

Name Vernon E. Brumbach
By _____
Address Rural Route Rt. 1 Box 154
Milton-Freewater, Oregon

Date filed November 6, 1961
Priority November 6, 1961
Action suspended until OK cert

Returned to applicant _____
Date of approval February 13, 1962

CONSTRUCTION

Date for beginning February 13, 1963
Date for completion October 1, 1963
Extended to _____

Date for application of water October 1, 1964
Extended to _____

PROSECUTION OF WORK

Form "A" filed _____
Form "B" filed _____
Form "C" filed Completed

FINAL PROOF

Blank mailed NOVEMBER 7 1963
Proof received _____
Date certificate issued NOVEMBER 15 1963

DEC 4 1984 MAR 27 1975
MAY 2 1980

Application No. G 2153

Permit No. G 1991

Certificate No. 31290

Part Cancelled-sp. or Rec. Vol. 17 P. 283

Stream Index, Page No. 7-51

See T#3587 DVA Notification
T-5503 P54488

Date 11/28/2006 To Whom Certificate
82454

52572

Superseded by 35279

Cert. No. 41943

PART 46238
CANCELLED

DEC 1 1974

Special Order Record vol. 26

ASSIGNMENTS

FEES PAID

Date	Amount	Receipt No.
<u>11-6-61</u>	<u>\$15.00</u>	<u>31684</u>
<u>9-12-63</u>	<u>\$1 Cert. Fee</u>	<u>39649</u>
<u>8-13-68</u>	<u>FEES REFUNDED</u>	<u>10968</u>
<u>7-18-74</u>	<u>1.58</u>	<u>42062</u>

REMARKS

0.36 c.f.s. from a well (Walla Walla River) for irrigation of 29 acres.

Ent 31290 (28.0u)



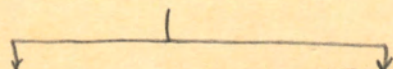
2.7 canceled

35279 (25.3)



3.9 canceled

41943 (21.4)



RE 46239 (17.4)

T-3587

(4.0)

This is a final order in other than a 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.

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WAYNE HOCKETT
ROUTE 1, BOX 148-D2
MILTON-FREEWATER, OREGON 97862

confirms the right to use the waters of A WELL in the WALLA WALLA RIVER BASIN for the purpose of IRRIGATION OF 3.2 ACRES.

The right has been perfected under Permit G-1991. The date of priority is NOVEMBER 6, 1961. The right is limited to not more than 0.04 CUBIC FOOT PER SECOND IF AVAILABLE AT THE ORIGINAL POINT OF APPROPRIATION or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW 1/4 SW 1/4, SECTION 30, T 6 N, R 36 E, W.M.; 2250 FEET NORTH AND 230 FEET EAST FROM THE SW CORNER, SECTION 30.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

T-5503.JWG

Certificate Number 82454

The quantity of water appropriated at the new well shall not exceed the quantity of water available at the old well under the subject right, and shall not exceed 0.04 cubic foot per second.

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

NW 1/4 SW 1/4 3.2 ACRES
SECTION 30
TOWNSHIP 6 NORTH, RANGE 36 EAST, W.M.

When in the judgement of the Watermaster it becomes necessary to install headgates and measuring devices:

the pump system shall include an in-line flow meter or other suitable device for measuring the water to which the water user is entitled;

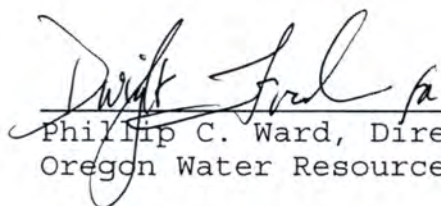
the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

This certificate is issued to confirm a change in POINT OF APPROPRIATION approved by an order of the Water Resources Director entered OCTOBER 8, 1984, approving Transfer Application 5503, and together with certificate 52572, supersedes Certificate 46239, State Record of Water Right Certificates.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed

NOV 28 2006



Phillip C. Ward, Director
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates numbered 82454

