



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

Application for a Permit to Use Ground Water

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

1. APPLICANT INFORMATION

A. Individuals

Applicant: _____
First Last

Mailing address: _____

City State Zip

Phone: _____
Home Work Other

*Fax: _____ *E-Mail address: _____

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: Smith Seed Services

Name and title of person applying: Kevin McDonald

Mailing address of organization: PO Box 288

Halsey OR 97348
City State Zip

Phone: 541-369-2830 503-394-2025
Day Evening

*Fax: 541-369-2723 *E-Mail address: kevin@smithseed.com

* Optional information

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WATER RESOURCES DEPT
SALEM, OREGON

For Department Use		
App. No. _____	Permit No. _____	Date _____

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2. PROPERTY OWNERSHIP

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

Yes (Please check appropriate box below then skip to section 3 ("Ground water Development"))

There are no encumbrances

This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

No (Please check the appropriate box below.)

I have a recorded easement or written authorization permitting access.

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

Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

List the names and mailing addresses of all affected landowners.

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): _____

Name of nearest surface water body: _____

Distance from well(s) to nearest stream or lake: 1) Muddy Creek approx 1/4 mi.

2) _____ 3) _____ 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) 6'

2) _____ 3) _____ 4) _____

B. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: Existing well #1.

Address: _____

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Ground Water/2

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B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1			40	1,190,250 gal.	40

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 40 gpm
 (The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: year round
 (For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: _____
 (This number should be consistent with your application map.)

5. WATER MANAGEMENT

A. Diversion

What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and pump type): Submersible
- Other means (describe): _____

B. Transport

How will you transport water to your place of use?

- Ditch or canal (give average width and depth):
 Width _____ Depth _____
 Is the ditch or canal to be lined? Yes No
- Pipe (give diameter and total length):
 Diameter 2' Length _____
- Other (describe) _____

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STATE OF OREGON WATER SUPPLY WELL REPORT (as required by ORS 537.765)

linn 52584

WATER RESOURCES DEPT. WELL I.D. # L 19007 SALEM, OREGON START CARD # 116706

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number Name Smith Seed Services Address P.O. Box 288 City Halsey State OR Zip 97348

(2) TYPE OF WORK [X] New Well [] Deepening [] Alteration (repair/recondition) [] Abandonment

(3) DRILL METHOD: [] Rotary Air [] Rotary Mud [X] Cable [] Auger [] Other

(4) PROPOSED USE: [X] Domestic [] Community [] Industrial [] Irrigation [] Thermal [] Injection [] Livestock [] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval [] Yes [X] No Depth of Completed Well 48 ft. Expenses used [] Yes [X] No Type Amount

Table with columns: HOLE Diameter, From, To, Material, SEAL From, To, Sacks or pounds. Row 1: 10", 0, 18', cement, 0, 18', 18 1/2 sacks. Row 2: 6", 18, 48

How was seal placed: Method [] A [] B [X] C [] D [] E [] Other Backfill placed from ft. to ft. Material Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Casing: 6", +12', 46', 250, [X], [], [X], []. Liner: [], [], [], [], [], [], [], []

Final location of shoe(s) 46' 09"

(7) PERFORATIONS/SCREENS: [X] Perforations Method Acetylene torch [] Screens Type Material. Table with columns: From, To, Slot size, Number, Diameter, Tube/pipe size, Casing, Liner. Row 1: 38' 09", 46', 3/8", 44, 6", [X], []. Row 2: 09" x 12", [], [], [], [], [], []

(8) WELL TESTS: Minimum testing time is 1 hour [] Pump [X] Bailor [] Air [] Flowing Artesian. Yield gal/min 40gpm Drawdown 2.2 Drill stem at Time 1 hr.

Temperature of water 55 Depth Artesian Flow Found Was a water analysis done? [] Yes By whom Did any strata contain water not suitable for intended use? [] Too little [] Salty [] Muddy [] Odor [] Colored [] Other Depth of strata:

(9) LOCATION OF WELL by legal description: County Linn Latitude Longitude Township 14 S N or S Range 4 W E or W. WM. Section 11 NE 1/4 NW 1/4 Tax Lot 300 Lot Block Subdivision Street Address of Well (or nearest address) Halsey Crook Dr. - 1/2 mile West of Powerline

(10) STATIC WATER LEVEL: 13 ft. below land surface. Date 7-23-99 Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES: Depth at which water was first found 30

Table with columns: From, To, Estimated Flow Rate, SWL. Row 1: 30', 46', 40gpm, 13

