

History of the High Lostine Owners Association (HLOA) properties (March 2014)

The history is covered in three sections. The first section covers the history of the HLOA properties, including Native Americans, homesteaders, other owners prior to establishment of the High Lostine Subdivision, and the process leading to establishment of the HLOA. Note that the High Lostine Subdivision was also referred to as the High Lostine Estates and the High Lostine Estates Subdivision. Also note that the governing bodies for the subdivision moved from the High Lostine Limited Partnership to the High Lostine Maintenance Commission and finally to the High Lostine Owners' Association.

The second section addresses the history of the water system. The water system was likely the major factor (along with architectural control) motivating the establishment of an owners association.

The third section briefly addresses the history of lands adjacent to the HLOA properties.

Each paragraph has been numbered, with citations or other source information for that paragraph number listed in the References section.

A history of the HLOA officers and committees is maintained.

This history page will be revised as new historical information is located.

I. History of the HLOA properties

1. The Lostine glacier last covered the area in two advances approximately 21,000 and 17,000 years ago (ages are from the Wallowa glacier at Wallowa Lake); at this time the depth of the ice at the HLOA properties was in excess of 500 feet. The Lostine glacier was the longest glacier in the Wallowa Mountains, and extended to several miles north of the HLOA properties. At the northern boundary of the HLOA properties, the glacier transitioned between carving the canyon and starting to deposit glacier-borne material.
2. From their summer home at the mouth of the Lostine River near Wallowa, the Joseph band of the Nez Perce Indians used the Lostine Valley and Canyon for harvesting Chinook salmon, Coho salmon, steelhead, deer, elk, bighorn sheep, and bear.
3. The HLOA properties were homesteaded by Henry and Frances (Ward) Downs and Arthur and Jessie (Ward) Hulse. Frances and Jessie were sisters. The Downs homestead patent (160 acres) was awarded in 1912 and the Hulse homestead patent (120 acres) was awarded in 1923. The Hulse homestead was bordered by the Downs homestead to the north and west, and by the National Forest to the south. The homesteads were first occupied a minimum of 5 years before the patent award dates, but the dates of first occupation have not been determined. The location of the cabin on the Downs homestead is unknown. The cabin on the Hulse homestead was on the HLOA properties, near Lostine River Road and about 0.25 mile north of the National Forest boundary.
4. The old Lostine River Road did not reach the Downs homestead until it was extended in 1909. The road stayed on the east side of the river about 0.45 to 0.65 mile farther south than it currently does; that is, it went through what is now the Lostine Wildlife Area. The old road

then forded the river from east to west on the Down's homestead and went through the Hulse homestead before reaching the National Forest boundary. The ford across the river onto the current HLOA likely changed locations over the years. Lostine valley residents Terry Jones and Janice Crow Bird recall it at two locations on HLOA properties, and a map from sometime between 1923 and 1936 suggests a third location on an HLOA property. The current Lostine River Road was relocated to the 6-Mile bridge (also called the Pagan bridge), 0.5 mile north of the northern boundary of the HLOA properties, sometime between 1937 and 1950. The current 6-Mile bridge was built in 1950.

5. M. Crow & Co. took ownership of the 120 acre Hulse homestead sometime before 1937. It is not known whether there were other owners between Hulse and Crow. The westernmost approximately 35 acres became the southeast quarter of the HLOA; this includes all of tax lots 2800, 2900, 3000, 3100, 3800, 3900, and 3901, and most of tax lots 1700, 2700, and 3700.
6. M. Crow & Co. took ownership of the 160 acre Downs homestead in March 1937 from a bank according to documents in the Wallowa County Clerk's office. It is not known whether there were other owners between the Downs and the bank. The westernmost approximately 115 acres became HLOA properties; this includes (all or most of) 29 lots on the northern half and western half of the HLOA, including the commonly-owned open area along the west side.
7. Crow family members used the land for logging, grazing, and recreation. In the early 1940's Dick Isaacson obtained permission from the Crows to build a cabin on what is now tax lot 2500 at the southwest corner of Lostine River Road and Tamarack. Dick and Ivy (Schaeffer) Isaacson and children lived in the cabin for several years in the 1940's. The cabin was still present in 1957, but disappeared sometime soon after that.
8. Melvin and Louisa Crow and Warner and Ethel Crow sold the former Downs and Hulse homesteads to a Reno, Nevada land developer (High Lostine Limited Partnership of Nevada) under a real estate contract dated November 15, 1978. The Crows maintained an interest under the sale agreement. In addition, the Crows retained 10 acres in the southeastern corner of what is now the HLOA.
9. A preliminary application by three Reno, NV land developers for the creation of a residential subdivision on the Lostine River six miles south of the town of Lostine was given unanimous approval by the Wallowa Planning Commission on February 2, 1979.
10. A plat map of the High Lostine Subdivision lots, covering approximately 150 acres, was made and dated Aug 22, 1979.
11. A preliminary plat for the High Lostine Estates Subdivision gained unanimous approval of the Wallowa Planning Commission on March 6, 1980. The development will include a community water system, 39 lots, and a green belt access along the river.
12. Covenants, conditions, and restrictions for the High Lostine Estates were filed by the High Lostine Limited Partnership on January 30, 1981.

