

**Application for Water Right
Temporary or Drought Temporary Transfer
Part 1 of 5 – Minimum Requirements Checklist**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

FOR ALL TEMPORARY TRANSFER APPLICATIONS

Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 3 List them here: 92994, 95662, 92991**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2022 End Year: 2026.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

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Attachments:

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land from which the authorized place of use is temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

<input type="checkbox"/> Application fee not enclosed/or is insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part <u>19900</u> is incomplete
<input type="checkbox"/> Additional signature(s) required	Other/Explanation _____
Staff: _____ 503-986-0 _____	Date: ____/____/____

Part 2 of 5 – Temporary Transfer Application Map Checklist

Your temporary transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the temporary transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A If more than three water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet; the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated); the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet; or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed temporary place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s) to convey water to the new temporary place of use, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

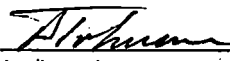
APPLICANT/BUSINESS NAME Farmland Reserve, Inc.		PHONE NO. (509) 734-1195	ADDITIONAL CONTACT NO. ...
ADDRESS PO Box 2308		FAX NO. (509) 734-1092	
CITY Pasco	STATE WA	ZIP 99302	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME Nathan Rau		PHONE NO. (509) 820-3231	ADDITIONAL CONTACT NO. (385) 522-1730
ADDRESS (same)		FAX NO.	
CITY	STATE	ZIP	E-MAIL nrau@farmlandreserve.org
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

<p>Explain in your own words what you propose to accomplish with this transfer application and why: Irrigate the described lands which do not currently have permanent irrigation rights</p> <p>If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".</p>
--

I (we) affirm that the information contained in this application is true and accurate.

	Patrick Tolman, Vice President for Farmland Reserve, Inc.	_____
Applicant signature	Print Name (and Title if applicable)	Date
_____	_____	_____
Applicant signature	Print Name (and Title if applicable)	Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME Columbia Improvement District	ADDRESS 501 Columbia Ave.	
CITY Boardman	STATE OR	ZIP 97818

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed and/or used.

ENTITY NAME Morrow County	ADDRESS 100 S. Court St.	
CITY Heppner	STATE OR	ZIP 97836

ENTITY NAME Umatilla County	ADDRESS 216 SE Fourth Street	
CITY Pendleton	STATE OR	ZIP 97801

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Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add rows to tables within the form.

CERTIFICATE # _____

Water Right Certificate # **92994**

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Description of Water Delivery System

System capacity: _____ cubic feet per second (cfs) **OR**

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Farmland Reserve System - 122,000 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is withdrawn at a pump station located on the Columbia River. The water is then transported through a series of pipelines and booster stations, then into the sprinkler system and point of application.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp	Rng	Sec	¼	¾	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Columbia River Pump Station (CRPS)	<input checked="" type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		4	N	25	E	2	NE NW	South 86 Degrees 22 minutes 46 Seconds West, 2829 feet from the NE Corner of Section 2

Check all type(s) of temporary change(s) proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU) Appropriation/Well (POA)
- Point of Diversion (POD) Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

Check all type(s) of temporary change(s) due to drought proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU) Point of Appropriation/Well (POA)
- Character of Use (USE) Additional Point of Appropriation (APOA)
- Point of Diversion (POD) Additional Point of Diversion (APOD)

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Temporary Changes to Water Right Certificate # 92994

List only the part of the right that will be changed. For the acreage in each 1/4, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE																								
2	S	9	E	15	NE	NW	100	15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0	POD #5	1901
EXAMPLE																								
4	N	26	E	16	NE	NE	03418	16.31	Irrigation	CRPS	1973	POU	4	N	26	E	19	NW	NW	03416	1	0.57	CRPS	1973
												POU	4	N	26	E	19	SW	NW	03416 & 03419	2	11.65	CRPS	1973
												POU	4	N	26	E	19	SE	NW	03416 & 03419		4.09	CRPS	1973
							TOTAL ACRES	16.31												TOTAL ACRES	16.31			

Additional remarks: Farmland Reserve, Inc. no longer owns the "FROM" Lands but all of 92994 was specifically reserved in the sale

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For Place of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: (1) Permanent transfer T-13525 includes a portion of cert. 92994 but this portion is separate/not included in T-13525; (2) Certificates 89305 & 90153 are located in the same quarter-quarter sections but do not overlap with the proposed "TO" lands. (3) Mitigation permits (S-55192, -55190, -54633, -55061) are located on the TO and FROM lands



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

- Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the Department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right

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Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add rows to tables within the form.

CERTIFICATE # _____

Water Right Certificate # 92991

Description of Water Delivery System

System capacity: _____ cubic feet per second (cfs) **OR**

CID System - 142,000 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is withdrawn at a pump station located on the Columbia River. The water is then transported through a series of pipelines and boosters and then into the CID canal. From the canal, water re-enters an underground pipeline and is pumped into the sprinkler system.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-_____)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
CRPS	<input checked="" type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		4	N	25	E	2	NE	N W	7	South 86 Degrees 22 Minutes 46 Seconds West 2,829 Feet From NE Corner, Section 2

Check all type(s) of temporary change(s) proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU) Appropriation/Well (POA)
- Point of Diversion (POD) Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

Check all type(s) of temporary change(s) due to drought proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU) Point of Appropriation/Well (POA)
- Character of Use (USE) Additional Point of Appropriation (APOA)
- Point of Diversion (POD) Additional Point of Diversion (APOD)

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Temporary Changes to Water Right Certificate # 92991

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																								
2	S	9	E	15	NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW NW	500		5.0		POD #6	1901
3	N	27	E	18	SE NE	1300		1.47	IRRIGATION	CRPS	1973	POU	2	N	27	E	1	NW NW	0500		3.04		CRPS	1973
3	N	27	E	18	NW SW	1300		10.7	IRRIGATION	CRPS	1973	POU	2	N	28	E	6	NE NE	01000	4	24.99		CRPS	1973
3	N	27	E	18	SW SW	1300		15.6	IRRIGATION	CRPS	1973	POU	3	N	28	E	31	NE SW	0300		4.48		CRPS	1973
3	N	27	E	18	NE SE	1300		26.5	IRRIGATION	CRPS	1973	POU	3	N	28	E	31	SW SW	0300		6.01		CRPS	1973
3	N	27	E	18	NW SE	1300		3.59	IRRIGATION	CRPS	1973	POU	3	N	28	E	31	NW SE	0300		22.85		CRPS	1973
3	N	27	E	18	SE SE	1300		5.9	IRRIGATION	CRPS	1973	POU	4	N	26	E	19	NE NW	03416		0.02		CRPS	1973
												POU	4	N	26	E	19	NW NW	03416	1	0.06		CRPS	1973
												POU	4	N	26	E	19	SE NW	03416 & 03419		2.31		CRPS	1973
						TOTAL ACRES	63.76							TOTAL ACRES	63.76									

Additional remarks: _____

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JAN 31 202 Temporary Transfer Application – Page 10 of 14

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For Place of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: (1) Certificates 89305 & 90153 are located in the same quarter-quarter sections but do not overlap with the proposed "TO" lands. (2) Certificate 95659 is located in some of the same quarter-quarter sections as the "TO" lands but does not overlap. (3) Mitigation permits (S-55192, -55190, -54633, -55061) are located on the TO and FROM lands. (4) Certificates 2687 & 25776 and permits G-18689, S-55323 & S-46499 are located in some of the same quarter-quarter sections as the "TO" lands but do not overlap.



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

- Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends 93872 – Pg. 16 of 22 you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the Department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
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Part 5 of 5 – Water Right Information

CERTIFICATE # _____

Water Right Certificate # 95662

Description of Water Delivery System

System capacity: _____ cubic feet per second (cfs) OR

CID System - 142,000 (gpm)

Farmland Reserve System - 122,000 (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. The point of diversion is not changing, but will be diverted through the Farmland Reserve (FRI) irrigation system and CID Irrigation system. Water is withdrawn at a pump station located on the Columbia River. The water is then transported through a series of pipelines and boosters and then into the CID canal. From the canal, water re-enters an underground pipeline and is pumped into the sprinkler system.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Columbia River Pump Station (CRPS)	<input checked="" type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		4	N	25	E	2	NE	N W	7	South 86 Degrees 22 Minutes 46 Seconds West 2,829 Feet From NE Corner, Section 2

Check all type(s) of temporary change(s) proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU)
- Point of Diversion (POD)
- Additional Point of Diversion (APOD)
- Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)

Check all type(s) of temporary change(s) due to drought proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU)
- Character of Use (USE)
- Point of Diversion (POD)
- Point of Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Temporary Changes to Water Right Certificate # 95662

List only the part of the right that will be changed. For the acreage in each 1/4 1/4, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp.	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp.	Rng	Sec		1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
4	N	26	E	26	NW	SW	3414		4.45	Irrigation	CRPS	1973	POU	4	N	26	E	19	NW	NW	03146	1	14.15	Irrigation	CRPS	1973
4	N	26	E	26	SW	SW	3414		20.62	Irrigation	CRPS	1973	POU	4	N	26	E	19	SW	NW	03416	2	16.43	Irrigation	CRPS	1973
4	N	26	E	26	SE	SW	3414		0.26	Irrigation	CRPS	1973	POU													
4	N	26	E	26	NW	NW	3414		5.25	Irrigation	CRPS	1973	POU													
						TOTAL ACRES	30.58															TOTAL ACRES	30.58			

Additional remarks: _____

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For Place of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: (1) Certificates 89305 & 90153 are located in the same quarter-quarter sections but do not overlap with the proposed "TO" lands. (2) Mitigation permits (S-55192, -55190, -54633, -55061) are located on the TO lands



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

- Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the Department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right

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Evidence of Use

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Application for Water Right Transfer

Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Washington)
) ss
 County of BENTON)

I, Jens Rasmussen, in my capacity as LAND MANAGER, AGRINORTHWEST,

mailing address PO BOX 2308 PASCO, WA 99302

telephone number (509) 222-8621, being first duly sworn depose and say:

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1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation Professional expertise

2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # 92994, 95662, 92991; **OR**

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

- Confirming Certificate # _____ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: ____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # ____ (For Historic POD/POA Transfers)

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(continues on reverse side)

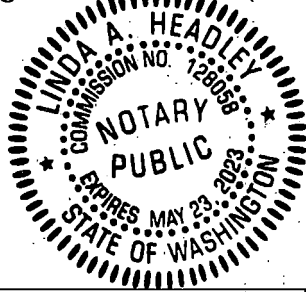
3. The water right was used for: (e.g., crops, pasture, etc.): CROPS

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

[Signature]
Signature of Affiant

1-27-22
Date

Signed and sworn to (or affirmed) before me this 27th day of January, 2022.



Linda A. Headley
Notary Public for Oregon WA

My Commission Expires: 5/23/23

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

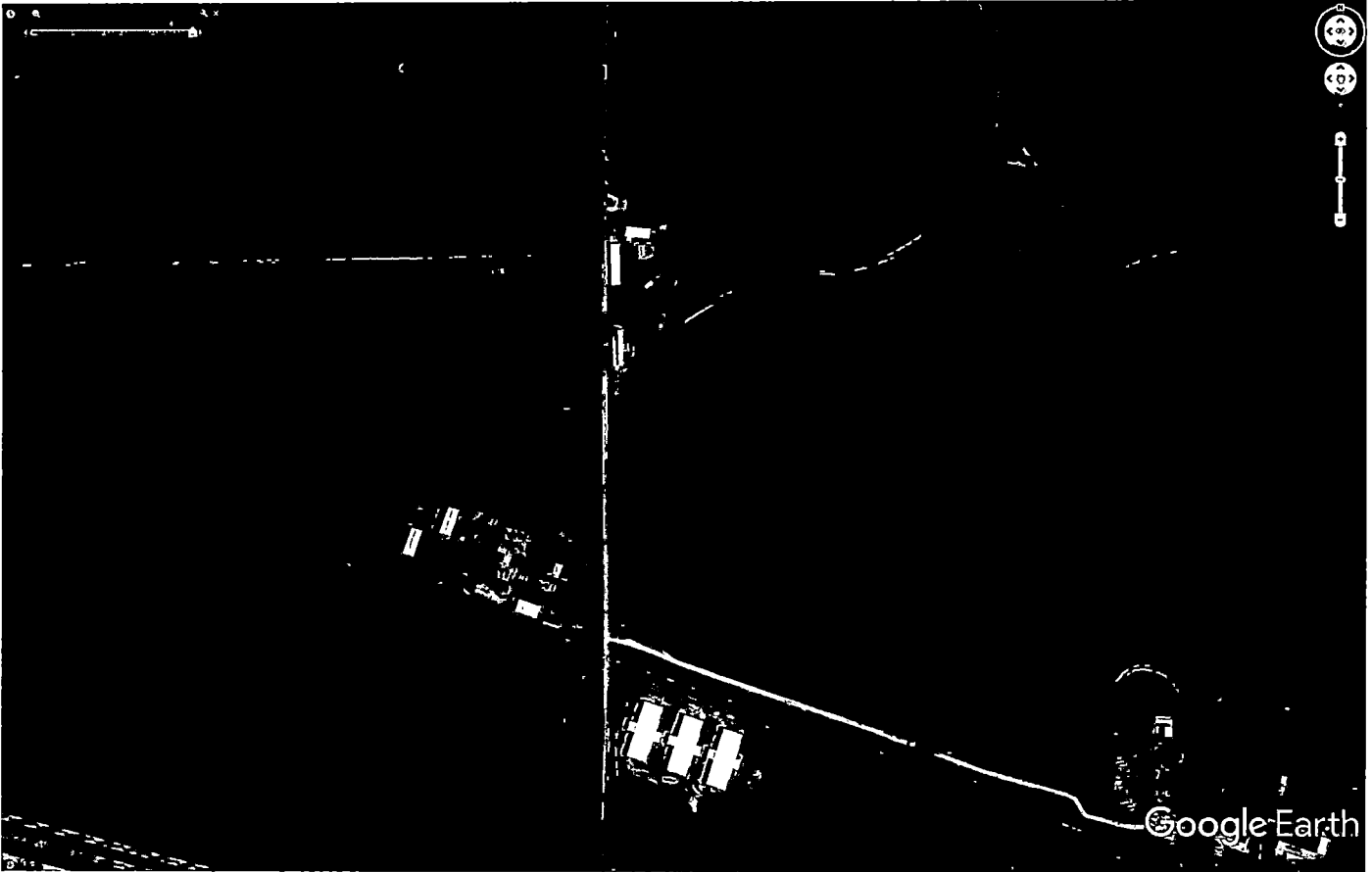
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Echo Farm Fields - Evidence of Use:

92994:

Image Date: 14 April 2021

Image Source: Google Earth (Historical Imagery)



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95662:

Image Date: 26 May 2017

Image Source: Google Earth (Historical Imagery)