(12) WELL LOG: Ground Elevation

Table with columns: Material, From, To, SWL. Rows: Top soil (0-3), Brown clay (3-19), Brown clay & gravel (19-30), Dirty gravel (30-37, 13), Brown sand & gravel (37-46), Brown clay & gravel (46-48)

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Date started 7-20-99 Completed 7-23-99 (unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WVC Number Signed Date

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

WVC Number 1378 Signed Date 7-27-99

Completion date: _____

Please provide a description of your well development. *(Attach additional sheets if needed.)*

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

Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

C. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

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C. Application/Distribution Method

What equipment will you use to apply water to your place of use? Water will be pumped to kettle for processing then to storage tank for seed coating and to boiler for steam.

Irrigation or land application method (check all that apply):

- Flood
- High-pressure sprinkler
- Low pressure sprinkler
- Drip
- Water cannons
- Center pivot system
- Hand lines
- Wheel lines
- Siphon tubes or gated pipe with furrows
- Other, describe _____

Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open canal

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: 6/2008

Proposed date construction will be completed: 9/2008

Proposed date beneficial water use will begin: 9/2008

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

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8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:


Signature of Applicant (If more than one applicant, all must sign.)

6/2/2008
Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

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Oregon Water Resources Department

FORM Q
FOR COMMERCIAL AND INDUSTRIAL WATER USES

1. Describe the goods and services you plan to provide:

Seed coating

2. How will the water be used?

Ingredient for polymer for seed coating and for boiler steam.

3. What is the maximum amount of water that will be used on any given day:

40 gpm
max 12-15,000 gal. max per day.

4. Are there periods of the day, week, month, or year that the water will not be used?
(e.g. no use December-March)

No Yes If so, when? No use Sat or sun

5. Is there a particular time or period of day, week, month, or year when the use of water is absolutely essential for the project to continue?
(e.g. vegetable processing, Oct. 15-Nov. 15)

No Yes If so, when? Season peak Oct-Apr.

6. Are there periods of the day, week, month, or year where the amount of water used will be less than at peak times?

No Yes If so, when? May-Sept only 6-8,000 gal/day.

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Oregon Water Resources Department
Land Use Information Form

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

Applicant Name: Smith Seed Services
Mailing Address: PO Box 288
City: Halsey State: OR Zip: 97348 Day Phone: 541-369-2830

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

A. Land and Location

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

Table with 8 columns: Township, Range, Section, 1/4 1/4, Tax Lot #, Plan Designation (e.g. Rural Residential/RR-5), Water to be: (Diverted, Conveyed, Used), Proposed Land Use:.

List all counties and cities where water is proposed to be diverted, conveyed, or used. Linn. Co. Halsey, OR

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 40 cubic feet per second, gallons per minute, acre-feet

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

Briefly describe: Use upto 12-15,000 gallons of water daily for seed coating.

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

Receipt for Request for Land Use Information

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

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For Local Government Use Only

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

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

Please check the appropriate box below and provide the requested information

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

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

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
Conditional use	933.310	<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

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

Must comply w/ PD06-0306

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SALEM, OREGON**

Name: Olivia Dias Title: Assistant Planner
 Signature: [Signature] Phone: 541 967 3816 Date: 6/3/08
 Government Entity: Linn Co

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

Receipt for Request for Land Use Information

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**WATER RESOURCES DEPT
SALEM, OREGON**

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

✓ After Recording Return to:
Thomas L. Black
Weatherford Thompson
P O Box 667
Albany, OR 97321

Assessor's Account No. 0433397 TL 201

Until requested otherwise
send all tax statements to:
Smith Seed Services, L.L.C.
26878 Powerline Road
Halsey, OR 97348

**WARRANTY DEED
AND ASSIGNMENT OF LEASES**
(Jason Schrock and Paul Zehr to Smith Seed Services, L.L.C.)

KNOW ALL MEN BY THESE PRESENTS, that JASON SCHROCK and PAUL ZEHR, also sometimes described as Smith Seed Services (c/o Smith's Warehouse), an Oregon Partnership, hereinafter called Grantor, for the consideration hereinafter stated, do hereby convey and warrant to SMITH SEED SERVICES, L.L.C., an Oregon Limited Liability Company, Grantee, and unto said Grantee's heirs, successors and assigns all of Grantor's interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Linn, State of Oregon, described as follows, to-wit:

All of Grantor's interest in and to the real property described on Exhibit "A" attached hereto and incorporated herein full by this reference, TOGETHER WITH, all of Grantor's interest in and to any and all leases, and the rents, royalties, issues and profits therefrom, pertaining to and derived from any or all of the below described real property, or any portion thereof:

SUBJECT TO: All easements, conditions, restrictions and encumbrances of record; and all easements, conditions, restrictions, and encumbrances created or suffered by the grantor; and all leases entered into by Grantor encumbering the property, if any, whether or not of record; and specifically, without limitation on the foregoing, subject to that Mortgage to Key Bank N.A. dated December 21, 2000 and recorded at Vol. 1147, page 324 of the Linn County Records.

