/4%
25	\$1,480,000.00	8 1/2%

26 from February 20, 1981, until paid, together with the
sum of \$22,663.78 as defendants' damages, these damages
consisting of monies paid by the defendants to repair

1 the damage done to various improvements on the property in
2 order to make them operable, and to replace missing items, and
3 the further sum of \$ 25,000.00 as defendants' attorney fees,
4 and defendants' costs herein incurred taxed at \$ 264.80.
5 If plaintiffs pay these sums to the Clerk of the Court by
6 March 1, 1983, that defendants deliver their deed to the
7 property to the plaintiffs. If plaintiffs fail to pay these
8 sums to the Clerk of the Court by March 1, 1983, that
9 plaintiffs, and each of them, be forever foreclosed of all in-
10 terest in the real property described in Exhibit A attached,
11 and the sums previously paid by plaintiffs to defendants on
12 the contract of sale of the real property shall belong to
13 defendants, free of all right or claim of the plaintiffs or
14 either of them, and defendants have judgment against the
15 plaintiffs, and each of them, for defendants' damages in the
16 sum of \$22,663.78, and costs of \$ 264.80, together
17 with interest at the rate of 9% per annum from the date of
18 this decree.

19 DATED at Baker, Oregon, this 14th day of November, 1982.

21 William R. Jackson
22 Circuit Judge
23
24
25

and in Harney County, Oregon, as follows:

In Twp. 23 S., R. 27 E., W.M.:

- Sec. 10: S $\frac{1}{2}$ S $\frac{1}{2}$.
- Sec. 11: S $\frac{1}{2}$ S $\frac{1}{2}$.
- Sec. 14: All.
- Sec. 15: All.
- Sec. 18: NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.
- Sec. 19: E $\frac{1}{2}$.
- Sec. 20: SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$.
- Sec. 21: All.
- Sec. 22: All.
- Sec. 23: All.
- Sec. 24: S $\frac{1}{2}$.
- Sec. 25: All.
- Sec. 26: All.
- Sec. 27: All, SAVE & EXCEPT highway right of way conveyed to Harney County, Oregon, by deed recorded Oct. 22, 1930, in Book 35, Page 59, Deed Records.
- Sec. 28: N $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{4}$.
- Sec. 29: N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SAVE & EXCEPT the following two parcels:
 Parcel No. 1: Highway right of way conveyed to Harney County, Oregon, by deed recorded Oct. 22, 1930, in Book 35, Page 59, Deed Records, and recorded Jan. 5, 1932, in Book 35, Page 429, Deed Records.
 Parcel No. 2: A parcel of land lying in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, and lying in the wye of the Central Oregon Highway and Lakeview-Burns Highway, and bounded on the North by the South right of way line of the Central Oregon Highway, on the East by the East line of the SW $\frac{1}{4}$ of said Sec. 29, and on the West by the Northerly right of way line of the West leg of said wye.
- Sec. 30: E $\frac{1}{2}$, SAVE & EXCEPT highway right of way conveyed to Harney County, Oregon, by deed recorded Oct. 22, 1930, in Book 35, Page 59, Deed Records.
- Sec. 31: Lots 1, 2, 3 and 4, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$, SAVE & EXCEPT quarry site and haul road taken by the State of Oregon by Judgment in condemnation proceedings, recorded Nov. 27, 1964, in Book 74, Page 318, Deed Records.

In Twp. 24 29 E., W.M.:

Sec. 8: All.
 Sec. 9: All.
 Sec. 10: All.
 Sec. 11: $S\frac{1}{2}N\frac{1}{2}$, $S\frac{1}{2}$.
 Sec. 13: All.
 Sec. 14: All.
 Sec. 15: All.
 Sec. 17: All.
 Sec. 20: All.
 Sec. 21: All.
 Sec. 22: All.
 Sec. 23: All.
 Sec. 24: All.

SAVE & EXCEPT that portion of Sections 13, 14, 24, and the $S\frac{1}{2}N\frac{1}{2}$, $S\frac{1}{2}$ of Sec. 11, lying Easterly and Northeasterly of a lava rim, said rim being described as follows:

Beginning at a point on the North line of the $S\frac{1}{2}N\frac{1}{2}$ of said Sec. 11, which is 2035 feet West of the Northeast corner of the $SE\frac{1}{4}NE\frac{1}{4}$ of said Sec. 11;

thence S. $09^{\circ} 43'$ W. 530 feet;
 thence S. $28^{\circ} 22'$ W. 259 feet;
 thence S. $11^{\circ} 43'$ E. 189 feet;
 thence S. $07^{\circ} 49'$ W. 354 feet;
 thence S. $02^{\circ} 11'$ E. 426 feet;
 thence S. $03^{\circ} 32'$ W. 529 feet;
 thence S. $26^{\circ} 24'$ W. 214 feet;
 thence S. $32^{\circ} 15'$ W. 285 feet;
 thence S. $54^{\circ} 33'$ W. 279 feet;
 thence S. $28^{\circ} 09'$ E. 282 feet;
 thence S. $52^{\circ} 43'$ E. 519 feet;
 thence S. $58^{\circ} 31'$ E. 380 feet;
 thence S. $38^{\circ} 03'$ E. 217 feet;
 thence S. $22^{\circ} 29'$ E. 258 feet;
 thence S. $06^{\circ} 33'$ W. 295 feet;
 thence S. $14^{\circ} 56'$ E. 470 feet;
 thence S. $65^{\circ} 59'$ E. 417 feet;
 thence S. $59^{\circ} 03'$ E. 333 feet;
 thence S. $32^{\circ} 16'$ E. 389 feet;
 thence S. $00^{\circ} 15'$ E. 465 feet;
 thence S. $64^{\circ} 34'$ E. 422 feet;
 thence S. $67^{\circ} 06'$ E. 627 feet;
 thence S. $55^{\circ} 36'$ E. 303 feet;
 thence S. $34^{\circ} 03'$ E. 320 feet;
 thence S. $06^{\circ} 49'$ W. 370 feet;
 thence S. $13^{\circ} 29'$ E. 451 feet;
 thence S. $38^{\circ} 44'$ E. 302 feet;
 thence S. $57^{\circ} 51'$ E. 406 feet;
 thence S. $51^{\circ} 13'$ E. 368 feet;

