

REAL ESTATE

Willow Creek Realty
 676-5241
 Joyce Kay & Jerry Holloman

A CHARMING 1910 COTTAGE STYLE 1300 SQ. FT. HOME. 3 bedroom, 1 bath, updated interior, sky lights and decorative propane fireplace. On a flat corner lot 100'x50' m/l. with privacy fence. 380 S Gilmore. #04-04 \$79,000

LOOKING FOR A LARGE LOT WITH A GREAT VIEW? This 170'x100' on a dead end street has all the utilities to the property. In a very nice neighborhood close to grade school 210 Thompson St. #04-03 \$18,500

\$20,000 WILL BUY YOU A 82.5'x114' m/l kit and a 1968 mobile home with 2 bedrooms and 1 bath. Located out of the floodplain on a dead end street at the edge of a nice residential area. Lot includes RV parking with full hook-ups. 400 E Aiken St. #03-08

PENLAND LAKE PROPERTY, 1.87 acres with some timber. Community water available. Perfect cabin site. End of the Lake Drive Road. #04-08 \$30,000

Heritage Land Co.

180 W. Baltimore #5, Heppner
 676-5049

~\$75,000 - 3 bedroom, 1 1/2 bath, new covered back porch and paved parking/patio near city park.

~\$59,900 - 4 bedroom, 2-story home on 2 tax lots. 1.68 acres m/l, new large master bedroom, 1 1/2 bath, fireplace, covered parking and shop. SALE PENDING

~\$42,400 - 2 bedroom, 1 bath with covered glassed porch, fenced yard, 2 car attached garage with large lot. Lexington.

~\$150,000 - 6-plex with one bedroom apts; has attached manager's home with fireplace, patio and garage. Has good rental history with lots of parking. Two out-storage buildings and city water.

~\$49,000 - 1472 sq. ft. building ready for business or meetings or a church with built-in sound system, forced air heat, large asphalt parking lot, zoned commercial. Lexington

~\$99,000 - 3 bedroom, 1 bath single car garage on 2 tax lots with double car garage/shop on the other tax lot near high school. Heppner.

~\$182,000 - 490+ acres has good year round spring. 110+ acres in CRP with 5203 yearly payment. Lots of view. Good grass. Heppner.

Clean, neat, large 1 bedroom apt., heat, water, sewer, garbage, furnished includes stove and refrigerator. \$300.

Sharon Lewis 676-5233
 Bob Ployhar 676-9649
 A. Kim Cutsforth 676-9777
 David Sykes 676-9228
 www.heppner.net
 www.eastoregonrealestate.com

FOR RENT

Two bedroom available. Willow View Apartments, 515 N. Elder, Heppner EOH. Call (208) 384-1589, 676-9019. 11-12-tfc

For Rent: 1 bedroom, studio available. Deposit required. Ground floor, excellent for seniors. All utilities provided. (541) 276-6659. 10-20-tfc

One bedroom apartment for rent in nice neighborhood. 676-5773. 9-29-tfc

One bedroom apartment for rent. \$380 month. All utilities paid. (541) 933-3314. 10-6-4c

RV space for rent. Yard, lots of trees, by creek. \$195/month, including some utilities. 989-8404. 9-22-tfc

SERVICES

Linoleum, carpet and Pergo sale and installation. Free estimates. Call Tim Hedman, evenings, 676-9054. Licensed and bonded #78201. 1-7-tfc

INTERNET

Real Estate Listings
 www.heppner.net

CARS & TRUCKS

WRIGHT'S CHEVY, INC. OLDSMOBILE
 SALES AND SERVICE
 Our Customer Is Always #1
 Contact: Bill MacInnes, Bill MacInnes, Jr. or parts H.C. Wright Phone (541) 763-4175 Fossil, Oregon

YARD SALE

Trick or Treat Barn Sale: Oct. 29, 30 and 31. 9 a.m.-3 p.m. Nothing's priced: you make offer. Coffee and cookies available. 53868 Highway 74 by 44-milepost marker. 10-27-1c

30-gallon bag sale. Saturday, Oct. 30, 8-12, next to Drive-in. 10-28-1p

PLEASE check your ad on the first date of publication. While we are happy to make any necessary corrections, we cannot be responsible for errors appearing on multiple days. When cancelling an ad, PLEASE check to be sure your ad was not inadvertently published. THANK YOU!

