

2350

STATUS OF APPLICATION

Change in Point of Diversion  
Date filed March 25, 1970  
Date of hearing August 27, 1970  
Place of hearing Enterprise, Oregon  
Date of order 9-30-70 Vol. 20, page 129  
Date for application of water 10-1-71  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued FEB 26 1974 Vol. 31, page 39858

DESCRIPTION OF WATER RIGHT

Name of stream Hurricane Creek  
Trib. of — County of Wallowa  
Use Irrigation - Domestic - Stock  
Quantity of water see order No. of acres 59.0  
Name of ditch Pine Tree Ditch  
Date of priority 1888, (1883), 1882, 1888  
In name of S. H. Banner, W. S. Hays, Rosetta F. Shaw  
Wallowa River Adjudication, Vol. 5, page 148  
App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 2955  
Certificate cancelled \_\_\_\_\_  
Notation made on record by slu

FEES PAID

Date	Amount	Receipt No.
3/25/70	25.00	18131
3/25/70	30.00 P.O.N.	18132
5-14-70	20.00 P.O.N.	20 Jan # 2381
TOTAL		
8/10/70	1 Cert. Fee	20372
9/19/73	.50	36693
9/19/73	.50	36694
9/19/73	FEES REFUNDED	36695
9/19/73	.50	36696
Date	Amount	Check No.