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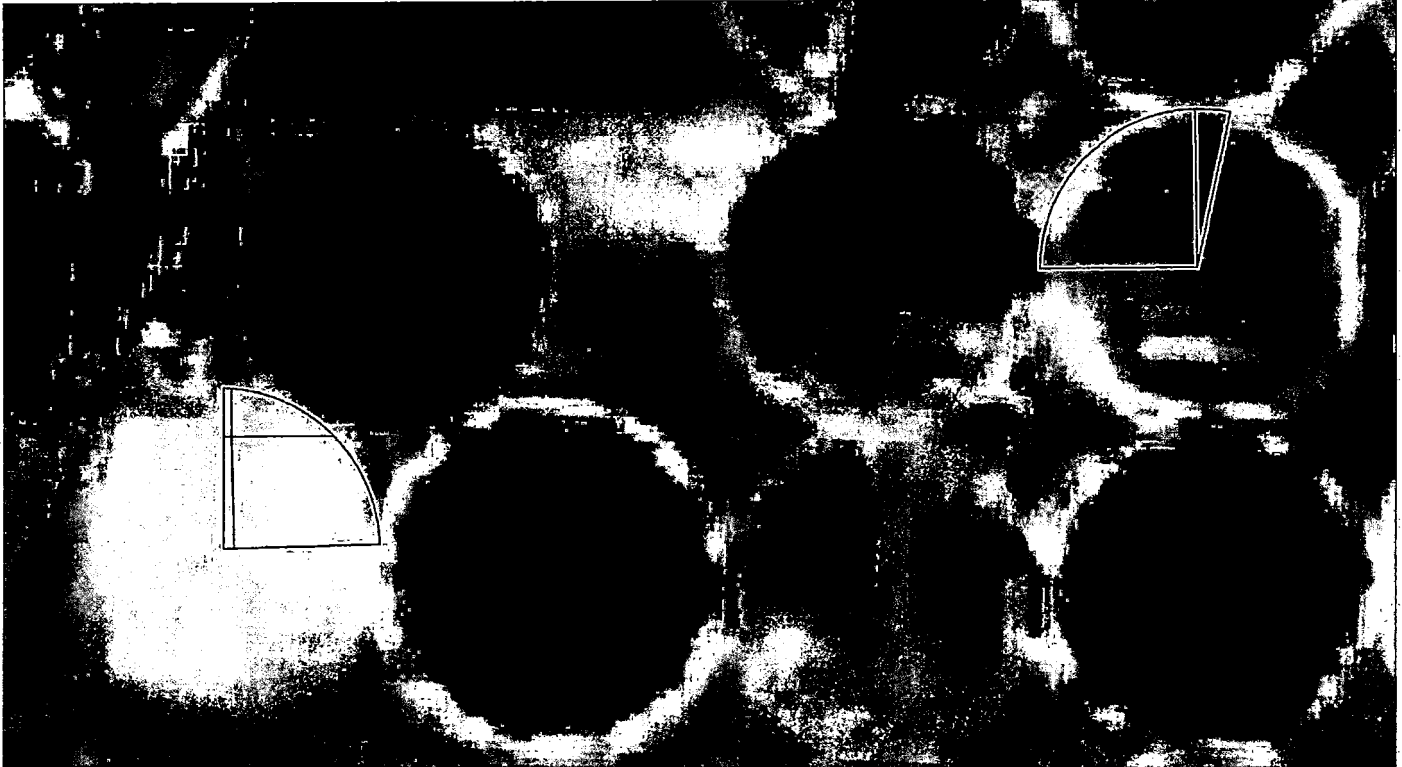
92991 (T-13398):

ID: LIC_T10TGR_A026136_20200623T185629

Acquisition Date: 2020/06/23

Platform: SENTINEL-2A

Tile Number: T10TGR



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Supplemental Form D

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Supplemental Form D

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

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1. APPLICANT INFORMATION

OWRD

NAME FARMLAND RESERVE, INC.			PHONE (HM)
PHONE (WK) (509) 734-1195	CELL	FAX (509) 734-1092	
ADDRESS PO Box 2308			
CITY PASCO	STATE WA	ZIP 99302	E-MAIL**

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME COLUMBIA IMPROVEMENT DISTRICT			PHONE (HM)
PHONE (WK) (541) 481-8454	CELL	FAX	
ADDRESS PO Box 47			
CITY BOARDMAN	STATE OR	ZIP 97818	E-MAIL**

** By providing an e-mail address, the applicant and/or the district/water supplier consents to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.	S-50771	S-36940	92994	YES <input type="checkbox"/>
2.	S-50771	S-36940	93872	YES <input type="checkbox"/>
3.	S-50951	S-37150	95154	YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

CURRENT ASSOCIATIONS Please answer the following "yes" or "no" questions:

- YES NO One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.
- YES NO All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; i.e., the POU is currently layered with a district or BOR water supplied water right(s).


PROPOSED ASSOCIATIONS Please answer the following "yes" or "no" questions:

- YES NO One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water:
- YES NO All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

COMMENTS OR ADDITIONAL INFORMATION

4. APPLICANT'S SIGNATURE

- (1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:
 email, phone, postal mail, in person, or other (please specify) _____
- (2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.

 _____
 Pat Tolman _____
 1/28/22 _____
 Applicant Signature Name (print) Date

5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

The district/water supplier certifies the following:

- (1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and
- (2) The district/water supplier consents to the proposed water right transfer application.
 YES NO After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.
 YES NO The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

_____ _____ _____
 Signature of District Manager /Water Supplier Name (print), Title Date

Boardman Farm (Morrow County)
Land Deed

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State of Oregon
County of Umatilla



Instrument received
and recorded on
11/9/2016 01:29 PM

In the record of instrument
code type DE

Instrument number 2016-6510099
Fee \$249.00

Office of County Records

Steve Chandler

Records Officer

1055374 P40

AFTER RECORDING RETURN TO:

Kirton McConkie
Attn: Tyler Buswell
50 East South Temple
Salt Lake City, Utah 84111

**UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS SHALL BE
SENT TO:**

Farmland Reserve, Inc.
Attn: Rex Burgener
79 South Main Street, Suite 1000
Salt Lake City, Utah 84111

SPECIAL WARRANTY DEED

179
807
229
8479

HALE FARMS, L.L.C., an Oregon limited liability company, with an address at 73120 Hwy 207, Echo, Oregon 97826, together with **H4 FARMS, INC.**, an Oregon corporation, with an address at 73120 Hwy 207, Echo, Oregon 97826 (collectively as "**Grantor**"), conveys and specially warrants to **FARMLAND RESERVE, INC.**, a Utah nonprofit corporation ("**Grantee**"), with an address at 79 S. Main Street, Suite 1000, Salt Lake City, Utah 84111, the real property described on Exhibit A attached hereto (the "**Property**"), free of liens and encumbrances created or suffered by Grantor, except as set forth on (i) Exhibit B for the real property located in Umatilla County, and (ii) Exhibit C for the real property located in Morrow County, both attached hereto.

The true consideration for this conveyance is \$53,422,316.00.

TOGETHER WITH (i) all buildings located on the Property, (ii) all roads, bridges and other improvements located on the Property, (iii) all water rights and other rights to the use of water owned by Grantor appurtenant to or used in connection with the Property, (iv) surface and subsurface rights of the Property owned by Grantor, including, without limitation, all appurtenant mineral, gas, oil, and geothermal rights, and (v) all other privileges, appurtenances, easements in respect thereof and other rights appertaining to the Property.

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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

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ID: 2016-6510099
County: Umatilla
Date: 11/9/2016 Time: 1:29 PM

AFTER RECORDING RETURN TO:

Kirton McConkie
Attn: Tyler Buswell
50 East South Temple
Salt Lake City, Utah 84111

UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS SHALL BE
SENT TO:

Farmland Reserve, Inc.
Attn: Rex Burgener
79 South Main Street, Suite 1000
Salt Lake City, Utah 84111

SPECIAL WARRANTY DEED

FATCO 2015 804179

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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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

[Signature and Acknowledgement to Follow]

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DATED effective as of November 7, 2016.

GRANTOR:

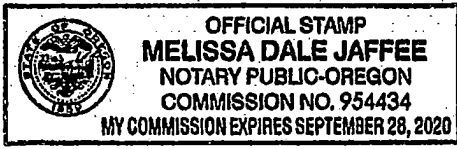
HALE FARMS, L.L.C.,
an Oregon limited liability company

By: [Signature]
Name: Robert C. Hale
Its: Operating Manager

STATE OF OREGON)
)
COUNTY OF Malheur)

On this 7 day of November, 2016, before me, the undersigned, a Notary Public in and for the state of Oregon, duly commissioned and sworn, personally appeared Robert C. Hale, known to be the Operating Manager of Hale Farms, L.L.C., an Oregon limited liability company, that executed the foregoing instrument, and acknowledged the instrument to be the free and voluntary act and deed of that company for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute the instrument on behalf of the company.

WITNESS my hand and official seal hereto affixed the day and year first above written.



[Signature]
Print Name: MELISSA DALE JAFFEE
NOTARY PUBLIC for the State of Oregon
My Commission Expires: 9-28-2020

(Signature and Acknowledgement to follow)

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GRANTOR:

H4 FARMS, INC.,
an Oregon corporation

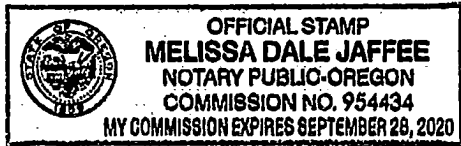
By: [Signature]
Name: Robert C. Hale
Its: Secretary

STATE OF OREGON)
COUNTY OF Multnomah)

On this 7 day of November, 2016, before me, the undersigned, a Notary Public in and for the state of Oregon, duly commissioned and sworn, personally appeared Robert C. Hale, known to be the Secretary of H4 FARMS, INC., an Oregon corporation, that executed the foregoing instrument, and acknowledged the instrument to be the free and voluntary act and deed of that company for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute the instrument on behalf of the company.

WITNESS my hand and official seal hereto affixed the day and year first above written.

[Signature]
Print Name: Melissa Dale Jaffee
NOTARY PUBLIC for the State of Oregon
My Commission Expires: 9-29-2020



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EXHIBIT A

(Legal Description of the Property)

HALE FARMS, L.L.C., AN OREGON LIMITED LIABILITY COMPANY, AS GRANTOR OF PARCEL I, TRACTS 1 THROUGH 10, 12 THROUGH 29, 31 THROUGH 35, AND 38, AND H4 FARMS, INC., AN OREGON CORPORATION, AS GRANTOR OF PARCEL I, TRACTS 39 THROUGH 42, 45 AND ALL OF PARCEL II OF THE BELOW DESCRIBED PROPERTY.

PARCEL I (Umatilla County, Oregon):

TRACT 1

TOWNSHIP 2 NORTH, RANGE 27, E.W.M.

SECTION 1: ALL THAT PORTION OF THE EAST HALF WHICH LIES EASTERLY OF STATE HIGHWAY 207.

EXCEPTING THEREFROM THOSE TRACTS OF LANDS CONVEYED TO THE STATE OF OREGON BY DEEDS RECORDED IN BOOK 205, PAGE 138 AND BOOK 283, PAGE 589, DEED RECORDS.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 2

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 5: ALL.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 3

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 6: ALL THAT PORTION OF THE NORTH HALF WHICH LIES EASTERLY OF STATE HIGHWAY 207.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND

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HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 4

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 7: NORTHEAST QUARTER.

EXCEPTING THEREFROM THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 5

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 8: EAST HALF OF THE NORTHWEST QUARTER.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 6

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 8: WEST HALF OF THE NORTHWEST QUARTER.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 7

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 8: NORTHEAST QUARTER.

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EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD
RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 8

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 8: EAST HALF OF THE SOUTHWEST QUARTER.
SOUTHEAST QUARTER.

SECTION 17: EAST HALF OF THE NORTHWEST QUARTER.
SOUTHWEST QUARTER.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 9

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 8: WEST HALF OF THE SOUTHWEST QUARTER.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 10

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 17: WEST HALF OF THE NORTHWEST QUARTER.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 12

PARCEL 1, PARTITION PLAT NO. 2005-27 (INSTRUMENT NO. 2005-4900419, OFFICE
OF UMATILLA COUNTY RECORDS) LOCATED IN THE SOUTH HALF OF SECTION 31,
TOWNSHIP 3 NORTH, RANGE 28, EAST OF THE WILLAMETTE MERIDIAN,
UMATILLA COUNTY, OREGON;

EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS
BEGINNING AT THE MOST NORTHWESTERLY CORNER OF PARCEL 2, SAID
PARTITION PLAT NO. 2005-27; THENCE NORTH 25°12'28" EAST ALONG THE EAST
RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 207 (WHICH IS ALSO THE WEST LINE
OF SAID PARCEL 1), A DISTANCE OF 520.26 FEET; THENCE SOUTH 64°47'32" EAST

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AND PERPENDICULAR TO THE EAST RIGHT-OF-WAY LINE OF SAID HIGHWAY, A DISTANCE OF 300 FEET; THENCE SOUTH 05°25'26" EAST, A DISTANCE OF 611.12 FEET; THENCE SOUTH 25°12'28" WEST AND PARALLEL WITH THE WEST LINE OF SAID PARCEL 2, A DISTANCE OF 325 FEET; THENCE ALONG THE ARC OF A 1370 FOOT RADIUS CURVE LEFT (LONG CHORD BEARS SOUTH 81°22'32" WEST, 72.23 FEET) A DISTANCE OF 72.24 FEET TO A POINT ON THE EAST LINE OF PARCEL 3, SAID PARTITION PLAT NO. 2005-27; THENCE NORTH 25°12'28" EAST ALONG THE EAST LINE OF SAID PARCEL 3, A DISTANCE OF 103.68 FEET TO THE MOST SOUTHEASTERLY CORNER OF SAID PARCEL 2; THENCE NORTH 25°12'28" EAST ALONG THE EAST LINE OF SAID PARCEL 2, A DISTANCE OF 197.82 FEET TO THE MOST NORTHEASTERLY CORNER OF SAID PARCEL 2; THENCE NORTH 31°57'18" WEST ALONG THE NORTH LINE OF SAID PARCEL 2, A DISTANCE OF 127.80 FEET TO AN ANGLE POINT; THENCE NORTH 64°47'32" WEST AND CONTINUING ALONG THE NORTH LINE OF SAID PARCEL 2, A DISTANCE OF 444 FEET TO THE POINT OF BEGINNING.

TRACT 13

TOWNSHIP 3 NORTH, RANGE 28, E.W.M.

SECTION 32: SOUTH HALF.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 14

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 1: ALL.

SECTION 2: EAST HALF.

SECTION 12: NORTHEAST QUARTER.

SECTION 12: ALL THAT PORTION OF THE SOUTHEAST QUARTER WHICH LIES NORTHERLY OF U.S. INTERSTATE 84.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE STATE HIGHWAY RIGHT-OF-WAY, INCLUDING BUT NOT LIMITED TO THAT TRACT OF LAND CONVEYED TO THE STATE OF OREGON BY DEED RECORDED IN BOOK 293, PAGE 721, DEED RECORDS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

JAN 31 2022

13900

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4849-5162-5787

TRACT 15

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 11: ALL THAT PORTION WHICH LIES NORTHERLY OF U.S. INTERSTATE 84.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE HIGHWAY RIGHT-OF-WAY, INCLUDING BUT NOT LIMITED TO THAT TRACT OF LAND CONVEYED TO THE STATE OF OREGON BY DEED RECORDED IN BOOK 130, PAGE 587, DEED RECORDS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 16

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 11: ALL THAT PORTION OF THE SOUTH HALF WHICH LIES SOUTHERLY OF U. S, HIGHWAY NO, 30 AND INTERSTATE I-84.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE HIGHWAY RIGHT-OF-WAY, INCLUDING BUT NOT LIMITED TO THAT TRACT OF LAND CONVEYED TO THE STATE OF OREGON BY DEED RECORDED IN BOOK 130, PAGE 587, DEED RECORDS.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 17

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 9: ALL THAT PORTION OF THE NORTHEAST QUARTER WHICH LIES SOUTHERLY OF THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30 AND INTERSTATE 84-N.

SECTION 10: ALL THAT PORTION WHICH LIES SOUTHERLY OF THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30 AND INTERSTATE 84-N.

SECTION 15: NORTH HALF.

EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS

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JAN 31 2022

OWRD

13900
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BEGINNING AT A POINT WHICH LIES 1,320 FEET DISTANT SOUTHERLY AND 736.56 FEET DISTANT EASTERLY FROM THE NORTHWEST CORNER OF SAID SECTION 15; THENCE NORTH 30° EAST, A DISTANCE OF 660 FEET; THENCE NORTH 61° EAST, A DISTANCE OF 264 FEET; THENCE SOUTH 47° EAST, A DISTANCE OF 531.30 FEET TO THE ECHO-PENDLETON COUNTY ROAD; THENCE SOUTH 55°30' WEST ALONG SAID COUNTY ROAD, A DISTANCE OF 586.08 FEET; THENCE WESTERLY ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 462 FEET TO THE POINT OF BEGINNING.

