

Name Brent Stumbaugh

Address 60475 Arnold Mkt Rd  
Bend, OR 97702  
541-749-0525 541-359-5432 Fax

Change in ADA  
Date Filed 12-3-07  
Initial notice date 12-18-07  
DPD issued date \_\_\_\_\_  
PD issued date \_\_\_\_\_  
PD notice date \_\_\_\_\_  
Date of FO 5-27-08 Vol 74 Page 1013

C-Date \_\_\_\_\_  
COBU due date \_\_\_\_\_  
COBU Received date \_\_\_\_\_  
Certificate issued \_\_\_\_\_

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Wells

Trib. of Muddy Creek

Use Sup Tr County Baker  
Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

App #	Per #	Cert #	PR Date
<u>G 13804</u>	<u>G 13738</u>		<u>1994</u>
App #	Per #	Cert #	PR Date
App #	Per #	Cert #	PR Date
App #	Per #	Cert #	PR Date
App #	Per #	Cert #	PR Date

Date	FEES PAID	
	Amount	Receipt #
<u>12-3-07</u>	<u>400.00</u>	<u>90817</u>

Date	FEES REFUNDED	
	Amount	Receipt#

Assignments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Irrigation District Powder Valley Water Control District PO Box 189, North Powder, OR 97867

Agent Peggy Browne 50809 Ellis Road North Powder OR 97867 541-579-4908 541-898-2600 FAX

CWRE  
CC's list Baker County 1995 3rd St. Baker City, OR 97814

- Oversized map - Location

**Timmie Brandt**

---

**From:** Alyssa Mucken  
**Sent:** Tuesday, April 14, 2009 9:55 AM  
**To:** Timmie Brandt  
**Subject:** Permit G-13738 and T-10494

Hi Timmie,

Please update the address for the Newmans for Permit G-13738 and Transfer T-10494.

The new mailing address is:

14386 MUDDY CREEK LANE  
HAINES, OR 97833  
Phone: 541-856-3727

This is via a phone call with Mr. Newman, 4/14/2009.

Thanks.

WRIS has been taken care of.

---

Alyssa Mucken  
Water Measurement Specialist  
Oregon Water Resources Department  
725 Summer Street, Suite A  
Salem, Oregon 97301  
503-986-0837

4/14/2009



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

May 29, 2008

BRENT STUMBAUGH  
60475 ARNOLD MARKET RD  
BEND OR 97702

Reference: Permit Amendment Transfer 10494

Enclosed is a copy of the order approving your Permit Amendment transfer application.

YOU SHOULD GIVE PARTICULAR ATTENTION TO THE CONDITIONS OUTLINED IN THE ORDER. All other terms and conditions of the permit remain the same.

If you have any questions, please call the Transfer Section, (503)986-0900.

Sincerely,

Sarah Henderson  
Executive Support

cc: Watermaster #8  
Douglas & Elsie Newman, Co-Permit Holders  
Peggy Browne, Agent  
Powder Valley Water Control District

Enclosure



**Use:** SUPPLEMENTAL IRRIGATION of 401.33 ACRES  
**Priority Date:** AUGUST 31, 1994  
**Source:** TWO WELLS, in the Big Muddy Creek Basin  
**Quantity:** 4.5 CUBIC FEET PER SECOND (CFS), BEING 2.25 CFS FROM EACH WELL  
**Rate/Duty:** The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 ACRE FEET for each acre irrigated during the irrigation season of each year.

**Date of Complete Application of Water:** October 1, 2012

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	¼ ¼	Location
7 S	38 E	WM	26	NW NW	Well #2 – 10 feet South and 50 feet East from the NW corner of Section 26
7 S	38 E	WM	27	NE SE	Well #1 – 3270 feet South and 50 feet West from the NW corner of Section 26

**Authorized Place of Use:**

Twp	Rng	Mer	Sec	¼ ¼	Acres	Type of Change Proposed
7 S	38 E	WM	23	SW SW	40.0	NONE
7 S	38 E	WM	23	SE SW	40.0	NONE
7 S	38 E	WM	26	NE NW	40.0	NONE
7 S	38 E	WM	26	NW NW	40.0	NONE
7 S	38 E	WM	27	SW NE	26.0*	Add'l POA
7 S	38 E	WM	27	SE NE	27.0*	Add'l POA
7 S	38 E	WM	27	SE NW	27.63*	Add'l POA
7 S	38 E	WM	27	NE SW	39.7*	Add'l POA
7 S	38 E	WM	27	SW SW	11.0*	Add'l POA
7 S	38 E	WM	27	SE SW	40.0*	Add'l POA
7 S	38 E	WM	27	NE SE	35.0*	Add'l POA
7 S	38 E	WM	27	NW SE	35.0*	Add'l POA

*\* Indicates acreage to be affected by this permit amendment T-10494.*

6. Application T-10494 proposes to add the following point of appropriation to the permit for the 241.33 acres of land identified in Finding #5 above:

Twp	Rng	Mer	Sec	¼ ¼	Tax Lot	Location	Distance from Well #1
7 S	38 E	WM	27	NE SW	301	1220 South and 899 feet West from the center of Section 27	0.63 mile West

7. Notice of the application for the permit amendment was published in the Department's weekly notice on December 11, 2007, and in the *Baker City Herald* newspaper on April 9, 16 and 23, 2008, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
8. The change would not result in injury to other water rights.
9. The change will not result in enlargement of the permit as long as the quantity of water appropriated from the proposed additional well, together with that diverted at the original point of appropriation (Well #1), does not exceed the quantity of water allowed from existing permitted Well #1, being 2.25 cfs.
10. The change does not alter any other terms of the permit.

### Conclusions of Law

The additional point of appropriation proposed by Permit Amendment Application T-10494 is consistent with the requirements of ORS 537.211.

### Now, therefore, it is ORDERED:

The change and subsequent use of water shall be subject to the following conditions:


1. The combined quantity of water diverted at the proposed additional point of appropriation, together with that diverted at the original point of appropriation (Well #1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well #1), being 2.25 cubic feet per second.
2. Water shall be acquired from the same ground water source as the original point of appropriation (Well #1).
3. Prior to water use from the proposed additional point of appropriation, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

4. The proposed well shall be continuously cased and sealed and ground water for use under this permit shall be produced from a depth greater than 100 feet below land surface.

5. All other terms and conditions of Permit G-13738 remain the same.
6. Permit G-13738, in the names of Douglas J. & Elsie D. Newman and Brent Stumbaugh, is amended as described herein.

Dated at Salem, Oregon this 27<sup>th</sup> day of May, 2008.