REMARKS

see transfers 2380, 2381 & 2399

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

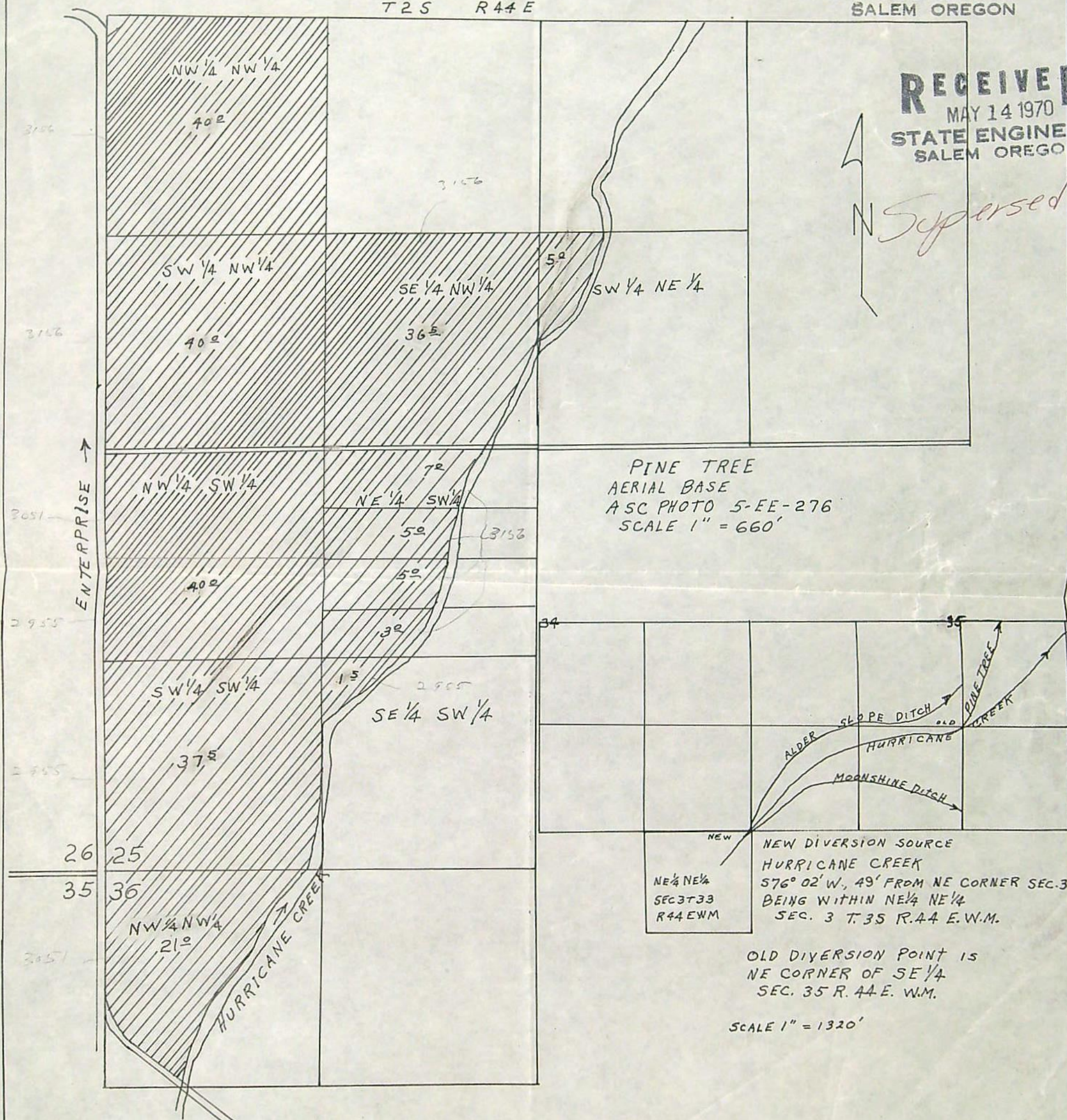


STATE ENGINEER  
SALEM OREGON

T 2 S      R 4 4 E

STATE ENGINEER  
SALEM OREGON

N Superseded





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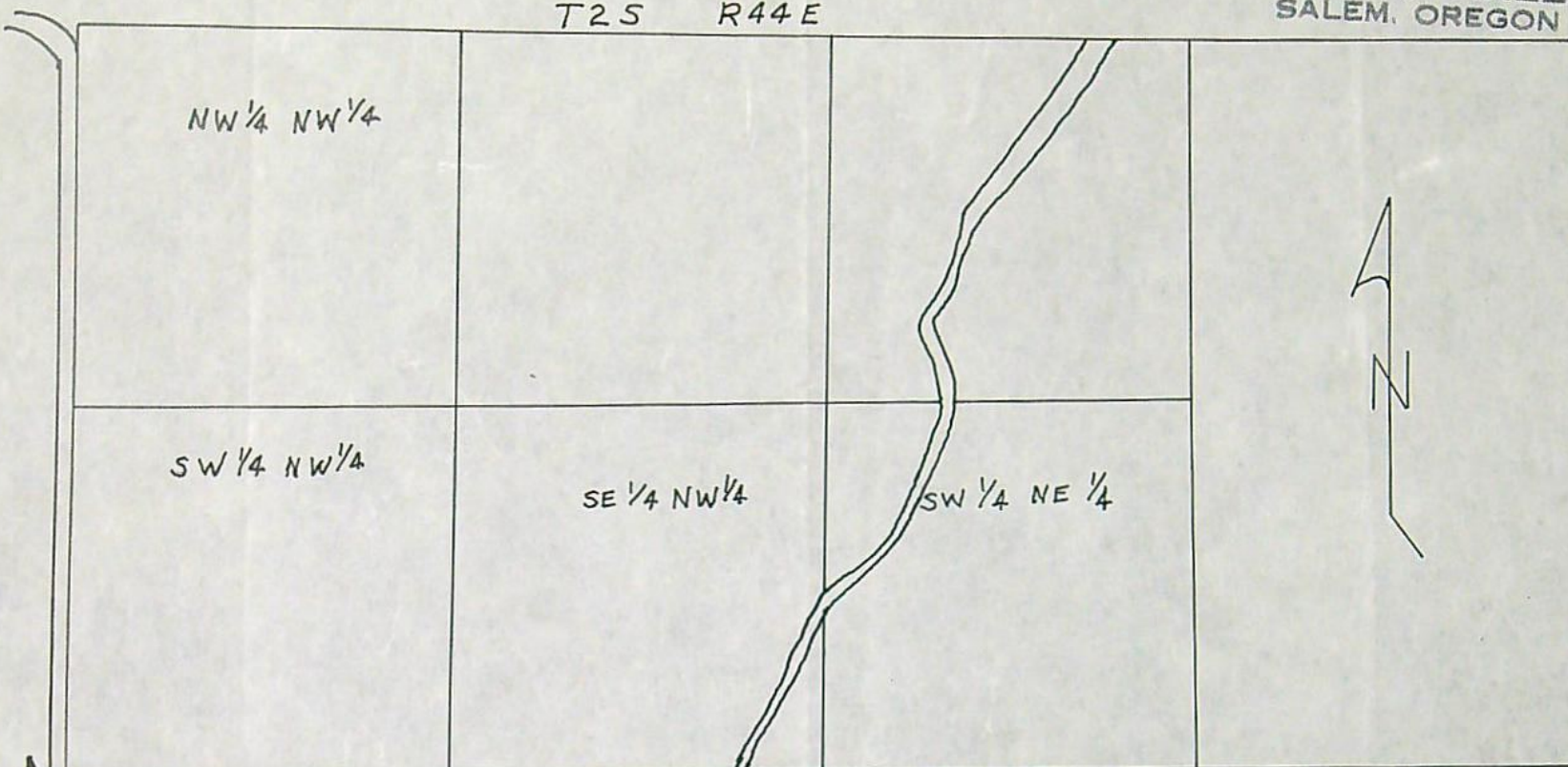
STATE ENGINEER  
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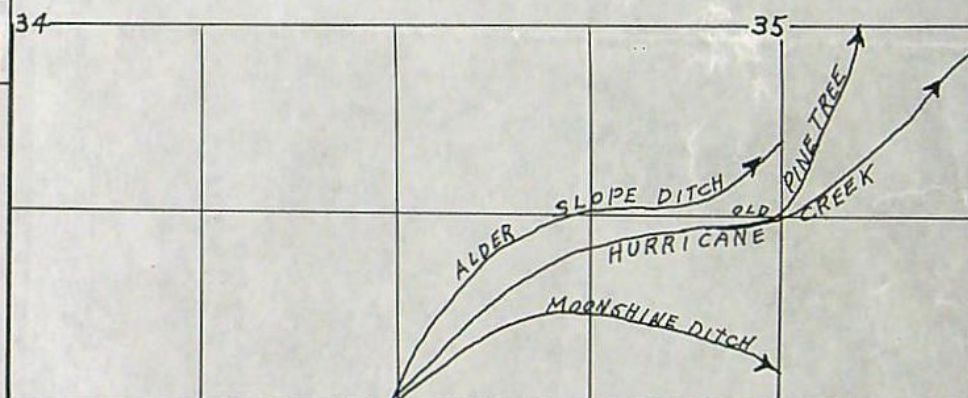
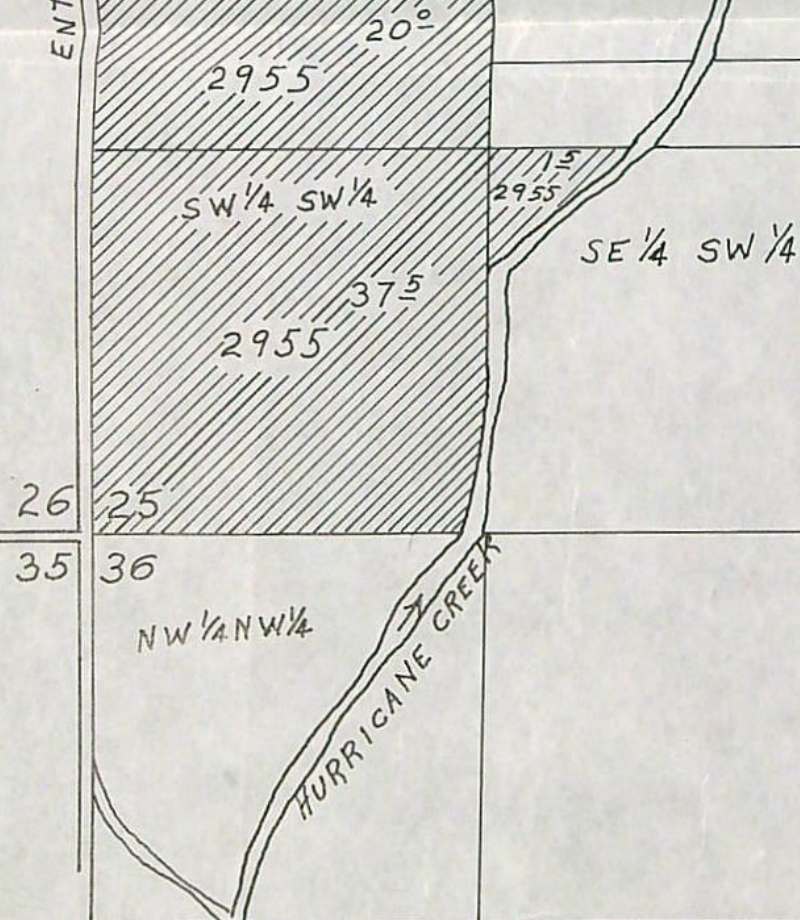
STATE ENGINEER  
SALEM, OREGON