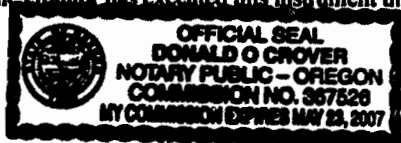
To Have and to hold the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$-0-. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

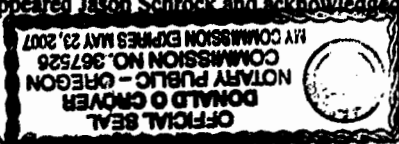
In Witness Whereof, the Grantor has executed this instrument this 4 day of December, 2003.



Jason Schrock
Jason Schrock
Paul Zehr
Paul Zehr

STATE OF OREGON, County of Linn) ss.

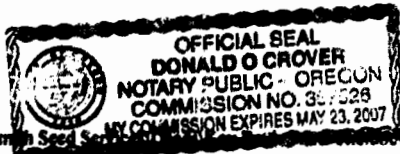
Personally appeared Jason Schrock and acknowledged the foregoing instrument to be his voluntary act and deed.



Donald O. Crower
Notary Public for Oregon
My commission expires May 23 2007

STATE OF OREGON

Personally appeared Paul Zehr and acknowledged the foregoing instrument to be his voluntary act and deed.



Donald O. Crower
Notary Public for Oregon
My commission expires May 23 2007

(dp.N:TRANSFER) Smith Seed Services, L.L.C. 1/26/03]

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EXHIBIT "A"

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PARCEL I

Beginning at the Northeast corner of Section 11, Township 14 South, Range 4 West of the Willamette Meridian in Linn County, Oregon; thence South 563.50 feet along the East line of said Section 11; thence North 84° 28' 15" West 586.24 feet; thence North 13° 43' West 522 feet to the North line of said Section 11; thence East 707.3 feet to the place of beginning. SAVE AND EXCEPT that portion of the above described tract of land lying within the boundaries of public roads and highways.

PARCEL II

Beginning at the Southeast corner of Section 2, T14S, R4W, W.M. in Linn County, Oregon. Thence Westerly, along the South line of said Section 2, 707.30 feet; thence Northerly, parallel to the East line of said Section 2, 200.00 feet; thence Easterly, parallel to the South line of said Section 2, 707.30 feet to the East line of said Section 2; thence along said East line, Southerly 200.00 feet to the point of beginning. Subject to the rights of the public in roadways and containing 3.247 acres, more or less.

This deed, and the conveyance hereby made, is not intended to, and shall not operate to, combine or consolidate the parcels described in this deed, or any of them, for any purpose.

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STATE OF OREGON
County of Linn

I hereby certify that the attached
was received and duly recorded
by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

M
R
S
A
O-5

2008 DEC 11 P 3:45

MF 1525

By cpn Deputy PAGE 412.

After Recording Return to:
Thomas L. Black
Weatherford Thompson
P O Box 667
Albany, OR 97321

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Assessor's Account No. 0433397 TL 201

**Until requested otherwise
send all tax statements to:**
Smith Seed Services, L.L.C.
26878 Powerline Road
Halsey, OR 97348

**WARRANTY DEED
AND ASSIGNMENT OF LEASES
(Jason Schrock and Paul Zehr to Smith Seed Services, L.L.C.)**

KNOW ALL MEN BY THESE PRESENTS, that JASON SCHROCK and PAUL ZEHR, an undivided one-half (1/2) interest each, as tenants in common, hereinafter called Grantor, for the consideration hereinafter stated, do hereby convey and warrant to SMITH SEED SERVICES, L.L.C. an Oregon Limited Liability Company, Grantee, and unto said Grantees' heirs, successors and assigns all of Grantor's interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Linn, State of Oregon, described as follows, to wit:

All of Grantor's interest in and to the real property described on Exhibit "A" attached hereto and incorporated herein full by this reference, **TOGETHER WITH**, all of Grantor's interest in and to any and all leases, and the rents, royalties, issues and profits therefrom, pertaining to and derived from any or all of the below described real property, or any portion thereof:

SUBJECT TO: All easements, conditions, restrictions and encumbrances of record; and all easements, conditions, restrictions, and encumbrances created or suffered by the Grantor; and all leases entered into by Grantor encumbering the property, if any, whether or not of record; and subject to that Mortgage to Key Bank N.A. dated December 21, 2000 and recorded at Vol. 1147, page 324 of the Linn County Records.