  
Phillip C. Ward, Director

Mailing date: MAY 30 2008

## Permit Amendment Checklist

**Permit Amendment:** T- 10494

**Transfer Specialist:** Lisa Jaramillo

**Permit Amendment Type:** APOA

**Applicant Name/Address:** Brent Stumbaugh, 60475 Arnold Market Rd., Bend, OR 97702

**Co-Permit Holders:** Douglas J. and Elsie D. Newman, Route 1, Box 59A, Haines, OR 97833

**Agent Name/Address:** Peggy Browne, 50809 Ellis Rd., North Powder, OR 97867

**CWRE Name/Number:** NONE

**Rec Landowner Name/Address:** NONE

**Irr. District Name/Address:** Powder Valley Water Control Dist., PO Box 189, North Powder, OR 97867

**Affected Govt's Name/Address:** Baker County, 1995 3<sup>rd</sup> Street, Baker City, OR 97814

**Commentors Name/Address:** NONE

### Permits Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Permit "C" Date
<input type="checkbox"/>	<input type="checkbox"/>	<b>G-13804</b>	<b>G-13738</b>	<b>October 1, 2012</b>

### Key Dates & Initial Actions

Rec'd: 12-3-07	Proposed Action: <b>APOA</b>	
Fees Pd: \$400.00	WM District: 8	ODFW District: NONE
Initial Notice: 12-18-07	WM Review sent: 12-17-07	ODFW Review sent: NONE
Acknowledgement Letter Sent: <input checked="" type="checkbox"/>		GW Review sent: 12-17-07

### Processing Dates & Actions

Deficiency Contacts:	Newspaper Publication Required? <b>YES</b>
Affidavit of Publication Rec'd: <u>YES</u>	Affidavit of Publication Due: _____
Last Day Published: <u>4-23-08</u>	Affidavit Reminder Sent: _____
Reminder Deadline: _____	

### Final Order

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Electronic Files uploaded     | <input type="checkbox"/> File Assigned/ ModPod updated         |
| <input checked="" type="checkbox"/> Newspaper Notice Cover letter | <input type="checkbox"/> Fee Refund Due                        |
| <input checked="" type="checkbox"/> Newspaper Notice              | <input checked="" type="checkbox"/> DRAFT Final Order document |

Draft Order Review (Optional)	Final Order Review (Salem)
Reviewer: <u>PKS</u>	Reviewer: _____
Date: <u>3/24/08</u>	Date: _____
Coordinator: <u>AKP</u>	Coordinator: _____
Date: <u>3/24/08</u>	Date: _____
Comments/Special Issues: APOA. Newspaper Notice is REQUIRED (Proposed APOA is 0.63 mile west of authorized Well #1.)	

Special Order Volume: Vol: 74, Pages 1013

Final Order Signature Date: 5-27-08

Notice of FO e-mailed to processors: Lisa J.

# Baker City Herald

www.bakercityherald.com

541-523-3673 - 1915 First St. - Baker City, Oregon 97814 - fax: 541-523-6426

## Affidavit of Publication

STATE OF OREGON, COUNTY OF BAKER

I, **Rachel Looney**, a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not party to or interested in the below-entitled matter. I am the principal clerk of the printer of the Baker City Herald a daily newspaper of general circulation, published in the aforesaid county and state as defined by ORS 193.010 and ORS 193.020, that

**Acct. Name:** Brent Stumbaugh

**Legal No.:** 25-52294c

**Legal Description:** Notice of Permit Amendment T-10494

a printed copy of which is hereto affixed was published in each regular and entire issue of the said newspaper and not in any supplement thereof on the following dates, to wit:

April 9, 16, 23, 2008

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Baker City, Oregon, this 2 day of May, 2008.

### 100-Public Notices

Notice of Permit Amendment T-10494  
T-10494 filed by Brent Stumbaugh, 60475 Arnold Market Rd., Bend, Or 97702, proposes an additional point of appropriation for a portion of the land permitted under Permit G-10494. The permit allows the use of 4.5 cfs (priority date August 31, 1994) from two wells in Sec. 26 and 27, T7S, R38 E, W.M. (Big Muddy Creek Basin) for irrigation in Sec. 23, 26, and 27. The applicant proposes to add a point of appropriation approximately 0.63 mile west (Sec. 27, T 7 S, R 38 E, W.M.) from authorized Well #1. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211. The last date of newspaper publication is April 22, 2008.

Legal No. 25-52294c  
Published: April 9, 16, 23, 2008

*Rachel Looney*  
*Claudia Bigler*

Notary Public of Oregon

RECEIVED  
MAY 16 2008  
WATER RESOURCES DEPT  
SALEM, OREGON





# Oregon

Theodore R. Kulongoski, Governor

T-10494  
Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

March 26, 2008

BRENT STUMBAUGH  
60475 ARNOLD MARKET ROAD  
BEND, OR 97702

REFERENCE: Permit Amendment Application T-10494

Enclosed, please find a *draft* Final Order regarding Permit Amendment Application T-10494. The document reflects the Department's conclusion that, based on the information currently available, the permit amendment will be approved. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the permit amendment.

**Additionally, because the proposed additional point of appropriation is more than ¼ mile from the authorized points of appropriation, the applicant is responsible for publishing notice of the permit amendment in a local newspaper having a general circulation in the area of the water use permit.** The permit amendment notice must be published in a local newspaper in the general area of the permit (newspapers with statewide circulation such as the Capital Press, Journal of Commerce, etc. do not qualify). **The notice must be published *at least once a week for three consecutive weeks.*** A copy of the required notice is enclosed for your use. Please have the newspaper insert the appropriate final date of publication in the place indicated in the notice.

**After publication, the Department needs to receive an affidavit specifying the dates the notice was published.** Please request the affidavit of publication from the newspaper following publication and send it to me, Lisa Jaramillo, at the address at the top of the page.

Payment of the cost of publication is your responsibility; please do not send any billing to the Water Resources Department.

Upon receipt of the affidavit, processing will continue on the permit amendment application.

Please feel free to contact me at 503-986-0880 or [Lisa.J.Jaramillo@wrd.state.or.us](mailto:Lisa.J.Jaramillo@wrd.state.or.us), if you have questions.

Sincerely,



Lisa J. Jaramillo  
Transfer Specialist  
Field Services Division

cc: T-10494  
Rick Lusk, Watermaster Dist. #8  
Peggy Browne, Agent, 50809 Ellis Road, North Powder, OR 97867  
Douglas J. and Elsie D. Newman, Route 1, Box 59A, Haines, OR 97833

enc



**Source:** TWO WELLS, in the Big Muddy Creek Basin  
**Quantity:** 4.5 CUBIC FEET PER SECOND (CFS), BEING 2.25 CFS FROM EACH WELL  
**Rate/Duty:** The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 ACRE FEET for each acre irrigated during the irrigation season of each year.