T2S R44E



PINE TREE  
AERIAL BASE  
ASC PHOTO 5-EE-276  
SCALE 1" = 660'

ENTERPRISE ↑



NE 1/4 NE 1/4  
SEC 3 T33  
R44 E.W.M.

NEW DIVERSION SOURCE  
HURRICANE CREEK  
S76° 02' W, 49' FROM NE CORNER SEC. 3  
BEING WITHIN NE 1/4 NE 1/4  
SEC. 3 T. 35. R. 44 E.W.M.

OLD DIVERSION POINT IS  
NE CORNER OF SE 1/4  
SEC. 35 R. 44 E.W.M.

SCALE 1" = 1320'



COUNTY OF      WALLOWA

This Is to Certify, That PINE TREE PIPELINE ASSOCIATION

V OF



BEFORE THE STATE ENGINEER OF OREGON

Wallowa County

IN THE MATTER OF THE APPLICATION )  
OF PINE TREE PIPELINE ASSOCIATION )  
FOR THE APPROVAL OF A CHANGE IN )  
POINT OF DIVERSION OF WATER FROM )  
HURRICANE CREEK )  
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ORDER APPROVING  
TRANSFER NO. 2350

On March 25, 1970, Pine Tree Pipeline Association filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Hurricane Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Wallowa County, Oregon, entered January 20, 1919, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Wallowa River and its Tributaries, a water right was established in the name of S. H. Bonner for the use of the waters of Hurricane Creek for domestic and stock use and the irrigation of 20.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 37.5 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  and 1.5 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 25, Township 2 South, Range 44 East, W.M., with a date of priority of 1883. This right is evidenced by certificate recorded at page 2955, Volume 4, State Record of Water Right Certificates. Water is conveyed to these lands by means of the Pine Tree Ditch from a point of diversion located in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 35, Township 2 South, Range 44 East, W.M.

The applicant herein, owner of the lands above described, proposes to convey water to these lands by means of the Hurricane Ditch from a point of diversion to be located S 76° 02' W 49 feet from the NE corner of Section 3 being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 3, Township 3 South, Range 44 East, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections



to the proposed change in point of diversion of water, if any there were, namely: at the county courthouse in Enterprise, Oregon, on August 27, 1970, at 9:30 a.m. The notice was published in the Wallowa County Chieftain, a newspaper printed and having general circulation in Wallowa County, Oregon, for a period of three weeks in the issues of July 2, 9, and 16, 1970. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Walter L. Astwood, Watermaster of District No. 7, has filed a report to the effect that the proposed change in point of diversion of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of diversion of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from Hurricane Creek, to-wit:

From a point located in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 35,  
Township 2 South, Range 44 East, W.M.

To a point to be located S 76° 02' W 49 feet  
from the NE corner of Section 3 being within  
the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 3, Township 3 South,  
Range 44 East, W.M.

for domestic and stock use and the irrigation of 20.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 37.5 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  and 1.5 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 25, Township 2 South, Range 44 East, W.M., with a date of priority of 1883, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1971.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion and shall not exceed 1 $\frac{1}{2}$  acre feet per acre during any period of 30 days prior to July 31st of each



year, and thereafter not to exceed 1.0 acre foot per acre during the entire remainder of the irrigation season.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

That the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled.

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that certificate of water right heretofore issued to S. H. Bonner and recorded at page 2955, Volume 4, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Pine Tree Pipeline Association confirming the change in point of diversion.

Dated at Salem, Oregon, this 30<sup>th</sup> day of September, 1970.

