

Water Resources Department find little support for new proposals

The state Water Resources Department found little support Thursday night for a new set of proposals that would safeguard the groundwater in the Butter Creek area without restricting present users.

Jim Sexson, director of the department, had come to Hermiston for the purpose of hearing what farmers had to say about his "new approaches" which were developed after the Court of Appeals reversed, for the second time, the department's critical groundwater order for a 270-square-mile area in Umatilla and Morrow counties.

What he heard was mostly criticism of the way his department handled previous investigations of the groundwater situation and skepticism about any new arrangement with the state agency.

Paul Taylor, a Lexington rancher, said the Water Resources Department had a "credibility gap" that would have to be filled before he would talk about a new agreement for protecting the groundwater.

He warned, however, that if the state tried to impose another order on Butter Creek he would "fight it to the death or the end of my ranch."

Another Lexington rancher, Larry Lindsay, accused the water department of creating a "veritable nightmarish hell on earth" for farm families in the Butter Creek area.

Sexson said appealing the department's latest reversal would have tied the Butter Creek order up in court for a number of years and the "major objective of protecting the groundwater would not have been achieved."

Instead, the department has elected to go with what Sexson described as a "proposed" or "draft" order. Key elements include:

- Declaring Butter Creek a critical groundwater area;
- Defining hydrological and control boundaries;
- Allowing no new wells;
- Issuing pending permits on wells presently in use;
- Data gathering;
- And setting an irrigation season, rejecting applications on non-constructed wells and prohibiting wells from being dug into a deeper aquifer.

Sexson said the draft order would go "one step further" than past efforts by the department. Farmers would be able to comment on what should go into the order. It would then be issued in draft form for additional comment before a final order is prepared.

As an alternative, the water resources director suggested a "voluntary agreement" among all parties on how the water in Butter Creek should be used.

Sexson said he preferred the voluntary approach to having the department "impose our will on these folks (meaning farmers in the Butter Creek area)."

Bill Crow said the voluntary agreement was "far and away" the best but that the critical groundwater declaration or the setting of boundaries were "totally unnecessary."

He contended the boundaries couldn't be set fairly without the concurrence of a substantial part of Eastern Washington. Crow and several other farmers claimed Eastern Washington was using the same groundwater aquifer that was used in Butter Creek.

A critical groundwater order would "only impair Oregon residents to the benefit of Washington residents in the development of the groundwater area," he said.

Sexson noted the declaration was needed to "properly manage" the area unless there was a voluntary agreement with property owners and the state.

But Bill Schroeder, a Vale attorney, said the declaration "won't fly." He said it would give the state the power that in a week's time it could change its mind and limit pumping in Butter Creek.

John Prag, a Boardman farmer, said the state had done no real research on the Butter Creek groundwater area. "You really don't have your stuff straight," he told Sexson, adding there were "so many flaws in your research you're not at the point of even talking about a voluntary agreement."

"You guys don't hardly know what you're talking about in this area," he said.

Sexson was questioned by John Lewis, an attorney from The Dalles, on whether the state could enter into a voluntary agreement without a declaration. He also asked Sexson if he had obtained a legal opinion on whether the state could enter into an agreement while the groundwater reservoir was still in dispute.

To both of these questions Sexson said, "I don't know."

Sexson asked the small group of farmers, who occupied a small corner of the stuffy junior high auditorium, if anyone was concerned about the declining groundwater level in Butter Creek.

Prag said his well hadn't declined and another farmer noted his well hadn't dropped since 1973.

But Gary Grieb, a Lexington rancher, said he was "concerned" about the groundwater in his area. He said his well has dropped 294 feet since 1969. Its pumping capacity has also diminished, slipping from 2,000 gallons per minute to about 1,400 gallons per minute.

Grieb suggested the Water Resources Department delete

critical from its groundwater declaration and insert the word "chase... That's what we're doing, chasing the water."

Grieb said he thought the state had good data when it made its groundwater declaration. The state could get all the data it wants, he said, "but as long as there's enough money, people can beat it in court."

The rancher said "eventually the problem will take care of itself." There are quite a few farms for sale now, he said, and there will be more.

Larry Lindsay of Lexington said there was a need for additional data and analysis of the groundwater situation in Butter Creek.

In 1971-72, Lindsay said he thought the state was correct about the area's groundwater. From 1972 on, he said, "I thought the state's theories were incorrect."

The Lexington rancher claimed the state checked his main producing well only once and that its depth level was not recorded in the state's logbook. This was because the measurement did not agree with the state's theories, he said.

