



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

# Application for a Permit to Store Water in a Reservoir

(Alternate Review)

Alternate Review Process (ORS 537.409): You may use this form for any reservoir storing less than 9.2 acre-feet or with a dam less than 10 feet high.

**Use a separate form for each reservoir**

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply, insert "n/a". A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

**1. APPLICANT INFORMATION**

Applicant: Stangel Industries and Machine Shop  
First Last  
 Mailing Address: P.O. Box 157  
Enterprise OR 97828  
City State Zip  
 Phone: 541-398-0594  
Home Work Other

Fax: \_\_\_\_\_ E-Mail Address\*: stangellc@eoni.com

\* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

**2. AGENT INFORMATION**

The agent is authorized to represent the applicant in all matters relating to this application.

Agent: Bob Stangel  
First Last  
 Mailing Address: PO Box 157  
Enterprise OR 97828  
City State Zip  
 Phone: 541-398-0594  
Home Work Other

Fax: \_\_\_\_\_ E-Mail Address\*: stangellc@eoni.com

\* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

**3. LOCATION AND SOURCE**

A. Reservoir Name: S1

B. Source: Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, or an unnamed stream or spring.  
 Source: Unnamed Springs Tributary to: Trout Creek

C. County in which diversion occurs: Wallowa

	<b>For Department Use</b>	
App. No. _____	Permit No. _____	Date _____

**D. Reservoir Location**

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
1S	44E	26	SENW	3800

E. Dam: Maximum height of dam: 3 feet. If excavated, write "zero feet".

F. Quantity: Amount of water to be stored in the reservoir at maximum capacity. List volume in acre-feet: 1.5

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars)  Yes  No

**4. WATER USE**

Indicate the proposed use(s) of the stored water. **NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stockwater, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.** If any use will be out of reservoir use, regardless of the type of storage listed, a secondary application must be filed to appropriate the stored water.

Multipurpose Use

**5. PROPERTY OWNERSHIP**

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Please provide a copy of the recorded deed(s).

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Do you own all the land where you propose to divert, transport, and use water?

Yes (please check appropriate box below then skip to section 5)

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There are no encumbrances

This land is encumbered by easements, right of way, roads of way, roads or other encumbrances

No (Please check the appropriate box below)

I have a recorded easement or written authorization permitting access.

I do not currently have written authorization or easement permitting access.

Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multipurpose" in #3 above.)

List the names and mailing addresses of all affected landowners:

n/a

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**6. ENVIRONMENTAL IMPACT**

- A. Channel:** Is the reservoir:  in-stream or  off channel?
- B. Wetland:** Is the project in a wetland?  Yes  No  Don't know
- C. Existing:** Is this an existing reservoir?  Yes  No  
If yes, how long has it been in place? \_\_\_\_\_ years.
- D. Fish Habitat:** Is there fish habitat upstream of the proposed structure?  Yes  No  Don't know  
If yes, how much? \_\_\_\_\_ miles.
- E. Partnerships:** Have you been working with other agencies?  Yes  No  
Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

**7. WITHIN A DISTRICT**

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

**8. DESCRIPTION**

Provide a description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

Propose to build a road and livestock crossing. This crossing will act as a small dam, and a 10 inch mainline pipe will run through the dam to allow passage of live flow water that is in excess of any stored water rights.

