

2944 BURL WATTENBURGER, JR.  
STAR ROUTE ECHO 77826

2944

STATUS OF APPLICATION

Change in POINT OF DIVERSION, POV  
Date filed 12-4-73  
Date of hearing 5-13-75 ~~12-12-78~~ <sup>Feb 14, 1979</sup>  
Place of hearing Heppner, Oregon  
Date of order 9-17-79 Vol. 32, page 384  
Date for application of water 10-1-80  
Proof mailed MAY 12 1989 JAN 12 1990  
Proof received \_\_\_\_\_  
Certificate issued MAR 21 1989 Vol. \_\_\_\_\_, page 61997  
MAR 12 1990 64173 <sup>CONNECTION</sup> <sub>CERTIFICATE</sub>

DESCRIPTION OF WATER RIGHT

Name of stream BUTTER CREEK  
Trib. of \_\_\_\_\_ County of MORROW  
Use IRRIGATION, DOMESTIC & STOCK  
Quantity of water \_\_\_\_\_ No. of acres 1275  
Name of ditch \_\_\_\_\_  
Date of priority 1872, 1890, 1896  
In name of W. J. Wattenburger  
Butter Creek Adjudication, Vol. 1, page 273  
App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 2705  
Certificate cancelled 64173  
Notation made on record by OK Cert

FEES PAID

Date	Amount	Receipt No.
<u>12-4-73</u>	<u>30.00</u>	<u>37642</u>
<u>2-28-74</u>	<u>40.00 P.O.N.</u>	<u>39273</u>
<u>7-19-79</u>	<u>75.56</u>	<u>12913</u>
<u>TOTAL 8/4/79</u>	<u>2.00</u>	<u>FROM 55529</u>
<u>8-13-76</u>	<u>4 Cert. Fee</u>	<u>55529</u>
<u>8/4/79</u>	<u>40.00</u>	<u>Trans to Recd</u>
<u>Heppner Gazette Times</u>	<u>843.06 pd 8/10/79</u>	<u>ck# 6287</u>
<u>Gazette Times</u>	<u>843.06 pd 8/10/79</u>	<u>ck# 3512</u>

**FEES REFUNDED**

Date	Amount	Check No.
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66.50 exam 15.00  
POH 43.06 POB 18.00 (will only need 2.00 cert fee)  
109.56 POV 34.00 (Transfer 2.00 to recording)  
have 34.00 cert fee 2.00  
need 75.56 66.50

REMARKS

Remaining right cert under name from 3333  
Transfer 3333 involves part of same right  
See File No T-3333 for priority-location agreement  
— finis —

INDEX CARDS: Entered Checked

TO BE ENTERED WHERE CHECKED	Entered	Checked
Name	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Stream	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Pt. of Div.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Calendar	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
CHECKED TO RECORDS		
Twp. & Rge.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Decree-vault	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Decree-safe	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Cert. of W/R	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Per. Folder	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Chaindex	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Cross Ref.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Abstract	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

INDEX CARDS: Entered Checked

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







STATE OF OREGON  
COUNTIES OF MORROW AND UMATILLA  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Superseded by  
Cert. No. 64173

EDWARD BURL WATTENBERGER, JR  
STAR ROUTE  
ECHO, OREGON 97826

confirms the right to use the waters of BUTTER CREEK, a tributary of UMATILLA RIVER, for the purpose of IRRIGATING 127.5 ACRES.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 3, at page 250. The date of priority is 1872 FOR TRACT 1, 1890 FOR TRACT 2, AND 1896 FOR TRACT 3.

The right is limited to not more than 2.53 CUBIC FEET PER SECOND, IF AVAILABLE AT THE ORIGINAL POINTS OF DIVERSION, IDENTIFIED AS POINTS A AND B HEREIN, BEING; 0.10 CFS TRACT 1, 1.12 CFS TRACT 2, AND 1.31 CFS TRACT 3.