PUBLIC NOTICE IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF MORROW PROBATE DEPARTMENT No. 04PR024 NOTICE TO INTERESTED PERSONS

Probate proceedings in the estate of JAMES HALL COOPER, deceased, are now pending in the above entitled court, wherein Marsha Burden, the undersigned, has been appointed and has qualified as the personal representative of said estate. All person having claims against said estate hereby are required to present them, in due form, within four months after the date of the first publication of this notice, as stated below, to the undersigned at the following address now designated as the place for the presentation of claims, to-wit: c/o Jon S. Henricksen, Esq., 725 Portland Ave., Gladstone, OR 97027 or they may be barred. All persons whose right may be affected by the said probate proceedings may obtain additional information from the records of the court, the undersigned personal representative or the latter's attorney.

PERSONAL REPRESENTATIVE:
 Marsha Burden
 2035 SE 1st Ave.
 Canby, OR 97013
ATTORNEY FOR PERSONAL REPRESENTATIVE
 Jon S. Henricksen,
 OSB No. 73135
 725 Portland Ave.
 Gladstone, OR 97027
 (503) 655-7555
 DATED and first published this sixth day of October, 2004. Published: October 6, 13, 20 and 27, 2004 Affidavit

PUBLIC NOTICE

Notice of Preliminary Determinations for Water Right Transfer T-9601
 T-9601 filed by Port of Morrow, proposes a change in point of diversion from surface water to ground water, place of use, and character of use under Certificate 76360 and a change in place of use under Permit G-12729.
 Certificate 76360 allows the use of 51.74 cfs (priority date November 5, 1971) from a diversion in Sec. 3, T5N, R25E, W.M. (Umatilla Basin) for irrigation in Sec. 1, 2 and 12, T4N, R25E; Sec. 35, T5N, R25E; and Sec. 4, 5, 6, 7, 8 and 9, T4N, R26E, W.M. The applicant proposes to change the point of diversion to two

points of appropriation: North Farm-location approximately 2175 feet east (Sec. 35, T5N, R25E, W.M.), South Farm-location approximately 10,000 feet southwest (Sec. 10, T4N, R25E, W.M.); to change the place of use to Sec. 1, 2, 12 and 23, T4N, R25E; and Sec. 4, 5, 6, 7, 8 and 9, T4N, R26E, W.M.; and to change the character of use of a portion of the right to municipal use.

Permit G-12729 allows the use of 6.35 cfs (priority date January 22, 1993) from wells in Sec. 1 and 10, T4N, R25E, W.M. for supplemental irrigation in Sec. 1, 12, T4N, R25E, W.M., Sec. 35, T5N, R25E, W.M., Sec. 6 and 7, T4N, R26E, W.M. The applicant proposes to change the place of use to Sec. 1 and 12, T4N, R25E; and Sec. 6 and 7, T4N, R26E, W.M.

The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0852. The last date of newspaper publication is October 27, 2004. If no protests are filed, the Department will issue a final order consistent with the preliminary determination. Published: October 13, 20 and 27, 2004 Affidavit

PUBLIC NOTICE

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY ON WRIT OF EXECUTION Case No. 98-CV-122
 By virtue of a Writ of Execution issued out of the Circuit Court of the State of Oregon for the County of Morrow, on September 24, 2004, pursuant to a Judgment entered March 5, 1999 in the case of NATIONAL AMERICAN INSURANCE COMPANY OF CALIFORNIA, plaintiff (s) and WILLIAM D. RILL, individually and dba RILL TRUCKING, defendant(s), case No. 98-CV-122 together with written instructions, to me directed, commanding me to sell all of the right, title, interest and claim of the above defendant (s) in and to certain real property, in the sum of \$14,185.60 plus interest at the rate of 9% per annum from September 14, 2004, and the further sum of \$80.00 for costs and disbursements and also costs of this writ. On the 11th day of October, 2004, I levied on the defendant (s) right, title, interest and claim in and to the following described real property:

SEE EXHIBIT "A" ATTACHED
 Notice is hereby given that I will, on the 11th day of November, 2004 at 10:00 o'clock am., at the front doors of the Morrow County Courthouse in Heppner, Oregon, sell the right, title, interest and claim of the defendant (s) in the above described real property, to the highest bidder for cash, in hand, at public auction.
 SALE WILL BE SUBJECT TO ANY AND ALL PRIOR LIENS
 Dated this 11th day of October, 2004
 VERLIN R. DENTON, Sheriff
 Morrow County, Oregon
 By: /s/ Judy Chastain
 Chief Civil Deputy

EXHIBIT A

1) TOWNSHIP 3 SOUTH, RANGE 24, EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF MORROW AND STATE OF OREGON.
 Section 23: The South Half of the South Half, The Northeast Quarter of the Southeast Quarter, ALSO Beginning at the Southeast corner of the Northwest Quarter of the

Southeast Quarter, thence West a distance of 825.00 feet to a place on the South line of the Northwest Quarter of the Southeast Quarter, where it intersects the County Road, which is the true point of beginning of this description; thence North along the West line of the County Road a distance of 135.00 feet; thence West a distance of 180.00 feet; thence East a distance of 135.00 feet; thence South a distance of 180.00 feet, more or less, to the true point of beginning.

Section 24: The Southwest Quarter
 Section 25: The Northwest Quarter
 Section 26: The Northeast Quarter

2) TOWNSHIP 4 SOUTH, RANGE 24, EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF MORROW AND STATE OF OREGON.
 Section 1: The South Half
 Section 12: The North Half, The Northwest Quarter of the Southeast Quarter and that portion of the Northeast Quarter of the Southwest Quarter which lies East of the County Road.

3) TOWNSHIP 4 SOUTH, RANGE 25, EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF MORROW AND STATE OF OREGON.

Section 7: Government Lots 1 and 2, also known as the West Half of the Northwest Quarter. Published: October 13, 20, 27 and November 3, 2004 Affidavit

PUBLIC NOTICE

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF MORROW Probate Department In the Matter of the Estate of TRESSLYN LOTA TIBBLES, Deceased. No. 04-PR-031 NOTICE TO INTERESTED PERSONS

Notice is given that the undersigned has been appointed and has qualified as the personal representative of the estate. All persons having claims against the estate are required to present it, with proper vouchers, within four months after the date of first publication of this notice, as stated below, to the personal representative at the offices of Kuhn & Spicer, 269A N. Main Street, P.O. Box 428, Heppner, Oregon 97836, or they may be barred.

All persons whose rights may be affected by the proceedings in this estate may obtain additional information from the records of the court, the personal representative or the attorney for the personal representative.

DATED and first published October 27, 2004.
 /s/ Lance Tibbles,
 Personal Representative
 Capitol University Law School
 303 E. Broad Street
 Columbus, OH 43215
 Published: October 27, and November 3 and 10, 2004 Affidavit

PUBLIC NOTICE

The Morrow County School District Board of Directors will meet for a work session on Thursday, October 28th, 2004 at 7:00 pm. the work session will be held via Polycom between Irrigon High School and Heppner High School.
 Published: October 27, 2004

CUSTOM BANNERS
 Any Size
 Lots of Colors
 Heppner Gazette
 676-9228

United States Postal Service
Statement of Ownership, Management, and Circulation

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 Publisher: David Sykes P.O. Box 897 Heppner, OR 97836
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10. Owner (Do not leave blank. If the publication is owned by a corporation, give the name and address of the corporation immediately followed by the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, give the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, give its name and address as well as those of each individual owner. If the publication is published by a proprietor, give the name and address.)
 Full Name: David Sykes Complete Mailing Address: P.O. Box 897 Heppner, OR 97836

11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages or Other Securities. If none, check box.
 Full Name: _____ Complete Mailing Address: _____

12. Tax Status (For completion by nonprofit organizations authorized to mail and sell publications):
 Has Not Changed During Preceding 12 Months Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement.)
 PS Form 3526, October 2003 (See instructions on Reverse)