**Date of Complete Application of Water:** October 1, 2012

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	¼ ¼	Location
7 S	38 E	WM	26	NW NW	Well #2 – 10 feet South and 50 feet East from the NW corner of Section 26
7 S	38 E	WM	27	NE SE	Well #1 – 3270 feet South and 50 feet West from the NW corner of Section 26

**Authorized Place of Use:**

Twp	Rng	Mer	Sec	¼ ¼	Acres	Type of Change Proposed
7 S	38 E	WM	23	SW SW	40.0	NONE
7 S	38 E	WM	23	SE SW	40.0	NONE
7 S	38 E	WM	26	NE NW	40.0	NONE
7 S	38 E	WM	26	NW NW	40.0	NONE
7 S	38 E	WM	27	SW NE	26.0*	Add'l POA
7 S	38 E	WM	27	SE NE	27.0*	Add'l POA
7 S	38 E	WM	27	SE NW	27.63*	Add'l POA
7 S	38 E	WM	27	NE SW	39.7*	Add'l POA
7 S	38 E	WM	27	SW SW	11.0*	Add'l POA
7 S	38 E	WM	27	SE SW	40.0*	Add'l POA
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7 S	38 E	WM	27	NW SE	35.0*	Add'l POA

*\* Indicates acreage to be affected by this permit amendment T-10494.*

6. Application T-10494 proposes to add the following point of appropriation to the permit for the 241.33 acres of land identified in Finding #5 above:

Twp	Rng	Mer	Sec	¼ ¼	Tax Lot	Location	Distance from Well #1
7 S	38 E	WM	27	NE SW	301	1220 South and 899 feet West from the center of Section 27	0.63 mile West

7. Notice of the application for the permit amendment was published in the Department's weekly notice on December 11, 2007, and in the \_\_\_\_\_ newspaper on \_\_\_\_\_, 2008, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
8. The change would not result in injury to other water rights.
9. The change will not result in enlargement of the permit as long as the quantity of water appropriated from the proposed additional well, together with that diverted at the original point of appropriation (Well #1), does not exceed the quantity of water allowed from existing permitted Well #1, being 2.25 cfs.
10. The change does not alter any other terms of the permit.

### **Conclusions of Law**

The additional point of appropriation proposed by Permit Amendment Application T-10494 is consistent with the requirements of ORS 537.211.

### **Now, therefore, it is ORDERED:**

The change and subsequent use of water shall be subject to the following conditions:

1. The combined quantity of water diverted at the proposed additional point of appropriation, together with that diverted at the original point of appropriation (Well #1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well #1), being 2.25 cubic feet per second.
2. Water shall be acquired from the same ground water source as the original point of appropriation (Well #1).
3. Prior to water use from the proposed additional point of appropriation, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

4. The proposed well shall be continuously cased and sealed and ground water for use under this permit shall be produced from a depth greater than 100 feet below land surface.
5. All other terms and conditions of Permit G-13738 remain the same.

6. Permit G-13738, in the names of Douglas J. & Elsie D. Newman and Brent Stumbaugh, is amended as described herein.

Dated at Salem, Oregon this \_\_\_\_ day of \_\_\_\_\_, 2008.

**DRAFT**

---

Phillip C. Ward, Director

### Notice of Permit Amendment T-10494

T-10494 filed by Brent Stumbaugh, 60475 Arnold Market Road, Bend, OR 97702, proposes an additional point of appropriation for a portion of the land permitted under Permit G-10494. The permit allows the use of 4.5 cfs (priority date August 31, 1994) from two wells in Sec. 26 and 27, T 7 S, R 38 E, W.M. (Big Muddy Creek Basin) for irrigation in Sec. 23, 26 and 27. The applicant proposes to add a point of appropriation approximately 0.63 mile west (Sec. 27, T 7 S, R 38 E, W.M.) from authorized Well #1. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211. The last date of newspaper publication is *[DATE OF LAST PUBLICATION]*.

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DOUGLAS J. AND ELSIE D. NEWMAN  
RT 1 BOX 59A  
HAINES, OREGON 97833

(541) 856-3746

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-13804.

SOURCE OF WATER: TWO WELLS IN BIG MUDDY CREEK BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 401.33 ACRES

MAXIMUM RATE: 4.50 CUBIC FEET PER SECOND (CFS), BEING 2.25 CFS FROM EACH WELL

THE PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: AUGUST 31, 1994

POINT OF DIVERSION LOCATION: NW 1/4 NW 1/4, SECTION 26, NE 1/4 SE 1/4, SECTION 27, T7S, R38E, W.M.; WELL 1 - 3270 FEET SOUTH & 50 FEET WEST; WELL 2 - 10 FEET SOUTH & 50 FEET EAST BOTH FROM NW CORNER, SECTION 26

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 SW 1/4 40.0 ACRES  
SE 1/4 SW 1/4 40.0 ACRES  
SECTION 23

NE 1/4 NW 1/4 40.0 ACRES  
NW 1/4 NW 1/4 40.0 ACRES  
SECTION 26

T-10494

Application G-13804 Water Resources Department

PERMIT G-13738

SW 1/4 NE 1/4 26.0 ACRES  
 SE 1/4 NE 1/4 27.0 ACRES  
 SE 1/4 NW 1/4 27.63 ACRES  
 NE 1/4 SW 1/4 39.7 ACRES  
 SW 1/4 SW 1/4 11.0 ACRES  
 SE 1/4 SW 1/4 40.0 ACRES  
 NE 1/4 SE 1/4 35.0 ACRES  
 NW 1/4 SE 1/4 35.0 ACRES

SECTION 27

TOWNSHIP 7 SOUTH, RANGE 38 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The wells shall be continuously cased and sealed and ground water for use under this permit shall be produced from a depth greater than 100 feet below land surface.

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order or Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

#### STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

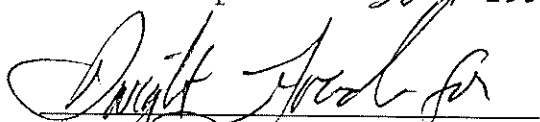
The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction of the well shall begin within one year from permit issuance. Complete application of water to the use shall be made on or before October 1, 2003. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued September 30, 1999

*C date ext 10-1-08*

  
Martha O. Pagel, Director  
Water Resources Department

Portion of Permit Retained by: Douglas J & Elsie D. Newman  
other portion assigned to Gramzow on 3-3-04, then to Stumbaugh on 6-1-06

**Permit Amendment Processing Log (ORS 537.211)**

T- 10494

Reviewer's Name: [Signature] Date: 3-12-08

Transfer #: T-10494 Type of Change: APOA

Originating Permit #: G-13738 (Appl #: G-13804) "C" Date: 10-1-2012

Date filed: 12-3-07  
 County: Baker WM District: #8-Rick Lusk

Applicant's Name & Mailing Address: Brent Stumbaugh  
60475 Arnold Market Rd.  
Bend, OR 97702

CWRE: N/A

Agent: Peggy Browne  
50809 Ellis Rd, North Powder, OR 97867

**Transfer Workflow**

File assigned to me? yes.

**Check Application**

- Type of change indicated clearly? APOA
- Is the application signed by all the permit holder(s) of record? Yes  No  Yes. for portion being amended.
  - If No...  If there are other permit holders that have NOT signed the application, have they submitted a notarized statement consenting to the permit amendment application? Yes  No
  - If signed by someone other than permit holder(s), is there a notarized statement allowing this person to act as an agent on behalf of the permit holder(s)? Yes  No
- Have the appropriate fees been paid? Yes  No  \$400.00 paid on 12-3-07.
  - If "No"...  Fees due: \_\_\_\_\_
  - Refund due: \_\_\_\_\_

(If to be REFUNDED, generate Request for Refund to be sent to Fiscal at time of Final Order.)

N/A  
N/A  
N/A  
N/A

- If MU or QM for POU change (service boundary expansion), has Land Use form for "to" land signed by proper official been submitted?
- If MU or QM for POU change (service boundary expansion), has evidence of use been submitted?  
(Permit holder is capable of using all water within the service boundary in existence at time of permit issuance.)
- If a ditch company or district is involved, send them a copy of the application and map.
- If a POD is moving to a ditch owned by a company or organization, applicant may need to show permission from the ditch owner.