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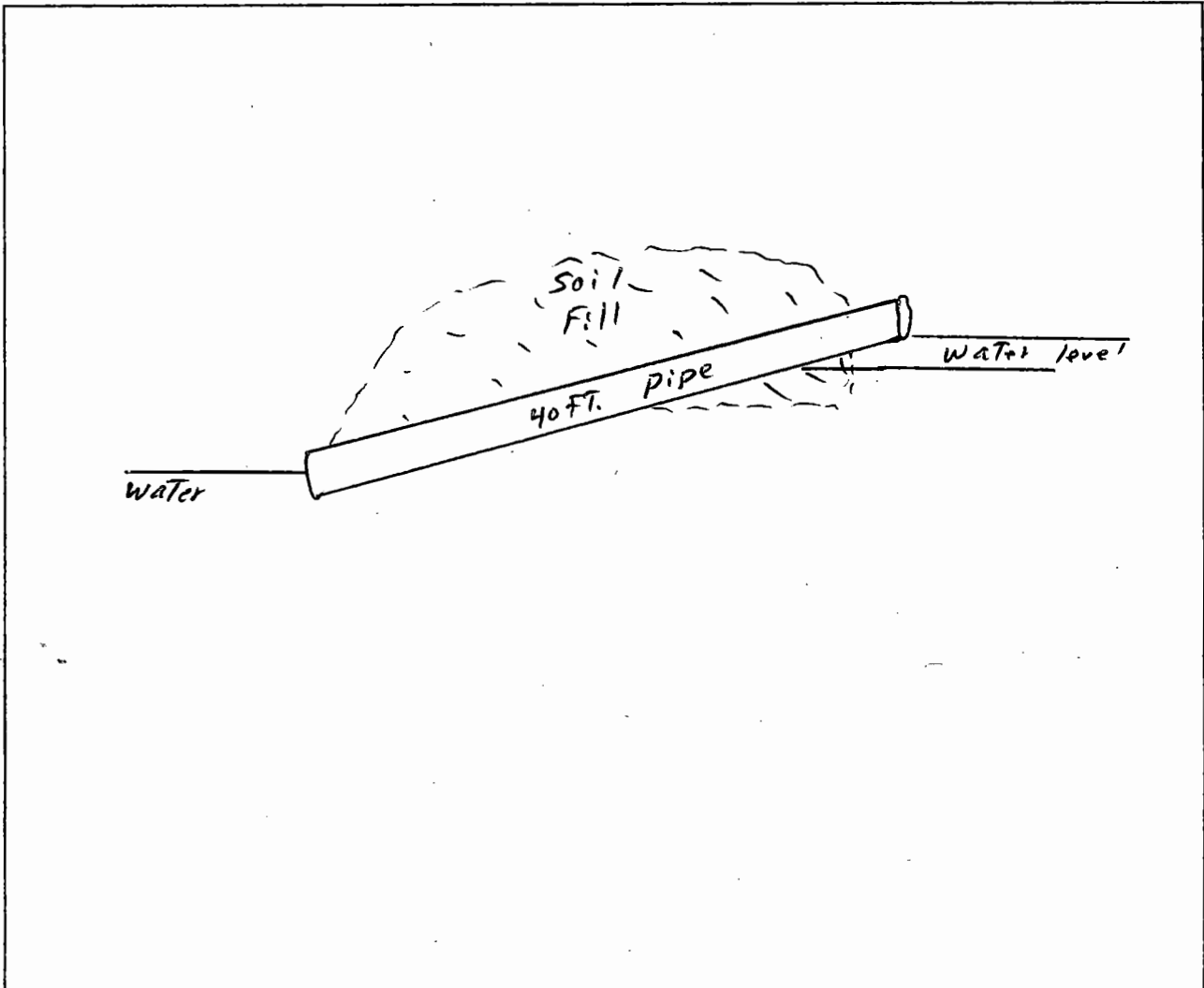
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If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).



**9. SIGNATURE**

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge.

*Robert Stangel*

Landowner Signature

7-5-17

Date

- Before you submit your application be sure you have:**
- Answered each question completely.
  - Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
  - The map must meet map requirements to be accepted.
  - Included a land use form or receipt stub signed by a local planning official.
  - Included a check payable to Oregon Water Resources Department for the appropriate amount.

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# WATERMASTER ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

Recommendations for Water Right Applications under the Alternate Reservoir review process (ORS 537.409)

In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes the criteria used to evaluate alternate reservoir applications.

The review shall be limited to issues pertaining to: a) water availability, b) potential detrimental impact to existing fishery resources; and c) potential injury to existing water rights. (ORS 537.409 (6))

Within 60 days after the department provides public notice...any person may submit detailed, legally obtained information in writing, requesting the department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

**The review of alternate reservoirs is limited to these criteria only.**

Application #: R-                      Applicant's Name:

1) Does the proposed reservoir have the potential to injure existing water rights?       NO       YES

Explain:

2) Can conditions be applied to mitigate the potential injury to existing water rights?       NO       YES

If YES, which conditions are recommended: *Installation of a staff plate to monitor storage levels*