T-5503.JWG

T. 6 N. R. 35 & 36 E. W.M.



FINAL PROOF SURVEY UNDER

TRANSFER 5503

IN NAME OF

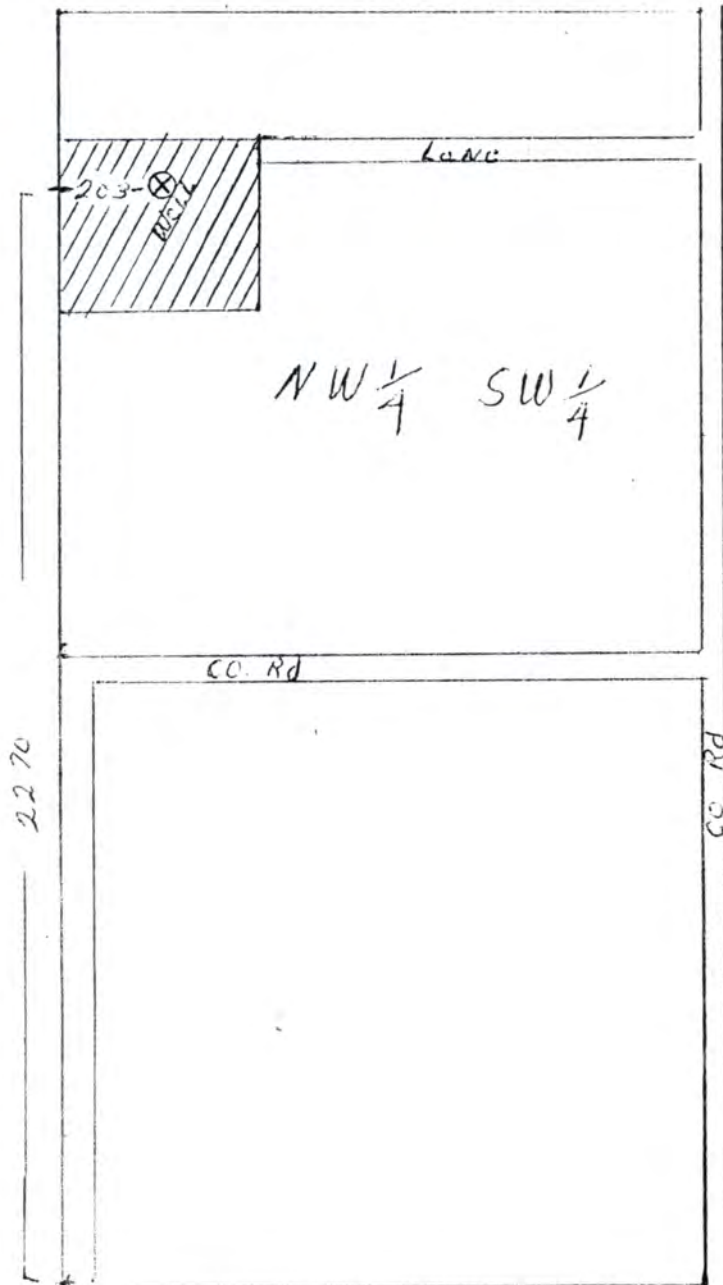
WAYNE HOCKETT

Surveyed March 16, 1987., by V. Church.....

T 6 N R 36 E Sec 30

1" = 400'

T-5503



Irrigated
Area
3.2 ac.

⊗ Well

RECEIVED

JUL 18 1984

WATER RESOURCES DEPT
SALT LAKE CITY

Hand-drawn map of a 400' x 400' area, likely a survey plot. The map features a grid with a central shaded area labeled "Well" and "90 chs". A red rectangle highlights a specific area within the grid, labeled "34" and "35". Handwritten notes include "19.75", "1303.51", "1303.0", "1304.45", "39.83ac", "1304.9", "19.78", "1305.41", "74Ac. 541 cont. 32Ac", "Rd - 60'", "310' x 370'", "310' x 400'", "400' - 30'", "25", "30", "112", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55", "56", "57", "58", "59", "60", "61", "62", "63", "64", "65", "66", "67", "68", "69", "70", "71", "72", "73", "74", "75", "76", "77", "78", "79", "80", "81", "82", "83", "84", "85", "86", "87", "88", "89", "90", "91", "92", "93", "94", "95", "96", "97", "98", "99", "100".

16.8
2.7

NW¹/4SW¹/4 Sec 30

168 C# 31290

- 27

141 C# 35279

- 39

102 Ac. C# 41943

Handwritten calculations on lined paper:

28.00 (boxed)

0.125 (written above a horizontal line)

0.35 (written below the horizontal line)

2.17 (written below the horizontal line)

2.37 (written below the horizontal line)

0.03 (written to the right of the horizontal line)

0.32 (written to the right of the horizontal line)

Surveyed May 3, 1962, by R. J. Jackson

March 11, 1975

Mr. Robert D. Wenzel
Adams, Ball & Wenzel
Suite 900, Community Bank Building
111 West St. John Street
San Jose, California 95113

Dear Mr. Wenzel:

Enclosed is an order entered December 11, 1974, canceling a part of certificate recorded at page 35279, Volume 27, State Record of Water Right Certificates, as requested in the affidavit of your client, Grace D. Denman.

Our records have been changed and this part of the right will be of no force or effect.

Very truly yours,

Trevor Jones
Assistant

TJ:whh
Enc: Order

December 9, 1974

G-2153
G-6392

LeBurn Addington
Rt. 1 Box 148E
Milton-Freewater, OR 97862

Dear Sir:

We have recently received a notarized affidavit from Ms. Grace Denman authorizing the cancellation of a portion of certificate 35279.

Your application numbered G-6392 is now in satisfactory form and will be placed in the next group for issuance of a permit.

Very truly yours,

THOMAS E. SHOOK
Assistant

TS:db

cc: Adams, Ball & Wenzel
ATTENTION: Robert D. Wenzel

G 6392
G 2153

November 19, 1974

Mr. Robert D. Wenzel
Adams, Ball & Wenzel
111 West St. John Street
San Jose, California 95113

Dear Mr. Wenzel:

If Mrs. Grace Denman wishes to retain the right for irrigation of her lands under the right evidenced by certificate recorded at page 35279 from the well on the Waldron property, her application No. G 6392 would need to be changed to request a permit for supplemental irrigation of the same lands. This would necessitate pumping from the Waldron well as long as that well produced sufficient water and she could only pump from the well on her own property to make up any deficiency in the available supply from the Waldron well. She could not pump from the well on her son's property for convenience and maintain the right for the appropriation from the other well.

In any case, if Mrs. Denman continued the appropriation from the well on her son's property without use from the Waldron well she would ultimately forfeit the earlier right as failure to use the water for a period of five successive years is, by law, prima facie evidence of the abandonment of the right. If she cancelled the earlier right and at some time in the future was not able to use the well on her son's property she could file an application for a new permit to appropriate water from the Waldron well, assuming she still has access to it. I recognize that there is a possibility of failure of any well, but I assume her chance of success or failure with either well is equal as far as anyone now knows.

The affidavit previously furnished was in error in including the second and third parcels. No part of the existing right is appurtenant to the second and third parcels and the 3.9 acres referred to in the affidavit is all appurtenant to the first parcel. I am enclosing a corrected affidavit.

If Mrs. Denman prefers that application No. G 6392 filed by Leburn Addington be supplemental to the earlier right we will return the application to Mr. Addington for the change; however, from the file it appears that Mr. Addington would prefer to make the full appropriation from his own well.