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

ALSO EXCEPTING THEREFROM THAT TRACT OF LAND LOCATED IN THE NORTH HALF OF SAID SECTION 15 AND BEING DESCRIBED AS BEGINNING AT A POINT WHERE THE SECTION LINES BETWEEN SECTIONS 15 AND 16 INTERSECTS WITH THE SOUTH RIGHT- OF-WAY LINE OF THE COUNTY ROAD; THENCE IN A NORTHEASTERLY DIRECTION ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD, A DISTANCE OF 343 FEET TO THE EASTERLY FENCE LINE OF THE TRACT; THENCE SOUTHERLY ALONG SAID EASTERLY FENCE LINE, A DISTANCE OF 371 FEET, MORE OR LESS, TO THE FENCE CORNER; THENCE WESTERLY ALONG THE SOUTHERLY FENCE LINE OF SAID TRACT, A DISTANCE OF 336 FEET, MORE OR LESS, TO ITS INTERSECTION WITH THE SECTION LINE BETWEEN SAID SECTIONS 15 AND 16; THENCE NORTHERLY, ALONG THE SECTION LINE BETWEEN SAID SECTIONS 15 AND 16, A DISTANCE OF 210 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 15 WHICH LIES SOUTHERLY OF HIGHWAY NO. 320.

ALSO EXCEPTING THEREFROM THAT PORTION OF THE WEST 280 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15 WHICH LIES SOUTHERLY OF HIGHWAY NO. 320.

ALSO EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 15; THENCE SOUTHERLY, A DISTANCE OF 1,320 FEET TO A POINT LOCATED ON THE EAST LINE OF SAID SECTION 15; THENCE WESTERLY AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 15, A DISTANCE OF 2,360 FEET; THENCE NORTHERLY AND PARALLEL TO THE EAST LINE OF SAID SECTION 15, A DISTANCE OF 1,210 FEET TO A POINT LOCATED ON THE SOUTH SIDE OF HIGHWAY NO. 320; THENCE GENERALLY EASTERLY ALONG SAID HIGHWAY TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS BEGINNING AT A POINT WHICH LIES 310 FEET DISTANT NORTHERLY AND 2,467. 5 FEET DISTANT EASTERLY FROM THE SOUTHWEST CORNER OF SAID SECTION 10; THENCE NORTH 67°43' EAST, A DISTANCE OF 679.70 FEET; THENCE SOUTHERLY, A

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JAN 31 2022

13900

4849-5162-5787

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DISTANCE OF 524.90 FEET TO A POINT LOCATED ON THE NORTH LINE OF COUNTY ROAD NO. 770; THENCE SOUTH 89° 45' WEST ALONG THE NORTH LINE OF SAID COUNTY ROAD, A DISTANCE OF 160 FEET; THENCE WESTERLY ALONG THE NORTH LINE OF SAID COUNTY ROAD, A DISTANCE OF 461.70 FEET; THENCE SOUTH 48°52' WEST ALONG THE NORTH LINE OF SAID COUNTY ROAD, A DISTANCE OF 61.50 FEET; THENCE NORTHERLY, A DISTANCE OF 467.30 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT TRACT OF LAND CONVEYED TO BRAD E. WILLIAMS, ETUX, BY DEED RECORDED IN INSTRUMENT NO. 2005-4830487, OFFICE OF UMATILLA COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 18

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 12: ALL THAT PORTION OF THE WEST HALF WHICH LIES NORTHERLY OF U.S. INTERSTATE 84.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE HIGHWAY RIGHT-OF-WAY, INCLUDING BUT NOT LIMITED TO THAT TRACT OF LAND CONVEYED TO THE STATE OF OREGON BY DEED RECORDED IN BOOK 293, PAGE 721, DEED RECORDS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 19

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 12: ALL THAT PORTION OF THE SOUTHWEST QUARTER WHICH LIES SOUTHERLY OF U.S. HIGHWAY NO. 30 AND INTERSTATE I-84.

EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 12; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 575 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTHERLY AND PARALLEL WITH THE WEST LINE OF SAID SECTION 12, A DISTANCE OF 330 FEET; THENCE EASTERLY AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 825 FEET; THENCE SOUTHERLY AND PARALLEL TO THE WEST LINE OF SAID SECTION 12, A DISTANCE OF 330 FEET TO

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JAN 31 2022

13900

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4849-5162-5787

A POINT LOCATED ON THE SOUTH LINE OF SAID SECTION 12; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 825 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 20

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 13: NORTHWEST QUARTER.

EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 13; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 450 FEET; THENCE SOUTHERLY AND PARALLEL WITH THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 330 FEET; THENCE SOUTHWESTERLY TO A POINT WHICH MEASURES 200 FEET DISTANT EASTERLY FROM THE WEST LINE OF SAID SECTION 13 (WHEN MEASURED AT RIGHT ANGLES THERETO) AND 530 FEET DISTANT SOUTHERLY FROM THE NORTH LINE OF SAID SECTION 13 (WHEN MEASURED AT RIGHT ANGLES THERETO); THENCE WESTERLY, A DISTANCE OF 200 FEET TO THE WEST LINE OF SAID SECTION 13; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 530 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 21

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 14: NORTHEAST QUARTER.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 22

RECEIVED

JAN 31 2022

13900

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4849-5162-5787

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 14: WEST HALF.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 23

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 23: SOUTHEAST QUARTER.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 24

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 9: ALL THAT PORTION OF THE SOUTHWEST QUARTER OF SAID SECTION 9 WHICH LIES EASTERLY OF THE OLD OREGON TRAIL HIGHWAY (AS THE SAME WAS LOCATED ON MARCH 5, 1949) AND NORTHERLY AND EASTERLY OF THE U.S.R.S. FEED CANAL AS DESCRIBED IN DEED RECORDED IN BOOK 78, PAGE 341, DEED RECORDS AND WESTERLY OF THAT TRACT OF LAND CONVEYED TO H.B. MCCORMICK, ETUX, RECORDED IN BOOK 123, PAGE 214, DEED RECORDS.

EXCEPTING ALL THAT PORTION LYING WESTERLY OF RELOCATED COUNTY ROAD. ALSO EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE STATE HIGHWAY RIGHT-OF-WAY, INCLUDING BUT NOT LIMITED TO THAT TRACT OF LAND CONVEYED TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, BY DEED RECORDED IN INSTRUMENT NO. 2002-4210394, OFFICE OF UMATILLA COUNTY RECORDS.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 25

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 9: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 9; THENCE WESTERLY, A DISTANCE OF 705 FEET TO A POINT LOCATED ON THE EAST RIGHT -OF -WAY ~~RECORDED~~ U.S.R.S. FEED

JAN 31 2022

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4849-5162-5787

CANAL; THENCE NORTH 15°50' EAST ALONG THE EAST RIGHT- OF-WAY LINE OF SAID 0 CANAL, A DISTANCE OF 96 FEET; THENCE NORTH 45° 25' EAST AND CONTINUING ALONG THE EAST RIGHT- OF-WAY LINE OF SAID CANAL, A DISTANCE OF 374 FEET; THENCE NORTH 62°20' WEST AND CONTINUING ALONG THE EAST RIGHT-OF -WAY LINE OF SAID CANAL, A DISTANCE OF 500 FEET; THENCE NORTH 02°50' WEST AND CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID CANAL, A DISTANCE OF 11 FEET TO THE EAST RIGHT-OF-WAY LINE OF THE COUNTY ROAD; THENCE NORTH 19° 50' EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD, A DISTANCE OF 131 FEET; THENCE NORTH 05° 18' WEST AND CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD, A DISTANCE OF 700 FEET; THENCE NORTH 04°28 ' WEST AND CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD, A DISTANCE OF 200 FEET; THENCE NORTH 09°12' EAST AND CONTINUING ALONG THE EAST RIGHT- OF -WAY LINE OF SAID COUNTY ROAD, A DISTANCE OF 222 FEET; THENCE NORTH 28°22' EAST AND CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD, A DISTANCE OF 815 FEET TO THE EAST-WEST CENTERLINE OF SAID SECTION 9; THENCE EASTERLY, A DISTANCE OF 3,102 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 9; THENCE SOUTHERLY, A DISTANCE OF 2,640 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE WESTERLY, A DISTANCE OF 2,640 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING A RIGHT-OF-WAY FOR THE FURNISH DITCH COMPANY, BEING A STRIP OF LAND 100 FEET IN WIDTH AND A STRIP OF LAND 50 FEET IN WIDTH DESCRIBED IN MICROFILM REEL 100, PAGE 1114, OFFICE OF UMATILLA COUNTY RECORDS.

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 9: ALSO EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 9; THENCE SOUTH 89° 35'33" WEST ALONG THE SOUTH LINE OF SAID SECTION 9, A DISTANCE OF 287.08 FEET; THENCE NORTH 04°35'55" EAST, A DISTANCE OF 29.68 FEET TO A POINT LOCATED ON THE EXISTING FENCE; THENCE NORTH 89 17'07" EAST ALONG THE EXISTING FENCE, A DISTANCE OF 284.49 FEET; THENCE SOUTH 00°24'17" EAST AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 9, A DISTANCE OF 31. 09 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS BEGINNING AT A POINT LOCATED ON THE NORTH LINE OF SECTION 16, SAID TOWNSHIP 3 NORTH, RANGE 29, SAID POINT BEING NORTH 89°35'33" EAST, A DISTANCE OF 484.95 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 16; THENCE SOUTH 23°55' WEST, A DISTANCE OF 572.58 FEET; THENCE NORTH 33°38'02" EAST, A DISTANCE OF 6.19 FEET; THENCE NORTH 20°05'21 " EAST, A DISTANCE OF 102.56 FEET; THENCE NORTH 66°12' 10" EAST, A DISTANCE OF 60.36 FEET; THENCE NORTH 24°04'47" EAST, A DISTANCE OF 440.66 FEET; THENCE

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JAN 31 2022

13900

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4849-5162-5787

NORTH 26°46'52" WEST, A DISTANCE OF 40.47 FEET; THENCE SOUTH 89°17'07"
WEST, A DISTANCE OF 38.20 FEET; THENCE SOUTH 00°24'17" EAST, A DISTANCE OF
33.69 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT TRACT OF LAND CONVEYED TO ECHO
CEMETERY MAINTENANCE DISTRICT BY DEED RECORDED IN BOOK 343, PAGE 62,
DEED RECORDS.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND
HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 26

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 15: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 15;
THENCE SOUTHERLY ALONG THE EAST LINE OF SAID SECTION 15, A DISTANCE
OF 1,320 FEET; THENCE WESTERLY AND PARALLEL WITH THE SOUTH LINE OF
SAID SECTION 15, A DISTANCE OF 2,360 FEET, MORE OR LESS, TO A POINT WHICH
LIES 280 FEET DISTANT EASTERLY FROM THE WEST LINE OF THE NORTH HALF OF
THE NORTHEAST QUARTER OF SAID SECTION 15; THENCE NORTHERLY AND
PARALLEL WITH THE EAST LINE OF SAID SECTION 15, A DISTANCE OF 1,210 FEET,
MORE OR LESS, TO THE SOUTH LINE OF COUNTY ROAD NO. 770; THENCE
EASTERLY ALONG THE SOUTH LINE OF THE SAID COUNTY ROAD TO THE POINT
OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND
HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 27

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 15: SOUTHEAST QUARTER.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 28

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

RECEIVED

JAN 31 2022

OWRD

13900

4849-5162-5787

SECTION 15: ALL THAT PORTION OF THE SOUTHWEST QUARTER BEING DESCRIBED AS BEGINNING AT A POINT LOCATED ON THE SOUTH LINE OF SAID SECTION 15, SAID POINT BEING LOCATED 420 FEET DISTANT EASTERLY FROM THE SOUTHWEST CORNER OF SAID SECTION 15; THENCE NORTH 03°30' WEST, A DISTANCE OF 490 FEET; THENCE NORTH 00°30' EAST, A DISTANCE OF 700 FEET; THENCE NORTH 23°45' EAST, A DISTANCE OF 550 FEET; THENCE NORTH 18°15' EAST, A DISTANCE OF 50 FEET; THENCE NORTH 13°45' WEST, A DISTANCE OF 150 FEET; THENCE NORTH 48°30' WEST, A DISTANCE OF 93.60 FEET; THENCE NORTH 12°00' WEST, A DISTANCE OF 115 FEET; THENCE NORTH 30°30' WEST, A DISTANCE OF 200 FEET; THENCE NORTH 03°00' WEST, A DISTANCE OF 100 FEET; THENCE NORTHERLY, A DISTANCE OF 306.70 FEET TO A POINT LOCATED ON THE EAST-WEST CENTERLINE OF SAID SECTION 15, SAID POINT BEING LOCATED 360.07 FEET DISTANT EASTERLY FROM THE QUARTER SECTION CORNER ON THE WEST LINE OF SAID SECTION 15; THENCE EASTERLY ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 15 TO THE CENTER OF SAID SECTION 15; THENCE SOUTHERLY ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 15 TO THE QUARTER SECTION CORNER ON THE SOUTH LINE OF SAID SECTION 15; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 15 TO THE POINT OF BEGINNING.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 29

TOWNSHIP 3 NORTH, RANGE 30, E.W.M.

SECTION 1: WEST HALF.

EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 1; THENCE SOUTH 00°56'32" EAST ALONG THE WEST LINE OF SAID SECTION 1, A DISTANCE OF 1,703.56 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE SOUTH 09°11'11" EAST, A DISTANCE OF 143.77 FEET; THENCE ALONG A 1375.00 FOOT RADIUS CURVE TO THE LEFT (LONG CHORD OF WHICH BEARS SOUTH 46°32'27" EAST, 1,218.84 FEET) A DISTANCE OF 1,262.75 FEET; THENCE SOUTH 02°07'17" EAST, A DISTANCE OF 56.78 FEET TO THE SOUTH LINE OF SAID SECTION 1; THENCE SOUTH 87°59'29" WEST ALONG THE SOUTH LINE OF SAID SECTION 1, A DISTANCE OF 892.75 FEET; THENCE NORTH 00°56'32" WEST ALONG THE WEST LINE OF SAID SECTION 1, A DISTANCE OF 1,068.46 FEET TO THE POINT OF BEGINNING.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 31

TOWNSHIP 3 NORTH, RANGE 30, E.W.M.

RECEIVED

JAN 31 2012

OWRD

13900

SECTION 2: EAST HALF.

EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 2; THENCE SOUTH 00°56'32" EAST ALONG THE EAST LINE OF SAID SECTION 2, A DISTANCE OF 2,772.02 FEET; THENCE SOUTH 89°48'25" WEST ALONG THE SOUTH LINE OF SAID SECTION 2, A DISTANCE OF 1,183 FEET; THENCE NORTH 00 09'34" WEST, A DISTANCE OF 86.60 FEET; THENCE ALONG A 1320.00 FOOT RADIUS CURVE TO THE LEFT (LONG CHORD OF WHICH BEARS NORTH 45°32'56" EAST, 858.61 FEET) A DISTANCE OF 874.51 FEET; THENCE NORTH 17°37'35" EAST, A DISTANCE OF 292.89 FEET; THENCE NORTH 00°07'19" WEST, A DISTANCE OF 817.25 FEET; THENCE SOUTH 79°29'40" WEST, A DISTANCE OF 35.41 FEET; THENCE NORTH 01°16'04" WEST, A DISTANCE OF 718.72 FEET; THENCE SOUTH 89°31'37" WEST, A DISTANCE OF 646. 02 FEET; THENCE NORTH 13°19'43" WEST, A DISTANCE OF 786.74 FEET; THENCE ALONG A 1230.00 FOOT RADIUS CURVE TO THE LEFT (LONG CHORD OF WHICH BEARS NORTH 59°34'48" EAST, 1,402. 96 FEET) A DISTANCE OF 1,492.93 FEET; THENCE NORTH 89°07'45" EAST, A DISTANCE OF 86.47 FEET TO THE EAST LINE OF SAID SECTION 2; THENCE SOUTH 00°56'27" EAST ALONG THE EAST LINE OF SAID SECTION 2, A DISTANCE OF 1,192.78 FEET TO THE POINT OF BEGINNING.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TOWNSHIP 4 NORTH, RANGE 30, E.W.M.

SECTION 35: ALL THAT PORTION OF THE SOUTH HALF WHICH LIES SOUTHERLY OF THE SOUTH RIGHT-OF-WAY LINE OF STAGE GULCH ROAD.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT- OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 32

TOWNSHIP 3 NORTH, RANGE 30, E.W.M.

SECTION 2: ALL THAT PORTION OF THE WEST HALF WHICH LIES SOUTHERLY OF THE SOUTH RIGHT-OF-WAY LINE OF STAGE GULCH ROAD.

SECTION 3: SOUTH HALF.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

RECEIVED

13900

JAN 31 2022

4849-5162-5787

OWRD

TRACT 33

TOWNSHIP 3 NORTH, RANGE 30, E.W.M.