/s/ CHRIS L. WHEELER  
State Engineer



THIS AGREEMENT, made and entered into this \_\_\_\_ day of May, 1967, by and between Hurricane Creek Ditch Company, Alder Slope Ditch Company and Pine Tree Pipe Line Association, WITNESSETH:

THAT WHEREAS Pine Tree Pipe Line Association is a corporation, organized under the laws of the State of Oregon to build and construct a buried pipe line for the distribution of irrigation water, and will require a diversion box for the purpose of diverting water from the Alder Slope Ditch Company canal into its pipeline, and

WHEREAS the parties hereto have certain water rights providing for the taking of water from Hurricane Creek at a point where the present diversion works are constructed and located, and it is necessary that said Pine Tree Pipe Line Association change its point of diversion from the present diversion works in Hurricane Creek to a point on and along the Alder Slope Ditch Company canal, and the premises being such, NOW THEREFORE,

IT IS AGREED AS FOLLOWS:

Alder Slope Ditch Company hereby gives and grants unto Pine Tree Pipe Line Association the right to build, construct and maintain a diversion and control box in and along the canal of said Alder Slope Ditch Company, at the following described point:

1321.0 feet South and 2711.4 feet West of the Northeast corner of Section 35, Township 2 South, Range 44 East, of the Willamette Meridian, Wallowa County, Oregon.

Said diversion and control box shall be constructed by said Pine Tree Pipe Line Association in a manner and at a time when the same will not interfere with the flow of irrigation waters to the users from said Alder Slope Ditch Company canal. Said box shall be of a design approved by the United States Government, acting by and through the Soil Conservation Service agency, and shall at all times be maintained by said Pine Tree Pipe Line Association in a good con-



dition, and so that the same will not interfere with the normal flow of irrigation water in said canal.

Alder Slope Ditch Company and Hurricane Creek Ditch Company hereby give and grant unto Pine Tree Pipe Line Association, its successors and assigns, the right to divert water from the said Hurricane Creek diversion site and to carry its water in the existing canal to the site of the hereinabove described diversion box in the Alder Slope Ditch Company canal. The quantities of water so carried shall be the amounts to which the owners under the Pine Tree Pipe Line Association system are duly entitled under existing or hereafter granted water rights applicable to said lands.

In consideration for the grants hereinabove specified, Pine Tree Pipe Line Association hereby covenants, promises and agrees to cooperate and to pay its equal share, by the performance of labor, furnishing of materials or payment of assessments for the maintenance and upkeep of that portion of the Hurricane Creek Ditch Company and Alder Slope Ditch Company canal, from its diversion box in the canal of the Alder Slope Ditch Company canal to the diversion works in Hurricane Creek, and in the maintenance and upkeep of said diversion works.

Hurricane Creek Ditch Company and Alder Slope Ditch Company hereby give and grant unto Pine Tree Pipe Line Association, its successors and assigns, a right of way and easement and free ingress and egress over and across existing rights of way and access roads for the purpose of maintenance and upkeep and construction of said diversion box in the canal of said Alder Slope Ditch Company.

This agreement shall be binding upon the successors and assigns of the parties hereto.

Done and dated this \_\_\_\_ day of May, 1967.



HURRICANE CREEK DITCH COMPANY

BY John Brooks  
President

BY Victor M. Brown  
Secretary

ALDER SLOPE DITCH COMPANY

BY John M. Seales  
President

BY Paul C. Cramb  
Secretary

PINE TREE PIPE LINE ASSOCIATION

BY Fred Talbot  
President

BY Carl Hulman  
Secretary



Fred Talbott (Pres.)  
Joseph, Oregon

REPORT ON INSPECTION UNDER  
TRANSFER OF WATER RIGHT FOR  
CHANGE IN POINT OF DIVERSION OF WATER

~~Fred Himelwright, Secretary.~~

Transfer No. 2350

County      Wallowa

1. Name Pine Tree Pipeline Assoc. Address Enterprise, Oregon
2. Source of Supply Hurricane Creek, Trib. of ---
3. Amount of Water see order Priority Date 1883
4. Use irrigation - domestic - stock
5. Proposed Point of Diversion S 76° 02' W 49 ft. from the NE corner of Sec. 3  
being within the NE¼ NE¼ of Sec. 3, T. 3 S., R.  
44 E., W.M.
6. Place of Use ---

[illegible]