In Twp. 2, 29 E., W.M.: (Continued)

thence S. 43° 03' E. 252 feet;
thence S. 30° 45' E. 233 feet;
thence S. 27° 52' E. 369 feet;
thence S. 12° 02' E. 272 feet;
thence S. 31° 07' E. 385 feet;
thence S. 00° 05' W. 262 feet;
thence S. 24° 53' E. 258 feet;
thence S. 55° 15' E. 202 feet;
thence S. 62° 13' E. 304 feet;
thence N. 63° 11' E. 230 feet;
thence N. 52° 11' E. 318 feet;
thence N. 74° 52' E. 231 feet;
thence S. 66° 12' E. 231 feet;
thence S. 62° 18' E. 332 feet;
thence S. 72° 34' E. 251 feet;
thence S. 64° 34' E. 329 feet;
thence S. 86° 48' E. 331 feet;
thence S. 88° 26' E. 209 feet;
thence N. 65° 47' E. 130 feet, more or less, to the East line of said Sec. 24.

TOGETHER with all improvements, including but not limited to wells, encasements, pumps and irrigation equipment, storage facilities, water rights, fuel allotments, fuel storage tanks, fencing and corrals, BLM and forest permits, leases, two (2) double-wide mobile homes, four (4) single wide mobile homes, together with the furnishings therein that belong to the sellers but excluding any furnishings belonging to the buyers. Also, together with any other furnishings within the residence which are affixed thereto by bolts, nuts, or screws.

Land in Harney County, Oregon, as follows:

In Twp. 23 S., R. 26 E., W.M.:

Sec. 25: E $\frac{1}{2}$, SAVE & EXCEPT highway right of way conveyed to Harney County, Oregon, by Deed recorded Nov. 25, 1932, in Book 35, Page 602, Deed Records, ALSO SAVE & EXCEPT that portion described as follows:

Beginning at the Northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 25;

thence S. 89° 20' W., along the North line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec., 1500 feet;

thence S. 0° 40' E. 525.3 feet to the North right of way line of the Central Oregon Highway;

thence N. 86° 58' E., along said right of way, 1501.3 feet, more or less, to the East line of said Sec. 25;

thence N. 0° 40' W., along said East line, 463.3 feet, more or less, to the point of beginning.

In Twp. 23 S., R. 27 E., W.M.:

Sec. 30: Lots 1, 2, 3 and 4, E $\frac{1}{2}$ W $\frac{1}{2}$, SAVE & EXCEPT highway right of way conveyed to Harney County, Oregon, by Deed recorded Oct. 23, 1930, in Book 35, Page 63, Deed Records.

TOGETHER with all improvements, including but not limited to wells, encasements, pumps and irrigation equipment, storage facilities, water rights, fuel allotments, fuel storage tanks, fencing and corrals, BLM and forest permits, and leases, together with the furnishings in the residence thereon that belong to the sellers but excluding any furnishings belonging to the occupants. Also, together with any other furnishings herein which are affixed thereto by bolts, nuts or screws.

STATE OF OREGON)

) ss

CERTIFICATE OF MAILING

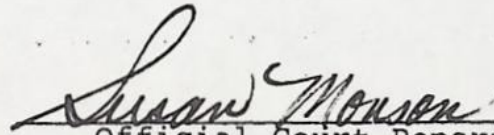
County of Baker)

I, SUSAN MONSON, Official Court Reporter for the Eighth Judicial District, Oregon, hereby certify that I mailed copies of the foregoing INTERLOCUTORY DECREE OF STRICT FORECLOSURE C
REAL ESTATE CONTRACT NO. 82-01-8132 HOOVER v. HEGEWALD (HARNEY)
to counsel hereinbelow named, by placing such copies in an envelope, with postage thereon fully prepaid, addressed to said counsel at their respective address, and depositing said envelope in the United States Mail at Baker, Oregon, this 22nd day of November, 1982, said counsel being:

Mr. Roy Kilpatrick
Lawyer
P.O. Box A
Mt. Vernon, Oregon 97865

Mr. W. F. Schroeder
Attorney at Law
P.O. Box 220
Vale, Oregon 97918

Dated at Baker, Oregon, this 22nd day of November, 1982.



Official Court Reporter

* * * * *

I hereby certify that the foregoing is a true and correct copy of the original in its entirety.

Dated this 22nd day of November, 1982.

Official Court Reporter

RECEIVED

JUL - 1 1988

WATER RESOURCES DEPT
SALEM, OREGON

193520

NOTICE OF SALE

DATE: June 5th, 1983.

PAGE 119 AND 170

PARTIES: Seller: R. M. Hegewald and Helen B. Hegewald, husband and wife; and Gary Hegewald, Max Hegewald and Robert K. Leick, Trustees for the Hegewald Family Trust.

Buyer: Richard D. Hoyt, Stephen A. Hoyt, Jefferey K. Hoyt and Betty Jean Hoyt, doing business as Hoyt & Sons.

PROPERTY:

All that land in Harney County, Oregon, described in the attached Exhibit, SUBJECT TO AND EXCEPTING those items set out in the exhibit.

PRICE:

\$2,650,000.00 is the true and actual consideration for this transfer.

SIGNED:

July 7th, 1983.

R. M. Hegewald
STATE OF OREGON
County of Harney
One of Sellers

STATE OF WASHINGTON)

COUNTY OF SKANANIA) ss.

The foregoing instrument was acknowledged before me, on July 7th, 1983, by R. M. Hegewald.



Notary Public for Washington

My Commission expires: July 22, 1985

Until a change is requested, all tax statements are to be sent to the following address: Hoyt & Sons, P. O. Box 647, Burns, Oregon 97720.