Very truly yours,

Trevor Jones
Assistant

TJ:whh

Enc: Corrected affidavit

RECEIVED

NOV 12 1974

STATE ENGINEER
SALEM, OREGON

ADAMS, BALL & WENZEL
ATTORNEYS AT LAW
SUITE 900, COMMUNITY BANK BUILDING
111 WEST ST. JOHN STREET
SAN JOSE, CALIFORNIA 95113

DAVID H. ADAMS
JOHN T. BALL
ROBERT D. WENZEL
WILLIAM K. WILBURN
CHARLES T. KILIAN

AREA CODE 408
292-7220

November 8, 1974

Mr. Thomas E. Shook
Assistant State Engineer
Water Resources Department
1178 Chemeketa Street, N.E.
Salem, Oregon 97310

Re: Your file No. G-6392, (Grace Denman)

Dear Mr. Shook:

We have reviewed the affidavit which you have sent to Mrs. Denman and are concerned with two aspects of the affidavit. Not being familiar with the law of water rights, as applicable in the State of Oregon, we question whether the affidavit will have the affect of cancelling any right which Mrs. Denman has to use the well on the Brumbach property, which is now owned by Mr. Waldron. It was not the desire of Mrs. Denman to give up her permanent rights to the Waldron well, but rather to use, for her convenience, the well located on the third parcel of land which is described in the affidavit. Conceptually it would appear to me that she should not have to relinquish her private right to use the Waldron well and the easement which she has across the Waldron property to obtain this water, just because she now finds it more convenient to use the well located on her son's property. There is no guarantee that the well on her son's property will always have sufficient water nor is there any guarantee that that property will always be under ownership which will supply the convenience which now exists.

It would appear that a better approach would be to merely have Mrs. Denman relinquish the right to water from the Waldron well during such period of time as she is using the Addington well. This would not give her the right to use water from two wells at the same time, but would still reserve her right to use the Waldron well if such became necessary.

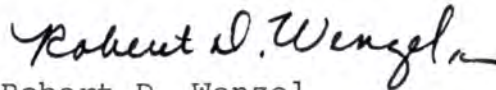
Mr. Thomas E. Shook
November 8, 1974
Page two

Also concerning the affidavit, it is my understanding that the first parcel described is actually owned by Mrs. Denman whereas the second and third parcels are owned by her daughter and son-in-law Mr. and Mrs. Addington. I did not handle the transfer of that property, and it may very well be that it was sold under a contract of sale and that the affidavit is technically correct, but I did want to mention that there has been this transfer and I am therefore uncertain as to whether she may, under Oregon law, declare that she is the legal owner of all three parcels.

Any help you can give us in this matter is greatly appreciated. A copy of the affidavit which you provided is enclosed for your reference.

Very truly yours,

ADAMS, BALL & WENZEL

A handwritten signature in cursive script, reading "Robert D. Wenzel", followed by a horizontal flourish.

Robert D. Wenzel

RDW:km
Enclosure

A F F I D A V I T

STATE OF OREGON,)
) ss.
County of Umatilla.)

I, WILLIAM A MORRIS, being first duly sworn, depose and say that I am the legal owner of the following described lands:

Beginning at the Southeast corner of the North Half of the Northwest Quarter of the Southwest Quarter of Section 30, Township 6 North, Range 36, EWM; thence West along the South line thereof a distance of 400 feet; thence North at right angles a distance of 310 feet; thence East and parallel to the South line of the North Half of the Northwest Quarter of the Southwest Quarter a distance of 400 feet to a point on the East line of the said North Half of the Northwest Quarter of the Southwest Quarter; thence South along said East line a distance of 310 feet to the point of beginning;

All being East of the Willamette Meridian, in the County of Umatilla and State of Oregon.

Excepting therefrom any and all water rights of way and roads.

Said water right is evidenced by Permit No. G-1991, Certificate No. 31290, in the name of Vernon E. Brumbach and is for the use of Ground Water for irrigation and limited to one-eightieth of one cubic foot per second per acre.

I have abandoned any and all interest in and to said water right that is appurtenant to the above described property and request the same be cancelled.

IN WITNESS WHEREOF, I have hereto set my hand this 18 day of June, 1968.

(Signed) William A. Morris
WILLIAM A. MORRIS

Subscribed and sworn to before me this 18 day of June, 1968.

Barbara Campbell
Notary Public for Oregon

My Commission Expires: Aug. 29, 1971

September 6, 1974

G-6392

Leburn Addington
Rt. 1, Box 148E
Milton-Freewater, OR 97862

Dear Mr. Addington:

On July 30, 1974 I sent you an affidavit of abandonment which when notarized will authorize the partial cancellation of certificate of water right recorded at Page 35279, Volume 27, State Record of Water Right Certificates. Along with this, a certificate recording fee of \$1.50 is required for the new certificate that will be issued covering the lands not involved in the cancellation.

To date, we have not received the affidavit. Will you please advise us as to when we might expect to receive the affidavit? We will continue holding action on your application numbered G-6392 for a reasonable length of time.

Very truly yours,

THOMAS E. SHOOK
Assistant

TES:cdp

July 30, 1974

G-6392

Leturn Addington
Rt. 1, Box 148E
Milton-Freewater, OR 97862

Dear Mr. Addington:

We have recently received your corrected application numbered G-6392, reproducible map, and legal description of the property upon which the water will be used. Thank you for your check in the amount of \$1.50 for the certificate recording fees.

As requested, I have prepared the necessary affidavit of abandonment regarding Certificate 35279. Please sign it in the presence of a notary public and return the affidavit to this office.

Further action will be held on your application number G-6392 pending receipt of the signed affidavit.

Very truly yours,

THOMAS E. SHOOK
Assistant

TES:cdp
Enclosures
Receipt No. 42062

October 7, 1968

Jessie M. Bell
County Clerk
Umatilla County Courthouse
Pendleton, Oregon 97801

Dear Madam:

Water right evidenced by the certificate recorded at page 31290, Volume 23, State Record of Water Right Certificates, recorded in your office on or about November 15, 1963, was canceled by order of the State Engineer, dated August 16, 1968. A certified copy of the order is enclosed for your action under the provisions of ORS 540.650, together with a certificate of water right issued in lieu of the above mentioned certificate confirming the right not canceled by the order.

Also enclosed is a certificate of water right for recording in your office. This certificate supersedes the certificate of water right issued to Horseshoe Irrigation Company, and recorded at page 2552, Volume 3, State Record of Water Right Certificates, which was mailed to you on or about December 29, 1919.

We would appreciate it if you would mark this earlier certificate superseded and indicate thereon your volume and page number where the superseding certificate is recorded.

Our check No. 2618 for \$2.00 representing payment for such service as provided by ORS 537.250 and 539.140 for recording these certificates is enclosed.