The points of diversion are located as follows:

A - SE 1/4 NE 1/4, SECTION 15, B - SW 1/4 NE 1/4, SECTION 10, C - NW 1/4 NE 1/4, SECTION 3, D - SW 1/4 NE 1/4, SECTION 3, T 1 N, R 27 E, W.M.; A - 1650 FEET SOUTH & 1250 FEET WEST FROM NE CORNER OF SECTION 15, B - 10 FEET NORTH & 2000 FEET WEST FROM E 1/4 CORNER OF SECTION 10, C - 370 FEET SOUTH & 300 FEET EAST, D - 1600 FEET SOUTH & 630 FEET EAST, BOTH FROM N 1/4 CORNER SECTION 3.

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 a diversion of not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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



SEE NEXT PAGE



	TRACT 1	TRACT 2	TRACT 3
NW 1/4 SE 1/4		0.2 ACRE	
SW 1/4 SE 1/4	2.8 ACRES	25.6 ACRES	
SE 1/4 SE 1/4		0.8 ACRE	
SECTION 34			
T 2 N, R 27 E, WM			
NE 1/4 NE 1/4		1.3 ACRES	
NW 1/4 NE 1/4	2.2 ACRES	26.8 ACRES	
SW 1/4 NE 1/4		1.9 ACRES	24.5 ACRES
SE 1/4 NE 1/4			1.7 ACRES
NE 1/4 SE 1/4			8.9 ACRES
NW 1/4 SE 1/4			30.7 ACRES
NE 1/4 SE 1/4			0.1 ACRE
SECTION 3	5.0	56.6	65.9
T 1 N, R 27 E, WM			

This certificate is issued to confirm ADDITIONAL POINTS OF DIVERSION AND A CHANGE IN PLACE OF USE approved by an order of the Water Resources Director entered SEPTEMBER 17, 1979, and together with certificate 61998, supersedes certificate 2705, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed this date JULY 21, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 61997

T-2944.BE



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MORROW COUNTY

IN THE MATTER OF THE APPLICATION OF )  
EDWARD BURL WATTENBURGER, JR., FOR )  
APPROVAL OF CHANGES IN PLACE OF USE )  
AND POINT OF DIVERSION OF WATER )  
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ORDER APPROVING  
TRANSFER NO. 2944  
AND RECINDING  
PRIOR ORDER

On December 4, 1973, an application was filed in the office of the Water Resources Director by Edward Burl Wattenburger, Jr., for approval of changes in place of use and point of diversion of water from Butter Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 2705, Volume 3, State Record of Water Right Certificates, in the name of W.J. Wattenburger, describes a right which includes the use of not to exceed 0.10 cubic foot per second with a priority date of 1872, 1.12 cubic feet per second with a priority date of 1890, and 1.31 cubic feet per second with a priority date of 1896, all from Butter Creek, for stock and for irrigation of a certain 127.5 acres, being 26.5 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  and 2.0 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 34, Township 2 North, Range 27 East, W.M.; 1.0 acre in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 23.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 23.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 3.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 10.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  and 39.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3, Township 1 North, Range 27 East, W.M.

Water for the said right is diverted at two points: (a) 1650 feet South and 1250 feet West from the Northeast Corner of Section 15, being within the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 15, Township 1 North, Range 27 East, W.M.; and (b) 10 feet North and 2000 feet West from the East Quarter Corner of Section 10, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 10, Township 1 North, Range 27 East, W.M.

The applicant herein, owner of the lands above described, proposes changes in place of use and point of diversion, without loss of priority, to thereafter irrigate a certain 4.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 34, and 1.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 3 with a priority date of 1872; a certain 0.4 acre in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 34, 1.0 acre in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 9.3 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 16.9 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 3.3 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 10.5 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  and 15.2 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 3 with a priority date of 1890; and 29.4 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 34 10.1 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 6.9 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  and 19.5 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 3 with a priority date of 1896, from the points of diversion (a) and (b), described above, and two additional points of diversion: (c) 320 feet South and 2400 feet West from the Northeast Corner of Section 3, being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 3, Township 1



Range 27 East, W.M.; and (d) 1500 feet South and 2180 feet West from the Northeast Corner of Section 3, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 3.