RECEIVED

JUL - 1 1908

WATER RESOURCES
SALMON, ORE

EXHIBIT "A"

TITLE "A":

Land in Harney County, Oregon, as follows: BOOK 119 PAGE 171

In Twp. 23 S., R. 26 E., W.M.:

Sec. 25: E½, SAVE & EXCEPT highway right of way conveyed to Harney County, Oregon, by Deed recorded Nov. 25, 1932, in Book 35, Page 607, Deed Records. ALSO SAVE & EXCEPT that portion described as follows:

Beginning at the Northeast corner of the SE¼SE¼ of said Sec. 25;
thence S. 89° 20' W., along the North line of the SE¼ of said Sec., 1500 feet;
thence S. 0° 40' E. 525.3 feet to the North right of way line of the Central Oregon Highway;
thence N. 86° 50' E., along said right of way, 1501.3 feet, more or less, to the East line of said Sec. 25;
thence N. 0° 40' W., along said East line, 463.3 feet, more or less, to the point of beginning.

In Twp. 23 S., R. 27 E., W.M.:

Sec. 30: Lots 1, 2, 3 and 4, E½, SAVE & EXCEPT highway right of way conveyed to Harney County, Oregon, by Deed recorded Oct. 23, 1930, in Book 35, Page 63, Deed Records.

TITLE "B":

BOOK 119 PAGE 172

Land in Harney County, Oregon, as follows:

In Twp. 23 S., R. 27 E., W.M.:

- Sec. 10: S $\frac{1}{2}$ S $\frac{1}{2}$.
- Sec. 11: S $\frac{1}{2}$ S $\frac{1}{2}$.
- Sec. 14: All.
- Sec. 15: All.
- Sec. 18: NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.
- Sec. 19: E $\frac{1}{2}$.
- Sec. 20: SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$.
- Sec. 21: All.
- Sec. 22: All.
- Sec. 23: All.
- Sec. 24: S $\frac{1}{2}$.
- Sec. 25: All.
- Sec. 26: All.
- Sec. 27: All, SAVE & EXCEPT highway right of way conveyed to Harney County, Oregon, by deed recorded Oct. 22, 1930, in Book 35, Page 59, Deed Records.

Sec. 28: N $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{4}$.

Sec. 29: N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SAVE & EXCEPT the following two parcels:

Parcel No. 1: Highway right of way conveyed to Harney County, Oregon, by deed recorded Oct. 22, 1930, in Book 35, Page 59, Deed Records, and recorded Jan. 5, 1932, in Book 35, Page 429, Deed Records.

Parcel No. 2: A parcel of land lying in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, and lying in the wye of the Central Oregon Highway and Lakeview-Burns Highway, and bounded on the North by the South right of way line of the Central Oregon Highway, on the East by the East line of the SW $\frac{1}{4}$ of said Sec. 29, and on the West by the Northerly right of way line of the West leg of said wye.

- Sec. 30: E $\frac{1}{2}$, SAVE & EXCEPT highway right of way conveyed to Harney County, Oregon, by deed recorded Oct. 22, 1930, in Book 35, Page 58, Deed Records.
- Sec. 31: Lots 1, 2, 3 and 4, E $\frac{1}{2}$ N $\frac{1}{2}$, E $\frac{1}{2}$, SAVE & EXCEPT quarry site and haul road taken by the State of Oregon by Judgment in condemnation proceedings, recorded Nov. 27, 1963, in Book 74, Page 318, Deed Records.

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JUL - 1 1966

In Twp. 24 S., R. 29 E., W.M.:

Sec. 8: All.
 Sec. 9: All.
 Sec. 10: All.
 Sec. 11: $\frac{1}{2}$ NW, $\frac{1}{2}$ S.
 Sec. 13: All.
 Sec. 14: All.
 Sec. 15: All.
 Sec. 17: All.
 Sec. 20: All.
 Sec. 21: All.
 Sec. 22: All.
 Sec. 23: All.
 Sec. 24: All.

BOOK 119 PAGE 173

SAVE & EXCEPT that portion of Sections 13, 14, 24, and the $\frac{1}{2}$ NW, $\frac{1}{2}$ S. of Sec. 11, lying Easterly and Northeasterly of a lava rim, said rim being described as follows:

Beginning at a point on the North line of the $\frac{1}{2}$ NW of said Sec. 11, which is 2035 feet West of the Northeast corner of the SE $\frac{1}{4}$ of said Sec. 11;

thence S. 09° 43' W. 530 feet;
 thence S. 28° 22' W. 259 feet;
 thence S. 11° 43' E. 189 feet;
 thence S. 07° 49' W. 354 feet;
 thence S. 02° 11' E. 426 feet;
 thence S. 03° 32' W. 529 feet;
 thence S. 26° 24' W. 214 feet;
 thence S. 32° 15' W. 285 feet;
 thence S. 54° 33' W. 279 feet;
 thence S. 28° 09' E. 282 feet;
 thence S. 52° 43' E. 315 feet;
 thence S. 58° 31' E. 380 feet;
 thence S. 38° 03' E. 217 feet;
 thence S. 22° 29' E. 258 feet;
 thence S. 06° 33' W. 295 feet;
 thence S. 14° 56' E. 470 feet;
 thence S. 65° 59' E. 417 feet;
 thence S. 59° 03' E. 333 feet;
 thence S. 32° 16' E. 389 feet;
 thence S. 00° 15' E. 465 feet;
 thence S. 64° 34' E. 422 feet;
 thence S. 67° 06' E. 627 feet;
 thence S. 55° 36' E. 303 feet;
 thence S. 34° 03' E. 320 feet;
 thence S. 06° 49' W. 370 feet;
 thence S. 13° 29' E. 451 feet;
 thence S. 38° 44' E. 302 feet;
 thence S. 57° 51' E. 406 feet;
 thence S. 51° 13' E. 368 feet;

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JUL - 1 1988

WATER DEPT.

In Twp. 24 S., R. 29 E., W.M.: (Continued)

BOOK 119 PAGE 174

thence S. 43° 03' E. 252 feet;
thence S. 30° 45' E. 233 feet;
thence S. 27° 52' E. 369 feet;
thence S. 12° 02' E. 272 feet;
thence S. 31° 07' E. 385 feet;
thence S. 00° 05' W. 262 feet;
thence S. 24° 53' E. 258 feet;
thence S. 55° 15' E. 202 feet;
thence S. 62° 13' E. 304 feet;
thence N. 63° 11' E. 230 feet;
thence N. 52° 11' E. 318 feet;
thence N. 74° 52' E. 231 feet;
thence S. 66° 12' E. 231 feet;
thence S. 62° 18' E. 332 feet;
thence S. 72° 34' E. 251 feet;
thence S. 64° 34' E. 329 feet;
thence S. 86° 48' E. 331 feet;
thence S. 88° 26' E. 209 feet;
thence N. 65° 47' E. 130 feet, more or less, to
the East line of said Sec. 24.