After recording these certificates in your records, would you please mail them to the holders of the rights as shown by the certificates.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Myron V. Bish
Assistant

MVB:kmh

Enclosures: 2 certificates, 1 order
1 check

CERTIFIED - Return Receipt Requested

August 16, 1968

William A. Morris
P. O. Box 102
Milton-Freewater, Oregon 97862

Dear Mr. Morris:

Enclosed for your records is a copy of the order of the State Engineer canceling a part of the water right from a well as was authorized by your affidavit received June 20, 1968.

Also enclosed is State Engineer's Receipt No. 10968 in the amount of \$1.00 for the certificate recording fee for the remaining lands not canceled by this order.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Marvin B. Bennett
Assistant

MBB:hls
Enclosures



STATE OF OREGON

STATE ENGINEER
WATER RESOURCES DEPARTMENT
516 PUBLIC SERVICE BUILDING
SALEM 97310

G-2153
REFER TO G-4450
FILE NO.

RECEIVED
AUG 13 1968
STATE ENGINEER
SALEM OREGON

6382

August 5, 1968

William A. Morris
P. O. Box 102
Milton-Freewater, Oregon 97862

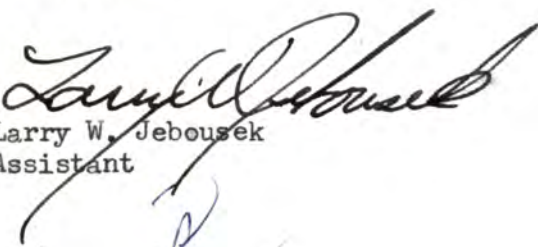
Dear Sir:

This will acknowledge the return of your corrected application No. G-4450 and the transparency map, both describing the irrigation of 2.85 acres.

However, the \$1 certificate recording fee required for the certificate to be issued on the land not being canceled from the certificate 31290 was not received. Upon receipt of the \$1 certificate recording fee, your application No. G-4450 will be in satisfactory form.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By 
Larry W. Jebousek
Assistant

LWJ:dlw

*Sorry!
Thank you
Mr. Morris*

August 5, 1968

William A. Morris
P. O. Box 102
Milton-Freewater, Oregon 97862

Dear Sir:

This will acknowledge the return of your corrected application No. G-4450 and the transparency map, both describing the irrigation of 2.85 acres.

However, the \$1 certificate recording fee required for the certificate to be issued on the land not being canceled from the certificate 31290 was not received. Upon receipt of the \$1 certificate recording fee, your application No. G-4450 will be in satisfactory form.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Larry W. Jebousek
Assistant

LWJ:dlw

July 8, 1968

William A. Morris
P. O. Box 102
Milton-Freewater, Oregon 97862

Dear Sir:

This will acknowledge receipt of your application for a permit to appropriate 0.06 cubic foot of water per second from a well for the irrigation of 2.8 acres, a map, legal description, and the fee of \$20 for which our receipt No. 9974 is enclosed. Your application has been filed and numbered G-4450.

Also acknowledged is receipt of an affidavit of abandonment to cancel that portion of certificate 31290 on which you are now filing. A \$1 certificate recording fee will be required to record the certificate issued describing the lands not being abandoned by you.

The application map submitted shows the irrigation of 2.85 acres. Item No. 12 on the application only describes the irrigation of 2.8 acres. The application and map must be in agreement.

I am returning the application and map for correction. The application is endorsed so that in order to retain its date of priority, it must be returned on or before September 9, 1968.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Larry W. Jebousek, Assistant

LWJ:dlw
Enclosures

September 11, 1963

Vernon E. Brumbach
Route 1, Box 154
Milton-Freewater, Oregon

Dear Mr. Brumbach:

On August 7, 1963, we mailed you a copy of a proof of the certificate in connection with the incomplete water right represented by your permit number G-1991 granting a right to the use of 0.35 c.f.s. from the waters of a well for irrigation, together with the instructions that the statement at the bottom of the page be signed and the copy be returned to this office accompanied by the certificate recording fee in the amount of \$1.00.

To date this form has not been received nor has any correspondence regarding reasons for not returning it been received. This is to notify you that unless we receive the signed proof form and the certificate recording fee, or a request for additional time within thirty days from the date of this letter, we will be required to take steps toward the cancellation of this permit.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones
Assistant

TJ:jb



STATE OF OREGON

STATE ENGINEER

WATER RESOURCES DEPARTMENT

516 PUBLIC SERVICE BUILDING

SALEM 10

REFER TO
FILE NO.

G-2153

August 5, 1963

Vernon E. Brumbach
Route 1, Box 154
Milton-Freewater, Oregon

Dear Mr. Brumbach:

Enclosed is the final proof in connection with the incomplete water right represented by your permit number G-1991.

The data contained in the proof, which is based on an inspection and survey of your project made by a representative of this department, defines the extent to which your water right has been completed within the terms of your Permit. The proof should be dated and signed by you and returned to this office.

Upon receipt of the proof, properly executed and accompanied by the statutory recording fee of \$1.00, a Certificate of Water Right will be issued confirming the rights thereunder and, after being recorded in the county records, will be forwarded to you.

Very truly yours,

CHRIS L. WHEELER
State Engineer

Form 117

Enclosure

jb

G-2153

March 7, 1962

Vernon E. Brumbach
Rt. 1, Box 154
Milton-Freewater, Oregon

Dear Mr. Brumbach:

G-2153, Permit No. G-1991 with blueprint.

January 24, 1962

Mr. Vernon E. Brumbach
Route 1, Box 154
Milton-Freewater, Oregon

Dear Mr. Brumbach:

This will acknowledge receipt of your returned application number G-2153 and the accompanying tracing.

The application has been re-examined and now appears to be in satisfactory form to be considered for approval by issuance of a permit with the next group.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Walter N. Perry, Assistant

mgb

November 21, 1961

Mr. Vernon E. Brumbach
Rural Route
Milton-Freewater, Oregon

Dear Mr. Brumbach:

This will acknowledge receipt of your application for a permit to appropriate 160 gallons of water per minute from a well for the irrigation of 29 acres, a map, legal description and fees in the sum of \$15.00 for which our receipt numbered 31684 is enclosed.