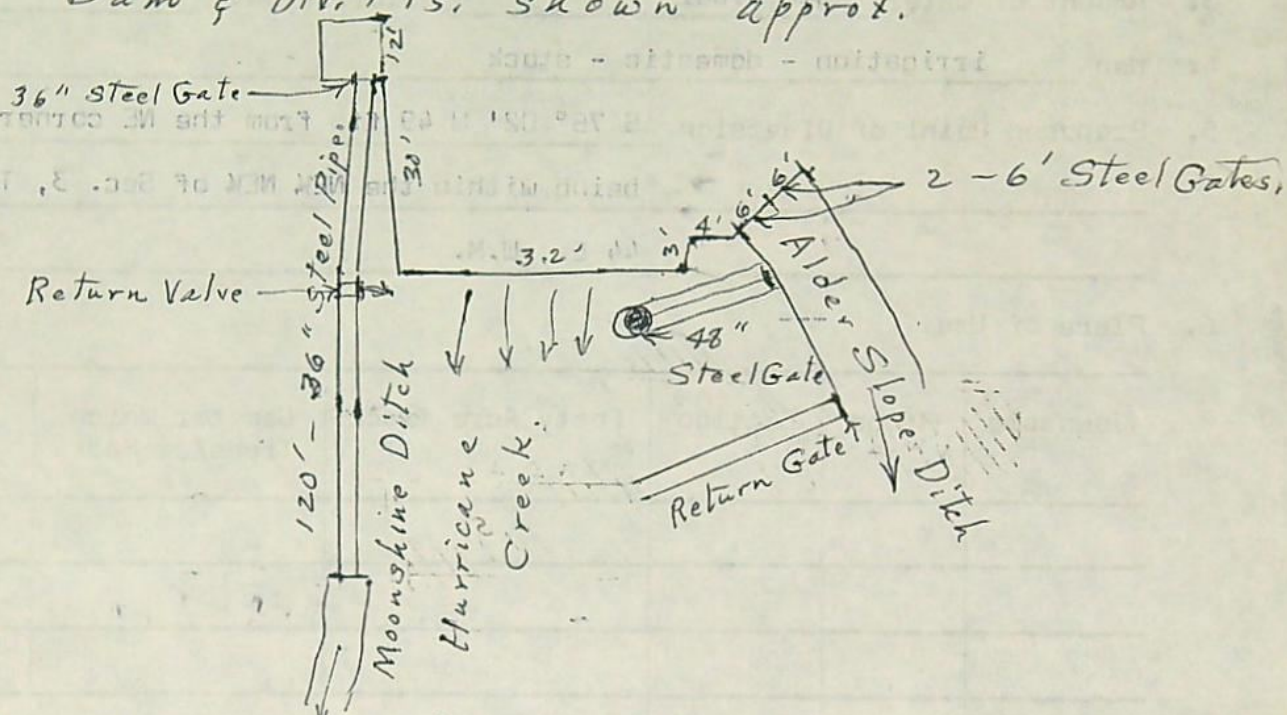


Info: Mr. James Heilman (Owner of W.  $\frac{1}{2}$ , N. W.  $\frac{1}{4}$  Sec. 25)

Div. Pt.: Has concrete dam square across Hurricane Creek with board foot bridge above. Dam is approx. 30' wide. With 30' wing wall on Right side & concrete gate opening on Right side

Dam raises water level approx. 8' but is filled in with gravel making water depth approx. 1'.

Dam & Div. Pts. shown approx.



Tie: Div. Pt. tied to N.E. Cor. Sec. 3 (1 B.T.)

Pipe: Main pipe line leaves Alder Slope Ditch at a point in the S.E.  $\frac{1}{4}$  N.W.  $\frac{1}{4}$  Sec. 35, T2S, 44E.W.M.

14" Steel ~~1740'~~<sup>1740'</sup>, 12" ~~2815'~~<sup>2880'</sup>, 10" 2840', 8", 1480'  
6" 1380', 4" 1240', all Steel underground Main.

Each 40 Acre tract has 1320' 4" Alum & 32 R.B.  
\* 30W  $\frac{5}{32}$ . Pressure at S. end property - 90 p.s.i.  
" " N. " " -120 p.s.i.

June 27, 1972, L. E. Gould  
Field Engineer

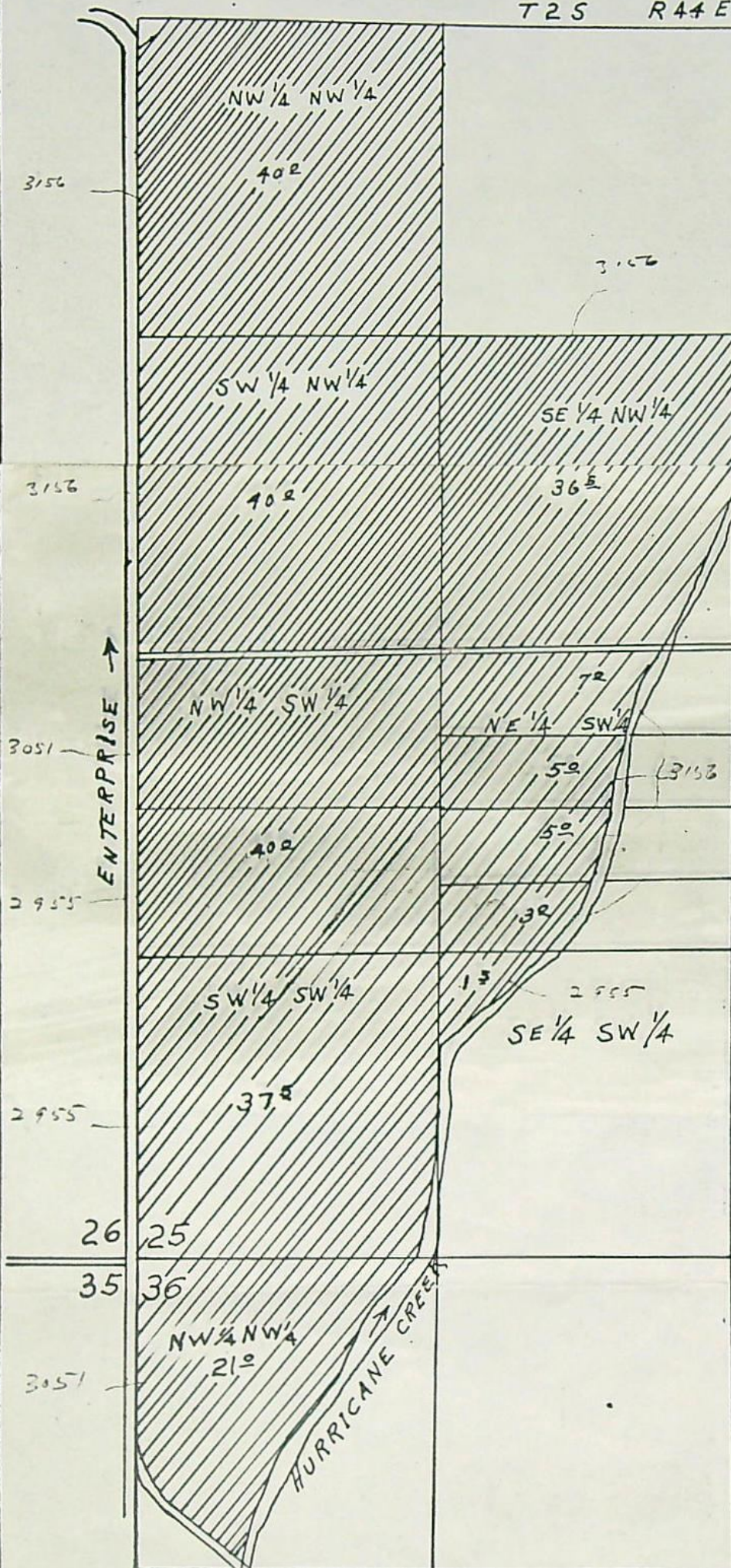


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MAR 25 1970  
STATE ENGINEER  
SALEM OREGON