ALL OF THE AFORESAID PROPERTY is being purchased SUBJECT to those exceptions numbered 1 through 19 contained in that certain Preliminary Title Report prepared by Land Title Insurance Agency of Burns, Oregon, dated May 6, 1983, identified as Order No. N-7457, R.A. 198, signed by Donald Bates, Title Officer, and effective as of April 24, 1983, at 5:00 P.M., a copy of the pertinent section of said Preliminary Title Report having been marked Exhibit "A", attached hereto, and by this reference incorporated herein as though fully set out.

RECEIVED

JUL - 1 1988

SUBJECT TO THE FOLLOWING EXCEPTIONS:

EXHIBIT "A"

BOOK 119 PAGE 175

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notions of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.

3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records; unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.

4. Discrepancies, conflicts in boundary lines, shortages in area, encumbrances or any other facts which a correct survey would disclose.

5. 1982-83 taxes, \$9363.03, of which \$175.29, has been paid.

Code 10-2, Map 32, Tax Lot No. 49.
46, 39-1.
46, 39HB.
46, 1.
46, 2-1.
46, 35.
30-2, 75, 1-3.

6. MINERALS reserved by Oregon & Western Colonization Company, a corporation, as to the full interest therein, in Deed recorded on Jan. 6, 1940, in Book 38, Page 601 of Deeds, and all rights of the said Oregon & Western Colonization Company, a corporation, and its successors in interest, as owners thereof.
(Affects the following land)

Beginning at a point at the intersection of the East boundary of Harney County Market Road number 7, with the North boundary line of the Central Oregon Highway right of way, which point of beginning is designated by iron pin driven in the ground, and said point is 634 feet North, and 35 feet East of the Southwest corner of Sec. 27, Twp. 23 S., R. 27 E., W.N., Harney County, Oregon;
thence Easterly following the North line of the Central Oregon Highway right of way 660 feet;
thence Northerly 330 feet;
thence Westerly 660 feet, more or less, to the East boundary of the right of way for Harney County Market Road number 7;
thence Southerly following said Eastern boundary line of the right of way for Harney County Market Road number 7, 330 feet, more or less, to the point of beginning.

JUL - 1 1968

WATER RESOURCES DEPT

7. POLE LINE AND ROAD EASEMENT, including the terms and provisions thereof, in favor of the United States of America, recorded Dec. 29, 1961, in Book 69, Page 491, Deed Records, over and across the NW $\frac{1}{4}$ of Sec. 19, SW $\frac{1}{4}$ of Sec. 20, NE $\frac{1}{4}$ of Sec. 21, SE $\frac{1}{4}$ of Sec. 23, NW $\frac{1}{4}$ of Sec. 25, NE $\frac{1}{4}$ of Sec. 27, SW $\frac{1}{4}$ of Sec. 28, Twp. 23 S., R. 27 E., W.M.

PMB 119 REG 176

8. EASEMENT, including the terms and provisions thereof, in favor of Silver Creek Telephone Co., an Oregon corporation, recorded Aug. 15, 1961, in Book 70, Page 39, Deeds, over and across Sec. 31, Twp. 23 S., R. 27 E., W.M., for the construction, maintenance and use of a radio, television and/or telephone equipment station facility, together with the rights of ingress and egress, including the right to construct, maintain and use an access road and the right to construct, maintain and use telephone cable lines.

9. EASEMENT, including the terms and provisions thereof, in favor of Macomber's Inc., an Oregon corporation, for the purpose of placing, erecting and maintaining signs, as reserved in Deed recorded Dec. 2, 1975, in Book 99, Page 597, Deed Records.
(Affects a 40 foot strip on the Westerly edge of the land described under Exception No. 6 above)

10. AS DISCLOSED by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.

11. RESERVATIONS in Deed from Zola M. Shields to R. H. Hagevald and Helen B. Hagevald, husband and wife, dated Aug. 4, 1975, recorded Aug. 3, 1977, in Book 104, Page 337, Deed Records, to-wit:

Reserving unto the Grantor a life estate in and to the following described property:

Commencing at a point on the East boundary or right of way line of that certain county road known as Shields Lane, where said road intersects the North boundary line of Section 19, Township 23 South, Range 27 E.W.M., in Harney County, Oregon; thence in a Southerly direction along or upon the East boundary or right of way line of said county road a distance of 1900 feet, more or less, to a gate post on the South side of that certain gate situated along or upon the East boundary or right of way line of said county road, said gate post being the true point of beginning; thence along a fence extending in a Southeastly direction a distance of 297 feet, more or less; thence along a fence extending in a Southerly direction, a distance of 630 feet, more or less; thence along a fence extending in a Westerly direction a distance of 323 feet, more or less, to a fence along or upon the Easterly boundary or right of way line of said county road; thence along said fence in a Northerly direction to the point of beginning; all containing 5 acres, more or less; together with tenements, hereditaments, water rights and appurtenances thereto belonging or appertaining; but reserving to the grantee the right jointly to use, with grantor, the corrales situated upon the abovesaid real property reserved to grantor.

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JUL - 1 1980

WATER RESOURCES DEPT
SALMON DIVISION

(Affects the land in Title "A" of this report) **SEE 119 AND 177**

12. MORTGAGE, including the terms and provisions thereof, from R. M. Hegewald and Helen B. Hegewald, husband and wife, to The Connecticut Mutual Life Insurance Company, a corporation, dated March 18, 1978, recorded March 27, 1978, in Book "A-24", Page 76, Mortgage Records, given to secure the payment of a note for \$125,000.00.
(Affects the land in Title "A" of this report)

13. ANY IMPROVEMENT located upon the insured property, which is described or defined as a mobile home under the provisions of Chapter 481, Oregon Revised Statutes, and is subject to registration as therein provided.