Your application has been examined and filed under file number G-2153. Upon examination of the application it is noted that the location of the well as shown in item 4 does not agree with the location as plotted on the accompanying map. Since the application and the map must be in agreement, we are returning your application and map for correction, the application being endorsed so that in order to retain its date of priority it must be returned to this office on or before January 22, 1962.

It is noted in items 15 through 17 that the information indicates that your well has been completed and the water already applied to the land described in the application. If this is true, please enter a statement to that effect in the remarks section of the application.

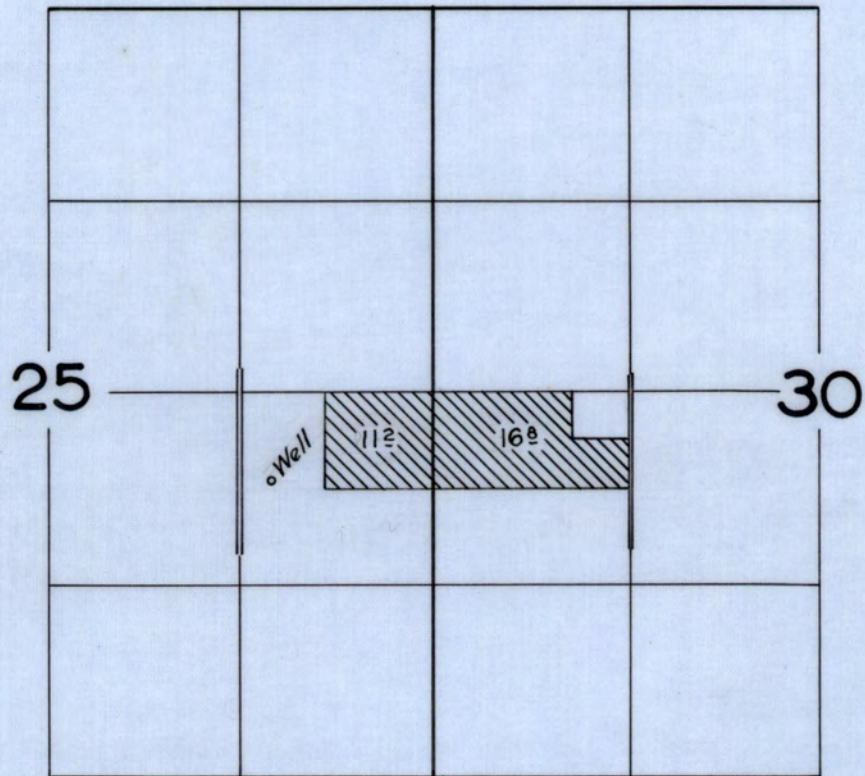
Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Walter N. Perry, Assistant

WNP:mgb
Enclosures

T.6N.R.35&36E.W.M.



FINAL PROOF SURVEY
UNDER

Application No. **G-2153** Permit No. **G-1991**...
IN NAME OF

VERNON E. BRUMBACH

Surveyed *May 3* 1962, by *R. H. Jackson*

RECEIVED
NOV 6 1961
STATE ENGINEER
SALEM, OREGON

The North Half of the Northeast Quarter of the Southeast Quarter
of Section 25, Township 6 North, Range 35;

The North Half of the Northwest Quarter of the Southwest Quarter
of Section 30, Township 6 North, Range 36;,,

Except eight acres, or a rectangular piece 566 x 660 from the
West portion of $N\frac{1}{2}$ of N. E. $\frac{1}{4}$ of S. E. $\frac{1}{4}$, Section 25, Township
6 North, Range 35, E.W.M. and a rectangular piece 416 feet East and
West by 320 feet North and South, laying in the Northeast corner
of the $N\frac{1}{2}$ N. W. $\frac{1}{4}$ of S. W. $\frac{1}{4}$, Section 30, Township 6 North, Range 36
East.

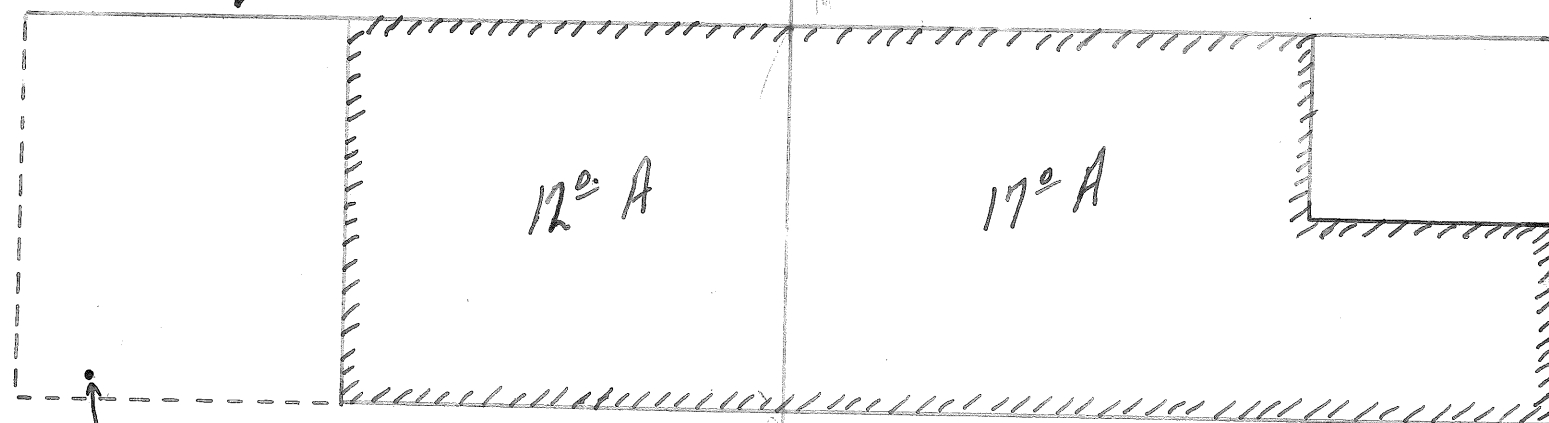
All being East of the Willamette Meridian, Umatilla County, State
of Oregon.