SECTION 3: NORTHWEST QUARTER.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 34

TOWNSHIP 3 NORTH, RANGE 30, E.W.M.

SECTION 6: WEST HALF.

SECTION 7: ALL THAT PORTION OF THE WEST HALF WHICH LIES NORTHERLY OF U.S, INTERSTATE 84.

EXCEPTING THEREFROM THAT TRACT OF LAND LOCATED IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 7 AND BEING DESCRIBED AS BEGINNING AT THE INTERSECTION OF WHITMORE ROAD AND COUNTY ROAD NO. 678; THENCE NORTHERLY ALONG THE CENTERLINE OF SAID COUNTY ROAD NO. 678, A DISTANCE OF 1,369.30 FEET; THENCE WESTERLY AND PARALLEL WITH THE CENTERLINE OF SAID WHITMORE ROAD, A DISTANCE OF 1,270.50 FEET; THENCE SOUTHERLY AND PARALLEL WITH THE CENTERLINE OF SAID COUNTY ROAD NO. 678, A DISTANCE OF 1,369.50 FEET TO A POINT WHICH LIES ON THE CENTERLINE OF SAID WHITMORE ROAD; THENCE EASTERLY ALONG THE CENTERLINE OF SAID WHITMORE ROAD, A DISTANCE OF 1,270.50 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 35

TOWNSHIP 4 NORTH, RANGE 30, E. W.M.

SECTION 36: ALL.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

RECEIVED

13900

JAN 31 2022

4849-5162-5787

OWRD

TRACT 38

PARCEL 3, PARTITION PLAT NO. 2004 - 24 (INSTRUMENT NO. 2004 - 4670161, OFFICE OF UMATILLA COUNTY RECORDS) LOCATED IN THE EAST HALF OF SECTION 25, TOWNSHIP 4 NORTH, RANGE 27, EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 39

PARCEL 1, PARTITION PLAT NO. 2015- 14 (INSTRUMENT NO. 2015-6310049, OFFICE OF UMATILLA COUNTY RECORDS) LOCATED IN THE EAST HALF OF SECTION 25, TOWNSHIP 4 NORTH, RANGE 27, EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 40

PARCEL 2, PARTITION PLAT NO. 2015- 14 (INSTRUMENT NO. 2015-6310049, OFFICE OF UMATILLA COUNTY RECORDS) LOCATED IN THE EAST HALF OF SECTION 25, TOWNSHIP 4 NORTH, RANGE 27, EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 41

PARCEL 3, PARTITION PLAT NO. 2015-14 (INSTRUMENT NO. 2015- 6310049, OFFICE OF UMATILLA COUNTY RECORDS) LOCATED IN THE EAST HALF OF SECTION 25, TOWNSHIP 4 NORTH, RANGE 27, EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 42

TOWNSHIP 4 NORTH, RANGE 27, E.W.M.

SECTION 25: A TRACT OF LAND BEING DESCRIBED AS BEGINNING AT A POINT ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 25, SAID POINT BEING THE SOUTHWEST CORNER OF PARCEL 3, PARTITION PLAT NO. 1998-03 (INSTRUMENT NO. 1998-3240382, OFFICE OF UMATILLA COUNTY RECORDS) THENCE NORTH 89°26'07" EAST ALONG THE SOUTH LINE OF SAID PARCEL 3, A DISTANCE OF 252.09 FEET; THENCE SOUTH 00°33'53" EAST ALONG THE WEST LINE OF THAT TRACT OF LAND CONVEYED TO EDGAR T. JOHNSON, BY DEED RECORDED IN BOOK 323, PAGE 251, DEED RECORDS, A DISTANCE OF 431.41 FEET; THENCE SOUTH 89°27'07" WEST, A DISTANCE OF 252 FEET TO A POINT ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 25; THENCE NORTH 00°36'02" WEST ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 25, A DISTANCE OF 431.41 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID PARCEL 3 AND THE POINT OF BEGINNING.

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JAN 31 2022

13900

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4849-5162-5787

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 45

TOWNSHIP 4 NORTH, RANGE 27 E.W.M.

SECTION 25:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SAID SECTION 25 AND BEING DESCRIBED AS COMMENCING AT THE POINT OF INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD AND THE NORTH-SOUTH CENTERLINE OF SAID SECTION 25; THENCE ALONG SAID RAILROAD RIGHT-OF-WAY LINE ALONG A 6,129.64 FEET RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS NORTH 76°41'40" EAST, A DISTANCE OF 216.87 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, NORTH 75°40'50" EAST, A DISTANCE OF 573.50 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH 14°19'10" WEST, A DISTANCE OF 180 FEET; THENCE NORTH 75°40'50" EAST, A DISTANCE OF 325 FEET; THENCE SOUTH 14°19'10" EAST, A DISTANCE OF 180 FEET TO A POINT LOCATED ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RAILROAD; THENCE SOUTH 75°40'50" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 325 FEET TO THE POINT OF BEGINNING.

SECTION 25:

TOGETHER WITH AN EASEMENT, 20 FEET IN WIDTH, FOR ROADWAY, ACCESS, INGRESS, EGRESS AND UTILITIES CONTAINED IN MICROFILM REEL 129, PAGE 2159, OFFICE OF UMATILLA COUNTY RECORDS AND THE EAST LINE OF THE SAID EASEMENT IS BEING DESCRIBED AS COMMENCING AT THE POINT OF INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD AND THE NORTH-SOUTH CENTERLINE OF SAID SECTION 25; THENCE ALONG SAID RAILROAD RIGHT-OF-WAY LINE, ALONG A 6,129.64 FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS NORTH 76°41'40" EAST, A DISTANCE OF 216.87 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, NORTH 75°40'50" EAST, A DISTANCE OF 609.18 FEET; THENCE NORTH 00°04'40" EAST, A DISTANCE OF 185.84 FEET TO THE TRUE POINT OF BEGINNING OF THE SAID EAST LINE DESCRIPTION; THENCE NORTH 00°04'40" EAST, TO THE SOUTHERLY LINE OF THE COUNTY ROAD THAT RUNS DIAGONALLY THROUGH THE NORTHEAST QUARTER OF SAID SECTION 25 AND THE POINT OF TERMINUS FOR THE SAID EAST LINE DESCRIPTION.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE RAILROAD RIGHT-OF-WAY.

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JAN 31 2022

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EASEMENT TRACTS:

TRACT 50

WATER DELIVERY AND WATER RIGHT PURCHASE AGREEMENT, TOGETHER WITH THE TERMS AND PROVISIONS CONTAINED THEREIN, DISCLOSED IN MEMORANDUM BETWEEN STAHL HUTTERIAN BRETHERN AND HALE FARMS, LLC, RECORDED SEPTEMBER 14, 2009 IN INSTRUMENT NO. 2009-5560371 AND AMENDED AUGUST 18, 2016 IN INSTRUMENT NO. 2016-6470333, OFFICE OF UMATILLA COUNTY RECORDS.

TRACT 51

EASEMENT FOR WATER CONVEYANCE, TOGETHER WITH THE TERMS AND PROVISIONS CONTAINED THEREIN, DISCLOSED IN AGREEMENT BETWEEN DITCHEN LAND COMPANY, LLC AND HALE FARMS, LLC RECORDED SEPTEMBER 14, 2009 IN INSTRUMENT NO. 2009-5560372 AND AMENDED MAY 31, 2012 IN INSTRUMENT NO. 2012-5920412, OFFICE OF UMATILLA COUNTY RECORDS.

TRACT 52

EASEMENT FOR IRRIGATION AND PIPELINE PURPOSES RESERVED IN DEED FROM HALE FARMS, L.L.C., RECORDED SEPTEMBER 30, 2016 IN INSTRUMENT NO. 2016-6490431, OFFICE OF THE UMATILLA COUNTY RECORDS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

PARCEL II (Morrow County, Oregon):

TRACT 1:

A PARCEL OF LAND LOCATED IN SECTION 15, TOWNSHIP 4 NORTH, RANGE 26 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF MORROW AND STATE OF OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 15; THENCE SOUTH 01°06'02" EAST ALONG THE WEST LINE OF SAID SECTION, A DISTANCE OF 2682.67 FEET TO A POINT WHICH LIES 90.00 FEET SOUTH OF THE CENTERLINE OF THE OREGON-WASHINGTON RAILROAD & NAVIGATION CO. RAILROAD; THENCE SOUTH 72°10'06" EAST PARALLEL WITH SAID RAILROAD A DISTANCE OF 147.39 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF PATTERSON FERRY ROAD; AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 72°10'06" EAST A DISTANCE OF 420.00 FEET; THENCE SOUTH 17°49'54" WEST A DISTANCE OF 550.00 FEET; THENCE NORTH 72°10'06" WEST A DISTANCE OF 237.03 FEET, MORE OR LESS, TO THE EASTERLY RIGHT-OF-WAY OF SAID PATTERSON

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JAN 31 2022

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FERRY ROAD; THENCE NORTH 02°39'54" WEST ALONG SAID EASTERLY RIGHT-OF-WAY A DISTANCE OF 155.31 FEET; THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY NORTH 00°11'51" EAST A DISTANCE OF 424.47 FEET TO THE TRUE POINT OF BEGINNING.

ALSO A 40 FOOT EASEMENT FOR INGRESS AND EGRESS AS RECORDED IN DOCUMENT RECORDED MARCH 12, 1998 AS MICROFILM NO. M-53612, MORROW COUNTY MICROFILM RECORDS, BETWEEN POTLATCH CORPORATION AND EASTERN OREGON FARMING COMPANY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 26 EAST OF THE WILLAMETTE MERIDIAN, MORROW COUNTY, OREGON; THENCE SOUTH 01°06'02" EAST ALONG THE WEST LINE OF SAID SECTION A DISTANCE OF 2682.67 FEET TO A POINT WHICH LIES 90.00 FEET SOUTH OF THE CENTERLINE OF THE OREGON-WASHINGTON RAILROAD & NAVIGATION CO. RAILROAD; THENCE SOUTH 72°10'06" EAST PARALLEL WITH SAID RAILROAD A DISTANCE OF 147.39 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF THE PATERSON FERRY ROAD AND HEREIN REFERRED TO AS POINT "A" AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 72°10'06" EAST A DISTANCE OF 910.00 FEET TO A POINT; THENCE NORTH 17°49'54" EAST A DISTANCE OF 40.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF SAID RAILROAD; THENCE NORTH 72°10'06" WEST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 922.72 FEET, MORE OR LESS, TO THE EASTERLY RIGHT-OF-WAY SAID ROAD; THENCE SOUTH 00°11'51" WEST ALONG SAID EASTERLY RIGHT-OF-WAY A DISTANCE OF 41.97 FEET TO THE TRUE POINT OF BEGINNING.

TRACT 2:

PARCEL 2 OF PARTITION PLAT 2010-6, IN THE COUNTY OF MORROW AND STATE OF OREGON.

TRACT 3:

PARCEL 2 OF PARTITION PLAT NO. 1996-1, IN THE COUNTY OF MORROW AND STATE OF OREGON, TOGETHER WITH A 20 FEET INGRESS-EGRESS EASEMENT AS SHOWN ON PARTITION PLAT 1996-1.

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JAN 31 2022

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EXHIBIT B

(Permitted Encumbrances – Umatilla County)

The following matters affect the Umatilla County Parcel:

1. As disclosed by the tax rolls the premises herein described have been zoned or classified for special use. At any time that said land is disqualified for such use said property will be subject to additional taxes and interest.

Persons or parties acquiring title to said lands should check with the appropriate Planning Department and Assessors Office to verify zoning or classification.

2. The premises herein described are within the boundaries of the Echo Irrigation District, and this property is therefore subject to all easements, levies and assessments thereof, including but not limited to the U.S.R.S Canal.
3. Water charges of the Echo Irrigation District, if any.
4. The premises herein described are within the boundaries of the Teel Irrigation District, and this property is therefore subject to all easements, levies and assessments thereof.
5. Water charges of the Teel Irrigation District, if any.
6. The premises herein described are within the boundaries of the Westland Irrigation District, and this property is therefore subject to all easements, levies and assessments thereof.
7. Water charges of the Westland Irrigation District, if any.
8. The premises herein described are within the boundaries of the Butter Creek Irrigation District, and this property is therefore subject to all easements, levies and assessments thereof.
9. Water charges of the Butter Creek Irrigation District, if any.
10. Lack of Access: We are unable to ascertain from the records if the premises herein described has a physical means of ingress and egress to and from a legally dedicated road or highway and for this reason such rights cannot be insured. (Affects Tracts 23 & 44)
11. The lands described herein consist of portions that are contiguous. Access to such lands may be through adjoining lands that have common ownership. Rights of access to the lands are limited to those County Roads which may abut or pass through the lands described herein and no representation is made that all lands and/or parts thereof have independent rights of access. (Affects Tracts 8, 9, 10, 25, 27, 28 and 42)

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JAN 31 2022

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13900

4849-5162-5787

12. Reservations, including the terms and provisions thereof, contained in Patent,

Recorded: January 14, 1897, Book 24, Page 235, Deed Records.

(Affects Tracts 1, 2, 8, 10, 14, 17, 24, 25, 28, 32 and 38 thru 42)

13. Coal and Iron Rights, including the terms and provisions thereof, contained in Deed,

Grantor: Northern Pacific Railroad Company

Recorded: December 21, 1897, Book 25, Page 309, Deed Records.

(Affects Tracts 2)

14. Reservation of coal and iron, including the terms and provisions thereof, contained in Deed,

Grantor: Northern Pacific Railway Company

Recorded: August 14, 1900, Book 33, Page 588, Deed Records.

(Affects Tracts 14, and 32)

15. Reservations of iron and coal, including the terms and provisions thereof, contained in Deed,

Grantor: Northern Pacific Railway Company

Recorded: March 2, 1901, Book 36, Page 133, Deed Records.

(Affects Tract 24, 25 and 28)

16. Coal and Iron Rights, including the terms and provisions thereof, contained in Deed,

Grantor: Northern Pacific Railroad Company

Recorded: February 10, 1905, Book 45, Page 406, Deed Records.

(Affects Tracts 8 and 10)

17. Reservations, including the terms and provisions thereof, contained in Deed,

Grantor: Northern Pacific Railway Company

Recorded: July 17, 1905, Book 48, Page 115, Deed Records.

(Affects Tracts 38 thru 42 and 45)

18. Easement, including the terms and provisions thereof,

Grantee: Hermiston Power and Light Company

Recorded: November 13, 1913, Book 85, Page 579, Deed Records.

(Affects Tracts 25)

19. Reservations of coal, iron, natural gas and oil, including the terms and provisions thereof,

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JAN 31 2022

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4849-5162-5787

contained in Deed,

Grantor: Northern Pacific Railway Company
Recorded: December 19, 1917, Book 101, Page 302, Deed Records.
(Affects Tracts 17 and 26)

20. Reservations of iron, coal, natural gas and oil, including the terms and provisions thereof, contained in Deed,

Grantor: Northern Pacific Railway Company
Recorded: November 15, 1922, Book 118, Page 424, Deed Records.
(Affects Tract 23)

21. Easement, including the terms and provisions thereof,
Grantee: Pacific Telephone and Telegraph Company
Recorded: December 14, 1922, Book 118, Page 527, Deed Records.
(Affects Tracts 24 and 25)

22. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: April 14, 1938, Book 120, Page 514, Deed Records.
(Affects Tracts 1)

23. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: October 23, 1939, Book 120, Page 628a, Deed Records.
(Affects Tracts 14 and 34)

24. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: October 23, 1939, Book 120, Page 628b, Deed Records.
(Affects Tracts 15 and 18)

25. Easement, including the terms and provisions thereof,

Grantee: Pacific Telephone and Telephone Company
Recorded: June 29, 1939, Book 155, Page 503, Deed Records.
(Affects Tracts 24 and 25)

26. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: January 18, 1943, Book 160, Page 587, Deed Records.