To Have and to hold the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$-0-. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

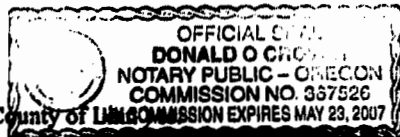
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

In Witness Whereof, the Grantor has executed this instrument this 4 day of December, 2003.

Jason Schrock
Jason Schrock
Paul Zehr
Paul Zehr

STATE OF OREGON, County of Linn) ss.

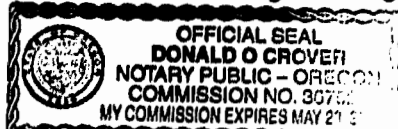
Personally appeared Jason Schrock and acknowledged the foregoing instrument to be his voluntary act and deed.



Donald O. Crowe
Notary Public for Oregon
My commission expires May 23, 2007

STATE OF OREGON, County of Linn)

Personally appeared Paul Zehr and acknowledged the foregoing instrument to be his voluntary act and deed.



Donald O. Crowe
Notary Public for Oregon
My commission expires May 23, 2007

[dp:NOTRANSFER\Smith Seed Services\Deeds\Key Bank\Deed Two\0611726\03]

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JUN 26 2008

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WATER RESOURCES DEPT
SALEM, OREGON

WATER RESOURCES DEPT.
SALEM, OREGON

A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE-QUARTER (1/4) OF SECTION 2, TOWNSHIP 14 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, LINN COUNTY, OREGON MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH BEARS NORTH 9°51'34" WEST 203.08 FEET FROM THE SOUTHEAST CORNER OF THE AFOREMENTIONED SECTION 2, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF POWERLINE ROAD, COUNTY ROUTE NO. 218; THENCE NORTH 89°52'48" WEST, LEAVING SAID RIGHT-OF-WAY, 1282.33 FEET TO A POINT ON THE CENTERLINE OF MUDDY CREEK; THENCE ALONG THE CENTERLINE OF SAID CREEK FOR THE FOLLOWING FIVE (5) COURSES:

THENCE NORTH 20°00'00" WEST 220.00 FEET;
THENCE NORTH 2°00'00" EAST 290.00 FEET;
THENCE NORTH 6°26'04" WEST 269.82 FEET;
THENCE NORTH 21°54'59" EAST 215.99 FEET;
THENCE NORTH 10°58'36" EAST 132.63 FEET
TO A POINT ON SOUTHERLY RIGHT-OF-WAY LINE
OF CROOK DRIVE, COUNTY ROUTE NO. 219;

THENCE SOUTH 89°51'13" EAST, LEAVING SAID CREEK CENTERLINE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 1276.78 FEET TO A POINT ON THE AFOREMENTIONED WESTERLY RIGHT-OF-WAY LINE OF POWERLINE ROAD; THENCE SOUTH 0°15'35" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE 1094.60 FEET TO THE POINT OF BEGINNING,

SAVE AND EXCEPT A 60.00 FOOT WIDE STRIP OF LAND FOR RIGHT-OF-WAY PURPOSES FOR THE SOUTHERN PACIFIC RAILROAD COMPANY THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH BEARS NORTH 1°43'29" WEST 1030.34 FEET FROM THE SOUTHEAST CORNER OF THE AFOREMENTIONED SECTION 2, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF POWERLINE ROAD, COUNTY ROUTE NO. 218; THENCE SOUTH 89°52'44" WEST, LEAVING SAID WESTERLY RIGHT OF WAY, 215.68 FEET; THENCE ON THE ARC OF A 470.00 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS NORTH 71°07'02" WEST 306.10 FEET) A DISTANCE 311.78 FEET; THENCE NORTH 52°06'48" WEST 273.76 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CROOK DRIVE, COUNTY ROUTE NO. 219.

CONTAINING 32.59 ACRES OF LAND MORE OR LESS. THE BASIS OF BEARINGS FOR THE ABOVE DESCRIPTION IS FROM LINN COUNTY SURVEY NO. 21612.

STATE OF OREGON
County of Linn

I hereby certify that the attached was received and duly recorded by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

By *[Signature]* Deputy PAGE MF 1525 414

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