14. MORTGAGE, including the terms and provisions thereof, executed by Robert K. Leick, Gary Hegewald and Max Hegewald, Trustees of the Hegewald Family Trust under the Trust Agreement dated Nov. 14, 1973, to Connecticut Mutual Life Insurance Company, a corporation, dated July 18, 1979, recorded July 30, 1979, in Book "A-26", Page 267, Mortgage Records, given to secure the payment of a note for \$875,000.00.
(Affects the land in Title "A" of this report)

15. UNRECORDED CONTRACT OF SALE, including the terms and provisions thereof, between R. M. Hegewald and Helen B. Hegewald, husband and wife, and Gary Hegewald, Max Hegewald, and Robert K. Leick, Trustees of the Hegewald Family Trust, Sellers, and Galen Hayes Hoover and Patricia M. Hoover, husband and wife, Buyers, as disclosed by Memorandum of Sale dated April 14, 1979, recorded April 16, 1979, in Book 109, Page 272, Deed Records.

The buyers interest in the above contract was subordinated to the mortgage under Exception No. 14 above by Subordination Agreement recorded July 30, 1979, in Book "A-26", Page 265, Mortgage Records.

16. MORTGAGE, including the terms and provisions thereof, from Galen H. Hoover and Patricia M. Hoover, husband and wife, to Puget Sound National Bank, a national banking corporation, dated Dec. 27, 1979, recorded Jan. 21, 1980, in Book "A-27", Page 79, Mortgage Records, given to secure the payment of a note for \$238,353.00.

17. SUIT in the State Circuit Court, Galen Hayes Hoover and Patricia M. Hoover, vs. R. M. Hegewald and Helen B. Hegewald, husband and wife, and Gary Hegewald, Max Hegewald and Robert K. Leick, Trustees for the Hegewald Family Trust, No. 82-01-8132, complaint filed Jan. 14, 1982.

NOTE: The above suit is presently on appeal.

18. POSSIBLE ATTORNEY LIENS which may arise on account of the above mentioned suit.



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE

503-378-3739

September 7, 1988

JETT BLACKBURN REAL ESTATE
771 PONDEROSA VILLAGE
BURNS, OR. 97720

REFERENCE: Files G-7224, G-7225, G-7226, G-7227, G-7228, G-7229, G-7362, G-8339, 54310, 57108

To date, we have not received a reply to my letter dated July 6, 1988.

Will you advise us of which course of action you prefer?

Sincerely,

Thomas E. Shook
Water Right Specialist



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE

378-3739

July 6, 1988

Jett Blackburn Real Estate
771 Ponderosa Village
Burns, OR 97720

REFERENCE: Files G-7224, G-7225, G-7226, G-7227,
G-7228, G-7229, G-7362, G-8339, 54310, 57108

We have received a check in the amount of \$100 from Hoyt and Sons, as well as assignment requests for permits G-6882, G-6883, G-6884, G-6885, G-6886 G-6887, G-6895, G-7765, 41553, 42944, and copies of Interlocutory decree of strict foreclosure of real estate contract and notice of sale.

Although we will be able to act on the assignments for permits 41553 and 42944 because they are in the name of R.M. Hegewald the balance of the request is still in the name of Galen and Patricia Hoover. We will file the Interlocutory decree; however, a filing fee of \$5 is needed and Helen B. Hegewald will have to sign each of the enclosed assignments along with the trustees for the Hegewald Family Trust.

Also, permit G-7765 shows an area of use within the S1/2 NW1/4 of Section 28, T.23 S., R. 27 E., WM and this area is not included in the deed descriptions you submitted. Please clarify.

Sincerely,

THOMAS E. SHOOK
Water Right Specialist

cc: Hoyt & Sons
R.M. & H.B. Hegewald

0049M



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508
1-800-452-7813
(message line)

August 4, 1982

Schroeder & Hutchens, Lawyers
PO Box 220,
Vale, Oregon 97918

REFERENCE: Files Numbered G-8339, G-7224, G-7225, G-7226,
G-7227, G-7228, G-7229, G-7362

Dear Mr. Schroeder:

Thank you for your letter dated August 2, 1982, requesting the status of Permits Numbered G-7765, G-6882, G-6883, G-6884, G-6885, G-6886, G-6887, and G-6895.

The information you have listed under "Date per Permit" is correct. We have also received the Notices of Complete Application of Water to a Beneficial Use for each permit. Our customary field inspection will be made the next time our field examiner is in the area; however, because of budgetary cutbacks we are unable to make the trip at this time.

There is no charge for this information; therefore, I have enclosed your Check Number 11449.

Sincerely,

Thomas E. Shook
Senior Water Rights Examiner

TES/jw

Enclosure

Records have been redacted or withheld pursuant to the exemption for financial transfer records specified in ORS 192.345(27).

SCHROEDER & HUTCHENS
WILLIAM F. SCHROEDER P.C.
JOHN N. HUTCHENS
P. O. Box 220 TELEPHONE 473-3141
VALE, OREGON 97918

No 11449

24-22
1230
43

DATE 8/2/82

DOLLARS \$

PAY

TO THE
ORDER
OF

Water Resources Dept.
Mill Creek Office Park
555 13th St. N.E.
Salem, OR 97310

SCHROEDER & HUTCHENS
GENERAL ACCOUNT

Vale Branch
The United States National Bank of Portland Vale, Oregon

THIS CHECK VOID IF MADE PAYABLE IN AN
AMOUNT EXCEEDING \$ 30.00



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

July 17, 1979

Galen & Patricia Hoover
7404 Ruby Dr. SW
Tacoma, WA 98498

RE: File Nos. G-7224, G-7225, G-7226, G-7227, G-7228, G-7229,
G-7362, & G-8339

Dear Mr. & Mrs. Hoover

The assignment of Permit Nos. G-6882, G-6883, G-6884, G-6885, G-6886, G-6887, G-6895, & G-7765 from R. M. Hegewald to you has been recorded in the records of the Water Resources Department. Our records have been changed accordingly, and the original assignment is enclosed. Our receipt No. 12080, covering the \$2.00 assignment recording fee was sent to Green Valley Ranch.