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JAN 31 2022

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(all property owned by Umatilla County at time of conveyance)

27. Easement, including the terms and provisions thereof,

Grantee: Pacific Power and Light Company
Assignee: Telephone Utilities of Eastern Oregon Inc.
Recorded: July 18, 1945, Book 170, Page 364, Deed Records.
(Affects Tracts 17 and 26)

28. Easement, including the terms and provisions thereof,

Grantee: Pacific Power and Light Company
Assignee: Telephone Utilities of Eastern Oregon Inc.
Recorded: July 18, 1945, Book 170, Page 413, Deed Records.
(Affects Tracts 28)

29. Coal and other minerals rights, including the terms and provisions thereof, contained in Deed,

Grantor: State of Oregon, State Land Board
Recorded: October 23, 1944, Book 172, Page 50, Deed Records.
(Affects Tracts 1)

30. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: October 22, 1947, Book 185, Page 41, Deed Records.
(Affects Tracts 35)

31. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: September 6, 1949, Book 190, Page 140, Deed Records.
(Affects Tracts 38 thru 42 and 45)

32. Easement, including the terms and provisions thereof,

Grantee: United States of America, BPA
Recorded: June 14, 1951, Book 197, Page 326, Deed Records.
(Affects Tracts 17)

33. Easement, including the terms and provisions thereof,

Grantee: United States of America, BPA
Recorded: July 17, 1951, Book 197, Page 549, Deed Records.
(Affects Tracts 23)

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JAN 31 2022

OWRD

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34. Easement, including the terms and provisions thereof,

Grantee: United States of America, BPA
Recorded: May 19, 1951, Book 197, Page 566, Deed Records.
(Affects Tract 22)

35. Easement, including the terms and provisions thereof,

Grantee: United States of America, BPA
Recorded: October 29, 1951, Book 200, Page 444, Deed Records.
(Affects Tracts 17, 26 and 27)

36. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: March 1, 1955, Book 223, Page 486, Deed Records.
(Affects Tract 12)

37. Easement, including the terms and provisions thereof,

Grantee: Pacific Northwest Gas Pipeline Corporation
Recorded: October 14, 1955, Book 229, Page 143, Deed Records and
Amended: February 17, 1981, Microfilm Reel 76, Page 1089, Office of Umatilla County
Records.
(Affects Tracts 35)

38. Easement, including the terms and provisions thereof,

Grantee: Pacific Telephone and Telegraph Company
Recorded: November 28, 1960, Book 261, Page 120, Deed Records.
(Affects Tracts 24 and 25)

39. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: September 25, 1961, Book 264, Page 726, Deed Records.
(Affects Tract 34)

40. Reservations of all oil and gas, including the terms and provisions thereof, contained in
Patent,

Recorded: December 12, 1961, Book 265, Page 712, Deed Records.
(Affects Tracts 5 thru 9)

41. Easement, including the terms and provisions thereof,

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JAN 31 2022

OWRD 849-5162-5787

Grantee: Umatilla Electric Cooperative Association
Recorded: April 26, 1963, Book 271, Page 483, Deed Records.
(Affects Tract 34)

42. Easement, including the terms and provisions thereof,

Grantee: State of Oregon, State Highway Commission
Recorded: August 7, 1967, Book 290, Page 231, Deed Records.
(Affects Tract 17)

43. Easement, including the terms and provisions thereof,

Grantee : State of Oregon, State Highway Commission
Recorded : August 7, 1967, Book 290, Page 234, Deed Records.
(Affects Tract 17)

44. Easement, including the terms and provisions thereof,

Grantee: State of Oregon, State Highway Commission
Recorded: August 7, 1967, Book 290, Page 237, Deed Records.
(Affects Tract 17)

45. Access Restrictions, including the terms and provisions thereof, contained in Judgment,

Plaintiff: State of Oregon, by and through its State Highway Commission
Filed: January 2, 1968, Case No. 9382 in the State Circuit Court for Umatilla County,
Oregon.
(Affects Tracts 18, 19, and 20)

46. Access Restrictions, including the terms and provisions thereof, contained in Judgment,

Plaintiff: State of Oregon, by and through its State Highway Commission
Filed: January 2, 1968, Case No. 9380 in the State Circuit Court for Umatilla County,
Oregon.
(Affects Tracts 14, 15 and 16)

47. Access Restrictions, including the terms and provisions thereof, contained in Deed,

Grantee: State of Oregon, State Highway Commission
Recorded: May 2, 1968, Book 293, Page 721, Deed Records.
(Affects Tracts 14)

48. Easement for ingress and egress purposes, including the terms and provisions thereof,

Grantee: Leonard A. Lorenzen, etux
Recorded: December 6, 1968, Book 297, Page 491, Deed Records.

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JAN 31 2022

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4849-5162-5787

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(Affects Tracts 31)

49. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: September 22, 1970, Book 309, Page 184, Deed Records.
(Affects Tracts 4, 5, 6, 8, 9 and 10)

50. Easement for buried water pipeline purposes, including the terms and provisions thereof,

Grantor: Larry D. Hanson
Grantee: Larry D. Hanson, etux
Recorded : April 12, 1973, Book 327, Page 559, Deed Records.
(Affects Tracts 4, 5, 6, 8, 9 and 10)

51. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: June 25, 1975, Book 347, Page 486, Deed Records.
(Affects Tracts 15 and 18)

52. Easement for pipeline purposes, including the terms and provisions thereof,

Grantee: Ivan J. Cook, etux
Recorded: December 11, 1975, Book 353, Page 46, Deed Records.
(Affects Tract 16)

53. Easement for pipeline purposes, including the terms and provisions thereof,

Grantee: Ivan J. Cook, etux
Recorded: December 11, 1975, Book 353, Page 48, Deed Records.
(Affects Tract 21)

54. Easement for pipeline purposes, including the terms and provisions thereof,

Grantee: Leo Vernon Cook, etux
Recorded: August 3, 1976, Microfilm Reel 8, Page 184, Office of Umatilla County
Records.
(Affects Tract 16)

55. Easement for pipeline purposes, including the terms and provisions thereof,

Grantee: Leo Vernon Cook, etux
Recorded: August 3, 1976, Microfilm Reel 8, Page 186, Office of Umatilla County
Records.
(Affects Tract 19)

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JAN 31 2022

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4849-5162-5787

56. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: March 23, 1977, Microfilm Reel 16, Page 1230, Office of Umatilla County
Records.
(Affects Tract 14)

57. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: May 11, 1978, Microfilm Reel 33, Page 1176, Office of Umatilla County
Records.
(Affects Tract 21)

58. Easement, including the terms and provisions thereof,

Grantee: Pacific Northwest Bell Telephone Company
Assignee: Telephone Utilities of Eastern Oregon Inc.
Recorded: July 12, 1978, Microfilm Reel 36, Page 1367, Office of Umatilla County
Records.
(Affects Tracts 20, 21 and 22)

59. Easement, including the terms and provisions thereof,

Grantee: Pacific Northwest Bell Telephone Company
Assignee: Telephone Utilities of Eastern Oregon Inc.
Recorded: July 12, 1978, Microfilm Reel 36, Page 1369, Office of Umatilla County
Records.
(Affects Tract 17)

60. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: March 26, 1979, Microfilm Reel 47, Page 1017, Office of Umatilla County
Records.
(Affects Tract 22)

61. Easement, including the terms and provisions thereof,

Grantee: Pacific Power and Light Company
Recorded: April 24, 1981, Microfilm Reel 79, Page 189, Office of Umatilla County
Records.
(Affects Tracts 17)

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JAN 31 2022

13900

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4849-5162-5787

62. Irrevocable Consent Agreement, including the terms and provisions thereof,

First Party: Umatilla County
Second Party: Roger S. Bounds
Recorded: July 13, 1984, Microfilm Reel 115, Page 805, Office of Umatilla County
Records.
(Affects Tracts 38 thru 41)

63. Easement, including the terms and provisions thereof, contained in Deed,

Grantor: Roger S. Bounds
Grantee: Mt. Tahoma Leasing Company
Recorded: July 20, 1984, Microfilm Reel 115, Page 1198, Office of Umatilla County
Records.
(Affects Tracts 39 thru 41)

64. Reciprocal Easement for ingress, egress and utility purposes, including the terms and provisions thereof,

First Party: Roger S. Bounds
Second Party: Mt. Tahoma Leasing Co.
Recorded: August 2, 1984, Microfilm Reel 116, Page 391, Office of Umatilla County
Records.
(Affects Tracts 38 thru 41)

65. Easement for ingress and egress purposes, including the terms and provisions thereof,
reserved in Deed,

Grantor: James Edward Liesegang
Recorded: July 9, 1987, Microfilm Reel 155, Page 1051, Office of Umatilla County
Records.
(Affects Tracts 26)

66. Easement, including the terms and provisions thereof,

Grantee: Pacific Northwest Bell Telephone Company
Recorded: August 3, 1981, Microfilm Reel 167, Page 901, Office of Umatilla County
Records.
(Affects Tracts 1 and 12)

67. Easement, including the terms and provisions thereof,

Grantee: Pacific Northwest Bell Telephone Company
Assignee: Telephone Utilities of Eastern Oregon Inc.
Recorded: November 21, 1988, Microfilm Reel 173, Page 467, Office of Umatilla
County Records.

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JAN 31 2022

OWRD

4849-5162-5787

(Affects Tract 26)

68. Easement for ingress and egress and utility purposes, including the terms and provisions thereof, reserved in Deed,

Grantor: Roger S. Bounds

Recorded: April 18, 1989, Microfilm Reel 178, Page 893, Office of Umatilla County Records.

(Affects Tracts 38 thru 41)

69. Covenant Not To Sell Separately, including the terms and provisions thereof,

First Party: Roger S. Bounds

Second Party: Umatilla County

Recorded: Recorded April 21, 1995, Microfilm Reel 269, Page 1577, Office of Umatilla County Records.

(Affects Tracts 38 thru 42)

70. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association

Recorded: March 30, 1996, Microfilm Reel 290, Page 1629, Office of Umatilla County Records.

(Affects Tracts 15 and 18)

71. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association

Recorded: July 2, 1996, Microfilm Reel 293, Page 44 and

Re-recorded: August 6, 1996, Microfilm Reel 295, Page 8, Office of Umatilla County Records.

(Affects Tract 1)

72. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association

Recorded: November 24, 1997, Microfilm Reel 319, Page 755, Office of Umatilla County Records.

(Affects Tract 14)

73. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association

Recorded: March 1, 1999, Instrument No. 1999-3460288, Office of Umatilla County Records.

(Affects Tract 16)

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JAN 31 2022

OWRD

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4849-5162-5787

74. Easement for pipeline purposes, including the terms and provisions thereof,

Grantee: Umatilla Generating Company, L.P.
Recorded: September 20, 2001, Instrument No. 2001-3970336, Office of Umatilla
County Records.
(Affects Tracts 38 thru 41)

75. Easement for pipeline purposes, including the terms and provisions thereof,

Grantee: Umatilla Generating Company, L.P.
Recorded: September 20, 2001, Instrument No. 2001-3970337, Office of Umatilla
County Records.
(Affects Tract 42)

76. Easement for pipeline purposes, including the terms and provisions thereof,

Grantee: State of Oregon, by and through its Department of Transportation
Recorded: October 7, 2002, Instrument No. 2002-4210394, Office of Umatilla County
Records.
(Affects Tracts 24 and 25)

77. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: November 29, 2002, Instrument No. 2002-4250342, Office of Umatilla
County Records.
(Affects Tracts 15)

78. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative
Recorded: April 26, 2004, Instrument No. 2004-4610133, Office of Umatilla County
Records.
(Affects Tract 31)

79. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative
Recorded: August 30, 2004, Instrument No. 2004-4680415, Office of Umatilla County
Records.
(Affects Tract 31)

80. Easements as shown on Partition Plat No. 2005-07,

Recorded: March 22, 2005, Instrument No. 2005-4790065, Office of Umatilla County

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Records.
(Affects Tracts 39 thru 41)

81. Covenant Not To Sue, including the terms and provisions thereof,

First Party: Robert L. Hale and Jane Adell Hale
Second Party: Umatilla County
Recorded: October 14, 2005, Instrument No. 2005-490040, Office of Umatilla County
Records.
(Affects Tract 12)

82. Road Easement and Covenants, including the terms and provisions thereof, contained
under Agreement,

Grantor: Robert L. Hale and Jane Adell Hale
Recorded: January 19, 2006, Instrument No. 2006-4950006 and
Re-recorded: January 31, 2006, Instrument No. 2006-4950470, Office of Umatilla
County Records.
(Affects Tract 12)

83. Well and Well Pipeline Easements and Covenants, including the terms and Provisions
thereof, contained under Agreement,

Grantor: Robert L. Hale and Jane Adell Hale
Recorded: January 19, 2006, Instrument No. 2006-4950007 and
Re-recorded: January 31, 2006, Instrument No. 2006-4950471, Office of Umatilla
County Records.
(Affects Tract 12)

84. Road Use and Improvement Agreement, including the terms and provisions thereof,

First Party: Roger Bounds, et al
Second Party: Hale Farms, LLC, et al
Recorded: September 19, 2006, Instrument No. 2006-5070743, Office of Umatilla
County Records.
(Affects Tracts 38 thru 41)

85. Water Delivery and Water Right Purchase Agreement, including the terms and provisions
thereof, disclosed in Memorandum,

First Party: Stahl Hutterian Brethren
Second Party: Hale Farms, LLC
Recorded: September 14, 2009, Instrument No. 2009-5560371, Office of Umatilla
County Records.
(Affects Tracts 14 thru 28, and 34)

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86. The failure of the Insured to comply with the terms, conditions and provisions thereof contained in the Easement for Water Conveyance,

Grantee: Hale Farms, LLC

Recorded: September 14, 2009, Instrument No . 2009-5560372 and

Amended: May 31, 2012, Instrument No. 2012-5920412, Office of Umatilla County Records.

(Affects Insured Tract 51)

87. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative

Recorded: August 23, 2010, Instrument No. 2010-5690597, Office of Umatilla County Records.

(Affects Tracts 39 thru 41)

88. Water Development, Delivery and Water Right Purchase Agreement, including the terms and provisions thereof, disclosed by Memorandum,

First Party: Kent Madison, et al

Second Party: Hale Farms, LLC

Recorded: October 19, 2011, Instrument No. 2011-5830759, Office of Umatilla County Records.

(Affects Tracts 1 thru 10, 12 and 13)

89. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative

Recorded: July 27, 2012, Instrument No. 2012-5940332, Office of Umatilla County Records.

(Affects Tract 15)

90. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative

Recorded: July 27, 2012, Instrument No. 2012-5940334, Office of Umatilla County Records.

(Affects Tracts 39 thru 41)

91. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative

Recorded: September 2, 2014, Instrument No . 2014-6200376, Office of Umatilla County Recorder

(Affects Tracts 39 thru 41)

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92. Easement for ingress, egress and utility purposes, including the terms and provisions thereof,

First Party: Hale Farms, LLC

Second Party: H4 Farms, Inc.

Recorded: June 15, 2015, Instrument No. 2015-6300692, Office of Umatilla County Records.

(Affects Tracts 38 thru 41)

93. Easements as shown on Partition Plat No. 2015-14,

Recorded: June 23, 2015, Instrument No. 2015-6310049, Office of Umatilla County Records.

(Affects Tracts 39 thru 41)

94. Irrevocable Consent Agreement, including the terms and provisions thereof,

First Party: H4 Farms, Inc.

Second Party: Umatilla County

Recorded: June 23, 2015, Instrument No. 2015-6310050, Office of Umatilla County Records.

(Affects Tracts 39 thru 41)

95. Irrevocable Consent Agreement, including the terms and provisions thereof,

First Party: H4 Farms, Inc.

Second Party: Umatilla County

Recorded: June 23, 2015, Instrument No. 2015-6310051, Office of Umatilla County Records.

(Affects Tracts 39 thru 41)

96. Irrevocable Consent Agreement, including the terms and provisions thereof,

First Party: H4 Farms, Inc.

Second Party: Umatilla County

Recorded: June 23, 2015, Instrument No. 2015-6310052, Office of Umatilla County Records.

(Affects Tracts 40 and 41)

97. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative

Recorded: February 8, 2016, Instrument No. 2016-6390524, Office of Umatilla County Records

(Affects Tract 31)

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98. Easement for ingress and egress purposes, including the terms and provisions thereof,

Grantee: Hale Farms, L.L.C.

Recorded: May 2, 2016, Instrument No. 2016 - 6430016, Office of Umatilla County Records.