3) Did you meet with staff from another agency to discuss this application?       NO       YES

Who:    Agency:    Date:

Who:    Agency:    Date:

Watermaster signature: *Dan B...*

Date: *7/5/2017*

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WRD Contact:      Caseworker:      Water Rights Division, 503-986-0900 / Fax 503-986-0901

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**NOTE: This completed form must be returned to the applicant**

# ODFW Alternate Reservoir Application Review Sheet

**This portion to be completed by the applicant.**

Applicant Name/Address/Phone/Email: Stangel Industries and Machine Shop Bob Stangel

P.O. Box 157 401NE 4<sup>TH</sup> ENTERPRISE DR 97828 541-398-0594 Stangel11koconi.com

Reservoir Name: SI Source: UNNamed Springs Volume (AF): \_\_\_\_\_

Twp Rng Sec QQ: 1S 44E 26 SE NW Basin Name: \_\_\_\_\_  in-channel  
 off-channel

Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.

**This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) District staff.**

1) Is the proposed project and AO<sup>1</sup> off channel? .....  YES  NO  
 (if yes then proceed to #4; if no then proceed to #2)

2) Is the proposed project or AO located where NMF<sup>2</sup> are or were historically present?.....  YES  NO  
 (if yes then proceed to #3; if no then proceed to #4)

3) If NMF are or were historically present:

- a. Is there an ODFW-approved fish-passage plan?.....  YES  NO
- b. Is there an ODFW-approved fish-passage waiver or exemption?.....  YES  NO

If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be "Yes" to move forward with the application. If responses to 3(a) and 3(b) are "No", then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.

4) Would the proposed project pose any other significant detrimental impact to an existing fishery resource locally or downstream?.....  YES  NO  
 Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)

- Any diversion or appropriation of water for storage during the period \_\_\_\_\_ through \_\_\_\_\_ poses a significant detrimental impact to existing fishery resources. (For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.) If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.
- This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

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<sup>1</sup> AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

<sup>2</sup> NMF = Native Migratory Fish Species in Oregon as defined by OAR 635 - 412 - 0005 (32)

Lined area for text entry.

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?  
 NO (explain)       YES (select from Menu of Conditions on next page)

Lined area for text entry.

ODFW Signature: Jeffrey D Yanke      Print Name: JEFF YANKE  
ODFW Title: DISTRICT FISH BIOLOGIST      Date: 7/19/17

**NOTE: This completed form must be returned to the applicant.**

Revised 10/4/12

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Use this menu to identify appropriate conditions to be included in the permit, and indicate the abbreviations on the review form:

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**fishpass:** As required by ORS 509.585, a person owning or operating an artificial obstruction (AO) may not construct or maintain any AO across any waters of this state that are inhabited, or historically inhabited, by native migratory fish (NMF) without providing passage for NMF. A person owning or operating an AO shall, prior to construction, fundamental change in permit status or abandonment of the AO in any waters of this state, obtain a determination from ODFW as to whether NMF are or historically have been present in the waters. If ODFW determines that NMF are or historically have been present in the waters, the person owning or operating the AO shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish-passage facility, waiver, or exemption must be obtained from the department prior to construction, permit modification or abandonment of the AO. Approved fish-passage plans, waivers, and exemptions shall maintain adequate passage of NMF at all times (ORS 509.601) as per the approved plan, waiver or exemption.

**fishself:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

**fishapprove:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

**fishdiv33:** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

**fishmay:** Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.

**b52** Water may be diverted only when Department of Environmental Quality sediment standards are being met.

**b5** The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

**b51a** The period of use has been limited to \_\_\_\_\_ through \_\_\_\_\_.

**b57** Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.

**b58** Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I.

**futile call:** The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the \_\_\_\_\_ River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

**riparian:** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

**wq:** The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

**fence:** The stream and its adjacent riparian area shall be fenced to exclude livestock.

**blv:** Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

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# Land Use Information Form



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.wrd.state.or.us

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**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) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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# Land Use Information Form



**Oregon Water Resources Department**  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

Applicant: Stangel Industries C/o Bob Stangel  
First Last

Mailing Address: P.O. Box 157

Enterprise OR 97828 Daytime Phone: 541-398-0594  
City State Zip

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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:
15	44E	26	SE ¼	3800	EFU	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Storage
						<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, and/or used or developed:

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## B. Description of Proposed Use

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

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

Source of water:  Reservoir/Pond  Ground Water  Surface Water (name) Unnamed Spring, Trib to Trout Creek

Estimated quantity of water needed: 1.5  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 Multipurpose

Briefly describe:

Small Storage facility / Pond

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

See bottom of Page 3. →

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

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.