Notice of the application, pursuant to ORS 540.520(2), was published in the Heppner Gazette-Times, a newspaper printed and having general circulation in Morrow County, Oregon, for a period of three weeks in the issues of October 19 and 26, and November 2, 1978.

Mr. William I. Porfily, Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use and point of diversion of water from Butter Creek, as described herein, without loss of priority, are approved.

It is FURTHER ORDERED that the quantity of water diverted at the new points of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water available at the old points of diversion under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment 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 the construction work shall be completed and the change in point of diversion of water made and that said water so transferred shall be applied to beneficial use on or before October 1, 1980.

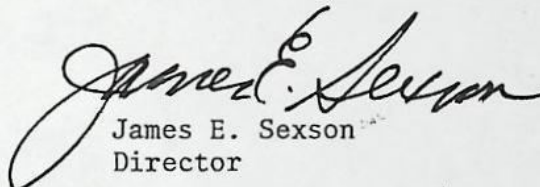
The said certificate heretofore issued to W. J. Wattenburger and recorded at page 2705, Volume 3, State Record of Water Right Certificates, was canceled by an order of the Water Resources Director dated September 17, 1979, approving transfer application No. 3333; therefore,

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources

Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

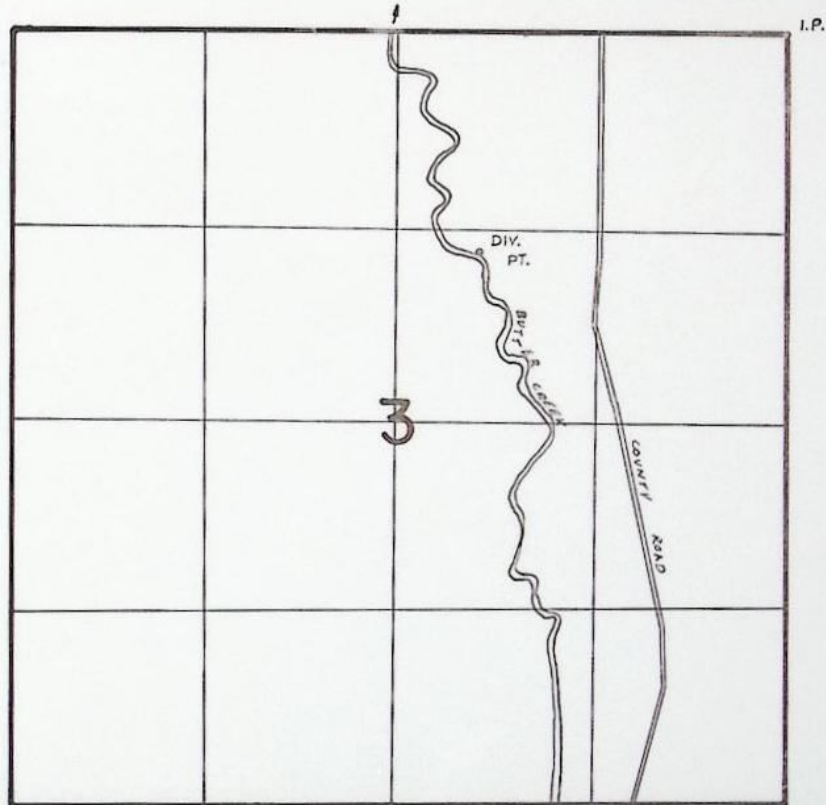
It is FURTHER ORDERED that the prior order of the Water Resources Director dated May 19, 1975, and recorded at pages 322 to 324, Volume 25, Special Order Record, approving transfer application No. 2944 for change in point of diversion only be, and the same hereby is, recinded.