(Affects Tracts 29, 31 and 35)

99. Covenant Not to Sell Separately, including the terms and provisions thereof,

First Party: Hale Farms, L.L.C.

Second Party: Umatilla County

Recorded: June 1, 2016, Instrument No. 2016-6440108, Office of Umatilla County Records.

(Affects Tract 31)

100. Easement, including terms and provisions contained therein:

Recording Date: April 10, 1973

Recording Information: Book 327, page 539

In Favor of: Umatilla Electric Cooperative Association

For: Electric transmission or distribution system

Affects: (Tract 45)

101. The terms and provisions contained in the document entitled "Easement" recorded September 23, 1985 as Microfilm Reel 129, page 2159 of Official Records.

(Affects Tract 45)

102. The terms and provisions contained in the document entitled "Well Easement Agreement" recorded March 5, 2002 as Instrument No. 2002-4070524 of Official Records.

(Affects Tract 45)

103. The failure of the Insured to comply with the terms, conditions and provisions contained in the Easement for Irrigation and Pipeline purposes, as reserved in Deed

Grantor : Hale Farms, L.L.C.

Recorded : September 30, 2016, Instrument No. 2016-6490431, Office of Umatilla County Records.

(Affects Insured Tract 52)

104. Water Delivery Agreement, including the terms and provisions thereof, disclosed by Memorandum

First Party : Hale Farms, L.L.C.

Second Party : Todd D. Longgood

Recorded : September 30, 2016, Instrument No. 2016-6490432, Office of Umatilla

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County Records.
(Affects Undisclosed Location)

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EXHIBIT C

(Permitted Encumbrances – Morrow County)

The following matters affect the Morrow County Parcel:

Exceptions for Tract 1:

1. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
2. Reservations and Right of Way, including the terms and provisions thereof, in favor of Oregon Railroad and Navigation Company, recorded February 23, 1911, in Book Y, Page 166, Morrow County Deed Records.
3. Easement for Erosion Control Fences, including the terms and provisions thereof, in favor of Oregon-Washington Railway and Navigation Company and its Lessee Union Pacific Railroad Company, recorded April 20, 1972, as Microfilm No. M-4656, Morrow County Microfilm Records.
4. Water Agreement, including the terms and provisions thereof, between Eastern Oregon Farming Company and Oscar E. Peterson et al., recorded June 26, 1975, as M-8246, Morrow County Microfilm Records.
5. Telephone Line Right of Way Easement, including the terms and provisions thereof, between Eastern Oregon Farming Company and Telephone Utilities of Eastern Oregon, Inc. d.b.a. PTI Communications, recorded May 16, 1994, as Microfilm No. M-42734, Morrow County Microfilm Records.
6. Easement for Water Well and Access, including the terms and provisions thereof, in favor of Eastern Oregon Farming Company, recorded January 11, 1996, as Microfilm No. M-47093, Morrow County Microfilm Records.
7. 40 Foot Easement for Ingress and Egress, including the terms and provisions thereof, as recorded in document recorded March 12, 1998 as Microfilm No. M-53612, Morrow County Microfilm Records, between Potlatch Corporation and Eastern Oregon Farming Company.
8. 10 Foot Water Line Easement, including the terms and provisions thereof, reserved in Deed from Eastern Oregon Farming Company to H4 Farms, recorded April 9, 1998, as Microfilm No. M-53965, Morrow County Microfilm Records.

Exceptions for Tract 2:

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9. Covenants, Conditions, Restrictions and Easements, including the terms and provisions thereof, as reserved in Deed from the United States of America, recorded December 13, 1963 in Book 70, page 91, Morrow County Deed Records.
10. Transmission Line Easement, including the terms and provisions thereof, in favor of the United States of America, recorded November 18, 1965, in Book 72, Page 521, Morrow County Deed Records.
11. Reservations and acknowledgement, including the terms and provisions thereof, as contained in Deed recorded February 15, 1991, as Microfilm No. M-36263, Morrow County Microfilm Records.
12. Non-exclusive easement for roadway purposes, including the terms and provisions thereof, recorded January 11, 2000, as Microfilm No. 2000-81, and rerecorded February 4, 2000, as Microfilm No. 2000-287, Morrow County Microfilm Records.
13. Utility Easements and Driveway as disclosed on Partition Plat 2010-6 recorded September 2, 2010, Morrow County Clerk Records. (Affects Tract 2)

Exceptions for Tract 3:

14. These premises are within the boundaries of the West Extension Irrigation District and are subject to the levies and assessments thereof.
15. Right of way for ditches, canals and reservoir site for irrigation purposes, including the terms and provisions thereof, as set forth in deed from the State Land Board to M.D. Clark, recorded March 11, 1908 in Book U, page 516, Morrow County Deed Records.
16. Easement, including terms and provisions contained therein:

Recording Information: April 20, 1972 as M-4656
In Favor of: Oregon-Washington Railroad & Navigation Company and Union Pacific Railroad Company
For: Erosion control fences
17. Easement, including terms and provisions contained therein:

Recording Information: September 25, 1992 as Microfilm No. M-39127
In Favor of: Umatilla County Electric Cooperative Association
For: Electric transmission and distribution lines
18. The terms and provisions contained in the document entitled "Easement Agreement" recorded January 11, 1996 as Microfilm No. M-47092 of Official Records.
19. Easements for access purposes as shown on the recorded plat of PARTITION PLAT NO. 1996-1.

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Butter Creek Farm (Umatilla County)
Land Deed

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MCTC 9453

AFTER RECORDING RETURN TO:

Kirton McConkie
50 East South Temple
Salt Lake City, UT 84111
Attention: Tyler Buswell

**C/O MID COLUMBIA TITLE CO.
P.O. BOX 290
BOARDMAN OR 97818**

**UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS SHALL BE
SENT TO:**

Farmland Reserve, Inc.
79 South Main Street, Suite 1000
Salt Lake City, UT 84111
Attention: Rex Burgener

MORROW COUNTY, OREGON **2016-37526**
D-WD
Cnt=1 Str=23 TC **02/02/2016 11:41:35 AM**
\$105.00 \$11.00 \$20.00 \$10.00 **\$146.00**



I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Bobbi Childers - County Clerk



SPECIAL WARRANTY DEED

BOARDMAN TREE FARM, LLC, a Delaware limited liability company ("**Grantor**"), with an address at c/o Greenwood Resources, Inc., 1500 SW First Avenue, Suite 1150, Portland, Oregon 97201, conveys and specially warrants to **FARMLAND RESERVE, INC.** a Utah nonprofit corporation ("**Grantee**"), with an address at 79 South Main Street, Suite 1000, Salt Lake City, Utah 84111, the real property described on Exhibit A attached hereto (the "**Property**"), free of liens and encumbrances created or suffered by Grantor.

The Property is conveyed by Grantor and accepted by Grantee subject to those matters described on Exhibit B attached hereto.

The true consideration for this conveyance is \$129,957,200.00.

TOGETHER WITH (i) all buildings located on the Property, (ii) all roads, bridges and other improvements located on the Property, (iii) all water rights and other rights to the use of water owned by Grantor appurtenant to or used in connection with the Property, (iv) surface and subsurface rights of the Property owned by Grantor, including, without limitation, all appurtenant mineral, gas, oil, and geothermal rights, and (v) all other privileges, appurtenances, easements in respect thereof and other rights appertaining to the Property.

RESERVING UNTO GRANTOR and its successors, assigns, permittees, invitees, and contractors all right, title and interest in and to and the exclusive right to cut, remove and appropriate all trees and timber of all sizes, species and grades, standing and down, live and dead, merchantable and unmerchantable, located upon the portion of the Property described and depicted in attached Exhibit C until March 1, 2024. The reservation contained herein is subject to the terms and conditions of that certain Agricultural Lease beginning of even date herewith by and between Grantee, as lessor, and Grantor, as lessee, and will continue, if not earlier terminated, until March 1, 2024. In addition, that portion of the Property subject to the reservation contained herein is subject to the terms and conditions of that certain Water Delivery

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Agreement of even date herewith by and between Grantee and Grantor running concurrent with the Agricultural Lease described above.

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED effective as of February 2, 2016.

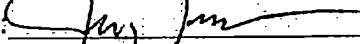
GRANTOR:

BOARDMAN TREE FARM, LLC,
a Delaware limited liability company

By: Greenwood Tree Farm Fund, LP,
a Delaware limited partnership,
its Sole Member

By: GTFF GP, LLC,
a Delaware limited liability company,
its General Partner

By: Greenwood Resources, Inc.
a Delaware corporation,
its Managing Member

By: 
Name: Jeff Nuss
Title: President and CEO

[notary acknowledgment appears on the following page]

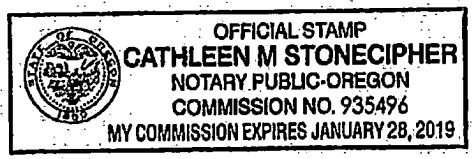
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STATE OF OREGON)
)
COUNTY OF MULTNOMAH)

This instrument was acknowledged before me this 29th day of January, 2016, by Jeff Nuss, the President and CEO of GreenWood Resources, Inc., a Delaware corporation, on behalf of such company, in its capacity as Sole Member of GTFP GP, LLC, a Delaware limited liability company, in its capacity as General Partner of GreenWood Tree Farm Fund, LP, a Delaware limited partnership, in its capacity as Managing Member of Boardman Tree Farm, LLC, a Delaware limited liability company, as its voluntary act and deed.

WITNESS my hand and official seal hereto affixed the day and year first above written.



C. Stonecipher
Print Name: Cathleen Stonecipher
NOTARY PUBLIC for the State of Oregon
My Commission Expires: 1-28-19

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EXHIBIT A

Legal Description of the Property

Real property in the City of Boardman, County of Morrow, State of Oregon, described as follows:

PARCEL 1:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 25 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF MORROW AND STATE OF OREGON; THENCE SOUTH 80 DEGREES 23' 31" WEST A DISTANCE OF 2,454.17 FEET; THENCE NORTH 60 DEGREES 13' 53" WEST 150 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 29 DEGREES 46' 07" EAST A DISTANCE OF 85 FEET; THENCE SOUTH 60 DEGREES 13' 53" EAST A DISTANCE OF 50 FEET; THENCE NORTH 29 DEGREES 46' 07" EAST A DISTANCE OF 65 FEET; THENCE NORTH A DISTANCE OF 229.76 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 2; THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 2 TO A POINT ON THE ORDINARY HIGH WATER LINE OF THE COLUMBIA RIVER AS SAID ORDINARY HIGH WATER LINE EXISTED ON NOVEMBER 3, 1967; THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID ORDINARY HIGH WATER LINE A DISTANCE OF 186 FEET, MORE OR LESS, TO A POINT WHICH LIES NORTH 60 DEGREES 13' 53" WEST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 60 DEGREES 13' 53" EAST TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

PARCEL I OF PARTITION PLAT 2005-3, IN THE COUNTY OF MORROW AND STATE OF OREGON.

PARCEL 3:

ALL THAT PORTION OF SECTIONS 16 AND 17 IN TOWNSHIP 4 NORTH, RANGE 26, EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF MORROW AND STATE OF OREGON LYING NORTH OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY.

EXCEPTING THEREFROM ALL OF PARTITION PLAT 1996-1, IN THE COUNTY OF MORROW AND STATE OF OREGON.

ALSO EXCEPTING THEREFROM THAT PORTION LYING WITHIN PATERSON FERRY ROAD.

PARCEL 4:

PARCEL 2 OF PARTITION PLAT 2006-5, IN THE COUNTY OF MORROW AND STATE OF OREGON.

TOGETHER WITH THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 4 NORTH, RANGE 26, EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF MORROW AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT OF THE EAST LINE OF SAID SOUTHEAST QUARTER 583.30 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION 27; THENCE WEST A DISTANCE OF 600.00 FEET; THENCE NORTH A DISTANCE OF 400.00 FEET; THENCE EAST A DISTANCE OF 341.09 FEET; THENCE NORTH 31°17'08" EAST A DISTANCE OF 157.48 FEET; THENCE NORTH 89°52'12" EAST A DISTANCE OF 177.13 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE; THENCE SOUTH A DISTANCE OF 534.98 FEET TO THE POINT OF BEGINNING.

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ALSO TOGETHER WITH A PERPETUAL IRRIGATION SYSTEM AND PIPELINE EASEMENT AS RESERVED IN STATUTORY SPECIAL WARRANTY DEED RECORDED NOVEMBER 15, 2002, AS MICROFILM NO. 2002-6026, MORROW COUNTY MICROFILM RECORDS.

PARCEL 5:

PARCEL I OF PARTITION PLAT 1994-6, IN THE COUNTY OF MORROW AND STATE OF OREGON.

TOGETHER WITH A PARCEL OF LAND LOCATED IN TOWNSHIP 3 NORTH, RANGE 27, EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF MORROW AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

SECTION 4: THE SOUTHWEST QUARTER.

SECTION 5: THE SOUTH HALF.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 27, EAST OF THE WILLAMETTE MERIDIAN, AND RUNNING THENCE WEST ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 5 A DISTANCE OF 933.39 FEET; THENCE SOUTHEASTERLY IN A STRAIGHT LINE TO A POINT ON THE EAST LINE OF SAID SECTION 5, SAID POINT BEING 933.39 FEET SOUTH, MEASURED ALONG SAID EAST LINE FROM THE POINT OF BEGINNING; THENCE NORTH ALONG SAID EAST LINE A DISTANCE OF 933.39 FEET TO THE POINT OF BEGINNING.

SECTION 6: ALL.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: A 33.00 FOOT RIGHT-OF-WAY ALONG AND ACROSS THE EAST END OF THE NORTH HALF OF SECTION 6, WHICH IS RESERVED BY THE HELLBERG'S.

ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 6; THENCE SOUTH 00°23' EAST ALONG THE EAST LINE OF SAID SECTION A DISTANCE OF 2,707.32, MORE OR LESS TO THE EAST QUARTER CORNER; THENCE SOUTH 88°52' WEST ALONG THE EAST-WEST CENTERLINE OF SAID SECTION A DISTANCE OF 200.00 FEET; THENCE NORTH 00°23' WEST PARALLEL WITH THE EAST LINE OF SAID SECTION A DISTANCE OF 2,705.92 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID SECTION; THENCE NORTH 88°28' EAST ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 6; THENCE SOUTH 88°28' WEST ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 200.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 00°23' EAST PARALLEL WITH THE EAST LINE OF SAID SECTION A DISTANCE OF 600.00 FEET; THENCE NORTH 45°57'30" WEST A DISTANCE OF 939.97 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID SECTION; THENCE NORTH 88°28' EAST ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 600.00 FEET TO THE TRUE POINT OF BEGINNING.

SECTION 7: ALL.

SECTION 8: THE SOUTH HALF.

SECTION 9: THE SOUTH HALF AND THE NORTHWEST QUARTER.

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PARCEL 6:

EASEMENTS FOR PIPELINE TO COLUMBIA RIVER:

EASEMENT FOR WATER PIPELINES, SUBJECT TO THE TERMS AND PROVISIONS THEREOF, AS CONVEYED BY THE PORT OF MORROW TO EASTERN OREGON FARMING CO., BY INSTRUMENT RECORDED NOVEMBER 20, 1973 AS M-6240, MORROW COUNTY MICROFILM RECORDS.

EASEMENT FOR WATER PIPELINES, SUBJECT TO THE TERMS AND PROVISIONS THEREOF, AS CONVEYED BY MORROW COUNTY TO EASTERN OREGON FARMING CO., BY INSTRUMENT RECORDED OCTOBER 5, 1973 AS M-6086, MORROW COUNTY MICROFILM RECORDS.

EASEMENT FOR WATER PIPELINES, SUBJECT TO THE TERMS AND PROVISIONS THEREOF, AS CONVEYED BY DESERT MAGIC INC. TO EASTERN OREGON FARMING CO., BY INSTRUMENT RECORDED DECEMBER 24, 1973 AS M-6320, MORROW COUNTY MICROFILM RECORDS.

RIGHT OF WAY AGREEMENT, SUBJECT TO THE TERMS AND PROVISIONS THEREOF EXECUTED BY THE UNITED STATES OF AMERICA, IN FAVOR OF EASTERN OREGON FARMING COMPANY, RECORDED NOVEMBER 14, 1975 AS M-8808, MORROW COUNTY DEED RECORDS.