Lindsay said his domestic well had shown a decline but that his irrigation well was up. When the second critical groundwater order was issued (the first was reversed by the Court of Appeals), his irrigation well was higher than in 1974.

Lindsay questioned why the wells were shut down in his area when the state never proved they were affected or were affecting anyone else.

He said the state, in the last eight years, had created a "veritable nightmarish hell on earth" for families in the Butter Creek area who were included in the state's order.

The state's actions, according to Lindsay, panicked lending institutions who were afraid they wouldn't get a return on their investments. Crop loans were cut off in mid-season and some long-term financing was also chopped, forcing some farms, that had been in families for generations, to face the prospect of bankruptcy.

"Financing institutions look at the words 'critical groundwater area' and stop on that," Lindsay said. Their actions don't depend on facts, he added.

Twice the Water Resources Department has been in court because it didn't have enough facts, Lindsay said. And both times, "not one single person from the water department attended." This showed how much concern the department had for the people in the area, he said.

The Butter Creek rancher said the state's arguments were "demolished" in court. Yet the procedure goes on regardless of the facts, he said. A former law student, Lindsay said he "lost respect" for the law in the last eight years.

He said the state's figures were fraudulent when they said his well was the worst offender, this was admitted under oath. "We're supposed to trust your methods," Lindsay said, adding he has seen "your (Sexson's) people deny statements or fail to record information."

"Some of us are very skeptical of the state's methods," he said.

Lindsay claimed no one in the Water Resources Department understood the impact of the state's actions. "You're cutting the throat of the area without having the ability to do it," he said.

Lindsay's comments drew an "amen" from one farmer and a round of applause from those attending the meeting.

Sexson said the session was "very educational for me" and that he would be meeting with the farmers again. It "probably won't be very long," he said, indicating another meeting would be held in about a month.

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Morrow County Picnic
Sunday, August 5
Held At
Laurelhurst Park
39th & S.E. Burnside
Portland, Or.