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Name: Crystal Allen Title: Planning Director  
 Signature: [Handwritten Signature] Phone: 541-426-9543 x118 Date: 7/10/17  
 Government Entity: Wallowa County

**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.

**Receipt for Request for Land Use Information**

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



# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

July 27, 2017

Bob Stangel  
PO Box 157  
Enterprise, OR 97828

Dear Mr. Stangel:

The Water Resources Department has received your application to use or store water. At this time however, we are unable to accept your application, because the minimum filing requirements are not met according to the Oregon Revised Statutes (ORS 537.409).

We are hereby returning the incomplete application and the fees submitted. Please return the application, the required information, and this checklist, so the Department may begin processing your application in a timely manner.

This review is based only on the completeness of your application. Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made.

Should you have any questions, please do not hesitate to contact me at the address above or by telephone at 503-986-0817.

Sincerely,

Tamera Smith  
Water Rights Customer Service

Cc: OWRD Fiscal

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# Alternate Reservoir Application Completeness Checklist

## Minimum Requirements (ORS 537.409)

Provide a legal description of all the property involved with this application. You may include a copy of your deed, land sales contract or title insurance to meet this requirement.

**Acceptable map \*\* Indicates requirements of standards set forth by the Commission and causes fatal flaw if not provided by the applicant.**

- Reservoir Location - noting Township, Range, Section, 1/4 1/4 and Tax Lot number(s)\*
- Scale of the Map (not less than 1" = 1320') \*\*
- Reference corner on map
- Please measure the distance from reference corner to center of each reservoir, and list on the map

Reservoir clearly identified \*\*

- Fees enclosed\*\*? Examination: Base Fee \$ 410 Permit Recording Fee \$ 520.00  
plus \$ 70  
plus \$ \_\_\_\_\_

**Total Paid \$ 410.00 Total Fees \$ 1000.00**

S1 3888.5' North + 247' West from the S 1/4 Cor  
Section 26

S2 1,125' N + 629' West

S3 ~~South~~ 301' South + 1062' West from S 1/4 cor

S4 398' South + 1585' West from S 1/4 Corner

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Oregon Water Resources Department  
Permit to Appropriate Surface Water for Storage - Alternate Reservoir Application

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- [Contact Us](#)

For impoundments less than 10 feet in height or storing less than 9.2 acre feet of water.

Today's Date: Tuesday, July 25, 2017

Base Application Fee for Storage of Surface Water.		\$410.00
Proposed Dam Height in feet.	3	
Proposed Reservoir volume in Acre Feet.	1.5	\$70.00
Permit Recording Fee. ***		\$520.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$1,000.00

OWRD Fee Schedule

Fee Calculator Version: B20170117

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**STATUTORY BARGAIN AND SALE DEED**

JOSEPH N. STANGEL, ROBERT G. STANGEL and RICHARD C. STANGEL, individually and dba Stangel Industries and Machine Shop, Grantors, convey and release to STANGEL INDUSTRIES AND MACHINE SHOP, an Oregon partnership, Grantee, certain real property, situated in the State of Oregon, County of Wallowa, more particularly described in Exhibit A attached hereto and incorporated herein by reference.

The consideration for this conveyance is value other than money.

Until a change is requested, all tax statements are to be sent to the following address: PO Box 157, Enterprise, Oregon 97828.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

DATED this 11 day of May, 2011.

  
JOSEPH N. STANGEL

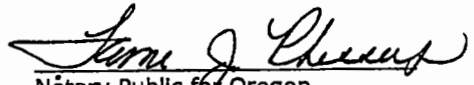
  
ROBERT G. STANGEL

  
RICHARD C. STANGEL

STATE OF OREGON )  
 ) ss.  
County of Wallowa )

Personally appeared before me this 12<sup>th</sup> day of May, 2011, the above-named JOSEPH N. STANGEL and acknowledged the foregoing instrument to be his voluntary act and deed.