13. Publication Title: Heppner Gazette-Times
 14. Issue Date for Circulation Data Below: Sept. 29, 2004

15. Extent and Nature of Circulation	Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date
a. Total Number of Copies (Net press run)	1750	1750
(1) Paid/Requested Outside-County Mail Subscriptions (Listed on Form 3541 - include advertiser's proof and exchange copies)	391	375
(2) Paid/Requested In-County Subscriptions (Listed on Form 3541 - include advertiser's proof and exchange copies)	577	565
(3) Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Non-USPS Retail Distribution	491	483
(4) Other Classes Mailed Through the USPS		
b. Total Paid and/or Requested Circulation (Sum of 15b(1), (2), (3), and (4))	1449	1423
c. Free Distribution by Mail (Carriers or other means)	27	25
(1) In-County as Listed on Form 3541	81	20
(2) Other Classes Mailed Through the USPS		
d. Free Distribution Outside the Mail (Carriers or other means)	74	81
e. Total Free Distribution (Sum of 15c and 15d)	141	126
f. Total Distribution (Sum of 15b and 15e)	1590	1549
g. Copies not Distributed	160	201
h. Total (Sum of 15f and 15g)	1750	1750

16. Payment of Postage and/or Requested Circulation (Check one)
 Publication paid for in full by advertiser, trade association, or other firm or person (Do not check this box)
 Publication not paid for in full by advertiser, trade association, or other firm or person (Do not check this box)

17. Signature and Title of Editor, Publisher, Business Manager, or Owner
 Signature: _____ Date: 10/1/04

I certify that the information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including multiple damages).

Instructions to Publishers
 1. Complete and file one copy of this form with your postmaster annually on or before October 1. Keep a copy of the completed form for your records.
 2. In cases where the stockholder or security holder is a trustee, include in items 10 and 11 the name of the person or corporation for whom the trustee is acting. Also include the names and addresses of individuals who are stockholders who own or hold 1 percent or more of the total amount of stock, mortgages, or other securities of the publishing corporation. In item 11, if none, check the box. Use check boxes if more space is required.
 3. Do not check boxes if more space is required.
 4. Item 15b. Copies not Distributed, must include (1) newspaper copies originally stated on Form 3541, and returned to the publisher; (2) estimated return from news agents, and (3) copies for office use, leftovers, spoils, and all other copies not distributed.
 5. If the publication had Periodicals authorization as a general or requester publication, this Statement of Ownership, Management, and Circulation must be published; it must be printed in any issue in October or if the publication is not published during October, the first issue printed after October.
 6. In item 16, indicate the date of the issue in which this Statement of Ownership will be published.
 7. Item 17 must be signed.
 Failure to file or publish a statement of ownership may lead to suspension of Periodicals authorization.
 PS Form 3526, October 2003 (Reverse)

published October 27, 2004

Area Commission on Transportation to host public meeting

The North East and South East Area Commissions on Transportation along with the Oregon Department of Transportation will hold public meetings in eight Eastern Oregon communities on the evening of Nov. 8 to discuss proposed transportation projects. A local meeting at the Blue Mountain Community College-Boardman office located at 300 NE Front Street, Boardman.

The meetings are being held to educate the public and collect comments on the Draft 2006-2009 Statewide Transportation Improvement Program, also known as the STIP. The Draft 2006-2009 STIP comprises a list of statewide transportation projects proposed for funding during the 2006-2009, four-year STIP cycle. The list includes nearly 70 projects, totaling over \$142 million for Eastern Oregon.

"These meetings are an excellent opportunity for people to learn more about transportation projects proposed in Eastern Oregon and to share their thoughts and ideas. We will also be presenting information on how projects are selected for funding," said Steve McClure, North East ACT Chairman.

The Draft 2006-2009 STIP provides project funding and scheduling information for ODOT and the state's metropolitan planning organizations. The four-year STIP, updated every two years, is developed through the coordinated efforts of ODOT, ACTs, federal and local governments, tribal governments and the public.

Each meeting will be linked via Eastern Oregon University's Video Services videoconference system. Those attending will have the opportunity to participate with all other sites. Comments and public testimony given during the evening will be documented and presented to the ACTs and the Oregon Transportation Commission for consideration, prior to finalization of the 2006-2009 STIP.

An Area Commission on Transportation is an advisory body chartered by the Oregon Transportation Commission to help address all aspects of transportation. ACTs play a key advisory role in the development of the STIP, which schedules funded transportation projects.

ODOT is an equal opportunity/affirmative action employer committed to a diverse workforce. Accommodations will be provided to persons with disabilities. Alternate formats (language translations, etc.) available upon request. Please contact Tom Strandberg at (541) 963-1330, ODOT Region 5 Public Information Officer, at least two work days prior to meeting regarding requests for alternate formats.