PUBLIC NOTICE		PUBLIC NOTICE	
ANNUAL REPORT—MORROW COUNTY			
SUMMARY OF PREVIOUS YEAR ENDING JUNE 30, 1978			
County Treasurer	Cash on Hand July 1, 1977	5,527,133.29	
County Treasurer	Receipts July 1, 1977 to June 30, 1978	4,609,796.18	
County Treasurer	Disbursements July 1, 1977 to June 30, 1978	4,597,272.91	
County Treasurer	Balance on hand July 1, 1978	5,995,656.56	
Taxes turned over to County Treasurer July 1, 1977 to June 30, 1978 \$3,316,746.15			
Assessor Collections turned to Treasurer July 30, 1977 to June 30, 1978 5,683.37			
Respectfully submitted this 23rd day July, 1979			
Sylvia E. McDaniel COUNTY CLERK			
ANNUAL REPORT FOR MORROW COUNTY, FROM JULY 1, 1978 TO JUNE 30, 1979 complying with ORS 293.230 to 293.235 as amended by chapter 153 of the 1977 laws.			
County Court	\$ 45,013.01	Soldiers & Indigent fund	100.00
Sheriff Department	14,001.53	Prudential animal control	8,002.00
Co. Clerk's Department	29,667.20	Co. Retirement fund	16,001.00
Tax Collector Department	18,482.34	Paper and postage	7,916.43
Treasurer Department	11,771.12	Machine Misc.	5,191.24
Assessor Department	83,016.45	Mental Health fund	4,500.00
Health Bureau's Department	20,878.80	Brochures, etc.	322.14
District Attorney's office	18,460.43	Radio Equip. Black Mt.	800.00
Court House expenditures	14,311.43	E.C.O.A.C. fund	2,145.31
Juvenile Department	16,929.24	Spec. Attorney fund	5,364.91
Museum expenditures	6,413.85	Board of Equalization	229.89
Justice Court, 5th dist. expenditures	18,285.11	Soil Erosion Control fund	99.00
Justice Court 6th dist.	14,298.85	Watermaster expense	2,000.00
Circuit Court	15,412.14	Boardman/Heppner Clinic	5,516.74
County Planner's office expenditures	26,757.47	Surplus food expense	38.90
Veterans Service expenditures	1,822.99	Soil Survey, S.W.C.D.	1,330.38
North Morrow County expenditures	11,771.12	Radio Equip. Irrigation	8,153.00
Morrow Co. Surveyor expenditures	1,575.00	Tax Roll Computer	3,328.00
Audit	5,073.00	New Vehicles	24,414.97
Bonds	836.00	Vacation pay	1,218.80
Co. and Home wat. agents	34,833.00	Gen. Contingency fund	10,787.56
Current expense (Telephone)	9,378.48	Gen. Roads	568,973.25
Elections	2,088.20	Revenue Sharing	46,988.35
Insurance	35,122.25	Anti-Recession fund	13,892.54
Official Publications	1,210.46	Airport fund	1,243.70
Social sec. and Unemploy. Insurance	22,082.49	Law library fund	1,252.85
		Mental Health fund	60,376.73
		Total of all fund expenditures	\$1,408,478.83
WARRANTS OUTSTANDING FOR GENERAL FUND			
Warrants outstanding June 30, 1978	\$ 45,536.22		
Warrants issued July 1, 1978 to June 30, 1979	715,752.79		
Warrants paid July 1, 1978 to June 30, 1979	721,133.54		
Warrants outstanding June 30, 1979	\$ 39,755.47		
WARRANTS OUTSTANDING FOR THE GENERAL ROAD FUND			
Warrants outstanding June 30, 1978	\$ 25,822.19		
Warrants issued July 1, 1978 to June 30, 1979	568,973.25		
Warrants paid July 1, 1978 to June 30, 1979	459,463.77		
Warrants outstanding June 30, 1979	135,331.67		
WARRANTS OUTSTANDING FOR REVENUE SHARING FUND			
Warrants outstanding June 30, 1978	4,939.90		
Warrants issued July 1, 1978 to June 30, 1979	46,988.55		
Warrants paid July 1, 1978 to June 30, 1979	50,236.49		
Warrants outstanding June 30, 1979	1,691.96		
WARRANTS OUTSTANDING FOR MENTAL HEALTH FUND			
Warrants outstanding June 30, 1978	4,726.49		
Warrants issued July 1, 1978 to June 30, 1979	60,376.73		
Warrants paid July 1, 1978 to June 30, 1979	61,180.51		
Warrants outstanding June 30, 1979	3,920.71		
WARRANTS OUTSTANDING FOR LAW LIBRARY FUND			
Warrants issued July 1, 1978 to June 30, 1979	\$ 2,431.70		
Warrants Paid July 1, 1978 to June 30, 1979	2,375.30		
Warrants outstanding June 30, 1979	56.20		
Balance on hand June 30, 1978 - \$599,656.56			
Receipts:			
Received from:			
Tax Collector, Dissegregated Taxes	\$4,905,825.36		
Tax Collector, Temporary License Fees	544.75		
County Clerk, Bull, Registration, etc.	2,819.06		
County Clerk, Clerk's Fees, Law Library fees	31,106.24		
County Assessor, Mould Home Tax, Personal Property Tax	23,036.18		
Sheriff's Fees, Pistol Permits	5,785.12		
A. Owen, Death Certificates	134.00		
Co. Health Office	482.00		
Planners Office	1,363.00		
J. F. Fees, Heppner	29,512.72		
J. F. Fees, Irrigation	32,773.64		
Coloford Park	2,427.75		
Heppner Medical Clinic, Rent	4,200.00		
Umatilla Vision Clinic, rent	412.50		
Mental Health, Office rent at Boardman	1,677.50		
Landfill, Franchise agreement	239.00		
Landfill, Franchise agreement (cont.)	668.84		
1st National Bank, Interest (Co. School Bldg. Fund)	149,934.80		
1st National Bank, Interest (Co. Gen. Bd., Road Bd., Rev. Bd.)	15,315.65		