Under the terms of permit G-7765, actual construction of the well was to have been started on or before January 20, 1979. We have not been advised that this requirement has been met. Also adequate irrigation equipment is to be in your possession by October 1, 1979 and water used to the fullest extent intended on or before October 1, 1980. Forms for reporting are enclosed.

Sincerely

Thomas E. Shook
Water Rights Engineer

TES/dw

cc: William H. Beal, Watermaster
Harney County Courthouse
Burns, OR 97720



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

June 28, 1979

Green Valley Ranch
P. O. Box 409
Stevenson, WA 98648

RE: Files No.: G-7224, G-7225, G-7226, G-7227, G-7228, G-7229, G-7362, G-8339

Gentlemen:

We have received your check in the amount of \$2.00 along with a request to assigned several permits to Galen and Patricia Hoover.

Our records show R. M. Hegewald as holder of these permits so it will be necessary for that name to be shown on the assignment. R. M. Hegewald must sign the document also. A new assignment blank is enclosed for this purpose or the original assignment can be amended accordingly.

Upon receipt of the properly executed assignment, our records will be changed accordingly.

Sincerely,

Thomas E. Shook
Water Rights Engineer

TES:slm
Enclosures; Receipt No. 12080
cc: R. M. Hegewald
Riley, OR 97758

Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

G-6882 G-6883
G-6884 G-6885
G-6886 G-6887
G-6895 G-8339
R-53998 54310

December 23, 1977

Riney J. Seeger
Attorney at Law
Harney County Courthouse
P. O. Box 548
Burns, Oregon 97720

Dear Mr. Seeger:

Enclosed you will find copies of R. M. Hegewald's water rights application with a receipt for copying fees.

Prior to the check sent by you, we received a check for \$3.50 from Mr. Hegewald for application number G-8339. Therefore, enclosed is a refund check for the \$3.50 submitted for application numbered G-8339.

Sincerely,

Larry Toll
Water Rights Engineer

LT:slk

Enclosures: Check No. 1854
Receipt No. 353

COPY



ROBERT W. C.
GOV.

January 26, 1977

R.M. Hegewald
P.O. Box 409
Stevenson, WA .

G-7224
G-7225
G-7226
G-7227
G-7228
G-7229
G-7362

G-6882, G-6883, G-6884, G-6885, G-6886,

G-6887, and G-6895 with map.

378-3066

G-7224, G-7225, G-7226, G-7227
G-7228, G-7229, G-7362

29 October 1976

Riney J. Seeger, Attorney
P.O. Box 548
Burns, Oregon 97720

Dear Mr. Seeger:

We have received your map and applications No. G-7224, G-7225, G-7226 and G-7229 now describing the supplemental irrigation.

Mr. Hegewald's applications No. G-7224, G-7225, G-7226, G-7227, G-7228, G-7229 and G-7362 are all satisfactory and permits will be issued in 30 to 60 days.

Sincerely,

Vestal R. Garner
Water Rights Engineer

VRG:lcj
cc: R.M. Hegewald

July 7, 1976

Files G-7224 G-7225
G-7226 G-7227
G-7228 G-7229
G-7362 54310

Riney J. Seeger
District Attorney
Box 548
Burns, OR 97720

Dear Mr. Seeger:

Thank you for returning applications numbered G-7224, G-7225, G-7229, and G-7362. These applications are now all in satisfactory form for primary irrigation of the land described including G-7362 which intends in part to be supplemental to Well No. 3.

To date, I have assumed that the rights to the use of water from other sources would be canceled by submission of an affidavit of abandonment by the owner as was suggested to you in our letter of March 8, 1976; however, as of this date we have not received the affidavits of abandonment nor have the applications been modified to describe in part supplemental irrigation to existing rights.

Application numbered G-7224 is in conflict with certificate numbered 14054 within the NE $\frac{1}{4}$ of Section 25, Township 23 South, Range 26 East. Application numbered G-7225 is in conflict with certificate numbered 14080 within the south half southwest quarter and south half of the southeast quarter of Section 30, Township 23 South, Range 27 East. Application numbered G-7226 is in conflict with certificate numbered 14072 within the west half of Section 30, Township 23 South, Range 27 East. Application number G-7229 is in conflict with certificates numbered 14079, 14080, and 28561 in the east half of Section 30, Township 23 South, Range 27 East and in the southeast quarter of Section 19, Township 23 South, Range 27 East.

The specifics on these particular rights are available to you in the Watermaster's office in the courthouse in Burns.

July 7, 1976

-2-

Riney J. Seeger

Before permits can be issued, it will be necessary that we have either affidavits of abandonment of the existing rights or the applications modified to request permits to supplement the available supply after the existing rights.

In addition to the conflict with existing rights, the applications also require permit recording fees totaling \$731.50. Upon receipt of the additional permit recording fees and your suggestion regarding a solution to the conflict of existing rights, the applications will be examined further.

If I can be of any assistance to you by providing either affidavits of abandonment or by returning the applications for amendment, please do not hesitate to contact this office.

Sincerely,

Vestal R. Garner
Water Rights Engineer

VRG:cc

cc: R.M. Hegewald



WATER RESOURCES DEPARTMENT

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-3066

ROBERT W. STRAUB
GOVERNOR

G-7224, G-7225, G-7226
G-7227, G-7228, G-7229
G-7362, 54310

17 June 1976

Riney J. Seeger
Box 548
Burns, Oregon 97720

Dear Mr. Seeger:

Thank you for returning applications No. G-7224 through G-7229 and also for new applications requesting permits to appropriate 1250 fgallons per minute of water from Well No. 7 for irrigation of 280 acres and to appropriate 74.0 cubic feet per second of water from Rock Quarry Canyon, Rock Quarry Canyon Reservoir and Upper Rock Quarry Canyon Reservoir for irrigation and supplemental irrigation of 1434 acres. Those two applications have been filed as No. G-7362 and No. 54310, respectively.