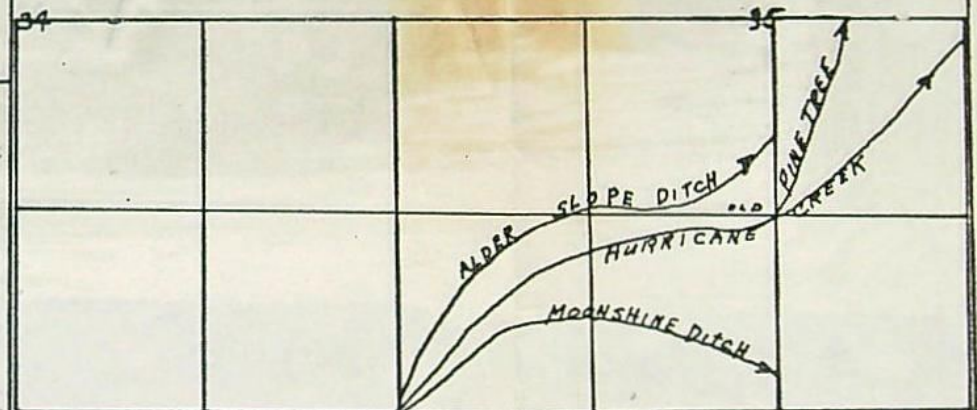
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MAY 14 1970  
STATE ENGINEER  
SALEM OREGON

N Superseded

T2S R44E



PINE TREE  
AERIAL BASE  
ASC PHOTO 5-EE-276  
SCALE 1" = 660'



NE 1/4 NE 1/4  
SEC 3 T 33  
R 44 E W M

NEW DIVERSION SOURCE  
HURRICANE CREEK  
S76° 02' W, 49' FROM NE CORNER SEC. 3  
BEING WITHIN NE 1/4 NE 1/4  
SEC. 3 T. 35 R. 44 E. W.M.

OLD DIVERSION POINT IS  
NE CORNER OF SE 1/4  
SEC. 35 R. 44 E. W.M.

SCALE 1" = 1320'



**RECEIVED**  
OCT 6 1970  
**STATE ENGINEER**  
SALEM OREGON

Transfer No. 2350

NOTICE OF COMPLETION OF CONSTRUCTION

I, Carol Heitman Sec. II., hereby certify  
that the construction work has been completed and the change in  
point of diversion of water made as set forth in the order of  
the State Engineer dated September 30, 1970, approving an appli-  
cation for a change in point of diversion of water from \_\_\_\_\_  
Hurricane Creek.

10/11/70  
Date

Carol Heitman  
Name



## Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, The Pine Tree Pipe Line Association

(Name of applicant)

of Enterprise, County of Wallowa

(Postoffice)

State of Oregon, do hereby make application for change

In point of diversion

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

1. The source of present water right is Hurricane Creek

(Name of stream)

2. The use to which the water is applied is Irrigation, domestic, and stock

(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is Pine Tree Ditch

Near the NE corner of the SE 1/4

4. The point of diversion is located ft. and ft. from the

(N. or S.)

(E. or W.)

corner of Sec. 35, T. 2S, R. 11E being within the NE 1/4, SE 1/4

(Section or subdivision)

of Section 35 Tp. 2S R. 11E W. M., in the County of Wallowa

(No. N. or S.)

(No. E. or W.)

5. Give the number of acres irrigated in each smallest legal subdivision (40-acre tract). Only show the acreage which is being transferred. If the water is used for power, mining or other use, show place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
2S	11E	25									20	37.5	1.5					

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands?

(If not owner, explain your interest)

Pine Tree Pipe Line Association

6a. Have the lands above described been irrigated during the past 5 years? yes

7. What is the priority date of your water right? 1883

8. Was your water right acquired by State Engineer's Permit? No If so, give number

(Yes or No)

of permit



11.4  
9. Do you hold a water right certificate? Yes If so, give number of certificate 2955  
(Yes or No)

10. Was your water right determined by State Engineer's order of Determination or Decree of Court?

Wallawa It. Adj. 1-20-19  
If so, give title of proceedings  
(Yes or No)

11. Is the water right recorded in your name? Pine Tree Ditch S. H. Bonner  
(If not, give name)

12. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 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 $\frac{1}{4}$

(Attach separate sheet if necessary)

NOTE: Do not answer questions 13, 14, 15 and 16, if the application is not for change in point of diversion.

Bears S. 76° 02' W. 49 feet  
13. The proposed point of diversion is located \_\_\_\_\_ ft. \_\_\_\_\_ and \_\_\_\_\_ ft. \_\_\_\_\_ from the NE  
(N. or S.) (E. or W.)  
corner of Sec. 3 being within the NE 1/4 NE 1/4 Section 3 Tp. 3S R. 11W W. M.,  
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)  
in the county of Wallawa. The name of the ditch to be used is Hurricane Creek Ditch & Alder Slope Ditch

14. Are you the owner of the land on which the proposed point of diversion is to be located? No

15. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

See Agreement

16. Are there any diversions between your present point of diversion and the proposed point of diversion? Yes

NOTE: Do not answer questions 17 and 18 if application is for change in point of diversion only.