Dated at Salem, Oregon this 17th day of September, 1979.

  
James E. Sexson  
Director



T. 1N. R. 27E. W.M.



DIV. PT. LOC. 1150'N & 570'E FROM CENTER OF SEC 3

**FINAL PROOF SURVEY**  
UNDER

TRANSFER 2944

Application No. \_\_\_\_\_ Permit No. \_\_\_\_\_  
IN NAME OF

\_\_\_\_\_ **BURL WATTENBURGER, JR.** \_\_\_\_\_

Surveyed 2-8 1978, by R. BARWIN



BEFORE THE STATE ENGINEER OF OREGON

Morrow County

IN THE MATTER OF THE APPLICATION )  
OF BURL WATTENBURGER, JR. FOR )  
THE APPROVAL OF AN ADDITIONAL )  
POINT OF DIVERSION OF WATER )  
FROM BUTTER CREEK )  
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ORDER APPROVING  
TRANSFER NO. 2344

On December 4, 1973, Burl Wattenburger, Jr. filed an application in the office of the State Engineer for the approval of an additional point of diversion of water from Butter Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to W. J. Wattenburger and recorded at page 2705, Volume 3, State Record of Water Right Certificates, confirms a right to the use of not to exceed 4.95 cubic feet per second of water from Butter Creek for the irrigation of, among other lands, 23.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  and 23.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 3, Township 1 North, Range 27 East, W. M., with a date of priority of 1896. These lands are irrigated from two points of diversion located 2500 feet South and 1400 feet West and 2500 feet South and 1750 feet West, both from the NE Corner, Section 10 within SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 10, Township 1 North, Range 27 East, W. M.

The applicant herein, owner of the lands above described, proposes to maintain the present points of diversion and establish an additional point of diversion to be located 1500 feet South and 2180 feet West from the NE Corner of Section 3, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 3, Township 1 North, Range 27 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 Heppner, Oregon on May 13, 1975, at 9:30 a.m. The notice was published in the Heppner Gazette Times a newspaper printed and having general circulation in Morrow County, Oregon, for a period of three weeks in the issues of March 20, 27, and April 3, 1975. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. William I. Porfily, Watermaster of District No. 5, 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 may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the applicant may maintain the following points of diversion of water from Butter Creek: located 2500 feet South and 1400 feet West and 2500 feet South and 1750 feet West, both from the NE Corner, Section 10, being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 10, Township 1 North, Range 27 East, W. M. and may establish and maintain an additional point of diversion to be located 1500 feet South and 2180 feet West from the NE Corner of Section 3, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 3, Township 1 North, Range 27 East, W. M. for the irrigation of 23.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  and 23.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 3, Township 1 North, Range 27 East, W. M., with a date of priority of 1896.

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, 1976.

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 0.91 cubic feet per second.

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 W. J. Wattenburger and recorded at page 2705, Volume 3, State Records of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding and upon receipt of proof satisfactory to the State Engineer of completion of the additional point of diversion, a certificate of water right shall be issued to Burl Wattenburger, Jr. confirming the additional point of diversion.

Dated at Salem, Oregon, this 19th day of May, 1975.

CHRIS L. WHEELER  
State Engineer



STATE OF OREGON

WATER DIVISION NO. 2 COUNTY OF UMATILLA AND MORROW

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That W. J. WATTENBURGER,  
of Galloway State of Oregon, has a right to the use of  
the waters of Butter Creek, a tributary of the Umatilla River,

for the purpose of the irrigation of 249.5 acres of land, domestic and stock use,

and that said right has been confirmed by decree of the Circuit Court of the State of  
Oregon for Umatilla County, and the said decree entered of record at Salem,  
in the Order Record of the ~~State Water Board~~ of the State of Oregon, in Volume ~~2~~<sup>3</sup>, at  
page 250; that the priority of the right hereby confirmed dates from 1872 for  
0.20 cubic feet per second, 1890 for 1.46 cubic feet per second, and 1896 for 3.29  
cubic feet per second,