EASEMENTS FOR PIPELINES AND PUMPING STATION, SUBJECT TO THE TERMS AND PROVISIONS THEREOF, AS RESERVED IN DEEDS FROM EASTERN OREGON FARMING CO., TO PAUL T. JASA, RECORDED MAY 17, 1974 AS M-6832 AND M-6833, MORROW COUNTY MICROFILM RECORDS.

EASEMENT FOR PIPELINE, SUBJECT TO THE TERMS AND PROVISIONS THEREOF, AS RESERVED IN DEED FROM POTLATCH CORPORATION TO THE PORT OF MORROW, RECORDED NOVEMBER 17, 1997 AS MICROFILM NO. M-52738, MORROW COUNTY MICROFILM RECORDS.

END OF EXHIBIT A

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EXHIBIT B

Title Exceptions

1. Unpatented mining claims whether or not shown by the Public Records.
2. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
3. The rights of the public in County Roads, State and U.S. Highways.
4. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
5. The premises are within the boundaries of the Columbia Improvement District, and are subject to the levies, assessments and easements thereof, if any.
6. The premises are within the boundaries of the West Extension Irrigation District, and are subject to the levies, assessments and easements thereof, if any.
7. Rights of the public and governmental bodies in and to that portion of the premises herein described lying below the high water mark of the Columbia River and the ownership of the State of Oregon in and to that portion lying below the high water mark thereof.
8. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Columbia River or has been formed by the process of accretion or has been created by artificial means or has accreted to such portion so created.
9. Mineral Reservations, including the terms and provisions thereof, as reserved in Patent from United States of America, to Northern Pacific Railroad Lands, recorded January 12, 1897, in Book L, Page 77, Morrow County Deed Records. (Affects 4N 25, Section 2 and Partition Plat 2005-3)
10. Reservations, including the terms and provisions thereof, as reserved in Deed from the Northern Pacific Railroad Company, to Oregon Land & Water Company, in Books, Page 342, Morrow County Deed Records. (Affects 4N 26, Sections 17, 21, 25, 27 and 33)
11. Mineral Reservations, including the terms and provisions thereof, as reserved in deed from Northern Pacific Railway Company, to Malcomb S. Corrigan, recorded December 16, 1906, in Book U, Page 1, Morrow County Deed Records. (Affects 3N 26, Section 13)
12. Mineral Reservations, including the terms and provisions thereof, as reserved in Deed from Northern Pacific Railway Company, to John Kilkenny, recorded December 20, 1906, in Book U, Page 25, Morrow County Deed Records. (Affects 3N 27, Sections 5 and 9)

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13. Rights of Ways for Ditches, Canals and Reservoir Site for irrigation purposes, including the terms and provisions thereof, as set forth in Deed from the State Land Board to M.D. Clerk, recorded March 11, 1908 in Book U, Page 516, Morrow County Deed Records. (Affects 4N 26, Section 16)
14. Rights of way for Ditches, Canals and Reservoir Site for irrigation purposes, including the terms and provisions thereof, as set forth in Deed from the State Land Board to Effie J. Gilliam, recorded May 4, 1911 in Book Y, Page 359, Morrow County Deed Records. (4N 26, Section 16)
15. Right of Way, including the terms and provisions thereof, in favor of Pacific Telephone & Telegraph Company, recorded May 12, 1942, in Book 47, Page 379, Morrow County Deed Records. (Affects 4N 26, Sections 29 and 33)
16. Right of Way, including the terms and provisions thereof, in favor of Pacific Telephone & Telegraph Company, recorded June 23, 1942, in Book 47, Page 415, Morrow County Deed Records. (Affects 4N 26, Section 19)
17. Conditions, Restrictions and Reservations, including the terms and provisions thereof, as disclosed in Deed recorded October 29, 1953 in Book 57, Page 397, Morrow County Deed Records. By and between Northern Pacific Railway, as Grantor and A. C. and Rosella Lindsay, as Grantees. (Affects 3N 26, Section 11 and 3N 27, Section 7)
18. Right of Way, including the terms and provisions thereof, in favor of Pacific Telephone & Telegraph Company, recorded January 14, 1954, in Book 57, Page 594, Morrow County Deed Records. (Affects 4N 26, Section 27)
19. Conditions, Restrictions and Reservations, including the terms and provisions thereof, as disclosed in Deed recorded January 29, 1954 in Book 58, Page 30, Morrow County Deed Records. By and between Northern Pacific Railway Company, as Grantor and Patrick Carty, as Grantee. (Affects 3N 26, Sections 3 and 7)
20. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded September 18, 1961, in Book 66, Page 483, Morrow County Deed Records. (Affects 4N 26, Sections 17, 19, and 29)
21. Right of Way for Electric Transmission and Distributing lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association recorded September 18, 1961 in Book 66, Page 484, Morrow County Microfilm Records (Affects 4N 26, Sections 17, 19 and 29)
22. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded May 3, 1962, in Book 67, Page 572, Morrow County Deed Records. (Affects 4N 26, Sections 23)
23. Reservations in Patent, including the terms and provisions thereof, recorded May 27, 1963 in Book 69, Page 230, Morrow County Deed Records. By and between the United States of America, as Grantor and the State of Oregon, as Grantee. (Affects 3N 26, Sections 2, 6, 8 and 12, and 3N 27, Sections 4, 6 and 8)
24. Easements and Reservations, including the terms and provisions thereof, recorded July 1 0, 1963 in Book 69, Page 302, Morrow County Deed Records. By and between the State of Oregon, as

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- Grantor and Lawrence D. Lindsay and Rosella Lindsay. (Affects 3N 26, Sections 2 and 9 and 3N 27, Sections 6 and 8)
25. Easement for Right-of-Way, including the terms and provisions thereof, in favor of Morrow County, recorded December 20, 1960, in Book 70, Page 121, Morrow County Deed Records. (Affects 3N 26, Sections 1 and 11 and 3N 27, Sections 6 and 7)
 26. Easement for Right-of-Way, including the terms and provisions thereof, in favor of Morrow County, recorded December 27, 1963, in Book 70, Page 159, Morrow County Deed Records. (Affects 3N 26, Section 12)
 27. Easement for Right-of-Way, including the terms and provisions thereof, in favor of Morrow County, recorded January 29, 1964, in Book 70, Page 284, Morrow County Deed Records. (Affects 3N 27, Section 4)
 28. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded August 27, 1964, as in Book 71, Page 162, Morrow County Deed Records. (Affects 3N 26, Section 3)
 29. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded August 27, 1964, as in Book 71, Page 163, Morrow County Deed Records. (Affects 3N 27, Section 6)
 30. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded August 27, 1964, as in Book 71, Page 164, Morrow County Deed Records. (Affects 3N 27, Section 5)
 31. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded August 27, 1964, as in Book 71, Page 165, Morrow County Deed Records. (Affects 3N 27, Section 5)
 32. Access Restrictions, including the terms and provisions thereof, as conveyed to the State of Oregon by and through its State Highway Commission, by Deed recorded October 26, 1965 in Book 72, Page 440, Morrow County Deed Records. (Affects 4N 26, Section 16)
 33. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded August 27, 1964, as in Book 73, Page 44, Morrow County Deed Records. (Affects 3N 26, Section 3)
 34. Access Restrictions, including the terms and provisions thereof, as conveyed to the State of Oregon by and through its State Highway Commission, by Deed recorded April 13, 1966 in Book 73, Page 297, Morrow County Deed Records. (Affects 4N 26, Section 17)
 35. Covenants, Conditions, Restrictions and Flowage Easement, including the terms and provisions thereof, as contained in Deed from the United States of America to the Port of Morrow, Oregon, recorded November 3, 1967 as M-229, Morrow County Microfilm Records. (Affects 4N 25 2)
 36. Reservations of mineral deposits, and rights of way for ditches and canals, as contained in Patent from the United States of America to Oscar E. Peterson, recorded December 18, 1967 as M-303, Morrow County Microfilm Records. (Affects 4N 26, Section 20)

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37. Reservations of mineral deposits, and rights of way for ditches and canals, and right of way in favor of Pacific Telephone and Telegraph Company, as contained in Patent from the United States of America to Paul C. Cimmiyotti et ux., recorded December 22, 1967 as M-315, Morrow County Microfilm Records. (Affects 4N 26, Section 28)
38. Reservations of mineral deposits, and rights of way for ditches and canals, and right of way for Federal Aid Highway, as contained in Patent from the United States of America to Clark G. Key, recorded March 14, 1968 as M-462, Morrow County Microfilm Records. (Affects 4N 26, Section 22)
39. Reservations of mineral deposits, and rights of way for ditches and canals, and right of way in favor of Pacific Telephone and Telegraph Company, as contained in Patent from the United States of America to Joe Andrews, recorded March 29, 1968 as M-487, Morrow County Microfilm Records. (Affects 4N 26, Section 34)
40. Reservations of mineral deposits, and rights of way for ditches and canals, right of Union Pacific Railroad (successor to Oregon Railroad and Navigation Company, and right of way for a Federal Aid Highway, as contained in Patent from the United States of America to Joe Andrews, recorded March 29, 1968 as M-488, Morrow County Microfilm Records. (Affects 4N 26, Section 24)
41. Reservations of mineral deposits, and rights of way for ditches and canals, and right of way in favor of Pacific Telephone and Telegraph Company, as contained in Patent from the United States of America to Joe Andrews, recorded March 29, 1968 as M-489, Morrow County Microfilm Records. (Affects 4N 26, Section 26)
42. Reservations of mineral deposits, and rights of way for ditches and canals, as contained in Patent from the United States of America to Yakima-Boardman Land Co, recorded April 12, 1968 as M-524, Morrow County Microfilm Records. (Affects 4N 26, Section 32)
43. Covenants relating to an irrigation system, including the terms and provisions thereof, as contained in Deed from Joe Andrews et al., to Farm Chemicals Inc., recorded February 21, 1969 as M-1141, and as contained in Deed from Joe Andrews to Farm Chemicals Inc., recorded February 21, 1967 as M-1142, Morrow County Microfilm Records, as amended by Water Agreement recorded June 26, 1975 as M-8246. (Affects 4N 26, Sections 16, 17, 19, 21, 23, 25, 27, 29, 33, 35, and 36)

Said covenants have been amended by a Memorandum of Water Delivery Agreement, including the terms and provisions thereof, recorded January 19, 2007 as Microfilm No. 2007-18554. By and between Potlatch Forest Holdings, Inc. and Judy R. Andrews (as guardian for Katherine Marie Andrews-Pulver), Judy R. Andrews (as guardian for Sara Rae Andrews), and Judy R. Andrews, ("Andrews")
44. Easements and Conditions, including the terms and provisions thereof, as disclosed in Deed recorded April 3, 1969 as Microfilm No. M-1204, Morrow County Microfilm Records. (Affects 4N 26, Section 32)
45. Easements, Conditions and Restrictions, including the terms and provisions thereof, as disclosed in Deed recorded April 11, 1969 as Microfilm No. M-1230, Morrow County Microfilm Records. (Affects 4N 26, Section 33)

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46. Easement for private roadway, including the terms and provisions thereof, as contained in Deed to Paul C. Cimmiyotti et ux., recorded April 11, 1969 as M-1232, Morrow County Microfilm Records. (Affects 4N 26, Section 35)
47. Easement for erosion control fences, including the terms and provisions thereof, in favor of Oregon-Washington Railroad & Navigation Company and Union Pacific Railroad Company, recorded April 20, 1972 as M-4656, Morrow County Microfilm Records. (Affects 4N 26, Sections 16 and 23)
48. Easement for Right-of-Way, including the terms and provisions thereof, in favor of Morrow County, recorded February 19, 1974, as Microfilm No. M-6519, Morrow County Microfilm Records. (Affects 3N 26, Section 13)
49. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla County Electric Cooperative Association, recorded March 25, 1974, as Microfilm No. M 6643, Morrow County Microfilm Records. (4N 26, Section 19)
50. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded March 25, 1974, as Microfilm No. M-6644, Morrow County Microfilm Records. (4N 26, Sections 20, 21, 22, 27, 28, 32, 33 and 34)
51. Easement for pipeline, including the terms and provisions thereof, in favor of Sabre Farms Inc., recorded April 15, 1974 as M-6706, Morrow County Microfilm Records. (Affects 4N 26, Section 19)
52. Easement for pipeline, including the terms and provisions thereof, in favor of Sabre Farms Inc., recorded April 15, 1974 as M-6707, Morrow County Microfilm Records. (Affects a portion of the appurtenant easement recorded as M-6833 in 3N 26, Section 7)
53. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded April 16, 1974, as Microfilm No. 6712, Morrow County Microfilm Records. (Affects 3N 26, Sections 7 and 13)
54. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded April 16, 1974, as Microfilm No. 6713, Morrow County Microfilm Records. (Affects 3N 27, Sections 7 and 8)
55. Easement for Right-of-Way, including the terms and provisions thereof, in favor of Morrow County, recorded May 1, 1974, as Microfilm No. M-6771, Morrow County Microfilm Records. (Affects 3N 27, Sections 7 and 8)
56. Easement for Water Canal Maintenance, including the terms and provisions thereof, in favor of Sabre Farms, Inc., recorded July 3, 1974, as Microfilm No. M-6989, Morrow County Microfilm Records. (Affects 3N 26, Section 12)
57. Covenants Relating to Water Delivery, including the terms and provisions thereof, recorded July 3, 1974 as Microfilm No. M-6990, Morrow County Microfilm Records. By and between Frank Warren and Iva Warren, as Grantors and Sabre Farms, Inc., as Grantee. Provided however that no exception is made for instruments recorded in Morrow County Deed Records in Book 67, Page

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- 676; Book 68, Page 450; Book 69, Page 33; Book 69, Page 374; Book 69, Page 391; and Book 69, Page 469, which are of no further effect. (Affects 3N 26, Section 13)
58. Avigation Easements, in favor of the United States of America, including the terms and provisions thereof, recorded September 10, 1974 as Microfilm No. M-7239, Morrow County Microfilm Records. (Affects 3N 26, Section 13)
 59. Avigation Easements, in favor of the United States of America, including the terms and provisions thereof, recorded September 10, 1974 as Microfilm No. M-7240, Morrow County Microfilm Records. (Affects 3N 26, Sections 11 and 13 and 3N 27, Sections 7 and 8)
 60. Avigation Easements, in favor of the United States of America, including the terms and provisions thereof, recorded September 10, 1974 as Microfilm No. M-7241, Morrow County Microfilm Records. (Affects 3N 26, Section 13)
 61. Avigation Easements, in favor of the United States of America, including the terms and provisions thereof, recorded September 10, 1974 as Microfilm No. M-7242, Morrow County Microfilm Records. (Affects 3N 26, Section 12)
 62. Water Delivery Agreement, including the terms and provisions thereof, recorded October 18, 1974 as Microfilm No. M-7354, Morrow County Microfilm Records. By and between Porter-Perginer, Inc., as Grantor and Sabre Farms, Inc. as Grantee. Provided however that no exception is made for the instruments recorded in Morrow County Deed Records in Book 68, Page 420; Book 68, Page 232; Book 68, Page 425; Book 69, Page 369; Book 69, Page 371, Book 68, Page 384 and Book 69, page 469 which are of no further effect. (Affects 3N 26, Section 13)
 63. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded February 10, 1975, as Microfilm No. 7697, Morrow County Microfilm Records. (Affects 3N 26, Section 6)
 64. Water Agreement, including the terms and provisions thereof, between Eastern Oregon Farming Co., and Oscar E. Peterson et al., recorded June 26, 1975 as M-8246, Morrow County Microfilm Records. (Affects 4N 26, Sections 16 and 36)
 65. Covenants contained in Land Exchange Agreement, including the terms and provisions thereof, between Oscar E. Peterson et al, recorded June 26, 1975 as M-8247, Morrow County Microfilm Records. (Affects 4N 26, Sections 33 and 36)
 66. Perpetual non-exclusive easement for ingress and egress over the South 20 feet of the North half of Sections 35 and 36, including the terms and provisions thereof, as contained in Deed to Oscar E. Peterson et. al., recorded June 26, 1975 as M-8248, Morrow County Microfilm Records. (Affects 4N 26, Sections 35 and 36)
 67. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded April 20, 1976, as Microfilm No. M-9459, Morrow County Microfilm Records. (Affects 4N 26, Sections 23, 24, 25, 26, 35 and 36)