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

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

19. Reasons for the proposed changes are To keep as much water in one ditch as possible to prevent loss, also to gain elevation for a gravity feed sprinkler system.



AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Wallowa

} ss.

I, Fred Talbott, President of Pine Tree Pipe Line Assn., 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 12<sup>th</sup> day of May, 1970

Fred Talbott  
(Name of applicant)

Subscribed and sworn to before me this 12<sup>th</sup> day of May, 1970

[Notarial Seal]

Alfred Meyer  
NOTARY PUBLIC FOR OREGON

My commission expires Jan 17, 1971

Remarks .....

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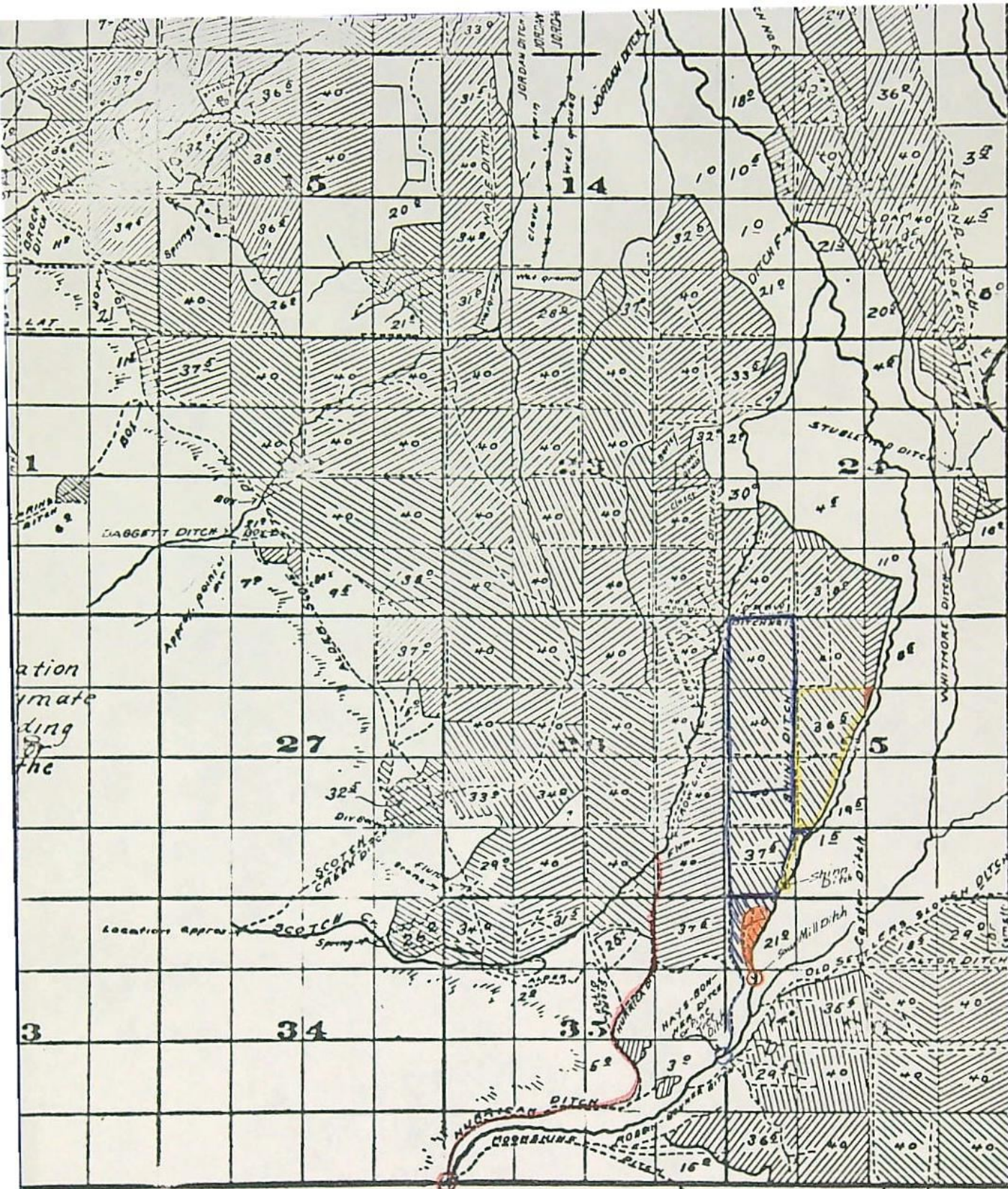
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This application must be accompanied by a map showing the location of the point of diversion, place of use and works utilized under the present water right. The map should also show the new point of diversion or place of use, as the case may be.





FROM OFFICE OF THE STATE ENGINEER, SALEM, OREGON

Survey Sept. 1914.

**RECEIVED**  
MAY 14 1970  
STATE ENGINEER  
SALEM OREGON.

Adjudication Survey  
Wallowa River  
and  
Tributaries.