that the amount of water to which such right is entitled and hereby confirmed for the  
purpose<sup>s</sup> aforesaid, is limited to an amount actually beneficially used for said pur-  
pose<sup>s</sup>, and shall not exceed 4.95 cubic feet per second and shall be subject to all  
other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water  
hereby confirmed is appurtenant, or, if for other purposes, the place where such water  
is put to beneficial use, is as follows: 26.5 acres in the Southwest quarter of Southeast  
quarter and 2 acres in the Southeast quarter of Southeast quarter of Section Thirty-  
four, Township Two North, Range Twenty-seven East of Willamette Meridian, in Umatilla  
County, Oregon. 1 acre in the Northeast quarter of Northeast quarter; 23 acres in  
the Northwest quarter of Northeast quarter; 3 acres in the Southwest quarter of North-  
east quarter; 10 acres in the Northeast quarter of Southeast quarter; 39 acres in the  
Northwest quarter of Southeast quarter; 39 acres in the Southwest quarter of Southeast  
quarter; 4.5 acres in the Southeast quarter of Southeast quarter of Section Three;  
12.5 acres in the Northeast quarter of Northeast quarter; 34 acres in the Northwest  
quarter of Northeast quarter; 22 acres in the Southwest quarter of Southeast quarter  
10 acres in the Southeast quarter of Northeast quarter of Section Ten, Township One  
North, Range Twenty-seven East of Willamette Meridian, in Morrow County, Oregon.

The right to the use of the water aforesaid hereby confirmed is restricted to the  
lands or place of use herein described.

WITNESS the seal and signature of the ~~State~~  
Water Board

~~affixed~~, affixed this 29th day

of December, 1919.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By Percy A. Copper,  
State Engineer, President

Attest:

R. W. Potter,  
Secretary

Recorded in State Record of Water Right Certificates, Volume ~~2~~<sup>3</sup>, page 2705

T#2944 T#3333



RECEIVED

APR 9 1975

STATE ENGINEER  
SALEM, OREGON

AFFIDAVIT OF PUBLICATION

NOTICE OF FILING  
APPLICATION FOR  
ADDITIONAL POINT OF  
DIVERSION

Notice is given hereby that Burl Wattenburger, Jr., has filed an application for the approval of an additional point of diversion of water from Butter Creek.

Certificate of water right issued to W. J. Wattenburger and recorded at page 2705, Volume 3, State Record of Water Right Certificates, confirms a right to the use of 4.95 cubic feet per second of water from Butter Creek for the irrigation of, among other lands, 23.0 acres in NW<sup>1</sup>, NE<sup>1</sup>, and 23.0 acres in SW<sup>1</sup>, NE<sup>1</sup>, Sec. 3, Tp. 1 N., R. 27 E., W.M., with a date of priority of 1896.

The points of diversion are located 2500 ft. S. and 1400 ft. W. and 2500 ft. S. and 1750 ft. W., both from the NE corner, Sec. 10, and within SW<sup>1</sup>, SE<sup>1</sup>, Sec. 10, Tp. 1 N., R. 27 E., W.M.

The applicant herein, owner of the lands above described, proposes to maintain the present points of diversion and establish an additional point of diversion to be located 1500 ft. S. and 2180 ft. W. from the NE corner of Sec. 3, being within the SW<sup>1</sup>, NE<sup>1</sup>, Sec. 3, Tp. 1 N., R. 27 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Heppner, Oregon, on May 13, 1975, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections should be prepared in writing, one copy to be served on Burl Wattenburger, Jr., Star Route, Echo, Oregon 97826, 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 hearing. If no objections are filed the application may be approved by the State Engineer without a hearing.

Dated at Salem, Oregon, this 13th day of March, 1975.

CHRIS L. WHEELER,  
State Engineer.

Published March 20, 27; April 3, 1975.