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68. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded October 3, 1976, as Microfilm No. 10214, Morrow County Microfilm Records. (Affects 3N 27, Sections 6 and 7)
69. Easement for ingress and egress, including the terms and provisions thereof, in favor of George S. Bulow, recorded May 31, 1978 as Microfilm No. M-13424. (Affects 3N 26, Section 3)
70. Conveyance and Easement, including the terms and provisions thereof, recorded June 28, 1978 Microfilm No. M-13581, And Assignment of Permits and Easements, recorded June 28, 1978 as Microfilm No. M-13583, Morrow County Microfilm Records. By and between Sabre Farms, Inc., as Grantor and Columbia Improvement District, as Grantee. (Affects all parcels)
71. Right of Way Easement and Agreement, including the terms and provisions thereof, in favor of Telephone Utilities of Eastern Oregon Inc., an Oregon corporation, recorded August 21, 1991 as M-37190, Morrow County Microfilm Records. (Affects portion in 4N 26, Sections 16, 17 and 18)
72. Water Well and Access Easement Agreement, including the terms and provisions thereof, recorded December 31, 1992 as Microfilm No. M-39718, Morrow County Microfilm Records. By and between Potlatch Corporation, as Grantor and Pacific Northwest Farming Company, as Grantee.
73. Assignment of Water Rights, including the terms and provisions thereof, recorded December 31, 1992 as Microfilm No. M-39721, Morrow County Microfilm Records. Assigned and conveyed to Potlatch Corporation.
74. Assignment and Assumption of Water Delivery Contract, including the terms and provisions thereof, recorded December 31, 1992 as Microfilm No. M-39722, Morrow County Microfilm Records. Assigned to Potlatch Corporation.
75. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded January 28, 1994, as Microfilm No. M-42089, Morrow County Microfilm Records. (Affects 3N 27, Sections 4, 5, 6, 7, 8 and 9)
76. Telephone Line Right of Way Easement, including the terms and provisions thereof, in favor of Telephone Utilities of Eastern Oregon, Inc., dba PTI Communications, recorded May 16, 1994 as Microfilm No. M-42734, Morrow County Microfilm Records. (Affects a portion of 4N 26, Sections 16 and 22)
77. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded September 26, 1994, as Microfilm No. M-43655, Morrow County Microfilm Records. (Affects 3N 27, Sections 4, 5, 6, 7, 8 and 9)
78. Memorandum of Lease, including the terms and provisions thereof, recorded July 13, 2000 as Microfilm No. 2000-1530, Morrow County Microfilm Records, by and between Potlatch Corporation, as Landlord and American Tower, L.P., as Tenant. (Affects 4N 26, Section 27)

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79. Road Easement Agreement, including the terms and provisions thereof, recorded May 15, 2002 as Microfilm No. 2002-4248, Morrow County Microfilm Records. (Affects 3N 36, Sections 7 and 8 and 3N 27, Section 16)
80. Easements and Reservations, including the terms and provisions thereof, recorded November 15, 2002 as Microfilm No. 2002-6026, Morrow County Microfilm Records. By and between, Potlatch Corporation, as Grantor and American Onion, Inc., as Grantee.
81. Memorandum of Water Delivery Agreement (West Farm), including the terms and provisions thereof, recorded November 15, 2002 as Microfilm No. 2002-6027, by and between Potlatch Corporation and American Onion, Inc. (Affects 4N 26, Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35 and 36)
82. Memorandum of Water Delivery Agreement (East Farm), including the terms and provisions thereof, recorded November 15, 2002 as Microfilm No. 2002-6028, by and between Potlatch Corporation and American Onion, Inc. (Affects 4N 26, Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35 and 36)
83. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded February 21, 2003, as Microfilm No. 2003-6927, and rerecorded April 23, 2003 as Microfilm No. 2003-7415, Morrow County Microfilm Records. (Affects 4N 26, Section 17)
84. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded August 24, 2004, as Microfilm No. 2004-11941, Morrow County Microfilm Records. (Affects 4N 26, Section 34)
85. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded September 13, 2004, as Microfilm No. 2004-12090, Morrow County Microfilm Records. (Affects 4N 26, Section 34)
86. Limitations in the validity of the Right of Way Agreement recorded as M-8808, on Exhibit "B". Prior to insuring any right to cross the Irrigation Canal, we should be furnished with consent to an assignment of the rights. Said consent needs to be executed by the United State of America by and through the Department of the Interior, Bureau of Reclamation, and should include a statement that the Right-of-Way agreement is in effect as of the date of the policy to be issued.
87. Memorandum of Water Delivery Agreement, including the terms and provisions thereof, recorded January 16, 2007 as Microfilm No. 2007- 18533, Morrow County Microfilm Records. By and between Potlatch Forest Holdings, Inc. and Ann R. Cimmiyotti.
88. Assignment of Water Rights, including the terms and provisions thereof, recorded May 15, 2007 as Microfilm No. 2007-19339, Morrow County Microfilm Records. By and between Potlatch Forest Holdings, Inc., as Assignor and Greenwood Tree Farm Fund, LP, as Assignee.
89. Memorandum of Assignment of Licenses and Permits, including the terms and provision thereof, recorded May 15, 2007 as Microfilm No. 2007-19342, Morrow County Microfilm Records.
90. Easement Exchange, including the terms and provisions thereof, by and between, Boardman Tree Farm, LLC, a Delaware Limited Liability Company, Sage Hollow Ranch, LLC, an Oregon

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Limited Liability Company and Galactic Orchards, LLC, a Washington Limited Liability Company, recorded March 12, 2008 as Microfilm 2008-21387, Morrow County Microfilm Records.

91. Avigation Easement, including the terms and provisions thereof, between Boardman Tree Farm, LLC, in favor of The United States of America, acting by and through the Department of the Navy, Naval Facilities Engineering Command- Northwest (NAVFAC-NW), dated November 05, 2012 and recorded November 05, 2012, as Microfilm No. 2012-31146, Morrow County Microfilm Records. (Affects 3N 26, Sec. 6 & 7)
92. Water Delivery Agreement Amendment, between Homestead Farms, Inc. and Boardman Tree Farm, LLC, including the terms and provisions thereof, recorded December 23, 2014, as Microfilm No. 2014-35297, Morrow County Microfilm Records.

END OF EXHIBIT B

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EXHIBIT C

Description of Leased Premises

(See attached)

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Row Labels	Acres
1	274.41
016-01	69.73
016-02	68.57
016-03	68.57
016-04	67.53
2	279.25
018-01	70.20
018-02	69.88
018-03	69.73
018-04	69.44
3	139.54
020-01	69.98
020-03	69.56
4	279.95
027-01	69.39
027-02	69.81
027-03	69.39
027-04	71.36
5	176.40
028-01	48.31
028-02	68.99
028-04	41.24
028-03 west	17.86
6	966.85
025-01	69.93
025-02	69.26
025-03	69.76
025-04	69.51
029-02	68.42
029-04	40.67
030-01	68.82
030-03	40.77
030-04	39.93
031-01	68.82
031-02	68.47
031-03	39.39
031-04	38.18
032-01	68.82
032-02	68.99
032-03	38.23
032-04	38.87
7	344.67
034-03	71.02
034-04	66.10

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039-01	36.70
039-02	69.34
039-03	66.17
028-03 east	35.34
8	268.28
041-01	69.09
041-02	69.07
041-03	64.84
041-04	65.29
9	288.92
043-01	68.89
043-02	78.48
043-03	65.68
043-04	75.86
10	292.62
401-01	38.18
401-02	38.62
401-03	38.55
401-04	38.87
402-01	37.29
402-02	28.27
402-03	40.01
402-04	32.84
11	460.53
701-01	39.34
701-02	37.12
701-03	40.77
701-04	38.77
702-01	36.50
702-02	36.84
702-03	38.42
702-04	38.72
703-01	40.50
703-02	38.62
703-03	36.65
703-04	38.28
12	1262.39
705-01	38.05
705-02	37.49
705-03	40.01
705-04	39.46
706-01	37.96
706-02	38.25
706-03	40.18
706-04	40.18
709-01	39.93
709-02	39.69

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709-03	37.68
709-04	38.45
801-01	37.58
801-02	38.77
801-03	38.45
801-04	39.51
807-01	38.33
807-02	39.64
807-03	37.14
807-04	38.97
901-01	36.65
901-02	38.80
901-03	39.59
901-04	41.49
902-01	41.27
902-02	40.03
902-03	40.55
902-04	38.89
903-01	42.63
903-02	42.23
903-03	42.92
903-04	41.64
13	141.20
914-01	39.19
914-02	38.03
914-03	28.54
914-04	35.43
14	151.82
708-01	35.26
708-02	37.36
708-03	39.41
708-04	39.78
15	489.27
806-01	33.01
806-02	36.99
806-03	40.92
806-04	39.12
811-01	38.67
811-02	38.97
811-03	36.57
811-04	36.42
812-01	39.96
812-02	38.82
812-03	52.14
812-04	57.67
16	1328.36
101-01	42.65

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101-02	42.35
101-03	40.38
101-04	40.13
102-01	43.10
102-02	42.58
102-03	39.59
102-04	39.44
104-01	39.56
104-02	39.29
104-03	38.82
104-04	38.72
105-01	36.97
105-02	36.74
105-04	40.48
106-01	36.42
106-02	34.40
106-03	40.08
106-04	38.84
107-01	40.45
107-02	39.66
107-03	40.06
107-04	38.25
108-01	39.93
108-02	39.73
108-03	37.46
108-04	38.30
201-01	37.04
201-03	39.49
201-04	39.02
202-01	36.50
202-02	34.67
202-03	38.89
202-04	38.38
17	316.02
711-01	40.13
711-02	40.92
711-03	39.04
711-04	38.92
803-01	36.13
803-02	38.84
803-03	41.61
803-04	40.43
18	59.60
047-02	28.66
047-03	30.94
Grand Total	7520.09

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Consent to Transfer (ODSL)

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Application for Water Right Transfer

Consent by Deeded Landowner



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

State of Oregon)
)ss
County of Deschutes)

I Sheena Miltenberger in my/our capacity as OR Dept of State Lands, Rangeland Manager,

mailing address 951 SW Simpson Ave., Suite 104, Bend, OR 97701,

telephone number 541-388-6072, duly sworn depose and say that I

consent to the proposed change(s) to Water Right Certificate Number 92991

described in a Transfer Application (T-) submitted by Farmland Reserve, Inc.,
(transfer number, if known)

on the property in tax lot number(s) 03N27E000001300, Section 18, Township 3

North, Range 27 East, W.M., located at N/A
(site address)

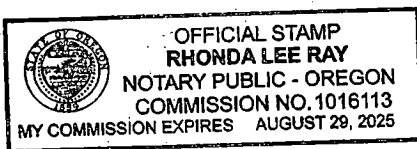
Sheena Miltenberger
Signature of Affiant

12/21/2021
Date

N/A
Signature of Affiant

N/A
Date

Subscribed and Sworn to before me this 21st day of December 2021.



Rhonda Lee Ray
Notary Public for Oregon

My commission expires 8/29/2025

RECEIVED
JAN 31 2022

13900



P.O. BOX 2308 TRI-CITIES, WA 99302-2308
509-734-1195

January 28, 2022

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

Re: Temporary Water Right Transfer for Certificates: 95662, 92991 & 92994

To Whom It May Concern,

Please find enclosed an Application for Water Right Temporary Transfer, prepared by AgriNorthwest, for three water rights held by Farmland Reserve, Inc (FRI). The purpose of this transfer is to fully utilize the subject water rights on land owned by FRI in Morrow and Umatilla Counties.

All required application documentation and fees are included in this packet. The per-acre fee has been calculated at the reduced rate because the application materials and data have been sent in a department approved format. If you have any questions regarding this application, please contact me by phone at (509) 820-3231 or by email at nrau@farmlandreserve.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Nathan Rau", is written over a light blue horizontal line.

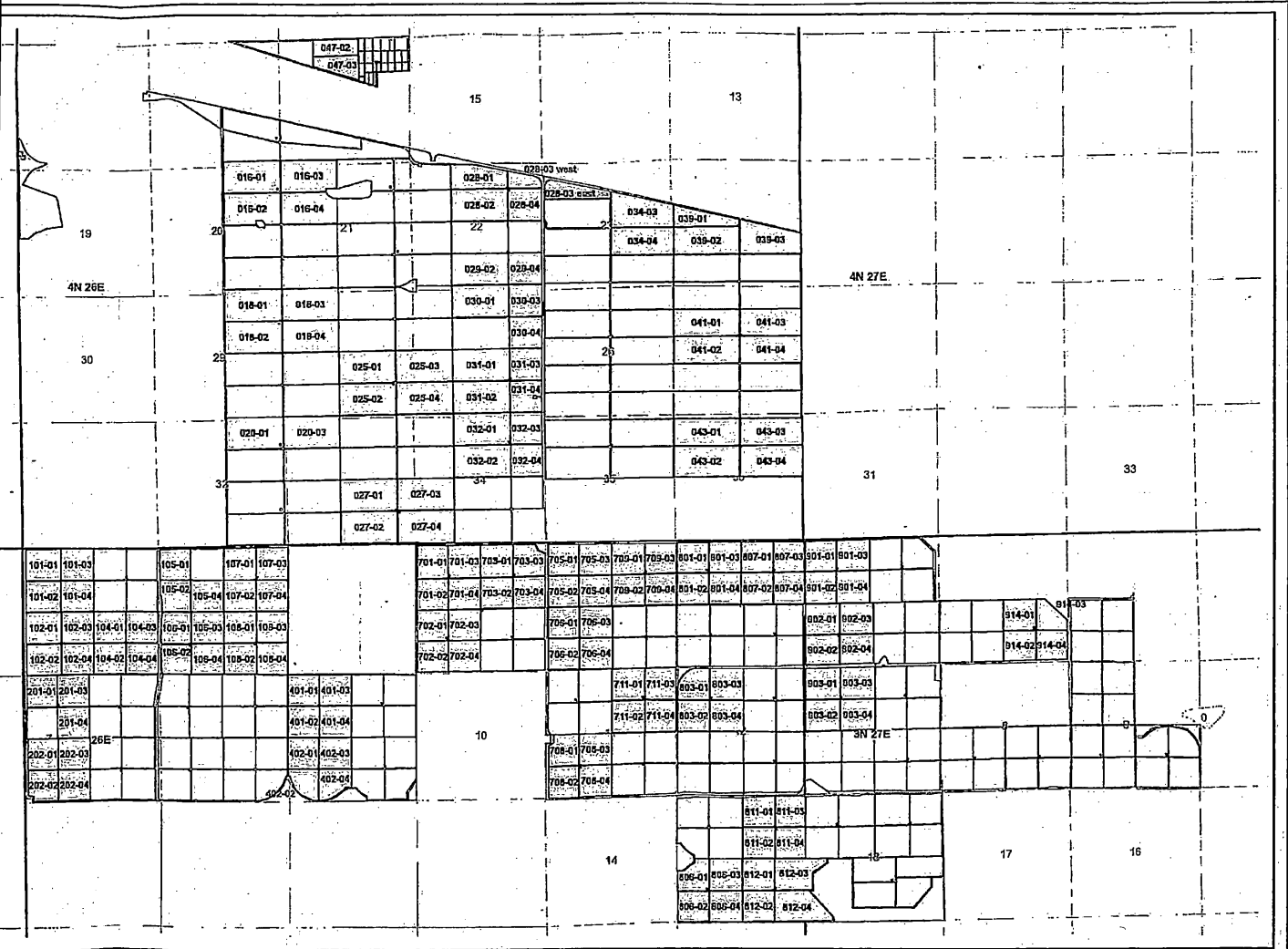
Nathan Rau
Natural Resources Analyst
Office: (509) 820-3231
Mobile: (385) 522-1730
P.O. Box 2308, Tri-Cities, WA 99302
nrau@farmlandreserve.org

RECEIVED

JAN 31 2022

OWRD

13900
6716 WEST RIO GRANDE
KENNEWICK, WA 99336



5,000 10,000 Feet

016-01 Leased Stand

Boardman Tree Farm
Leased Stands