1st National Bank, Interest (Trust Accounts)	81.55		
1st National Bank, Interest (Fair Fund)	2,289.28		
Bank of Eastern Ore., Interest (Co. Sch. Bldg. Fund)	83,426.95		
Bank of Eastern Ore., Interest (Forestry rentals)	13,126.76		
D. S. National Bank, Co. Gen. Bd., Road Bd., Rev. Bd.	8,194.43		
Inland Empire Bank, "	7,428.29		
1st National Bank purchase of School Bonds	4,727,885.38		
County Mental Health Receipts	45,081.23		
State of Ore., Mental Health Receipts	20,278.09		
Morrow County to Mental Health	2,250.00		
Fair Board Secretary's	27,403.22		
E. George, Heppner Cemetery	8,562.36		
E.C.O.A.C. General Fund	25,774.99		
E.C.O.A.C. Road Fund	13,877.44		
Blue Mt. Soc., Development (neighborhood center)	8,027.13		
Wagner Rent at Airport	1,210.00		
Airport Rent	1,800.00		
Sale of Maps and photo copies, Gen. fd.	1,544.64		
Sale of copier	300.00		
Miscellaneous refunds, gen. fd.	270.04		
Sale of supplies, Road Bd.	19,829.36		
State of Ore., Assessment	425.70		
State of Ore., Cigarette Tax	8,656.25		
State of Ore., aid to Co. Health	9,187.79		
State of Ore., Liquor receipts	16,072.18		
State of Ore., aid to landfill employee	1,475.00		
Receipts: Annual Report			
State of Ore., Land Conservation	14,681.00		
State of Ore., Motor License fees	122,678.09		
State of Ore., Timber Severance	20,793.30		
State of Ore., Racing receipts	83,694.99		
State of Ore., Veterans Aid	534.96		
State of Ore., Election receipt	32.00		
State of Ore., In Lieu of Tax, Gen. Companies	72,666.00		
State of Ore., Common School fund	13,391.04		
State of Ore., Forestry Rentals	320,420.19		
State of Ore., Sale of Public Lands	6,215.75		
State of Ore., Flood Control Leases	1,768.12		
State of Ore., Taylor Grazing fees	141.59		
State of Ore., refund for Mental Health Retirement fund	1,507.11		
State of Ore., Ins. Dividend & Gen. fd. & Seed fund	5,291.00		
State of Ore., Ins. Circuit Court Expense	7,701.60		
State of Ore., Museum Grant	562.04		
State of Ore., Fireworks permit, Mineral lease	5.00		
State of Ore., State Court Subsidy for juvenile	744.80		
City of Heppner, Police Radio, Sanitary Landfill, Library Janitor	4,480.00		
Umatilla Electric Coop., equity credits, Fair fund	79.17		
Miscellaneous refund	4,347.55		
U.S. Treas. in Lieu of Tax, Land Management, Forest Service, National Parks, Corps of Engineers	70,552.00		
U.S. Fish & Wildlife, in Lieu of Tax	14,666.00		
U.S. Treas. Anti-Recession	1,011.00		
U.S. Treas. Revenue Sharing	64,637.00		
Garvin Holt, State Trust fund	20.55		
Total Receipts Reported	11,080,799.54		
Plus Balance on hand	479,656.56		
Total	11,560,456.10		
Disbursements:			
General fund disbursed	721,715.75		
Road fund disbursed	499,459.24		
County School fund disbursed	2,643,544.56		
Fair fund disbursed	49,270.00		
City of Boardman disbursements	74,759.97		
City of Heppner disbursements	163,998.86		
City of Irion disbursements	18,856.76		
City of Irrigation disbursements	16,037.32		
City of Lexington disbursements	2,569.95		
Assessor's Collections refunds	19,276.17		
School Bonds & Interest refunded	599.88		
Irrigation tax paid	528,412.64		
Blue Mountain Education District disbursements	40,576.76		
Law library warrants paid	123,262.67		
Part of Morrow disbursement	36,361.90		
County Hospital disbursement	19,925.85		
Forest Fire Patrol Tax Disbursed	7,031.63		
Boardman Rural Fire Patrol Disbursed	18,276.17		
Heppner Rural Fire Patrol Disbursed	1,899.14		
Irrigation Rural Fire Patrol Disbursed	25,383.35		
Boardman Cemetery fund disbursed	14,450.59		
Heppner Cemetery fund disbursed	3,105.46		
Tom-Lexington fund disbursed	80,413.16		
North Morrow County Vector Control fund disbursed	13,033.77		
Boardman Park fund disbursed	1,063.55		
San State lair fund realized	4,447.80		
Conservation & Development paid out	14,950.22		
Anti-Recession Warrants paid	6,489.72		
Heppner Motor Control Disbursed	1,543.70		
Airport Warrants paid	50,236.49		
Revenue Sharing warrants paid	46,988.35		
Mental Health warrants paid	60,376.73		
School Building fund warrants paid	1,243.70		
Total Disbursed	6,777,912.52		
Balance on hand July 1, 1979,	\$4,342,543.58		
Respectfully Submitted			
Sylvia E. McDaniel			
Sylvia E. McDaniel, Morrow County Treasurer			
Heppner, Oregon June 30, 1979			
In Accordance with Section 294.230 O.R.S. I hereby submit this my annual report of receipts and disbursements from July 1, 1978 to June 30, 1979, both dates inclusive.			
TAX COLLECTIONS			
Cash on hand and on deposit June 30, 1978	\$884.51		
TAXES			
1978-79	\$4,192,483.21		
1977-78	569,747.92		
1976-77	76,092.76		
1975-76	59,149.81		
1974-75	6,984.56		
1973-74	1,367.10		