STATE OF OREGON }  
County of Morrow } ss:

I, Neil Parks

being first duly sworn, depose and say that I am the editor of the HEPPNER GAZETTE-TIMES, a newspaper of general circulation, as defined by O.R.S. 193.010 and 193.020; printed and published at Heppner, Oregon: that the Notice of filing application for additional point of diversion

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for three successive and consecutive weeks in the following issues: March 20, 27, April 3, 1975.

Neil Parks  
Subscribed and sworn before me this 8 day of April, 1975

Milton Ray Boyce

Notary Public for Oregon

My Commission Expires: 3-22-79

(SEAL)

T-2944



# AFFIDAVIT OF PUBLICATION

with a priority date of 1896, from the points of diversion (a) and (b), described above, and two additional points of diversion: (e) 1450 ft S & 720 ft W from the NE Corner of Sec 10, being within the SE 1/4 NE 1/4 of Sec 10, T 1N, R 27E, WM; and (f) 375 ft N & 1420 ft W from the NE Corner of said Sec 10, being within the SW 1/4 SE 1/4 of Sec 3, T 1N, R 27E, WM.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Heppner, Oregon, on February 14, 1979, at 9:30 a.m. All objections to the proposed changes, if any there are, will be heard at said time and place. Any and all objections against either or both said applications shall be in writing: one copy to be served on the applicant and one copy filed with the Water Resources Department, Sal-

em, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing.

The address for Edward Burl Wattenburger, Jr., is Rural Route, Echo, OR 97826. The address for Earl W. and Irma Dorene Wattenburger is c-o Eldon Witherrite, Echo, OR 97826

IF NO OBJECTIONS ARE FILED, THE APPLICATIONS MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Director without a hearing.

Dated at Salem, Oregon this 9th day of October, 1978.

James E. Sexson  
Director

Published December 21, 28, 1978 and January 4, 1979.

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R.S. 193.010

at Heppner,  
cations Have

Water Resources

urger Jr. &

nnexed, was

d newspaper

for ..... successive and consecutive

weeks in the following issues: Dec. 21 & 28,

1978 & Jan. 4, 1979

Subscribed and sworn before me this .....

31st day of January, 1979.

Edmund H. Salinger

Notary Public for Oregon

My Commission Expires: May 25, 1982

(SEAL)

RECEIVED

FEB 7 1979

WATER RESOURCES DEPT.  
SALEM, OREGON

171 lines (+ 3 lines for hd = 174)



That portion of the said right appurtenant to the Edward Burl Wattenburger, Jr., lands is for use of not to exceed 0.10 c.f.s. with a priority date of 1872 for irrigation of a certain 5.0 ac; 1.12 c.f.s. with a priority date of 1890 for irrigation of a certain 56.6 ac; and 1.31 c.f.s. with a priority date of 1896 for irrigation of a certain 65.9 ac all within the  $S\frac{1}{2}$  SE $\frac{1}{4}$  of said Sec 34, the NE $\frac{1}{4}$  and the N $\frac{1}{2}$  SE $\frac{1}{4}$  of said Sec. 3.

By application No. 2944, Edward Burl Wattenburger, Jr., proposes changes in place of use and point of diversion, without loss of priority, to thereafter irrigate a certain 4.0 ac in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Sec 34 and 1.0 ac in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Sec 3 with a priority date of 1872; a certain 0.4 ac in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Sec 34, 1.0 ac in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 9.3 ac in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 16.9 ac in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 3.3 ac in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 10.5 ac in NE $\frac{1}{4}$  SE $\frac{1}{4}$  and 15.2 ac in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Sec 3 with a priority date of 1890; and 29.4 ac in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Sec 34, 10.1 ac in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 6.9 ac in SW $\frac{1}{4}$  NE $\frac{1}{4}$  and 19.5 ac in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Sec 3 with a priority date of 1896, from the points of diversion (a) and (b), described above, and two additional points of diversion: (c) 320 ft S and 2400 ft W from the NE Corner of Sec 3, being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec 3, T 1N, R 27E, WM; and (d) 1500 ft S and 2180 ft W from the NE Corner of Sec 3, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Sec 3.