**Check Ownership**

- Is the POD/POA or POU being moved to land owned or controlled by the permit holder(s)? Yes  No 
  - If "No"... Deed is needed for land not under permit holders control or ownership.  
(If "Yes"... all "to" area on permit holders land described in deed from original application for permit, no need to have another copy of the same deed.)
- Assignment needed? Yes  No   
(If POU being moved to land NOT owned by permit holder, the owner of the "to" land must be assigned to permit)
- Print copy of current tax lot map. (If application is several years old, contact assessor's office for current landowner.)  
(Verify that Land Use and Deed in permit file record match POU identified in Permit Amendment... most likely OK if no POU change.)

**Check Application Map... Same standards as Div 380 except does NOT have to be prepared by CWRE**

- Is the size and scale accurate and appropriate as per OAR 690-380-3100(1)(b)(c)&(d)?
- Are all authorized and proposed POD's/POA's and POU's shown and clearly labeled?
- Do the metes and bounds for the POD's/POA's properly describe the location on the map?
- Do map acres match the tabulation on the permit?
- Do the POD/POA dimensions & 1/4 1/4 on map match the permit amendment application and permit descriptions?

OK Revised to match permit  
Coord. given for Well #1 are NOT correct.  
by Brent Stumbaugh via e-mail on 3-20-08.

**Is Application complete?**

- Application Form
- Well Logs
- Map
- Fees Paid

Refund? No

**May be needed on POU's...**

- Deed (if POU moving to land not owned or controlled by permittee)
- Evidence of Use - (if permit is MU or QM and want to change POU to expand service boundary footprint)
- Land Use form - (if POD/POA or POU is moving a great distance & off of land originally involved in permit)

**Reviews/comments received?**

- Watermaster yes.
- ODFW N/A
- GW yes.

**Determining the "From" and "To" Lands (make working copy of application and permit to mark on)**

- Are the permitted POD's/POA's and POU's to be transferred listed?
- Do application & permit tabulations match? (check off on application and permit copies and note corrections needed)
- Mark proposed changes on permit copy.

*Coordinates given for Well #1 don't match permit appl. Permit amend map. OK Revised by applicant via e-mail on 3-20-08.*

**Conflict Check**

- Print plat card report for POU change. - No POU Change.
- Are there conflicting water rights on "to" land? No POU Change.
- Are there any rights coupled together (primary and supplemental) that must move along with subject permit? If so, identify: No POU Change
- Are there any rights that need to be canceled or diminished to supplemental? If so, identify & prepare an affidavit: No POU Change.

**Injury Determination**

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Watermaster | Injury: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Conditions requested: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| <input checked="" type="checkbox"/> ODFW        | Injury: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Conditions requested: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> GW          | Injury: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Conditions requested: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |

*Reiterate Well constr. cond. & meas. from permit.*

**Conditions requested:**

- Measurement devices:  Required prior to use -or-  "When in the judgment..."  
 Fish screen (see ODFW comments)  Other:

*- measurement devices & headgates.*

- Will the "from" land be able to be dried up? Yes  No  No POU Change
- Use Interactive Mapping to check for intervening PODs: Yes  No

- Check relation to instream water rights:  Moves into or within ISWR  No problem GW Source
- Check movement related to reduction of flows to junior rights: " "

Determination: Enlargement?  Yes  No - if limited to "Q" lawfully avail @ orig. well.  
 Injury?  Yes  No

Approve -or-  Reject

**Conditions from Permit**

- Any Wells constructed must be cased & sealed to 100 ft. bls.
- Measurement - Before use... install meter, keep monthly record of water use, & allow access to well.

Deficiencies to be resolved:

- 
- 
- 

Processing Benchmarks:

Request for Comments

WRD Notice date: 12-11-07 Comments received? Yes  No

Deficiency Letter

Deficiency letter sent on \_\_\_\_\_ for \_\_\_\_\_

Response due date: \_\_\_\_\_

Newspaper Notice... (Required for POD or POA change with a distance of more than 1/4 mile from permitted POD/POA)

- Is newspaper notice required? Yes  No
- If Yes, generate a draft of the newspaper notice.

Yes. Proposed Add'l Well is approx. 3300 ft. West of Authorized Well #1. (0.63 mile West)

Final Order

FO (& refund request) draft date: \_\_\_\_\_ Reviewed by: \_\_\_\_\_

Remarks and Notes:

**Lisa Jaramillo**

**From:** Brent Stumbaugh [bstumb@bendcable.com]  
**Sent:** Thursday, March 20, 2008 9:26 AM  
**To:** JARAMILLO Lisa J  
**Subject:** Permit Amendment G-13804 Permit G-13738

Lisa,

As we discussed this morning the location of Well no. 1 is within approximately 15 feet of the location given on page 1 of the original Permit which states "3270 feet south and 50 feet west". The accompanying map on the original shows the correct location also, but the language incorrectly says 2055 feet.

Thanks for your assistance.

Brent Stumbaugh  
541-749-0525

Kelly S.

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-13804

**Final Order**  
**Extension of Time for Permit Number G-13738**

Appeal Rights

**This is a final order in other than contested case.** This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

The Department issued Permit G-13738 on September 30, 1999. The permit called for complete application of water to beneficial use by October 1, 2003. On October 22, 2007, Brent Stumbaugh submitted to the Department an Application for Extension of Time for Permit G-13738. In accordance with OAR 690-315-0050(2), on December 4, 2007, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2012. The protest period closed January 18, 2008, in accordance with OAR 690-315-0060(1). No protest was filed.

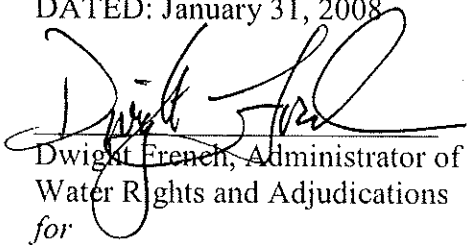
At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to no additional conditions.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application G-13804, Permit G-13738, therefore, is approved. The deadline for applying water to full beneficial use is extended to October 1, 2012.

DATED: January 31, 2008



Dwight French, Administrator of  
Water Rights and Adjudications  
*for*  
Phillip C. Ward, Director

- 
- If you have any questions about statements contained in this document, please contact Kim French at (503) 986-0813.
  - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1271  
(503) 986-0900  
www.wrd.state.or.us

## Watermaster Review Form: Water Right Transfer

Transfer Application: T-10494

Review Due Date: 1.24.2008

Applicant Name: Brent Stumbaugh

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): Rick Lusk

Date of Review: 1.24.2008

1. Do you have information suggesting that the water rights may be subject to forfeiture?  
 Yes  No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: N/A
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights?  Yes  No Generally characterize the frequency of any regulation or explain why regulation has not occurred:  
Source is a well
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right?  If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: N/A, source is a well
4. Are there upstream water rights that would be affected by the proposed change?  
 Yes  No If "Yes", describe how the rights would be affected and list the rights most affected: well
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach?  If you check the box, describe and, if possible, estimate the losses: N/A
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?  
 Yes  No If "Yes", explain: a well
7. For POU changes, would the original place of use continue to receive water from the same source?  Yes  No  N/A If "Yes", explain: \_\_\_\_\_
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?  Yes  No  
If "Yes", explain: N/A
9. Are there other issues not identified through the above questions?  Yes  No If "Yes", explain: additional point of diversion for permit G-13738
10. What alternatives may be available for addressing any issues identified above: N/A

11. Have headgate notices been issued for the source that serves the right?  Yes  No
12. What water control and measurement conditions should be included in the transfer:

<b>Measurement Devices</b>	<input type="checkbox"/> Present and should be maintained.	<input checked="" type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.
<b>Headgates</b>	<input type="checkbox"/> Present and should be maintained.	<input checked="" type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.



# Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

### INTEROFFICE MEMO

TO: TRANSFER SECTION

DATE: 12-17-07

*Lisa*

FROM: \_\_\_\_\_ WATERMASTER, DISTRICT # \_\_\_\_\_  
\_\_\_\_\_ GROUNDWATER SECTION

(SIGNATURE) Mike Zwart date signed 12/26/07

SUBJECT: PERMIT AMENDMENT # 10494

A change in: POU      POD      APOA of water.

In the name(s) of Brent Stumbaugh

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY       WOULD RESULT IN INJURY\* to an existing water right.

\*The approval of this transfer application would result in injury to other water rights because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The existing right may not be valid because \_\_\_\_\_  
\_\_\_\_\_

Headgate notices HAVE      HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) \_\_\_\_\_

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

\_\_\_\_\_ (1) PRIOR to the diverting of water at the new point of diversion . . .

\_\_\_\_\_ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.



**OREGON WATER RESOURCES DEPARTMENT  
INTEROFFICE MEMO**

To: Ground Water files Date: December 26, 2007

From: Michael J. Zwart

Subject: Application Review: T-10494, Brent Stumbaugh  
(Permit Amendment)

This application proposes an additional POA to make up a deficiency in rate from well #1. It appears that the applicant has acquired a portion of the permitted acres and has access to well #1, but not well #2. The authorized well (BAKE 50735) develops an aquifer in valley-fill sediments below a depth of 100 feet. The proposed well will develop the same ground-water source as does the authorized well. The permit has a condition requiring that any wells be cased and sealed to at least 100 feet below land surface. The permit also includes a measurement condition for the authorized wells. There are no measurement reports on file for the authorized wells. The transfer, if approved, should include the same measurement condition and well construction condition for the proposed additional well.

I find that the proposed change may be made without injury provided the following: the right is valid and the Watermaster can approve the proposal.



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

December 12, 2007

BRENT STUMBAUGH  
60475 ARNOLD MARKET ROAD  
BEND, OREGON 97702

Reference: Permit Amendment T- 10494

On December 3, 2007 we received your request for permit amendment. The application was accompanied by \$400.00. Our receipt 90817 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the change.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new point of appropriation, until we issue a final order approving the application.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Rick Lusk, Watermaster # 8  
Powder Valley Water Control District  
Mike Zwart, Groundwater  
Peggy Browne, Agent

enclosure



# Oregon

Theodore R. Kulongoski, Governor

**Water Resources Department**

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

**Notice of Application for  
Water Right Transfer, Temporary Transfer, or Permit Amendment  
12/11/2007**

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: BAKER  
Transfer: 10494  
Water Right: PERMIT G 13738  
Priority Date: 1994  
Name: BRENT STUMBAUGH  
Address: 60475 ARNOLD MARKET ROAD, BEND, OR 97702  
Change: APOA  
Source: WELLS  
Authorized POA: T7S, R38E, SEC 27 NE SE  
Proposed POA: T7S, R38E, SEC 27 NE SW

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.

Indicate in this column whether or not the item is satisfied.

## Permit Amendment Application – ORS 537.211

### Completeness Checklist

Applicant's Name: Brent Stumbaugh (Form last revised: October 30, 2006)

#### Section A – Status of Permit

Is this a permit that can be amended?

OK

**NOTE:** The Department CANNOT accept a Permit Amendment application for any permit that has:  
 \_\_\_ 1) a permit completion date that has expired; *or*  
 \_\_\_ 2) a pending permit extension of time application on file with the Department; *or*  
 \_\_\_ 3) a pending claim of beneficial use report on file with the Department.

If the subject permit falls into any of the above categories, RETURN the application & fee to the applicant.

#### Section B – Type of Change

Is the proposed change(s) allowed under the Permit Amendment process? [ORS 537.211(4)]

APOA

**NOTE:** Only POD, POA or POU changes are allowed on Permit Amendments.

If the application proposes a change other than those listed above, RETURN the application & fee to the applicant.

#### Section C - Fees

Have the appropriate fees been paid?

Total Required Fees: \_\_\_\_\_

400

Fee Schedule – ORS 536.050(1)(b)  
 \$350 - Base fee (1<sup>st</sup> change and 1<sup>st</sup> CFS of water)  
 + \$350 - Each additional type of change requested  
 + \$175 - For each CFS, or fraction thereof, requested beyond 1<sup>st</sup> CFS  
 (for POU, Type of Use, or Exchange)

Total Fees Paid: 400

Fees Due (if any): \_\_\_\_\_

Refund Due (if any): \_\_\_\_\_

If the applicant has **NOT** submitted the total fees required, RETURN the application & deficient fee to the applicant.

#### Section D – Completeness

Indicate in this column whether an item is incomplete, and if so, identify the deficiency.

Is the Permit Amendment application complete?

All required elements necessary for a complete permit amendment application are listed below. Indicate whether or not the applicant has answered and/or supplied attachments to adequately address each of the following items. If any one of the items is deficient, then the application is incomplete.

**NOTE:** For reference, the application page number upon which each item is requested is identified.

If the application is **NOT** complete, RETURN the application & fee to the applicant.

OK

• Applicant's name, mailing address and contact information. (Page 1)

OK

• Agent's name, mailing address and contact information, if applicable. (Page 1)

OK

• Are multiple permits being amended? YES NO (Page 2)  
 If YES..... the applicant must supply a separate "set" of pages 3 through 7 of the application form for each permit to be amended.