RECEIVED
JUN 10 1992
STATE ENGINEER
SALMON, OREGON

Water Right Application
Vernon Brumback
Rte 1 Box 154
Milton Freewater Ore
Being within:
Umatilla County
Oregon

E-W Center Section
Line Between Sec. 25
TWP 6 N. Range 35 and
Sec 30 TWP 6 N Range 36
EWM.

Line Common to said
Sections



Well Location
2030' ~~1540'~~ North 1102' West
from the SE Corner
Section 25 TWP 6 N
Range 35 EWM

Total Acres 29°

Scale
1" = 330'

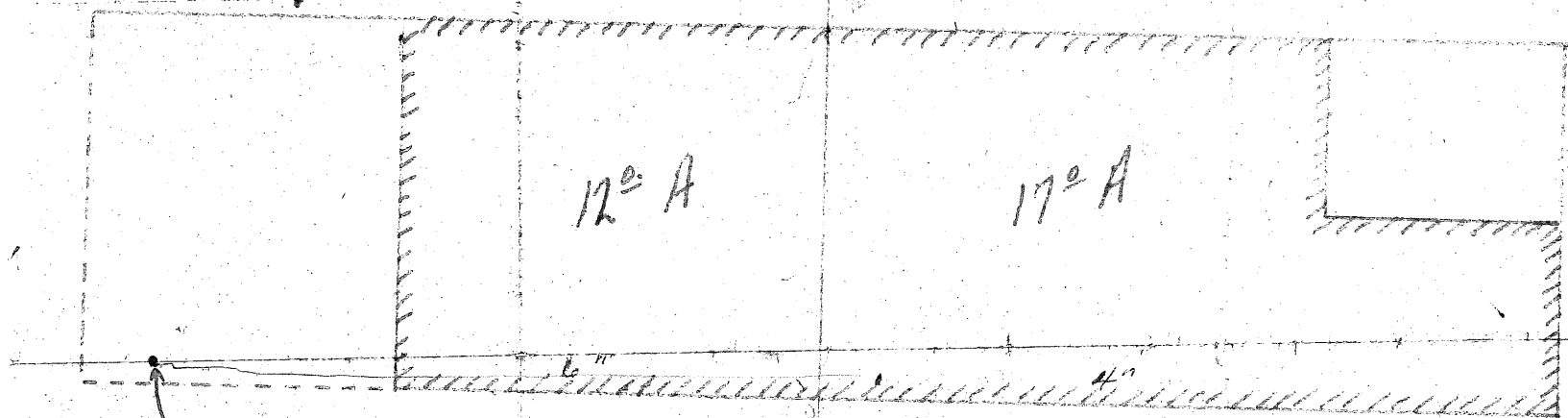
Application No. G-2153
Permit No. G-1991

25 30
36 31

Water Right Application
 VERNON Brumbeck
 Rte 1 Box 154
 Milton Freewater Ore
 Being within:
 Umatilla County
 Oregon

E-W Center Section
 Line Between Sec. 25
 TWP 6 N. Range 35 and
 Sec 30 TWP 6 N Range 36
 EWM.

Line common to said
 Sections



Well Location
 2030' ~~1510~~ North 1102' West
 from the SE corner
 Section 25 TWP 6 N
 Range 35 EWM

Total Acres 29°

Scale
 1" = 330'

Application No. G-2153
 Permit No. G-1991

2530
 3631

2260
 2030
 810

2520
 12
 1420

NZ-6P-64
May 5-62
Jackson

Drafted
1/3/63
Ry

Abstract of Permit No. G-1991

Application No. G-2153 Certificate No.

Name

Vernon E. Brumbach

Rt. 1, Box 154

Address

Hilton-Freewater, Oregon

Source of water supply

A well - trib. Walla Walla River - trib. Columbia River

Use

Irrigation of 28.02

Point of diversion

610 ft. South and 1100 West East 1/4 corner
2030' N. & 1102' E., from the SE Corner of Section 25; being
within the NE 1/4 SW 1/4, Section 25, T. 6 N., R. 35 E., W.M., in
the county of Umatilla.

Number of acres

28.0

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
6N	35E	25	NE 1/4 SE 1/4				11.2								12			
6N	36E	30	NW 1/4 SW 1/4				16.8						27					
							28.0											

Priority date

November 6, 1961

Amount of water

0.35
0.36 c.f.s. measured at point of diversion

Time limit to begin construction

February 13, 1963

Well: Hand dug down 22°
10" casing below this another 50° +

Pump: Jacuzzi Cent Dir. Dr. 3'x4"
Motor: G. E. 10 hp @ 2980 RPM, 3φ
Pump 8° below L.S.D.

Pipe: 1360' x 3" DI.
1200' x 6" DI,
1420' x 4" DI.

Heads: ~~40~~ Rain Bird 30 3/16 x plug 5.84 gpm @ 35 PSI = 238 gpm
16 Rain Bird #40 1/8 x 5/32 6.76 gpm @ 35 PSI = 108 gpm
341 gpm =
0.76 cfs
Operates max. 34 heads.

Crop: Pasture, hay

Lift: Max. 23, disch. - (8' to get water out of well)

Info: Samuel Cummings, neighbor, renting place.
Pump, motor, and mainline belongs to Brumbaugh
Lateral & heads are Cummings'

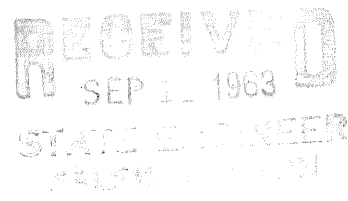
Well is 610° South $\frac{1}{4}$ 1100° W. from East $\frac{1}{4}$ cor Sec. 25

Permit G-1991 Surveyed on NZ-6P-64

STATE OF OREGON

COUNTY OF UMATILLA

Proof of Appropriation of Water



VERNON E. BRUMBACH

of Route 1, Box 154, Milton-Freewater, State of Oregon,
has applied beneficially the waters of

a well

a tributary of Walla Walla River (Columbia River) for the purpose of

irrigation of 28.0 acres

under Permit No. 6-1991 of the State Engineer, and that the use of said waters has been
completed under the terms of said permit; that the priority of the
right dates from November 6, 1961,

that the amount of water for the purposes aforesaid, has been actually beneficially used in the
amount of

0.35 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, T. 6 N., R. 35 E., W. M.
Well located 610 feet South and 1100 feet West from the East $\frac{1}{4}$ corner, Sec. 25.