Application No. G-7224 regarding Well No. 6 under Item No. 4 indicates the well to be within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 36, whereas the map indicates the well to be within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25. If the map is correct, the application should be corrected accordingly.

Application No. G-7225 regarding Well No. 5 locates the well within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35 located with reference to the NW corner, Section 30. The map shows Well No. 5 to be located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31 and located 150 feet east from the NW corner of Section 31. Again, if the map is correct, the application should be corrected accordingly.

Applications No. G-7226, G-7227 and G-7228 appear to be in satisfactory form for issuance of permits. However, we will withhold further action on these applications until all are in satisfactory form.

Application No. G-7229 regarding Well No. 1 lists the well within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 29. However, the map shows the well to be located within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30. Again, if the map is correct, the application should be corrected accordingly.

The new application regarding Well No. 7 requests a permit to irrigate

- 2 -

the SE¼, Section 20 along with other land. Since application No. G-7227 for Well No. 3 also requests a permit to irrigate the SE¼, Section 20, it will be necessary to amend application No. G-7362 to request a permit for supplemental irrigation of the SE¼, Section 20.

New application No. 54310 under Item No. 4 must list the location of each point of diversion specified as a source. The application presently shows Lower Rock Canyon Reservoir and Rock Quarry Canyon Creek, but does not show the location of the Upper Reservoir. According to our records the location of the Upper Reservoir is 1440 feet north and 670 feet west from the SE corner, Section 35, Township 23 South, Range 27 East, being located within the NE¼ SE¼, Section 35. I am enclosing a copy of a final proof survey map which shows the location of both reservoirs.

According to our records, certificates No. 26832 and No. 26834 were issued in evidence of the right to appropriate water from Rock Quarry Canyon, Upper Rock Quarry Canyon Reservoir and Lower Rock Canyon Reservoir for the irrigation and supplemental irrigation of the land shown on the enclosed final proof survey map.

Certificate No. 26832 was issued to appropriate 2.0 cubic feet per second of water from the Canyon and Lower Reservoir for irrigation of 176 acres. This right is deficient of the full duty by 2.4 cubic feet per second.

Certificate No. 26834 was issued for 2.5 cubic feet per second of water from the Upper Canyon and Reservoir for supplemental irrigation of 174 acres. This right is deficient of full duty by 1.85 cubic feet per second. Therefore, this existing right can be supplemented from these same sources to the extent of 4.25 cubic feet per second of water to make up the amount necessary for the full duty of water. This land should be listed as supplemental irrigation under the application or if the quantity of water described by these certificates is sufficient for the irrigation of this land, the 176 acres as shown on the map should be eliminated from the application.

The application also lists land in Section 22 and the SE¼, Section 21. However, the map which you have submitted does not show the land to be irrigated. Therefore, the map will have to be amended accordingly.

I am returning applications No. G-7224, G-7225, G-7229, G-7362 and 54310 for the requested information and corrections.

In addition to the examination fee of \$20.00, which has been paid for each application, permit recording fees are also required. These fees are as follows: G-7224 = \$82.00, G-7225 = \$76.00, G-7226 = \$82.90, G-7227 = \$208.60, G-7228 = \$67.30, G-7229 = \$129.70, G-7362 = \$85.00 and 54310 = \$431.20, being a total of \$1,162.70 due in recording fees.

Riney J. Seeger

G-7224-G-7229, G-7362, 54310

- 3 -

The permit recording fees must be paid before permits can be issued.

Applications No. G-7224, G-7225, G-7229, G-7362 and 54310 are endorsed so that in order to retain their dates of priority, they must be received in this office on or before August 17, 1976.

Sincerely,

Vestal R. Garner
Water Rights Engineer

VRG:lcm

cc: R.M. Hegewald

ENCL: Receipts No. 52781 and No. 54960

ENCL: Map for Application No. 54310

March 8, 1976

File G-7224
G-7225
G-7226
G-7227
G-7228
G-7229
G-309

Riney J. Seeger
District Attorney
County of Harney
Harney County Courthouse
Burns, OR 97720

Dear Mr. Seeger:

We have six applications submitted in behalf of R.M. Hegewald for permits to appropriate water from six wells being 1,500 gallons of water per minute from Well No. 6 for the irrigation of 320 acres, 1,500 gallons of water per minute from Well No. 5 for the irrigation of 320 acres, 1,500 gallons of water per minute from Well No. 4 for the irrigation of 560 acres, 1,250 gallons of water per minute from Well No. 3 for the irrigation of 800 acres, 1,500 gallons of water per minute from Well No. 2 for the irrigation of 220 acres and 1,250 gallons of water per minute from Well No. 1 for the irrigation of 540 acres. These applications were filed on January 14, 1976 and given numbers G-7224 through G-7229 respectively. We also received maps and fees in the amount of \$120.00.

As discussed with you on the telephone the other day, our records show existing water rights of record allowing the use of water from Silver Creek on most of the lands described on the various applications. I have enclosed affidavits of abandonment for you and your clients inspection. If these rights have not been exercised for a period of five successive years or if it is the intent of Mr. Hegewald to use only ground water for irrigation purposes, the affidavits should be signed in the presence of a notary public and returned so that we can clear our records of these rights and issue new permits for irrigation purposes. Remaining right certificates will have to be issued for the lands not involved in the cancellation described in two of the affidavits. For this, we will need certificate recording fees of \$2.00 for each of the two certificates.

March 8, 1976

-2-

File G-7224 - G-7229

On the other hand, if the earlier rights have not been lost through nonuse of five successive years and your client wishes to continue using the water from Silver Creek, the applications will have to be changed to show supplemental irrigation. In this case, water from the wells could be appropriated only to make up any deficiencies in supply from the creek. There is also a provision in the law allowing for a transfer of place of use of lands of any valid water right.

An irrigation recording fee is required for each application. There is some question in my mind as to exactly how Mr. Hegewald intends to use the water from the wells and since there is presently overlaps with a couple of the wells I will not attempt to state the irrigation recording fee for each application. I have enclosed a fee schedule for this use. I have also enclosed a map drawn to the smallest acceptable scale and I would like for you to show the lands to be irrigated from each well and then list the same information in the appropriate application.