APOA

• The type of amendment being proposed. (Page 2)

OK

• Reason for the permit amendment. (Page 2)

OK

• Current permit information – permit number, use, priority date, source(s), etc. (Page 3)

N/A	<ul style="list-style-type: none"> <li>• If for a change in POU.....Are there any “layered” irrigation rights, permits, or GR registrations appurtenant to the same place of use as the permit proposed to be amended? <b>YES NO</b> If <b>YES</b>..... the other “layered” water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5). (Page 3)</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Location description of the authorized POA/POD to be amended. (Page 4) <i>NOTE:</i> Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map. Additionally, if the existing authorized source is ground water (POA), the applicant must either: _____ 1) supply a copy of the well log(s), <u>or</u> _____ 2) if well logs are <b>not available</b>, describe the construction of the well(s) in the table provided on page 4 of the application.</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Location description of the existing authorized POU and associated acres (if applicable). (Page 5) <i>NOTE:</i> Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Location description of the proposed POA/POD. (Page 6) <i>NOTE:</i> Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map. Additionally, if the proposed source is ground water (POA), the applicant must either: _____ 1) supply a copy of the well log(s), <u>or</u> _____ 2) if well logs are <b>not available or</b> the well is <b>not yet constructed</b>, describe the construction of the well(s) in the table provided on page 6 of the application.</li> </ul>
N/A	<ul style="list-style-type: none"> <li>• Location description of the proposed POU and associated acres (if applicable). (Page 7) <i>NOTE:</i> Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Affected districts and local governments. (Page 8) If within a district/local government jurisdiction, ensure that name &amp; mailing address is provided.</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Is the applicant the permit holder of record? <b>YES</b> NO (Page 8) If <b>NO</b>..... the applicant must either submit: _____ 1) a Request for Assignment form &amp; fee in order to be assigned to the permit, <u>or</u> _____ 2) an Affidavit of Consent from the permit holder giving permission for the amendment.</li> </ul>
N/A	<ul style="list-style-type: none"> <li>• If the permit holder of record does <b>not</b> own or control the land <b>TO</b> which the place of use is being moved, has a Request for Assignment form been submitted to assign the owner of the <b>TO</b> land to the permit? <b>YES NO</b> (Page 9)</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Map..... (<b>NOT</b> required to be prepared by a CWRE). (Page 10) __ north arrow __ size &amp; scale __ other: _____ __ authorized acreage per ¼ ¼ matches the permit __ authorized POD/POA and POU (<i>clearly shown, labeled &amp; matches application listing</i>) __ point plotted for the authorized POD/POA agrees with location coordinates __ proposed POD/POA and/or POU (<i>clearly shown, labeled &amp; matches application “proposed” listing</i>) __ location coordinates accurately describe the point identified as the proposed POD/POA</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Land Use form, <i>if applicable</i>. (Page 10) May be needed if the POD/POA or POU is moving a great distance <b>and</b> off of land originally involved in permit.</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Signature(s) of applicant(s): (Page 11) <u>All</u> applicants listed on page 1 of the application <b>must</b> sign the application.</li> </ul>

WRD Completeness Reviewer’s Name: \_\_\_\_\_ Date: \_\_\_\_\_

# **ORIGINALS**

**Transfer Application and Map**

**Amendments/Revisions to Appl & Map**

**Receipt**

**Deed or Lot Book Report**

**Notarized Consent**

**Evidence of Use Affidavit**

**Land Use Information Form**

**Lien Holder Notification *(if applicable)***

**Report of Ownership and Lien Info *(if applicable)***

**&**

**Other Supporting Documentation**

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172  
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **90817**

INVOICE # \_\_\_\_\_

RECEIVED FROM: <u>Forty Seven Ranch</u>	APPLICATION
BY: _____	PERMIT
CASH: <input type="checkbox"/>	TRANSFER <u>T-10494</u>
CHECK: # <u>1052</u> <input checked="" type="checkbox"/>	TOTAL REC'D \$ <u>400.00</u>
OTHER: (IDENTIFY) <input type="checkbox"/>	

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES	\$ _____
OTHER: (IDENTIFY) _____	\$ _____
0243 I/S Lease _____	
0244 Muni Water Mgmt. Plan _____	
0245 Cons. Water _____	

**4270 WRD OPERATING ACCT**

<b>MISCELLANEOUS</b>			
0407 COPY & TAPE FEES			\$ _____
0410 RESEARCH FEES			\$ _____
0408 MISC REVENUE: (IDENTIFY) _____			\$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____			\$ _____
0240 EXTENSION OF TIME			\$ _____
<b>WATER RIGHTS:</b>			
0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ <u>400.00</u>		\$ _____
<b>WELL CONSTRUCTION</b>			
0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$ _____	0220	\$ _____
OTHER (IDENTIFY) _____			

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE	\$ _____	CARD # _____
0210 MONITORING WELLS	\$ _____	CARD # _____
OTHER (IDENTIFY) _____		

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FWWRD)		\$ _____
0231 HYDRO LICENSE FEE (FWWRD)		\$ _____
HYDRO APPLICATION		\$ _____

**TREASURY OTHER / RDX**

FUND _____	TITLE _____	
OBJ. CODE _____	VENDOR # _____	
DESCRIPTION _____		\$ _____

RECEIPT: **90817**

DATED: 12-3-07 BY: [Signature]



**Permit Amendments**

- If you propose to amend multiple permits under this application, a separate set of pages 3 through 7 must be provided for each permit. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

**Ground Water Registration Modifications**

- You may propose modification of only one ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

**4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED**

Please check **all** of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> <b>Change</b> (The old point of diversion or appropriation will <b>not</b> be used for the portion of the water right affected by the amendment or modification.)  <input checked="" type="checkbox"/> <b>Additional</b> (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.)  <p style="text-align: center;"><i>Not Available for <u>Ground Water Registrations</u></i></p> <input type="checkbox"/> <b>Surface Water to Ground Water</b> (A new point of appropriation will be used <b>instead of</b> the old point of diversion. The old point of diversion will <b>not</b> be used.)	<input type="checkbox"/> <b>All of the Permit or Registration will be exercised at a different location than currently authorized</b> (Use of water at the current authorized location will be discontinued.)  <input type="checkbox"/> <b>Only a portion of the Permit or Registration will be exercised at a different location than currently authorized</b> (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)	<p style="text-align: center;"><i>Not Available for <u>Permit Amendments</u></i></p> <p><b>Change existing authorized use to the following proposed <u>new</u> use:</b></p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> <b>Domestic</b> (indicate number of households): _____ <input type="checkbox"/> <b>Other</b> _____

- Reason(s) for amendment/modification(s): Existing well provides inadequate water  
quantity for the supplemental irrigation water right. A second well is proposed to be  
added to supplement the supplemental water right of the original well.

**RECEIVED**

DEC 03 2007

**5. CURRENT PERMIT OR REGISTRATION INFORMATION**

Permit or Registration to be Amended/Modified (check and complete one of the following):

<input checked="" type="checkbox"/>	Permit to be Amended:	G-13738 <small>Permit Number</small>	10/1/08 <small>Current Completion Date of Permit</small>
<input type="checkbox"/>	Ground Water Registration to be Modified:	 <small>Ground Water Registration Number</small>	<i>NOTE: Concurrent changes to a water right must be filed separately on a transfer application.</i>

- Name on Permit or Registration: Douglas J. and Elsie D. Newman
- County: Baker
- Authorized Use(s) to be affected by this Amendment/Modification: supplemental irrigation of 241.33 acres.

- Priority Date(s): August 31, 1994

*If there are multiple Priority Dates identified on the Permit or Registration, any information provided on pages 4 through 7 must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- All Source(s) of Water to be affected by this Amendment/Modification: The addition of a second well will supplement the supplemental water right of "Well 1".