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second
per acre, or its equivalent for each acre irrigated and shall be further limited to
a diversion of not to exceed 3 acre feet per acre for each acre irrigated during
the irrigation season of each year,

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

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

11.2 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 25
T. 6 N., R. 35 E., W. M.
16.8 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 30
T. 6 N., R. 36 E., W. M.

I have read the above and foregoing proof of appropriation of water; I know the contents
thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 14 day of Sept.,

1963.

Vernon E. Brumbach

STATE OF OREGON
COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **VERNON E. BRUMBACH**

of Route 1, Box 154, Milton-Freewater, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of a right to the use of the waters of a well

a tributary of Walla Walla River (Columbia River) for the purpose of irrigation of **25.3** acres

under Permit No. **G-1991** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **November 6, 1961**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **0.32** cubic foot per second

0.27

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, T. 6 N., R. 35 E., W. M. Well located 610 feet South and 1100 feet West from the E $\frac{1}{4}$ Corner, Section 25.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-eightieth** of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed **3** acre feet per acre for each acre irrigated during the irrigation season of each year;

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

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

11.2 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 25
T. 6 N., R. 35 E., W. M.

10.2 ~~14.1~~ acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 30
T. 6 N., R. 36 E., W. M.

Certificate of water right issued to Vernon E. Brumbach and recorded at page 31290, Volume 23, State Record of Water Right Certificates, confirms the right to the use of water for irrigation of 28.0 acres. Subsequently, the right to the use of water appurtenant to 2.7 acres was canceled by order of the State Engineer entered August 16, 1968. This certificate is issued to confirm the remaining right to the use of water for irrigation and supersedes the certificate heretofore issued to Vernon E. Brumbach.

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

WITNESS the signature of the State Engineer, affixed

this date. **September 25, 1968**

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume **27**, page **35279**

41943

An order of the State Engineer entered **Dec. 11** **1974**, canceled the right in **3.9** acres. This certificate is issued to confirm the remaining right and supersedes the certificate heretofore issued to **Vernon E. Brumbach** and recorded at page **35279**, State Record of Water Right Certificates.

BEFORE THE STATE ENGINEER OF OREGON

Umatilla County

IN THE MATTER OF THE PARTIAL
CANCELATION OF A WATER RIGHT
IN THE NAME OF GRACE D. DENMAN

O R D E R

On December 5, 1974, Grace D. Denman submitted an affidavit that she is the owner of a water right and the lands to which the right is appurtenant; that she has abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question is part of that evidenced by certificate recorded at Page 35279, Volume 27, State Record of Water Right Certificates, and is for the appropriation of not to exceed 0.05 cubic foot per second of water from a well located 610 feet South and 1100 feet West from the East $\frac{1}{4}$ corner of Section 25, Township 6 North, Range 35 East, W.M., with a priority date of November 6, 1961, for the irrigation of 3.9 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 6 North, Range 36 East, W.M.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.27 cubic foot per second of water from the well located 610 feet South and 1100 feet West from the East $\frac{1}{4}$ corner of Section 25, Township 6 North, Range 35 East, W.M., for the irrigation of 11.2 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, Township 6 North, Range 35 East, W.M., and 10.2 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 6 North, Range 36 East, W.M., is not in question in this proceeding.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the State Engineer that the water right has been abandoned by him and that he desires cancelation thereof, the State Engineer shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the water right for the use of 0.05 cubic foot per second of water from a well located 610 feet South and 1100 feet West from the East $\frac{1}{4}$ corner of Section 25, Township 6 North, Range 35 East, W.M., with a priority date of November 6, 1961, for the irrigation of 3.9 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 6 North, Range 36 East, W.M., is canceled.

It is FURTHER ORDERED that the certificate of water right recorded at Page 35279, Volume 27, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued to Vernon E. Brumbach covering that part of the water right not in question for the appropriation of not to exceed 0.27 cubic foot per second of water from a well located 610 feet South and 1100 feet West from the East $\frac{1}{4}$ corner of Section 25, Township 6 North, Range 35 East, W.M., with a priority date of November 6, 1961, for the irrigation of 11.2 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, Township 6 North, Range 35 East, W.M., and 10.2 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 6 North, Range 36 East, W.M.

Dated at Salem, Oregon, this 11th day of December, 1974.

/s/ CHRIS L. WHEELER
State Engineer

RECEIVED
DEC 5 1974
STATE ENGINEER
SALEM, OREGON

A F F I D A V I T

STATE OF CALIFORNIA)
County of Santa Clara) ss.

RDW.
I, Grace/Denman, being first duly sworn, depose and say that I

am the legal owner of the following described lands:

Starting at the Northeast corner of the North half of the Northwest Quarter of the Southwest Quarter of Section 30, Township 6 North, Range 36 East, W.M., thence Westerly along North line of said description a distance of 416 feet to a point of beginning. From the point of beginning thence Westerly along said North line a distance of 544 feet, thence South at right angles a distance of 320 feet, thence East at right angles a distance of 544 feet, thence North at right angles a distance of 320 feet to the point of beginning.

and the water right appurtenant thereto, which is for the use of 0.05 cubic foot of water per second from the waters of a well located 610 feet South and 1,100 feet West from the East quarter corner of Section 25, Township 6 North, Range 35 East, W.M. for the irrigation of 3.9 acres within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township 6 North, Range 36 East, W.M., under a priority date of November 6, 1961, which is a part of the water right in the name of Vernon E. Brumback and evidenced by certificate of water right recorded at Page 35279, Volume 27, State Record of Water Right Certificates; that I have abandoned any and all interest in and to said water right and request the same be canceled.

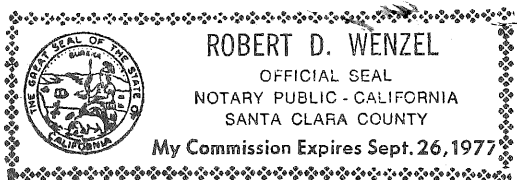
IN WITNESS WHEREOF, I have hereunto set my hand this 29th
day of November, 1974.

Grace D. Denman

Subscribed and sworn to before me this 29th day of
November, 1974.

Robert D. Wenzel
Notary Public for California

My Commission expires Sept 26, 1977



STATE OF OREGON
COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That VERNON E. BRUMBACH

of Route 1, Box 154, Milton-Freewater, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a well

a tributary of Walla Walla River (Columbia River) for the purpose of irrigation of 25.3 acres

under Permit No. G-1991 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from November 6, 1961

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.32 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, T. 6 N., R. 35 E., W. M. Well located 610 feet South and 1100 feet West from the E $\frac{1}{4}$ Corner, Section 25.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year;

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

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

11.2 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 25
T. 6 N., R. 35 E., W. M.
14.1 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 30
T. 6 N., R. 36 E., W. M.

Certificate of water right issued to Vernon E. Brumbach and recorded at page 31290, Volume 23, State Record of Water Right Certificates, confirms the right to the use of water for irrigation of 28.0 acres. Subsequently, the right to the use of water appurtenant to 2.7 acres was canceled by order of the State Engineer entered August 16, 1968. This certificate is issued to confirm the remaining right to the use of water for irrigation and supersedes the certificate heretofore issued to Vernon E. Brumbach.

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

WITNESS the signature of the State Engineer, affixed

this date. September 25, 1968

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 27, page 35279

A F F I D A V I T

STATE OF OREGON)
) ss.
County of _____)

I, Grace Denman, being first duly sworn, depose and say that I am the legal owner of the following described lands:

Starting at the Northeast corner of the North half of the Northwest Quarter of the Southwest Quarter of Section 30, Township 6 N, Range 36 E., W.M., thence Westerly along North line of said description a distance of 416 feet to a point of beginning. From the point of beginning thence Westerly along said North line a distance of 544 feet, thence South at right angles a distance of 320 feet, thence East at right angles a distance of 544 feet, thence North at right angles a distance of 320 feet to the point of beginning.

Beginning at the Northeast Corner of the North half of the Northwest Quarter of the Southwest Quarter of Section 30, Township 6 N, Range 36 E, running thence West along the North line of said North half of the Northeast Quarter of the Southwest Quarter a distance of 208 feet to a place of beginning for this description, thence continuing West along said line a distance of 208 feet, thence South along a line parallel with the East line of said North half of the Northeast Quarter of the Southwest Quarter a distance of 320 feet, thence East along a line parallel with the North line of said North half of the Northeast Quarter of the Southwest Quarter a distance of 208 feet, thence North along a line parallel with the East line of the said North half of the Northeast Quarter of the Southwest Quarter a distance of 320 feet to a place of beginning.

A certain tract of land beginning at the Northeast Corner of the North half of the Northwest Quarter of the Southwest Quarter of Section 30, Township 6 North, Range 36 East, running thence West along the North line of said North half of the Northwest Quarter of the Southwest Quarter a distance of 208 feet, thence South along the line parallel with East line of said North half of the Northwest Quarter of the Southwest Quarter a distance of 320 feet, thence East along a line parallel with the North line of said North half of the Northwest Quarter of the Southwest Quarter a distance of 208 feet to the East line of said North half of the Northwest Quarter of the Southwest Quarter, thence North along East line of the said North half of the Northwest Quarter of the Southwest Quarter a distance of 320 feet to the Northeast corner of the North half of the Northwest Quarter of the Southwest Quarter of Section 30, Township 6 N, Range 36 E.

and the water right appurtenant thereto, which is for the use of 0.05 cubic foot of water per second from the waters of a well located 610 feet South and 1,100 feet West from the East quarter corner of Section 25, Township 6 North, Range 35 East, W.M. for the irrigation of 3.9 acres within the NW¼ SW¼ of Section 30, Township 6 North, Range 36 East, W.M., under a priority date of November 6, 1961,

which is a part of the water right in the name of Vernon E. Brumbach and evidenced by certificate of water right recorded at Page 35279, Volume 27, State Record of Water Right Certificates; that I have abandoned any and all interest in and to said water right and request the same be canceled.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 1974.

Subscribed and sworn to before me this _____ day of _____, 1974.

Notary Public for Oregon

My commission expires _____

BEFORE THE STATE ENGINEER OF OREGON

Umatilla County

IN THE MATTER OF)
THE CANCELLATION)
OF A WATER RIGHT)

O R D E R

On June 20, 1968, William A. Morris submitted an affidavit that he is the owner of the following described land:

Beginning at the southeast corner of the north half of the northwest quarter of the southwest quarter of Section 30, Township 6 North, Range 36 East, W.M.; thence west along the south line thereof a distance of 400 feet; thence north at right angles a distance of 310 feet; thence east and parallel to the south line of the north half of the northwest quarter of the southwest quarter a distance of 400 feet to a point on the east line of the said north half of the northwest quarter of the southwest quarter; thence south along said east line a distance of 310 feet to the point of beginning,

and the water right appurtenant thereto; that he has abandoned any and all interest in and to said water right and requests the same be canceled.

The water right in question is for the use of not to exceed 0.03 cubic foot per second of the waters of a well, tributary of Walla Walla River, for irrigation of 2.7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 6 North, Range 36 East, W.M., with a date of priority of November 6, 1961, and is evidenced by certificate of water right issued in the name of Vernon E. Brumbach and recorded at page 31290, Volume 23, State Record of Water Right Certificates.

That part of said water right for the use of not to exceed 0.32 cubic foot per second of the waters of a well, tributary of Walla Walla River, for irrigation of 11.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, Township 6 North, Range 35 East, W.M., and 14.1 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 6 North, Range 36 East, W.M., with a date of priority of November 6, 1961, as evidenced by certificate of water right recorded at page 31290, Volume 23, State Record of Water Right Certificates, is not in question in this proceeding.

Vol. 17, p. 283