13. Conditions, restrictions, reservations, and easements of High Lostine Estates were recorded May 13, 1981.
14. The High Lostine Limited Partnership defaulted on its loan from the Bank of Wallowa, and filed for bankruptcy in 1981 or 1982. After coming out of bankruptcy in the late 1980's, the Crows reassumed ownership of the 280 acres.
15. Donald Hubbard (Arpple, Inc.) purchased the approximately 150 acre former subdivision from the Crows in 1989 and began marketing the lots.
16. The High Lostine Limited Partnership was re-organized as the High Lostine Maintenance Commission. The original articles of incorporation for the High Lostine Maintenance Commission were filed March 2, 1992.
17. Amended Protective Covenants, Easements and Restrictions covering High Lostine Subdivision (# 028208) was recorded February 7, 1995.
18. Declaration of Covenants, Conditions and Restrictions for High Lostine Subdivision (High Lostine Owners' Association) (#028798) was made April 29, 1995 and recorded May 18, 1995. These Covenants, Conditions and Restrictions superseded and replaced all previous versions. Also on April 29, 1995, the common lot (tax lot #3500) and road (Tamarack) were turned over to the HLOA by Donald Hubbard.
19. The High Lostine Maintenance Commission filed Restated Articles of Incorporation on July 7, 1995 in which the name was changed to the High Lostine Owners' Association (HLOA).
20. Donald Hubbard transferred tax lot #1100 (33 acres of commonly-owned open area along the west side) to the HLOA in November 2009.
21. The first residence was built in 1985, with two others built (1992 and 1993) prior to establishment of the HLOA. As of March 2014, 20 of the 38 privately-owned lots have residences.

II. History of the Water System

22. A well was drilled in August 1979. The well was certified on August 28, 1979 but the long-term yield of water was insufficient for a full-time single dwelling.
23. Jones Excavating was hired to install a water reservoir and distribution system in 1980 or 1981. The reservoir was supplied by an intake from the adjacent stream.
24. The High Lostine Water District Improvement Company was incorporated by the High Lostine Limited Partnership on July 27, 1982 to support the domestic water system of the High Lostine Estates. Apparently an application for surface water rights was made but not further carried forward. The water district was eventually dissolved due to non-payment of taxes and fees. The surface water rights were formally ended in 2000 during the process of requesting ground water rights.
25. To serve the subdivision's water needs Donald Hubbard had a well drilled, successfully, in October 1991. It was certified on November 6, 1991.

26. The water system and the control thereof was turned over to the HLOA by Donald Hubbard on April 29, 1995.
27. An effort to obtain ground water rights was initiated with an application submitted to the Oregon Water Resources Department on May 26, 2000. The Department granted the HLOA permission to use ground water in October 2002. The Department later extended the time to fully apply for water rights until October 1, 2036. The HLOA cannot fully apply for ground water rights until all lots are connected to the system or the association makes a decision not to add any other lots.
28. Detailed records of the maintenance and operations of the HLOA water system are kept by the Water Managers and Water Committee.

III. History of designations adjacent to the HLOA properties

29. The Lostine River borders the HLOA properties on the east. The river – from its headwaters to the southeast corner of the HLOA (Wallowa-Whitman National Forest boundary) – was designated a National Wild and Scenic River in 1988.
30. The Wallowa-Whitman National Forest (WWNF) borders the HLOA properties on the south and west. In 1905, the Wallowa Forest Reserve was established by the federal government. It was merged with the Chesnimnus Reserve in 1907 to create the Imnaha National Forest. In 1908 the name was changed to the Wallowa National Forest, and in 1954 it was administratively combined with the Whitman National Forest to create the WWNF.
31. The Eagle Cap Wilderness (ECW) also borders the HLOA properties on the west; at this location the Eagle Cap Wilderness boundary is the same as the WWNF boundary. The Eagle Cap primitive area was established in 1930. The area was designated as a wilderness in 1940. The Wilderness Act in 1964 placed the ECW in the National Wilderness Preservation System. The ECW was enlarged in 1984 and this enlargement extended the ECW to the border of the HLOA.
32. The Lostine Wildlife Area begins several hundred yards to the northeast of the HLOA properties. It was established in the early 1980's and consists of nearly 1,000 acres managed by the Oregon Department of Fish and Wildlife (ODFW) for primarily Rocky Mountain bighorn sheep, but also mule deer and Rocky Mountain elk. The wildlife area roughly corresponds to the site of the accidental 1966 Silver Creek Fire, which burned 1,000 or 1,400 acres (acreage varies depending on source). The fire had the unintended consequence of enhancing the south- and west-facing slopes for winter grazing. Rocky Mountain bighorns had been extirpated from Oregon by 1945. The first successful Rocky Mountain bighorn sheep transplant was in 1971 when 40 animals from Jasper National Park in Alberta, Canada were reintroduced to the Lostine Wildlife Area and to Hells Canyon. The Lostine herd has been the source of transplants to 6 other sites in Wallowa County, one site in Baker County, 3 sites in Idaho, and one site in Washington state.