**RECEIVED**  
JUN 9 1970  
STATE ENGINEER  
SALEM OREGON



## WATER RIGHTS INFORMATION FOR:

Date \_\_\_\_\_

sec 36

RIGHT	PRIORITY	Twp.	Rnge	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Name SOURCE	DITCH	
					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 $\frac{1}{4}$			
T-2350 C-2955	1883	25	44E	25										20	37 $\frac{1}{2}$	1 $\frac{1}{2}$					S.H. Bonner	<u>Pine Tree D.</u>	
T-2380 C-3051	1883								17					20								W.S. Hayes	<u>" " D.</u>
"	1878								4													"	<u>Saw Mill D.</u>
C-3155	1898						5						5									P.A. Shinn	<u>Hurricane Cr. D.</u>
C-3156	1883								40	40												Rosette Shinn	<u>Pine Tree D.</u>
"	1892											36 $\frac{1}{2}$	20									"	<u>Shinn D.</u>
							5			40	40	36 $\frac{1}{2}$	20	40	37 $\frac{1}{2}$	1 $\frac{1}{2}$							
									21														

REMARKS:



## Affidavit of Publication

STATE OF OREGON }  
County of Willowa } ss

I, Thelma Morgan, being  
first duly sworn, depose and say that I am the  
Office Manager

(printer, foreman of the printer, principal  
clerk, publisher or business manager)  
of the WALLOWA COUNTY CHIEFTAIN, a  
newspaper of general circulation printed and  
published at Enterprise in the aforesaid County  
and State, as defined in Section 58, Oregon  
Laws, and that the

### NOTICE OF FILING APPLICATIONS FOR CHANGES IN POINTS OF DIVERSION OF WATER

a printed copy of which is hereto annexed, was  
published in the entire issue of said newspaper  
for 3 weeks in the issues of

July 2, 1970  
July 9, 1970  
July 16, 1970

Thelma Morgan

Subscribed and sworn to before me this 17th  
day of July, 1970

Maryann Martin  
County Clerk Notary Public for Oregon

(My commission expires \_\_\_\_\_ )

### Notice of Filing Application For Changes In Points Of Diversion Of Water

Notice is given hereby that  
the Pine Tree Pipeline Asso-  
ciation has filed applications  
for approval of changes in  
points of diversion of water  
from Hurricane Creek.

In the Willowa River Adjudi-  
cation proceedings, a water  
right was established in the  
name of S. H. Bonner for the  
use of the waters of Hurricane  
Creek for domestic and stock  
and the irrigation of 20.0 acres  
in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 37.5 acres in  
SW $\frac{1}{4}$  SW $\frac{1}{4}$ , and 1.5 acres in  
SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 25, T. 2 S., R.  
44 E., W.M. by means of the  
Pine Tree Ditch from a point  
of diversion located in the  
NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 35, T. 2 S., R.  
44 E., W.M., with a date of pri-  
ority of 1883.

In these same proceedings, a

water right was established in  
the name of W. S. Hayes for  
the use of the waters of Hurri-  
cane Creek for domestic and  
stock and the irrigation of 20.0  
acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 25  
and 17.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ ,  
Sec. 36, T. 2 S., R. 44 E., W.M.,  
by means of the Pine Tree  
Ditch from a point of diversion  
located in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec.  
35, T. 2 S., R. 44 E., W.M., with  
a date of priority of 1883 and  
4.0 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ ,  
Sec. 36, T. 2 S., R. 44 E., W.M.  
by means of the Saw Mill  
Ditch from a point of diversion  
located in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of  
Sec. 36, T. 2 S., R. 44 E., W.M.,  
with a date of priority of 1878.

In these same proceedings, a  
water right was established in  
the name of R. A. Shinn for the  
use of the waters of Hurricane  
Creek for domestic and stock  
and the irrigation of, among  
other lands, 5.0 acres in SW $\frac{1}{4}$   
NE $\frac{1}{4}$ , Sec. 25, T. 2 S., R. 44  
E., W.M. by means of the Pine  
Tree Ditch from a point of di-  
version located in the NE $\frac{1}{4}$   
SE $\frac{1}{4}$ , Sec. 35, T. 2 S., R. 44  
E., W.M., with a date of pri-  
ority of 1898.

In the same proceedings, a  
water right was established in  
the name of Rosetta Shinn for  
the use of the waters of Hurri-  
cane Creek for domestic and  
stock and the irrigation of 80.0  
acres in the W $\frac{1}{2}$  NW $\frac{1}{4}$ , Sec.  
25, T. 2 S., R. 44 E., W.M., by  
means of the Pine Tree Ditch  
from a point of diversion locat-  
ed in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 35,  
T. 2 S., R. 44 E., W.M., with  
a date of priority of 1883 and  
36.5 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  and  
20.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec.  
25, T. 2 S., R. 44 E., W.M. by  
means of the Shinn Ditch from  
a point of diversion located in  
the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 35, T. 2  
S., R. 44 E., W.M., with a date  
of priority of 1892.

The applicant herein, owner  
of the lands above described,  
proposes to irrigate these lands  
by means of the Hurricane  
Ditch from a point of diversion  
to be located S 76° 02' W 49 ft.  
from the NE corner of Sec. 3  
being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of  
Sec. 3, T. 3 S., R. 44 E., W.M.

All persons interested are no-  
tified hereby that a hearing  
will be held at the county  
court-house at Enterprise, Ore-  
gon, on August 27, 1970, at 9:30  
a.m. All objections to the pro-  
posed change, if any there are,  
will be heard at said time and  
place. Any and all objections  
shall be prepared in writing,  
one copy to be served on Pine  
Tree Pipeline Association, En-  
terprise, Oregon, and one copy  
filed with the State Engineer,  
Salem, Oregon, together with a  
\$5 filing fee at least 10 days  
prior to the date set for hear-  
ing. If no objections are filed,  
the application may be ap-  
proved by the State Engineer  
without a hearing.

Dated at Salem, Oregon, this  
23rd day of June, 1970.

CHRIS L. WHEELER  
State Engineer