Tributary to: \_\_\_\_\_

*If there are multiple Sources listed on the Permit or Registration, any information provided on pages 4 through 7 must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

**For an application proposing a Change in Place of Use or Character of Use:**

- Are there any other "Layered" Water Rights, Permits, or Ground Water Registrations issued for Irrigation purposes that are appurtenant to the same place of use as the Permit or Registration being Amended/Modified?  Yes  No  N/A -No Change in Use or Place of Use

If "Yes", pursuant to ORS 540.510, OAR 690-380-2240 and OAR 690-382-0200, the other "layered" water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).

- Remarks: \_\_\_\_\_

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- The following information **must be provided** only for those points of diversion or appropriation that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing permit or ground water registration.

**Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:**

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
L-26544 WL-50751	Well 1 in Big Muddy Creek Basin 8/31/94	7S	38E	W M	27	NESE	302	3270'S 2055' South and 50' West of the NE corner of Section 27, T7S R38E.
								-As revised by Brent Stumbaugh via e-mail on 3-20-08.

- Does the permit/registration being amended/modified involve a ground water source(s)?  
 Yes       No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department's website at: [www.wrd.state.or.us](http://www.wrd.state.or.us))

or

B. If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

**Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)**

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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**6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION**

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

**Location of Proposed Point(s) of Diversion or Appropriation:** (i.e., the "TO" point(s) of diversion/appropriation)

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well in Big Muddy Creek Basin	7S	38E	WM	27	NE SW	301	1220' South and 899' West of center of Section 27, T7S R38E.

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed?  Yes  No  N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: [www.wrd.state.or.us](http://www.wrd.state.or.us))

If "No", describe the anticipated construction for the proposed well(s) in the following table:

**Construction of Proposed Point(s) of Appropriation or Well(s):**

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L- )	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
No	N/A	10"	10" Steel casing	180'	100' to 200'	100'	100'	75'	Port and gauge	200'

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**7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS**

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district?  Yes  No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification?  Yes  No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency?  Yes  No

*If "Yes", for any of the above, list the name and mailing address of the district and/or agency:*

Powder Valley Water Control District, PO Box 189, North Powder, OR 97867

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the right(s) are located).

Baker County, 1995 3<sup>rd</sup> St, Baker City, OR 97814

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**8. PERMIT HOLDER OF RECORD**

*This section is to be completed only for Permit Amendment applications.*

*N/A – This is a Ground Water Registration Modification application.*

- Is the applicant the permit holder of record?  Yes  No

*If "No", the applicant must either:*

A. *Be assigned as a permit holder of record by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment;*

**or**

B. *Submit an **Affidavit of Consent** from the permit holder of record that gives permission for the applicant to amend the permit.*

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**10. ATTACHMENTS**

Check each of the following attachments included with this application.  
The application will be returned if all required attachments are not included.

**Map:**

- A map meeting the requirements of OAR 690-380-3100 must be included but need **not** be prepared by a Certified Water Right Examiner.

**Land Use Information Form:**

- Enclosed; *or*
- Not required if **all** of the following are met:
  - ① In EFU zone or irrigation district;
  - ② Change in place of use only;
  - ③ No structural changes needed, including diversion works, delivery facilities, other structures; *and*
  - ④ Irrigation only.

**Water Well Reports/Well Logs:**

- The application involves a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- N/A. The application does **not** involve a change in point of appropriation or a change from surface water to ground water, so water well reports are **not** required.

**Fees:**

- Amount enclosed: \$ 400.00  
See the Department's Fee Schedule at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml) or call (503) 986-0900.

**For Permit Amendments Only...**

**Request for Assignment:**

- Enclosed. The applicant is **NOT** the permit holder of record and needs to be assigned to the permit; **OR** the landowner of the proposed place of use is **NOT** the permit holder of record and needs to be assigned to the permit.  
*The Request for Assignment form is available online at: [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml) ; *or**
- N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; **OR** the applicant is *not* the permit holder of record but **is** supplying an Affidavit of Consent from the permit holder.

**Affidavit of Consent:**

- Enclosed. Because the applicant is **NOT** the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; *or*
- N/A. Not required because the applicant is the permit holder of record.

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**Before submitting your application to the Department, be sure you have:**

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for **all** named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

**11. SIGNATURES**

- **For Ground Water Registration Modification Applications only, check the appropriate one and sign the application in the signature box below:**

In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the modification:

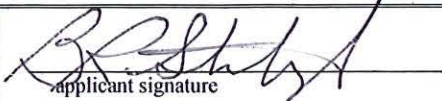
- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed modification provided by the applicant to **all** lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the recorded agreement and a listing of the owner(s) of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the applicant is **not both** the person named on the ground water registration or the assignee **and** the owner of the lands to which the registration is appurtenant, as identified in the report of ownership and lien information, then **either** of the following must be provided:

- A) Notarized statements consenting to the modification by all persons, other than the applicant, who are named on the ground water registration or identified as landowners in the report of ownership and lien information or who are authorized representatives of an entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement; **or**
- B) Documentation demonstrating that the applicant is authorized to pursue the modification in the absence of consent of the persons named on the ground water registration or the assignee **and** the owner of the lands to which the registration is appurtenant.

I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the ground water registration proposed for modification is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-382-0400(16)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for recognition of a modification under this subsection if it has filed a condemnation action to acquire the property and deposited the funds with the court as required by ORS 35.265.)

- **For both Permit Amendment and Ground Water Registration Modification Applications, I (we) affirm that the information contained in this application is true and accurate.**

	Brent R. Stumbaugh	11/15/07
applicant signature	name (print)	date
_____	_____	_____
applicant signature	name (print)	date


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BRENT STUMBAUGH — Permit Amendment App.

Township 7S

Range 38E

LEGEND

 = 6-13738 (8/31/94)

Well 1 = ~~2055'S~~<sup>3270'S</sup> and 50' W of NE corner of Sec 27, T7S R38E

Proposed well = 1220'S and 899' W of center of Sec 27, T7S R38E

22

23

Authorized Well 2 →

Big Muddy Creek

Area to be irrigated by Well 1 and proposed well (241.33 acres)

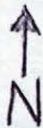
Authorized Well 1

Proposed Well

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1320'

1" = 1320'

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**ATTACHMENT:**

“Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed:”

**Brent Stumbaugh  
Permit Amendment Application**

The proposed well is located 1220' South and 899' West of the center of Section 27, T7S R38E. This proposed well will help supplement the supplemental water right (G-13728) of well #1 for 241.33 acres.

The proposed well has not yet been drilled. A well driller is scheduled to construct the well as soon as he is available. The estimated total well depth is 200 feet. The estimated depth to water is 100 feet. See also the description on page 6 of the Permit Amendment application under the heading “Construction of Proposed Point of Well.”

The applicant, Brent Stumbaugh, has spoken with the watermaster, Rick Lusk. Rick referred Brent to speak with Mike Zwart, a hydro geologist at OWRD, to determine if the proposed well will be using the same aquifer as the existing well.

Mike Zwart reviewed all available well logs of the area, permit, case, and all information available regarding this project. Mike Zwart believes that there is a high probability that the new well will be in same aquifer. In summary, he doesn't see how it could not be within the same aquifer.