References by paragraph number

1. Licciardi et al., p. 81; Geology of Oregon, p. 35; USGS Geological map of northeast Oregon; 1990 Lostine Oregon 7.5 minute USGS topo map.
2. http://en.wikipedia.org/wiki/Nez_Perce_people ; http://en.wikipedia.org/wiki/Lostine_River ; <http://www.lagrandeobserver.com/News/Local-News/New-weir-tracks-steelhead-chinook-on-Lostine-River> ; http://en.wikipedia.org/wiki/Wallowa%E2%80%93Whitman_National_Forest ; https://nrimp.dfw.state.or.us/web%20stores/data%20libraries/files/OWEB/OWEB_925_2_Lostine%20Watershed%20Assessment%20pt1of3.pdf All retrieved January 2014.
3. Barklow p. 115, 141, 195, and 365; Bureau of Land Management homestead patents at www.glorerecords.blm.gov ; Janice Crow Bird 2014.
4. Bob Hulse in Barklow p. 197; plat map in Barklow, p. 200; sale date of Downs homestead; 1957 Lostine Oregon 15 minute USGS topo map; National Bridge Inventory database at <http://uglybridges.com/or/wallowa/> retrieved March 2014.
5. Plat map in Barklow, p. 200; Bureau of Land Management homestead patents at www.glorerecords.blm.gov ; High Lostine Subdivision plat map.
6. Betty Crow Sims; Bureau of Land Management homestead patents at www.glorerecords.blm.gov ; High Lostine Subdivision plat map.
7. Betty Crow Sims, Arnold Schaeffer, and Dorothea (Schaeffer) Stevens, 2014.
8. High Lostine Subdivision plat, p. 1; Barklow, p. 196.
9. Wallowa County Chieftain, per Barklow, p. 195.
10. High Lostine Subdivision plat, p. 2.
11. Wallowa County Chieftain, per Barklow, p. 196.
12. HLOA History document.
13. History of Encumbrances of the High Lostine Subdivision document.
14. Terry Jones, 2014; Betty Crow Sims, 2014.
15. Terry Jones, Ron Polk, and Betty Crow Sims, 2014.
16. HLOA History document; History of Encumbrances of the High Lostine Subdivision document.
17. History of Encumbrances of the High Lostine Subdivision document.
18. History of Encumbrances of the High Lostine Subdivision document.
19. HLOA History document.
20. HLOA Board meeting minutes.
21. Wallowa County Assessor's database.
22. Volume 1 of the HLOA Water System records.
23. Terry Jones, 2014.
24. HLOA Well and Water System History document.
25. HLOA Well and Water System History document; Volume 1 of the HLOA Water System records.
26. History of Encumbrances of the High Lostine Subdivision document.
27. HLOA Well and Water System History document.

28. HLOA Well and Water System History document; HLOA Water System Operations and Maintenance Manual.
29. <http://www.rivers.gov/rivers/lostine.php> retrieved January 2014.
30. http://en.wikipedia.org/wiki/Wallowa%E2%80%93Whitman_National_Forest retrieved January 2014.
31. http://en.wikipedia.org/wiki/Eagle_Cap_Wilderness retrieved January 2014; WWNF Eagle Cap Wilderness maps published 1980 and 1991.
32. <http://www.lagrandeobserver.com/Features/Outdoor/Recreation/Lostine-wildlife-area-where-bighorn-roa> retrieved January 2014; Oregon's bighorn sheep and Rocky Mountain goat management plan, p. 2, 5, and 6.

Citations for references:

- HLOA History document by Bobbie Bull, HLOA corporate records
- History of Encumbrances of the High Lostine Subdivision document by Bobbie Bull, HLOA corporate records
- HLOA Well and Water System History document by Bobbie Bull, HLOA corporate records
- HLOA Water System Operations and Maintenance Manual by Dick Bull and Bobbie Bull
- HLOA Water System records, HLOA corporate records.
- HLOA Historical Roster of the Officers and Permanent Committees by Bobbie Bull, HLOA corporate records
- Lostine, Heart of the Wallowas by Irene Locke Barklow, 2012, ISBN 978-0-9618185-8-6.
- Oregon Department of Fish and Wildlife. 2003. Oregon's bighorn sheep and Rocky Mountain goat management plan.
- Licciardi JM et al., Variable responses of western U.S. glaciers during the last deglaciation. *Geology*; January 2004; v. 32; no. 1; p. 81–84; DOI 10.1130/G19868.1
- Orr, Elizabeth et al., *Geology of Oregon*, 4th edition, 1992, ISBN 0-8403-8058-5.

There are many excellent resources on the history of Wallowa County, including:

- Bookloft bookstore in Enterprise
- Wallowa County Museum in Joseph
- Joseph Center for Arts and Culture in Joseph