That portion of the said right appurtenant to the Earl W. and Irma Dorene Wattenburger lands is for use of not to exceed 0.10 c.f.s. with a priority date of 1872 for irrigation of a certain 5.0 ac; 0.34 c.f.s. with a priority date of 1890 for irrigation of a certain 17.0 ac; and 1.98 c.f.s. with a priority date of 1896 for irrigation of a certain 100.0 ac, all within the  $S\frac{1}{2}$  SE $\frac{1}{4}$  of said Sec 3 and the NE $\frac{1}{4}$  of said Sec 10.

By application No. 3333, Earl W. & Irma Dorene Wattenburger propose changes in place of use & point of diversion, without loss of priority, to thereafter irrigate a certain 5.0 ac in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Sec 10 with a priority date of 1872; a certain 1.4 ac in SW $\frac{1}{4}$  SE $\frac{1}{4}$  & 13.2 ac in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Sec 3 and 2.4 ac in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Sec 10 with a priority date of 1890; and a certain 33.9 ac in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Sec 3, 3.0 ac in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 32.0 ac in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 20.0 ac in SW $\frac{1}{4}$  NE $\frac{1}{4}$  & 11.1 ac in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Sec 10

2/22/82 01

Edward L. Salting

Notary Public for Oregon

My Commission Expires: May 25, 1982  
(SEAL)

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WATER RESOURCES DEPT.  
SALEM, OREGON

171 lines (+ 3 lines for hd = 174)



AFFIDAVIT OF PUBLICATION

STATE OF OREGON }  
County of Morrow } ss:

I, Terry M. Hager

being first duly sworn, depose and say that I  
am the Managing Editor of the HEPP-  
NER GAZETTE-TIMES, a newspaper of gen-  
eral circulation, as defined by O.R.S. 193.010  
and 193.020; printed and published at Heppner,  
Oregon: that the Notice Of Applications Have  
Been Filed In The Office Of The Water Resources

Director By Edward Burl Wattenburger Jr. &

Earl M. and Dorene Wattenburger

a printed copy of which is hereto annexed, was  
published in the entire issue of said newspaper  
for three successive and consecutive  
weeks in the following issues: Dec. 21 & 28,  
1978 & Jan. 4, 1979

*Terry M. Hager*

Subscribed and sworn before me this

31st day of January, 1979

*Edmund H. Soling*

Notary Public for Oregon

My Commission Expires: May 25, 1982  
(SEAL)

RECEIVED

FEB 7 1979

WATER RESOURCES DEPT.  
SALEM, OREGON

International Table Tennis League.

"And since Olson is not the kind of man to  
publicity value of holding his championships in

the sticks, press releases were immediately

The article concludes with, "We do some things  
with our publicity to get the public's interest

said later. "But there's no more show business  
say, the world series or super bowl."

"The publicity worked. A big crowd turned  
Haiti edge Thailand for the championship. The

carried by the major wire services and spread  
the Northwest. Judy Bochenki, a native Ore-

made it to the cover of Time as the youngest  
U.S. 'ping pong diplomacy' in 1972—was part of

side (none of the Haitians were from Haiti—  
Thai).

"Back in Heppner, the memories linger  
occasional bumper sticker, construction cap or

about town you see the legend writ large, 'Hepp-  
Pong Capital of the World.'"

Old-fashioned discipline required that all  
appreciation for Christmas gifts needed to be

written before the old year ended. Also indi-  
families have long been encouraged to take

living patterns and to resolve to achieve improve  
new year.

While we were living in the parsonage at  
clipped a most admirable set of resolutions from

IN T  
PRI  
FO  
LO  
SIHL  
use

171 lines (+ 3 lines for hd = 174)