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Well Log Query Results

Well Tag Nbr: 26544

Well Log	T-R-S/ QQ-Q	Taxlot	Street of Well	Owner	Company	Well Type	First Water	Completed Depth	Static Water Level	Yield	Completed Date	Received Date	Bonded Constructor	Startcard	Well Id #	New	Abandon	Deepen	Alteration	Conversion	Domestic	Irrigation	Community	Livestock	Industrial	Injection	Thermal
<a href="#">BAKE_50733</a>	7.00S-38.00E-27 NE-SE	300	OFF FOOT HILL RD	NEWMAN, DOUG J	NEWMAN, ELSIE RT BOX 59A HAINES OR 97833	W	44.00	760.00	50.0	300.0	04/25/2000	05/28/2000	CARPENTER, JODY L CARPENTER DRILLING	117010	26544	✓					✓						
<a href="#">BAKE_50751</a>	7.00S-38.00E-27 NE-SE	300	OFF FOOT HILL RD	NEWMAN, DOUG J	NEWMAN, ELSIE D RT BOX 59A HAINES OR 97833	W		760.00	50.0	308.0	07/13/2000	07/24/2000	CARPENTER, JODY L CARPENTER DRILLING	116102	26544			✓			✓						

[Download Data](#)

[Return to Well Log Query](#)

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# Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Brent Stumbaugh  
Mailing Address: 60475 Arnold Mkt Rd  
City: Bend State: OR Zip: 97702 Day Phone: 541 749 0525

This application is related to a Measure 37 claim.  Yes  No

### A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
7S	38E	27	NESE	301		<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>Irr.</u>
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. Baker County

### B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
- Allocation of Conserved Water
- Permit Amendment or Ground Water Registration Modification
- Water-Right Transfer
- Limited Water Use License
- Exchange of Water

Source of water:  Reservoir/Pond  Ground Water  Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 2.25  cubic feet per second  gallons per minute  acre-feet

Intended use of water:  Irrigation  Commercial  Industrial  Domestic for \_\_\_\_\_ household(s)  
 Municipal  Quasi-municipal  Instream  Other \_\_\_\_\_

Briefly describe: A second well will be drilled in above location to supplement the existing well in Sec 27 NESE TL 302 due to inadequate quantity for permit 67-13738.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

### Receipt for Request for Land Use Information

State of Oregon  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266

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## For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 301

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)  
**If approvals have been obtained but all appeal periods have not ended, check "Being pursued".**

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Observe setback requirements.

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Name: Holly Kerns Title: Lead Planner  
 Signature: Holly Kerns Phone: 541-523-8218 Date: 10/31/07  
 Government Entity: Baker County Planning Department

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

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**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

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PROPERTY ANALYSIS REPORT

Brent Stumbaugh  
60475 Arnold Market Road  
Bend, OR 97702

Date : November 14, 2007

Order No. 0027130

Cost: \$50.00

We have searched our Tract Indices as to the following described property:

The South half of the Southwest quarter of Section 27, Township 7 South, Range 38 East of the Willamette Meridian, in the County of Baker and State of Oregon.

ALSO a parcel in the North half of the Southeast quarter, the South half of the Northeast quarter, the Northeast quarter of the Southwest quarter, and the Southeast quarter of the Northwest quarter of Section 27, Township 7 South, Range 38 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at a point 7.07 chains South from the Northwest corner of the Southeast quarter of the Northwest quarter of Section 27, said township and range; thence East 25 chains; thence North 2.5 chains; thence East to a point 4.57 chains South of the Southeast corner of the Northeast quarter of the Northeast quarter of said Section 27; thence South 32.93 chains; thence West 40 chains; thence South 2.50 chains; thence West 20 chains; thence North 32.93 chains to the POINT OF BEGINNING.

ALSO all that portion of the Southeast quarter of the Northwest quarter of Section 27, Township 7 South, Range 38 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying South of Big Muddy Creek Lane (Baker County Road No. 636).

EXCEPTING THEREFROM all that portion of the Southwest quarter of the Northeast quarter of Section 27, Township 7 South, Range 38 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying North of Big Muddy Creek Lane (Baker County Road No. 636).

EXCEPTING THEREFROM a portion of Section 27, Township 7 South, Range 38 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at a point in the centerline of Big Muddy Creek Lane (Baker County Road 636) on the West line of the Southeast quarter of the Northwest quarter of Section 27, said township and range, said point being 1030 feet North from the Southwest corner of the Southeast quarter of the Northwest quarter; thence, following said road centerline Easterly, 1775 feet, more or less to a point 390 feet East of the East line of the Southeast quarter of the Northwest quarter; thence South 1960 feet, more or less to a point 225 feet North of the South line of the Northwest quarter of the Southeast quarter; thence West 1850 feet, more or less, to the West line of the Northeast quarter of the Southwest quarter, which point is

225 feet North of the Southwest corner of said Northeast quarter of the Southwest quarter; thence North to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM a portion of the Northeast quarter of the Southeast quarter of Section 27, Township 7 South, Range 38 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at a point on the East line of the Northeast quarter of the Southeast quarter of Section 27, said township and range, said point being South 03°01'58" East 220.28 feet from the East quarter corner of said Section 27; thence South 03°01'58" East 943.47 feet along said East line; thence South 89°16'15" West 30.02 feet to a point on the West line of the County Road; thence continuing South 89°16'15" West 145.00 feet; thence North 03°01'58" West 943.47 feet; thence North 89°16'15" East 145.00 feet to a point on the West line of the County Road; thence continuing North 89°16'15" East 30.02 feet to the POINT OF BEGINNING.

(The above-described lands are shown as Parcel No. 3 of PARTITION PLAT NO. P2004-001, recorded January 21, 2004, in Deed 0403 0148, Baker County Deed Records.)

TOGETHER WITH a 30-foot wide irrigation well and pipeline easement over Parcel No. 2 of PARTITION PLAT NO. P2004-001, as shown upon said plat.

ALSO TOGETHER WITH a 60-foot wide ingress/egress and utility easement over the Westerly 60 feet of Parcel No. 1 of PARTITION PLAT NO. P2004-001, as shown upon said plat.

ALSO TOGETHER WITH a 60-foot wide ingress/egress and utility easement over the Southerly 60 feet of Parcel No. 2 of PARTITION PLAT NO. P2004-001, as shown upon said plat.

ALSO TOGETHER WITH a 30-foot wide irrigation pipeline easement over Parcel No. 1 of PARTITION PLAT NO. P2004-001, as created by instrument recorded January 30, 2004, in Deed 0405 0082, Baker County Deed Records.

and as of **November 13, 2007 at 8:00 a.m.**, we find that the last deed of record runs to:

**BRENT STUMBAUGH and SANDRA STUMBAUGH, as tenants by the entirety**

We also find the following monetary encumbrances prior to the effective date hereof:

NONE

We also find the following unpaid taxes:

1. Taxes for the year 2007-2008: \$620.05, Unpaid  
Reference No.: 17504  
Code No.: 598  
Map No.: 07S3827  
Tax Lot No.: 301

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**NOTE: Property Address: 46601 Foothill Road, Haines, OR 97833**

**NOTE:** Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

**NOTE: THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. Our search was limited to our tract indices and no examination of the public record was made. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.**

AmeriTitle



Claude Jenkins  
Senior Title Officer

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