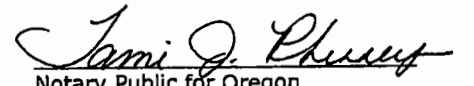


  
Notary Public for Oregon  
My commission expires: 4-7-2013

STATE OF OREGON )  
 ) ss.  
County of Wallowa )

Personally appeared before me this 11 day of May, 2011, the above-named ROBERT G. STANGEL and acknowledged the foregoing instrument to be his voluntary act and deed.



  
Notary Public for Oregon  
My commission expires: 4-7-2013

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AUG 07 2017

SALEM, OR

EXCEPTING THEREFROM the East 76.8 feet thereof as conveyed by instrument recorded in Book 75 of Deeds, Page 253.

**(1S44 TL3800)**

*Ref 416 98.1 acres N portion Fischer no bid.*

Township 1 South, Range 44 East of the Willamette Meridian, Wallowa County, Oregon

Section 26: SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPTING THEREFROM the following described tracts of land:

- 1) That part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 26, T1S, R44 EWM lying East of the Enterprise-Flora Highway.
- 2) BEGINNING at the Southeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 26; thence South (var. 22 $\frac{1}{2}$ ° West) 33.50 chains to the Westerly side line of road; thence along said sideline of said road (var. 20° West) North 16  $\frac{3}{4}$ ° East 10.00 chains; thence still along sideline of said Road, North 8  $\frac{3}{4}$ ° East 16.20 chains; thence still along sideline of said Road, North 21 $\frac{1}{4}$ ° East 8.50 chains to the South line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 26; thence West 10.18 chains to the place of beginning.
- 3) BEGINNING at the Northwest corner of the Section 35, T1S, R44 EWM; thence South 28°45' East 6.27 chains; thence North 75° East 1.18 chains; thence North 61 $\frac{1}{2}$ ° East 9.55 chains; thence North 34  $\frac{3}{4}$ ° East 1.02 chains to the Section line between Sections 35 and 26; thence North 20° East 2.51 chains; thence North 7  $\frac{3}{4}$ ° East 18.00 chains; thence West 16.32 chains to the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 26; thence South 20.30 chains to the place of beginning.
- 4) That part conveyed to the State of Oregon, by and through its State Highway Commission lying in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 26, T1S, R44 EWM, by instrument recorded in Book 54 of Deeds, Page 81.
- 5) That part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 35, T1S, R44 EWM conveyed to East Oregon Lumber Company by instrument recorded in Book 24 of Deeds, Page 527.
- 6) BEGINNING at a point 120 feet, more or less, South of the Northwest corner of Section 35, T1S, R44 EWM, said point being at the intersection of Section lines 34 and 35 and the West right of way line of the County Road (formerly known as the Lostine Highway); thence South along the West line of Section 35, 320 feet, more or less, to the North line of the Conrad tract recorded in Book 88 of Deeds, Page 352; thence East 130 feet to the West right of way line of the said County Road; thence Northwesterly along the West right of way line of the County Road to the point of beginning.

**(1S44 33 TL800)**

*Ref 420 5.3 acres Section 33 along side*

A tract situate in the SE $\frac{1}{4}$  and E $\frac{1}{2}$ SW $\frac{1}{4}$ , Section 33, Township 1 South, Range 44 East of the Willamette Meridian, Wallowa County, Oregon, described as: BEGINNING at the Southeast corner of the NE $\frac{1}{4}$  of said Section 33; thence South on the East line of said Section 33 a distance of about 29.27 chains to the middle of the main channel of the Wallowa River; thence in a generally Northwesterly direction down the middle of said channel of the Wallowa River to the subdivision line between the North and South halves of said Section 33; thence East on said subdivision line to the place of beginning.

EXCEPTING THEREFROM the following described tracts:

- 1) COMMENCING at the Southeast corner of Section 33, T1S, R44 EWM; running thence West along the South line of said Section 33 a distance of 1208.9 feet to a point in the center line of the right of way of the Union Pacific Railroad Company; thence North 22°58' West along said center line a distance of 2305.0

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SALEM, OR