If water from more than one well will be used on the same land, it will be necessary that one well be identified as a primary source of supply and any other well listed as a supplemental source. In the event a couple of wells are tied together, it would not be necessary to list primary and supplemental irrigation for that particular system.

I am returning the six applications for correction and completion. The applications are endorsed so that in order to retain their priority dates, they must be received in this office on or before May 12, 1976.

Sincerely,

Thomas E. Shook
Water Rights Engineer

TES:cc
cc: R.H. Hegewald
Encl. Receipts No. 51068 through 51073

RECEIVED

JAN 8 1976

WATER RESOURCES DEPT.
SALEM, OREGON

Permit No. G-.....

APPLICATION FOR A PERMIT

To Appropriate the Ground Waters of the State of Oregon

I, R. M. Hegewald
(Name of applicant)
of P.O. Box 409, Stevenson, county of Skamania,
(Postoffice Address)
state of Washington, do hereby make application for a permit to appropriate the
following described ground waters of the state of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation

1. Give name of nearest stream to which the well, tunnel or other source of water development is
situated Silver Creek
(Name of stream)

tributary of

2. The amount of water which the applicant intends to apply to beneficial use is cubic
feet per second or 1500 gallons per minute.

3. The use to which the water is to be applied is Irrigation of alfalfa, grain
and other crops

4. The well or other source is located 1320 ft. S and ft. from the Section
(N. or S.) (E. or W.)
corner of Sections 19, 20, 29 & 30, T23S, R27E W.M.
(Section or subdivision)
N 1250 ft. W to N $\frac{1}{4}$ corner between sections 20 and 29, T23S, R. 27 E.W.M.
(If preferable, give distance and bearing to section corner)

(If there is more than one well, each must be described. Use separate sheet if necessary)
being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 29, Twp. 23S, R. 27E.,
W. M., in the county of Harney

5. The to be miles
(Canal or pipe line)
in length, terminating in the of Sec., Twp.,
(Smallest legal subdivision)
R., W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the well or other works is Well No. 2

DESCRIPTION OF WORKS

7. If the flow to be utilized is artesian, the works to be used for the control and conservation of the
supply when not in use must be described.

8. The development will consist of one well having a
(Give number of wells, tunnels, etc.)
diameter of 16 inches and an estimated depth of 300 feet. It is estimated that 20
feet of the well will require gravel packed casing. Depth to water table is estimated 80
(Kind) (Feet)

CANAL SYSTEM OR PIPE LINE—

9. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(b) At miles from headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(c) Length of pipe, ft.; size at intake in.; in size at ft. from intake in.; size at place of use in.; difference in elevation between intake and place of use, ft. Is grade uniform? Estimated capacity, sec. ft.

10. If pumps are to be used, give size and type Turbine - 125 to 150 H.P.

Give horsepower and type of motor or engine to be used Electric

11. If the location of the well, tunnel, or other development work is less than one-fourth mile from a natural stream or stream channel, give the distance to the nearest point on each of such channels and the difference in elevation between the stream bed and the ground surface at the source of development

12. Location of area to be irrigated, or place of use

Township N. or S.	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
23 S	27 E.	21 20	SE$\frac{1}{4}$SW$\frac{1}{4}$ SW $\frac{1}{4}$ + SW $\frac{1}{4}$	40
"	"	27	NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW$\frac{1}{4}$SW$\frac{1}{4}$	40
"	"	28 29	SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW$\frac{1}{4}$NE$\frac{1}{4}$	40
"	"	28 29	NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE$\frac{1}{4}$NW$\frac{1}{4}$	40
"	"	28 29	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW$\frac{1}{4}$NW$\frac{1}{4}$	40 36
"	"	29	Portion of SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE$\frac{1}{4}$NE$\frac{1}{4}$ S of Hwy 20	20 25

(If more space required, attach separate sheet)

Character of soil Sandy Loam

Kind of crops raised Alfalfa, grain and other crops

MUNICIPAL SUPPLY—

13. To supply the city of
in county, having a present population of
and an estimated population of in 19.....

ANSWER QUESTIONS 14, 15, 16, 17 AND 18 IN ALL CASES

14. Estimated cost of proposed works, \$.....~~3.00~~ 000.00.

15. Construction work will begin on or before December 1, 1975.

16. Construction work will be completed on or before February 15, 1976

17. The water will be completely applied to the proposed use on or before April 1, 1976

18. If the ground water supply is supplemental to an existing water supply, identify any application for permit, permit, certificate or adjudicated right to appropriate water, made or held by the applicant. _____

(Signature of applicant)

Remarks:

STATE OF OREGON, }
County of Marion, } ss.

1976
RESOURCES
REGEN
his is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction and completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before May 12, 1976.

WITNESS my hand this 8th day of March, 1976.

~~James E. Sexson~~
~~Director~~

By Thomas E. Shook
Thomas E. Shook

.....
ASSISTANT

STATE OF OREGON, }
County of Marion, } ss.

PERMIT

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from

The use to which this water is to be applied is

If for irrigation, this appropriation shall be limited to of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The well shall be cased as necessary in accordance with good practice and if the flow is artesian the works shall include proper capping and control valve to prevent the waste of ground water.

The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The priority date of this permit is

Actual construction work shall begin on or before and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

WITNESS my hand this day of, 19.....

STATE ENGINEER

Superseded

Application No. G-7228

Permit No. G-.....

PERMIT

TO APPROPRIATE THE GROUND
WATERS OF THE STATE
OF OREGON

This instrument was first received in the
office of the State Engineer at Salem, Oregon,
on the 8 day of January
1976, at 11 o'clock P. M.

Returned to applicant:

Approved:

Recorded in book No. of

Ground Water Permits on page

STATE ENGINEER

Drainage Basin No. page

R 26 E.

T 23 S, R 27 E.W.M.

24	19	20	21
25 ⁰⁵	30 ^{04 03 01}	29 ⁰²	28
36 ⁰⁹	31	32	33

GREEN VALLEY RANCH
R. M. HEGEWALD.

Scale: 2 in. = 1 mile. Well---01

Application No. G-7228
Permit No.

JAN 8 1976
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED