



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: Alan Cleaver
First Last

Mailing Address P.O. Box 1191
Hermiston OR 97838
City State Zip

Phone: (541)567-2380
Home Work Other

*Fax: _____ *E-Mail address: alan.cleaver@cbsag.com

MS. ANGEL

B. Organizations

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

Name of Organization: _____

Name and Title of Person Applying: _____

Mailing Address of Organization: _____

City State Zip

Phone: _____
Day Evening

*Fax: _____ *E-Mail address: _____

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SALEM, OREGON

*Optional

| | | |
|-------------------------|------------------|------------|
| For Department Use | | |
| App. No. <u>G-17260</u> | Permit No. _____ | Date _____ |

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.

[Empty box for listing names and mailing addresses of affected landowners]

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3. GROUNDWATER DEVELOPMENT

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A. Well Information

Number of well(s): 3 Wells (Well 11, Well 12, and Well F)

Name of nearest surface water body: Lower Sand Springs

Distance from well(s) to nearest stream or lake:

1) Well 11-5280 ft 2) Well 12-4400 ft 3) Well F-3800 ft 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and wellhead:

1) Well 11-10 ft 2) Well 12-0 ft 3) Well F-0 ft 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:

Wells are already constructed and authorized in existing permits and water rights

Mailing Address: _____

City State Zip

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) |
|----------|-------------------|--|--|------------------------------------|----------------------------------|
| Well 11 | Alluvial | Irrigation and Supplemental Irrigation | 1300 gpm | 10 million | 1300 Gpm |
| Well 12 | Alluvial | Irrigation and Supplemental Irrigation | 1300 gpm | 10 million | 1300 Gpm |
| Well F | Alluvial | Irrigation and Supplemental Irrigation | 3000 gpm | 10 million | 1300 Gpm |
| | | | | | |

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 7.7 cfs
 (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: March 1-Oct. 31
 (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:
615.2 Acres
 (This number should be consistent with you application map.)

5. WATER MANAGEMENT

A. Diversion

What method will you use to divert water from the source?

- Pump (give horsepower and pump type): Well 11-100hp Elect. Turbine, Well 1-100hp Elect. Turbine, Well F-350hp Variable Speed Elect. Turbine
- 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): **Please refer to Delivery System Map**

Diameter _____ Length _____

- Other (describe) _____

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C. Application/Distribution Method

What equipment will you use to apply water to your place of use?

Center Pivots, Solid Set Sprinkles

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 Solid Sets

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? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

System already exist

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: Started

Proposed date construction will be completed: Completed

Proposed date beneficial water use will begin Completed

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

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.

This application proposes to supplement irrigate 602.8 acres which has West Extension Irrigation Districts Rights. We will use this right when West Extensions water is not available.

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8. MAP REQUIREMENTS

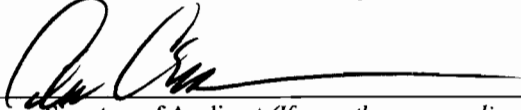
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place 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, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

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



9-2-09

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

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.

WRD on the web:
www.wrd.state.or.us

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OREGON WATER RESOURCES DEPARTMENT

FORM I

FOR _____ WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary

Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each use.

Primary: 14.4 Acres

Secondary: 614.2 Acres

List the permit or certificate number of the primary water right: No. Cert. 79926 &

79928

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

1. Onions Full Season _____ *Partial Season (from: _____ to _____)*

2. Corn Full Season _____ *Partial Season (from: _____ to _____)*

3. Alfalfa Full Season _____ *Partial Season (from: _____ to _____)*

4. Grass Seed Full Season _____ *Partial Season (from: _____ to _____)*

3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

1000 acre-feet
(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily:

Daily during daytime hours

Daily during night time hours

Two or three times weekly during day time

Two or three times weekly during night time

Weekly, during daytime hours

Weekly, during night time hours

Other, explain:

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Oregon Water Resources Department Land Use Information Form

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. WRD will use this and other information to evaluate the water use application. 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, or exchange 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.

To Be Completed By Applicant

This section must be completed by the individual or group that is filing an application with the Water Resources Department. Attach a copy of the map from the application to this form.

- A. Applicant

Name: Alan Cleaver
 Address: P.O. Box 1191
 City: Hermiston State: OR Zip: 97838 Day Phone: (541)567-2380

- B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) 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.

| Tax Lot I.D. | Plan Designated (e.g. Rural Residential/RR-5) | Water to be: (Check all that apply) | Proposed Land Use |
|---|---|--|-------------------|
| T5N R26E WM Sect. 34 TLs 100, & 103 | EFU | <input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | Irrigation |
| T5N R26E WM Sect. 35 TLs 100 | EFU | <input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used | Irrigation |
| T4N R26E WM Sect. 2 TLs 300, & 400 | EFU | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | Irrigation |
| T4N R26E WM Sect. 3 TLs 100, 101, 102, 200, 300, 500, & 60000 | EFU | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | Irrigation |
| | | | |
| | | | |

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

- C. Description of Proposed Use

Indicate the type of application to be filed with the Water Resources Department.
 Water Use Permit Water Right Transfer Allocation of Conserved Water Exchange

Indicate the intended use of water and describe the key characteristics of the project.

- Commercial Industrial Instream Irrigation
 Municipal Quasi-municipal Domestic (indicate number of households)
 Other _____

Briefly describe: **This application proposes to supplemental irrigate from existing wells areas with West Extension Irrigation District Water Rights when their water is not available**

Indicate the source of the water to be used.

- Reservoir/Pond Ground Water Surface Water _____ (Source)

Indicate the estimated quantity of water the use will require: 7.83 CFS GPM Acre-Feet

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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 this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

A. Allowed Use

Check the appropriate box below and provide 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): 3.010. Go to section B "Approval" below.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) 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.

| Type of Land Use Approval Needed (3.g. plan amendments, rezones, conditional use permits, etc.) | City Most Significant, Applicable Plan Policies & Ordinance Section References | Check the item that applies: Land Use Approval | |
|---|--|--|--|
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued |

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action/land use decision and accompanying findings are sufficient.)

B. Approval

Please provide printed name and written signature.

Name: Lori Timmons Date: 8/11/2009
 Title: Associate Planner Phone: 541-922-4624
 Signature: Lori Timmons

C. Additional Comments

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

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Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. 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.

2004-12115

Deed # 4
G-17260

2004-115

WARRANTY DEED-STATUTORY FORM
INDIVIDUAL GRANTOR

Richard J. Carney, Grantor, conveys and warrants to Cleaver Land, LLC, an Oregon Limited Liability Company, Grantee, the following described real property free of encumbrances, except as specifically set forth herein, situated in Morrow County, Oregon. The true consideration for this conveyance is \$2,855,000.00; \$2,446,900.00 of which having been paid to Grantor and the remaining \$408,100.00 to be paid to Grantor as Grantor's percentage of a Promissory Note executed by Grantee and others in favor of Grantor and others contemporaneously herewith.

Township 5 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

Section 27: South 1/2; South 1/2 North 1/2

Section 34: All EXCEPTING THEREFROM that portion of the Southwest Quarter of the Southwest Quarter of said Section 34 lying South of the Columbia River Highway.

Section 35: Northwest 1/4, EXCEPTING THEREFROM that portion described in Deed to the State of Oregon, by and through its State Highway Commission, recorded July 11, 1961, in Book 66, Page 301, Morrow County Deed Records.

Township 4 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

Section 3: Beginning at the Northeast corner of said Section 3, said point being the true point of beginning of this description; thence South 89° 41' West along the North line of said Section a distance of 1,900.00 feet; thence South parallel to the East Section line a distance of 850.00 feet; thence North 79° 01' 28" East a distance of 1,680.74 feet; thence South parallel to the East Section a distance of 520.00 feet; thence East a distance of 250.00 feet, more or less, to a point on the East section line of said Section 3; thence North a distance of 1,050.00 feet, more or less, along the East Section line to the true point of beginning.

ALSO, the North 1,750.00 feet of the West Half of the Southwest Quarter.

//

AFTER RECORDING RETURN TO AND SEND TAX STATEMENTS TO:

MCTE
CLEAVER LAND, LLC
P.O. BOX 1191
HERMISTON, OR 97838

Page 1- WARRANTY DEED

Webb, Martinis & Hill
1114 - 12th Street S.E.
Salem, Oregon 97302
(503) 363-9264

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SUBJECT TO:

1. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
2. Easements, encumbrances, or claims thereof, not shown by the public records, reservations or exceptions in patents or in acts authorizing the issuance thereof, water rights, claims or title to water.
3. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose.
5. The rights of the public in roads and highways.
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. Right of Way for the West Extension Canal, as granted by Act of Congress.
8. 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.
9. Reservations, including the terms and provisions thereof, as reserved in deed from the Northern Pacific Railroad Company, recorded June 24, 1918, in Book 31, Page 328, Morrow County Deed Records.
10. Right of Way for Electric Transmission and distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded April 11, 1938, as in Book 44, Page 585, Morrow County Deed Records.
11. Reservations as contained in Patent, including the terms and provisions thereof, recorded October 2, 1952, in Book 56, Page 79, Morrow County Deed Records.
12. Transmission Line Easement, including the terms and provisions thereof, in favor of the United States of America, recorded February 19, 1953, in Book 56, Page 356, Morrow County Deed Records.

Page 2- WARRANTY DEED

Webb, Martinis & Hill
1114 - 12th Street S.E.
Salem, Oregon 97302
(503)363-9264

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13. Transmission Line Easement, including the terms and provisions thereof, in favor of the United States of America, recorded September 19, 1955, in Book 60, Page 1, Morrow County Deed Records.
14. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded February 5, 1957, as in Book 61, Page 401, Morrow County Deed Records.
15. Transmission Line Easement, including the terms and provisions thereof, in favor of the United States of America, recorded September 24, 1965, in Book 72, Page 378, Morrow County Deed Records.
16. Transmission Line and Access Road Easement, including the terms and provisions thereof, in favor of the United States of America, recorded March 31, 1967, in Book 74, Page 374, Morrow County Deed Records.
17. Reservations of right of way for Ditches or canals, minerals, right of way for Federal Aid Highway and right of way for electric Power Transmission Purposes, including the terms and provisions thereof, as contained in Patent recorded August 13, 1968 as M-870, Morrow County Microfilm Records.
18. Mineral Reservations, including the terms and provisions thereof, as contained in deed from Burlington Northern, Inc. recorded May 10, 1972 as M-4726, Morrow County Microfilm Records.
19. Mineral Reservations, including the terms and provisions thereof, as contained in deed from Burlington Northern, Inc., recorded November 1, 1973 as M-6184, Morrow County Microfilm Records.
20. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded November 1, 1973, as Microfilm No. M-6186, Morrow County Microfilm Records.
21. Right of Way Easement, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded April 16, 1974 as M-6711, Morrow County Microfilm Records.
22. Water Usage Agreement, including the terms and provisions thereof, recorded January 12, 1984, as No. M-22696, Morrow County Microfilm Records.

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23. Easement, including the terms and provisions thereof, in favor of Logan Farms, Inc. recorded March 8, 1989, as No. M-32628, Morrow County Microfilm Records.
24. Agreement Regarding Easement, including the terms and provisions thereof, recorded October 29, 1993, as No. M-41371, Morrow County Microfilm Records.
25. Easement for ingress and egress, including the terms and provisions thereof, in favor of MB Farms, as disclosed in Deed recorded September 8, 2000, as Microfilm No. M-2000-1994, Morrow County Microfilm Records.
26. Covenant not to sell separately, including the terms and provisions thereof, recorded September 22, 2000 as Microfilm No. M-2000-2121, Morrow County Microfilm Records.
27. Memorandum of Water Delivery Contract; Grant of Easement, including the terms and provisions thereof, between Logan Farms, Inc., an Oregon Corporation, Logan Farms II, LLC, an Oregon Limited Liability Company, Dennis B. Logan, individually and Richard J. Carney, dated March 6, 2001 and recorded April 26, 2001 as Microfilm No. M-2001-858, Morrow County Microfilm Records.
28. Memorandum of Water Delivery Contract; Grant of Easement, including the terms and provisions thereof, between Logan Farms, Inc., an Oregon Corporation, Logan Farms II, LLC, an Oregon Limited Liability Company, Dennis B. Logan, Individually and Richard J. Carney, dated March 6, 2001 and recorded April 26, 2001 as Microfilm No. M-2001-859, Morrow County Microfilm Records.
29. Memorandum of Water Delivery Contract; Grant of Easement, including the terms and provisions thereof, between Logan Farms, Inc., an Oregon Corporation, Logan Farms II, LLC, an Oregon Limited Liability Company, Dennis B. Logan, Individually and Richard J. Carney, dated March 6, 2001 and recorded April 26, 2001 as Microfilm No. M-2001-860, Morrow County Microfilm Records.
30. Memorandum of Water Delivery Contract; Grant of Easement, including the terms and provisions thereof, between Logan Farms, Inc., an Oregon Corporation, Logan Farms II, LLC, an Oregon Limited Liability Company, Dennis B. Logan, individually and Richard J. Carney, dated March 6, 2001 and recorded April 26, 2001 as Microfilm No. M-2001-861, Morrow County Microfilm Records.
31. Morrow County real property taxes for the 2004-2005 fiscal tax year.

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ALSO SUBJECT TO all encumbrances placed or suffered to be placed against the subject property by or through the purchaser after November 6, 2003.

Grantor warrants that the above-described real property is free and clear from all encumbrances or claims either placed against the above-described real property or suffered to be placed against the same by Grantors.

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.

Dated this 13th day of September, 2004.

[Signature]
Richard J. Carney

STATE OF OREGON)
)ss.
County of Marion)

On this 13th day of September, 2004, personally appeared before me the above-named Richard J. Carney, and acknowledged the foregoing instrument to be his voluntary act and deed.



[Signature]
Notary Public for Oregon

AFTER RECORDING RETURN TO AND SEND TAX STATEMENTS TO:

STATE OF OREGON)
)ss.
County of Morrow)
I certify that this instrument was received and recorded in the book of records of said county.
BARBARA BEEDS WORTH
Morrow County Clerk
by: *[Signature]* Deputy.
Doc# 15215
Rcpt: 15215
09/15/2004

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MC Mid-Columbia Title Company

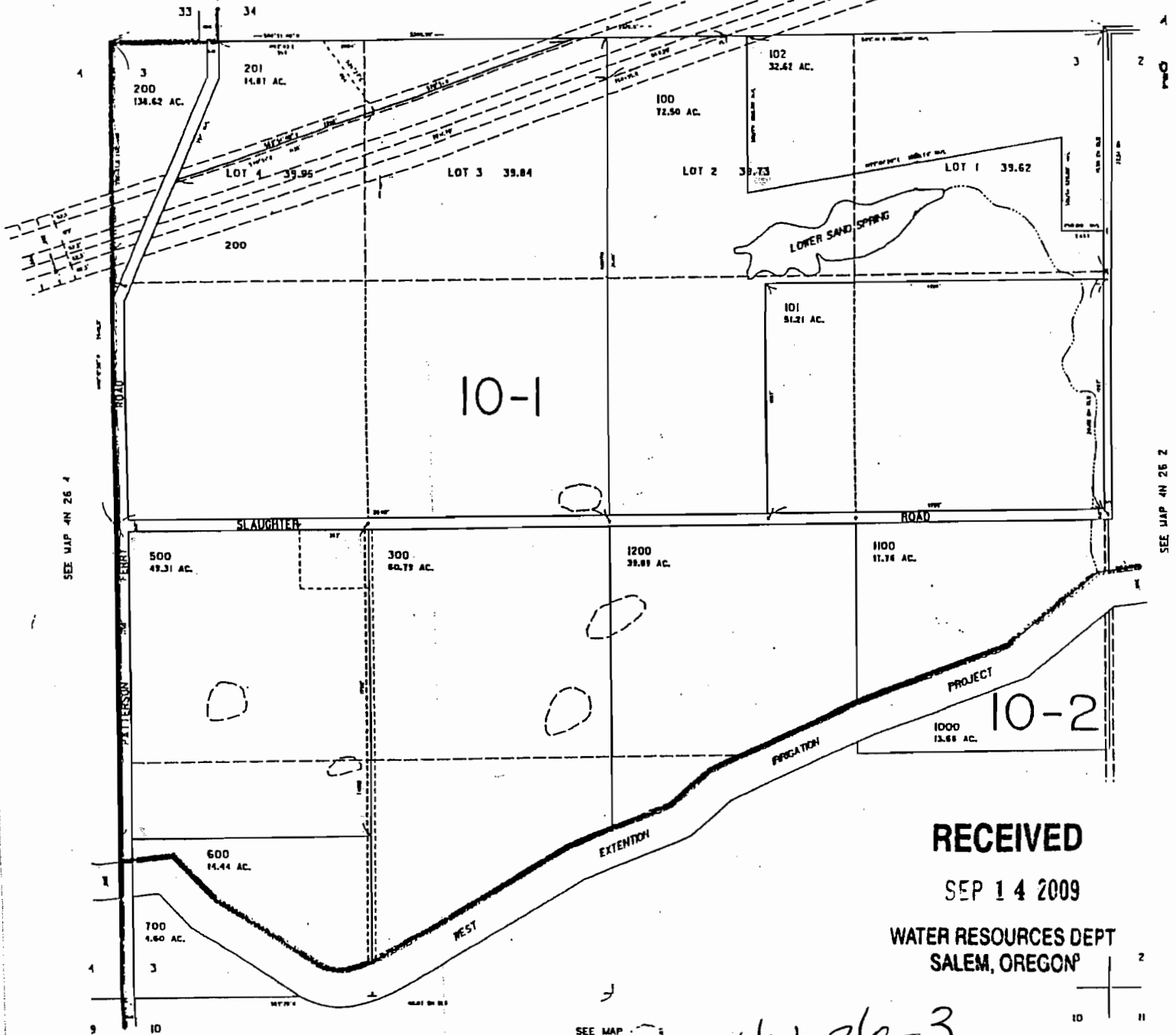
205 E. BOARDMAN AVE. / P.O. BOX 290 • BOARDMAN, OR 97818
 (541) 481-2280 • FAX (541) 481-3280

This sketch is furnished as a courtesy only by Mid-Columbia Title Company and First American Title Company, and it is not a part of any Title Commitment or Policy of Title Insurance. This is furnished solely for the purpose of assist in locating the premises and does not purport to show all highways, roads, or easements affecting the property. No reliance should be placed upon this sketch for location or dimensions of the property and no liability is assumed for the correctness thereof.

THIS MAP WAS PREPARED FOR
 ASSESSMENT PURPOSE ONLY

SECTION 3 T.4N. R.26E. W.M.
 MORROW COUNTY
 1" = 400'

SEE MAP 5N 26 34



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4N-26-3

MC Mid-Columbia Title Company

205 E. BOARDMAN AVE. / P.O. BOX 290 • BOARDMAN, OR 97818
(541) 481-2280 • FAX (541) 481-3280

This sketch is furnished as a courtesy only by Mid-Columbia Title Company and First American Title Company, and it is not a part of any Title Commitment or Policy of Title Insurance. This is furnished solely for the purpose of assist in locating the premises and does not purport to show all highways, roads, or easements affecting the property. No reliance should be placed upon this sketch for location or dimensions of the property and no liability is assumed for the correctness thereof.

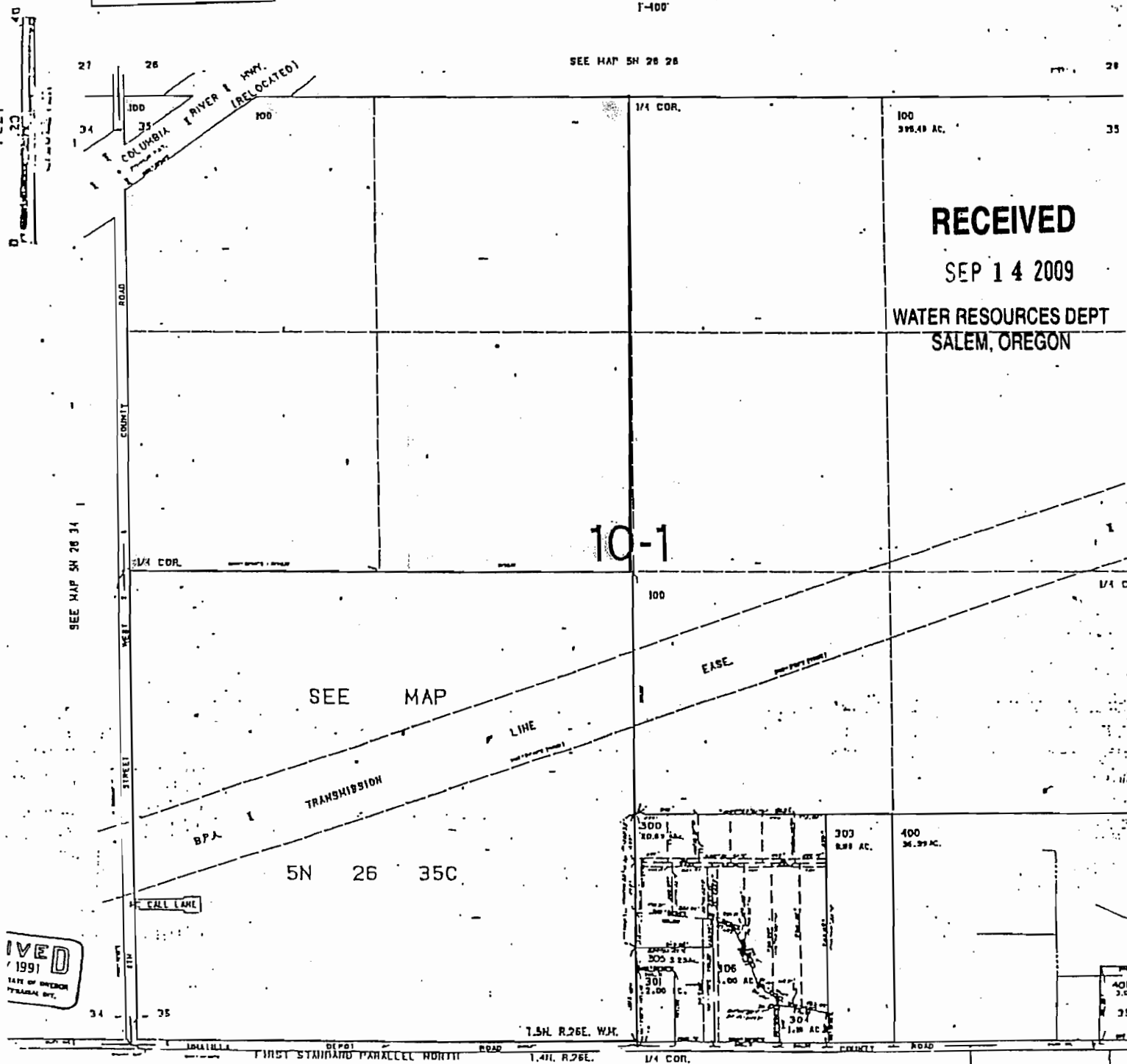
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY.

SECTION 35 T.5N. R.26E. W.M.
MORNING STAR COUNTY

T-100'

SEE MAP 5N 26 28

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SALEM, OREGON

10-1

SEE MAP

5N 26 35C

T.5N. R.26E. W.M.

FIRST STANDARD PARALLEL NORTH

1/4 COR.

IVED
1991
DATE OF RECORD
TRACED BY.

5N-26-35²

Q-17260

MC Mid-Columbia Title Company

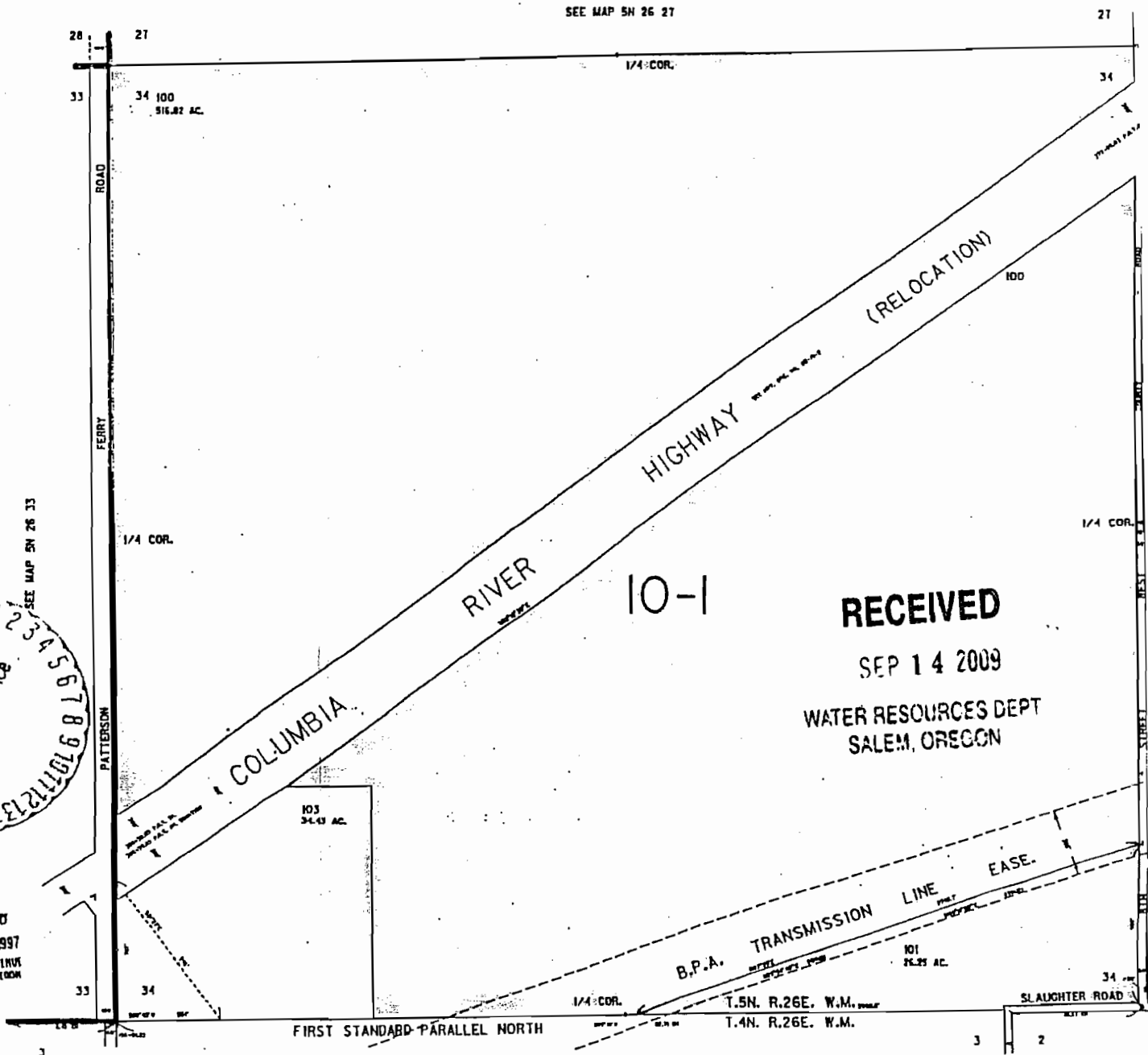
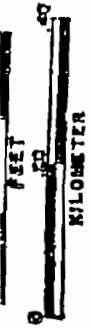
205 E. BOARDMAN AVE. / P.O. BOX 290 • BOARDMAN, OR 97818
(541) 481-2280 • FAX (541) 481-3280

This sketch is furnished as a courtesy only by Mid-Columbia Title Company and First American Title Company, and it is not a part of any Title Commitment or Policy of Title Insurance. This is furnished solely for the purpose of assisting in locating the premises and does not purport to show all highways, roads, or easements affecting the property. No reliance should be placed upon this sketch for location or dimensions of the property and no liability is assumed for the correctness thereof.

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 34 T.5N. R.26E. W.M.
MORROW COUNTY
1" = 400'

SEE MAP 5N 26 27



282930371123456789101112131415161718
MAR 1997
Morrow County Assessor's Office

RECEIVED
SEP 14 2009
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
MAR 20 1997
DEPT. OF REVENUE
STATE OF OREGON

SEE MAP 4N 26 3

5N-26-34

MC Mid-Columbia Title Company

Q-17260

205 E. BOARDMAN AVE. / P.O. BOX 290 • BOARDMAN, OR 97818
 (541) 481-2280 • FAX (541) 481-3280

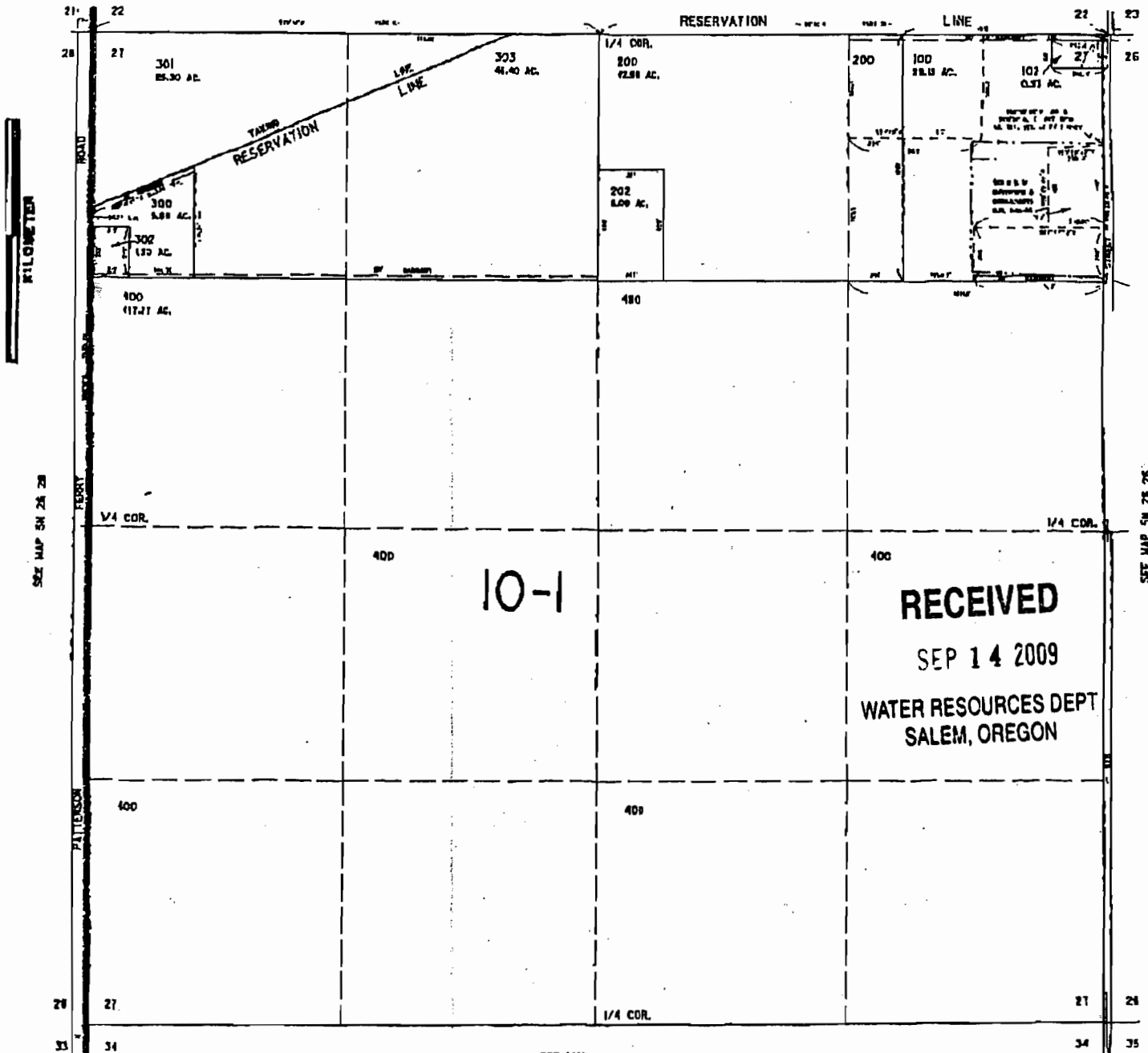
This sketch is furnished as a courtesy only by Mid-Columbia Title Company and First American Title Company, and it is not a part of any Title Commitment or Policy of Title Insurance. This is furnished solely for the purpose of assist in locating the premises and does not purport to show all highways, roads, or easements affecting the property. No reliance should be placed upon this sket for location or dimensions of the property and no liability is assumed for the correctness thereof.

THIS MAP WAS PREPARED FOR
 ASSESSMENT PURPOSE ONLY

SECTION 27 T.5N. R.26E. W.M.
 MORROW COUNTY
 1" = 400'

5N

SEE MAP 5N 26 22



CANCELL
 NUMBER
 T.L. 10
 T.L. 11
 T.L. 12
 T.L. 20

RECEIVED
 SEP 14 2009
 WATER RESOURCES DEPT
 SALEM, OREGON

5N-26-27

5N 2

MTC 6871

Until a change is requested all tax statements should be sent to the following address:
CLEAVER LAND, LLC
P.O. BOX 1191
HERMISTON, OR 97838

After Recording Please Return to:
MID-COLUMBIA TITLE COMPANY
P.O. BOX 290
BOARDMAN, OR 97818

MORROW COUNTY, OREGON 2007-20426
D-WD
Crt=1 Str=1 TJ 09/28/2007 11:46:29 AM
\$10.00 \$11.00 \$10.00 \$31.00



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



STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, STAHL HUTTERIAN BRETHERN, A WASHINGTON CORPORATION, Grantors herein, do hereby grant, bargain, sell and convey unto CLEAVER LAND, LLC, AN OREGON LIMITED LIABILITY COMPANY, Grantees, the following described tract of land in the County of Morrow, and State of Oregon, more particularly described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO.

TO HAVE AND TO HOLD the granted premises unto the said Grantees, its heirs and assigns forever.

And the Grantors do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any, and that they will, and their successors heirs executors and administrators shall Warrant and forever defend the granted premises, against the lawful claims and demands of all persons, except as stated below:

THE TRUE AND ACTUAL CONSIDERATION IS \$554,110.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352.

Dated this 26 day of September, 2007.

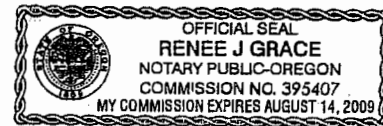
STAHL HUTTERIAN BRETHERN, a Washington Corporation

By: John Stahl President
John Stahl, President

STATE OF OREGON
COUNTY OF Morrow

This instrument was acknowledged before me this 26 day of September, 2007 by JOHN STAHL AS PRESIDENT OF STAHL HUTTERIAN BRETHERN, a Washington Corporation.

Renee J Grace
Notary Public for the State of OREGON
My Commission Expires:



RECEIVED

SEP 14 2009

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "A"

Parcel 1:

TOWNSHIP 4 NORTH RANGE 26 EAST OF THE WILLAMETTE MERIDIAN, MORROW COUNTY OREGON:

SECTION 3: The North Half, **EXCEPT** the South 1,287 feet of the East 1,795 feet thereof; **ALSO EXCEPT** Beginning at the Northeast corner of said Section 3; thence South 89 degrees 41' West along the North line of said Section 1,900 feet; thence South parallel to the East Section line 850 feet; thence North 79 degrees 01' 28" East a distance of 1,680.74 feet to a point; thence South parallel to the East Section line a distance of 520 feet; thence East 250 feet, more or less, to the East line of said Section 3; thence North 1,050 feet along said East line to the point of beginning. **ALSO EXCEPTING THEREFROM** all that portion of Government Lot 4 also known as the NW 1/4 of the NW 1/4, lying West of Patterson Ferry Road.

Parcel 2:

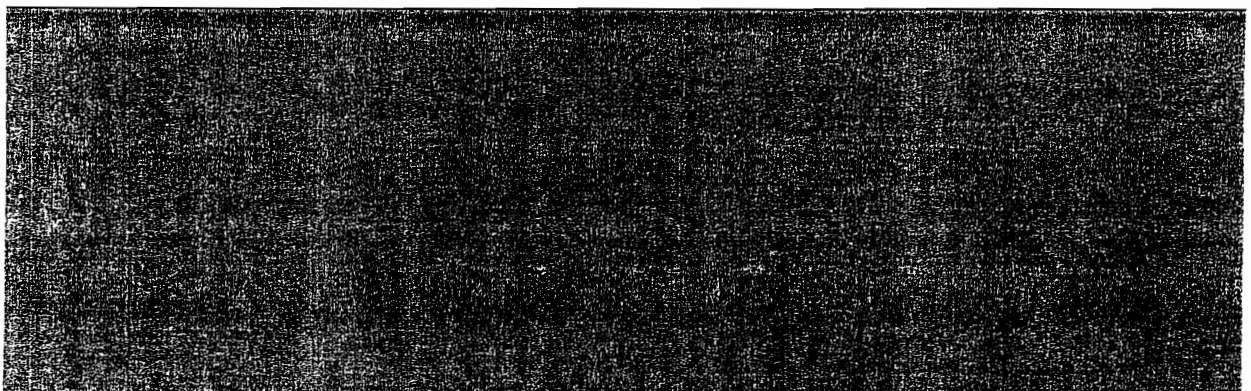
TOWNSHIP 5 NORTH RANGE 26 EAST OF THE WILLAMETTE MERIDIAN, MORROW COUNTY OREGON:

SECTION 34: SW 1/4 SW 1/4, lying South of the Columbia River Highway.

RECEIVED

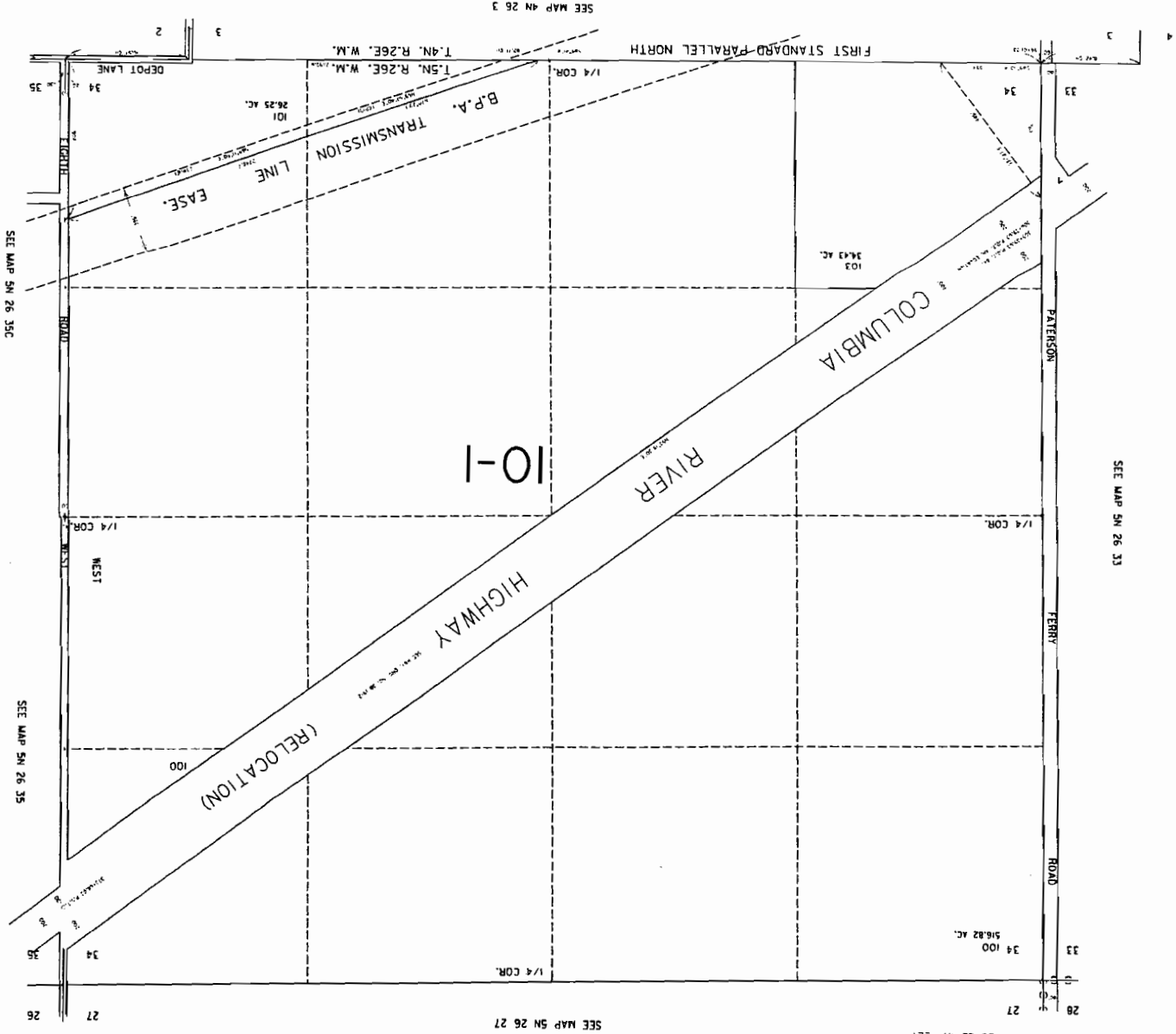
SEP 14 2009

WATER RESOURCES DEPT
SALEM, OREGON



1289 to 20

SN 26 34
Revised
8/12/2005, KH



SECTION 34 T.5N. R.26E. W.M.
MORROW COUNTY

SN 26 34

SCALE IN FEET
0 400 800

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

CANCELLED
NUMBERED
11-02

RECEIVED

SEP 14 2009

WATER RESOURCES DEPT
SALEM, OREGON

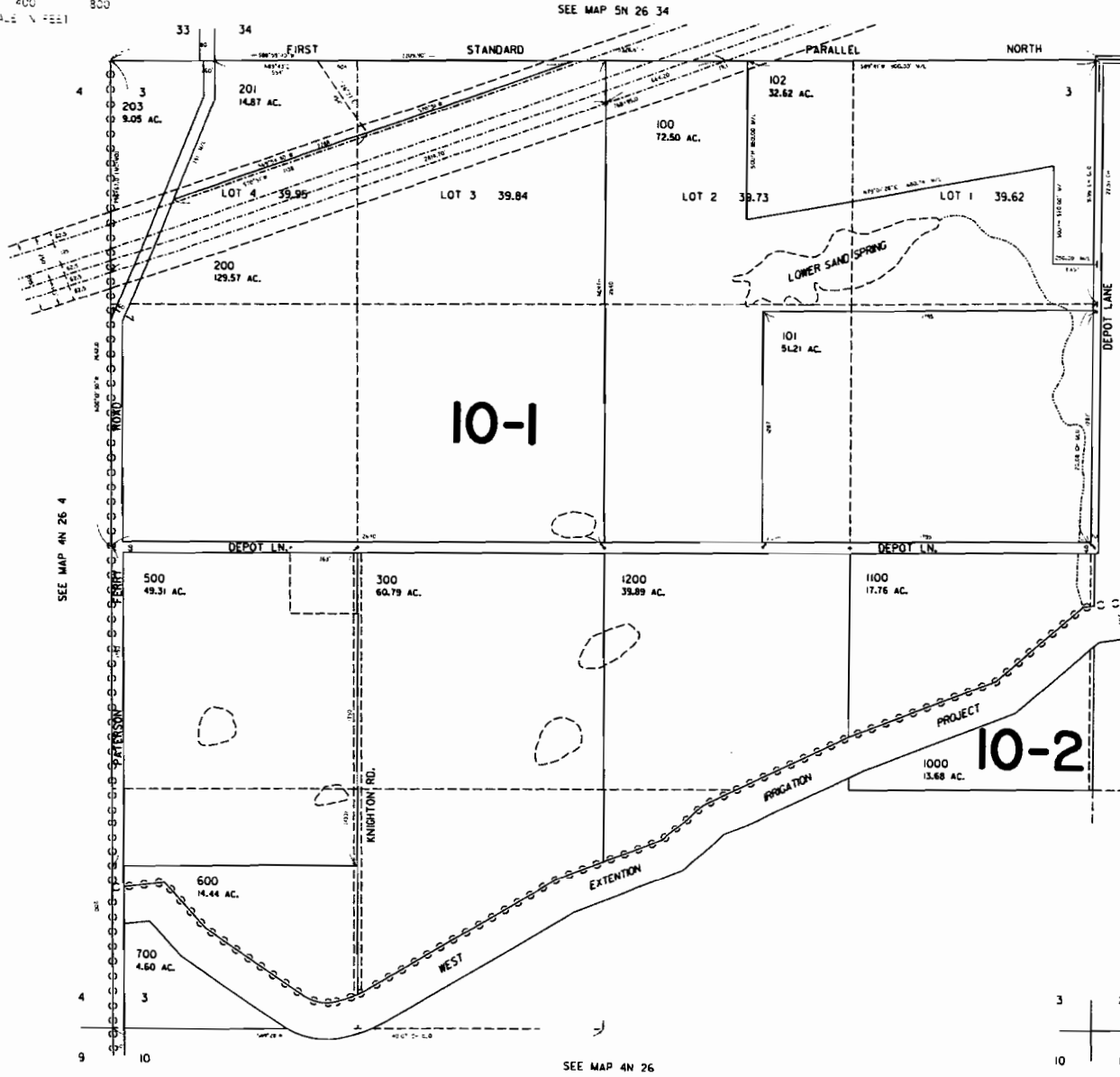
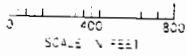
6-17260

09271-3

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 3 T.4N. R.26E. W.M.
MORROW COUNTY
1" = 400'

4N 26 3



CANCELLED
NUMBERS
202
800
300
900
400
600

RECEIVED
SEP 14 2009
WATER RESOURCES DEPT
SALEM, OREGON

SEE MAP 4N 26 4

SEE MAP 4N 26 2

SEE MAP 4N 26



Revised
8/12/2005, KH
4N 26 3

4N 26 2, Deed # 2
G-1760

26.00
MCC-Accan

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.

STATE OF OREGON, } ss.
County of _____

I certify that the within instrument was received for record on _____ M., and recorded in MORROW COUNTY, OREGON **2009-23505** on page _____
D-BS **02/25/2009 01:13:00 PM** /microfilm/reception
Crd=1 Str=1 TC \$5.00 \$11.00 \$10.00 **\$26.00** cords of said County.

ABC Properties LLC
PO Box 1191
Hermiston, OR 97838
Grantor's Name and Address


Cleaver Land LLC
PO box 1191
Hermiston, OR 97838
Grantee's Name and Address

After recording, return to (Name, Address, Zip):
Cleaver Land LLC
PO Box 1191
Hermiston, OR 97838

Until requested otherwise, send all tax statements to (Name, Address, Zip):
Same as above

00009508200900235050010012

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



BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that ABC PROPERTIES, LLC, an Oregon Limited Liability Company hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto CLEAVER LAND, LLC, an Oregon Limited Liability Company hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Morrow County, State of Oregon, described as follows, to-wit:

A parcel of land located in Section 2, Township 4 North, Range 26, East of the Willamette Meridian, in the County of Morrow, and State of Oregon, described as follows:

Lots 8, 9, and 15, consisting of the West Half of the Northwest Quarter and that portion of the Northwest Quarter of the Southwest Quarter lying North of the West Extension Irrigation Canal.

RECEIVED

SEP 14 2009

WATER RESOURCES DEPT
SALEM, OREGON

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto 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 part of the the whole (indicate which) consideration. (The sentence between the symbols Φ , if not applicable, should be deleted. See ORS 93.030.)
In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.
IN WITNESS WHEREOF, the grantor has executed this instrument on February 19, 2009; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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. 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.

ABC Properties, LLC
BY: Alan Cleaver
Alan Cleaver

STATE OF OREGON, County of Morrow) ss.
This instrument was acknowledged before me on _____
by _____
This instrument was acknowledged before me on February 19, 2009
by Alan Cleaver
as member
of ABC Properties, LLC an Oregon Limited Liability Company



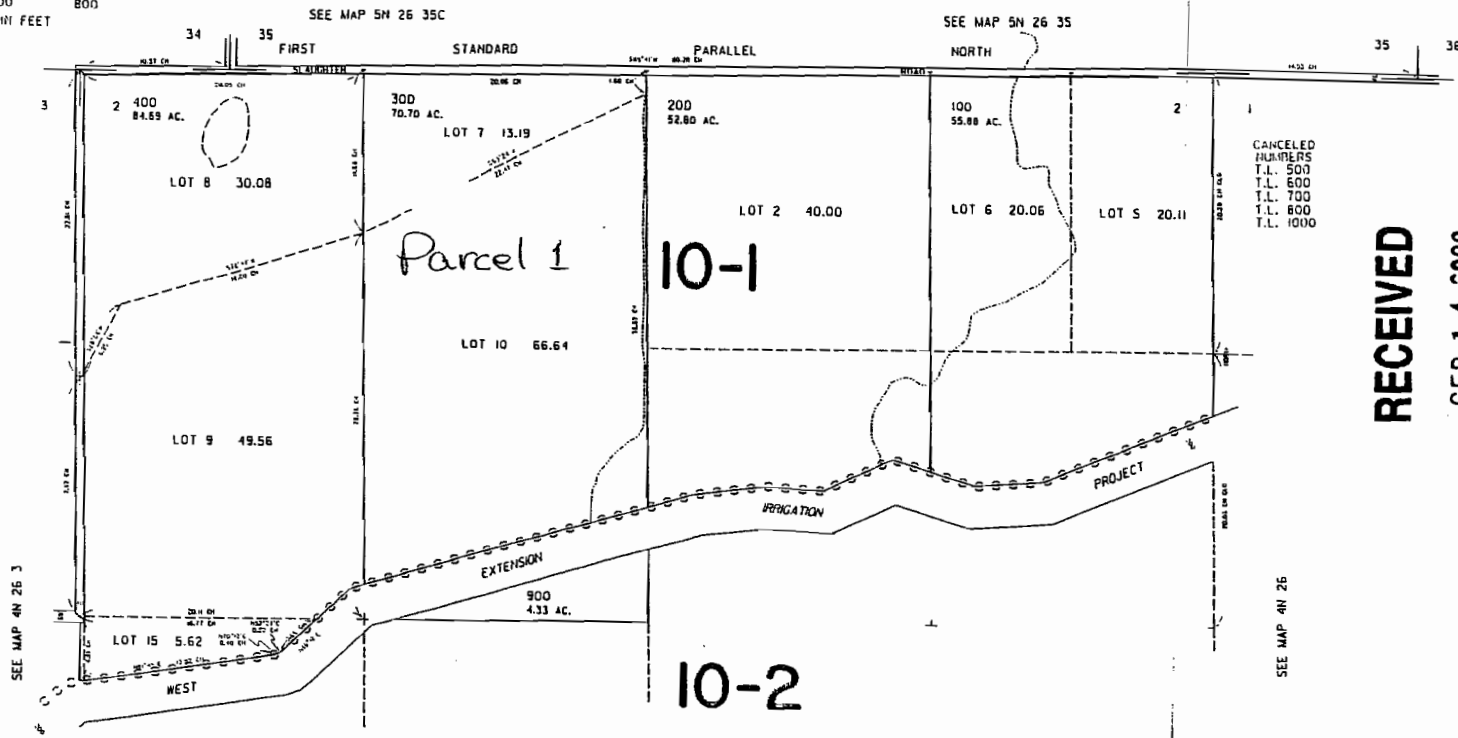
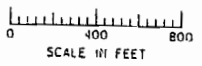
Krista A Price
Notary Public for Oregon
My commission expires June 7, 2010

6-17-60

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 2 T.4N. R.26E. W.M. MORROW COUNTY 1" = 400'

4N 26 2



CANCELED NUMBERS T.L. 500 T.L. 600 T.L. 700 T.L. 800 T.L. 1000

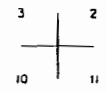
RECEIVED

SEP 14 2009

WATER RESOURCES DEPT SALEM, OREGON

SEE MAP 4N 26 3

SEE MAP 4N 26



SEE MAP 4N 26

4N 26 2

②

Deed #3
G-17260

MORROW COUNTY, OREGON 2007-20171
D-WD 08/29/2007 12:03:21 PM
Cnt=1 Sm=1 TJ
\$15.00 \$11.00 \$10.00 \$36.00

Until a change is requested all tax statements should be sent to the following address:
Clever Land, LLC
P.O. Box 1191
Hermiston, OR 97838



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



WCTC 6832

After Recording Please Return to:
MID-COLUMBIA TITLE COMPANY
P.O. BOX 290
BOARDMAN, OR 97818

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, WESTERN EMPIRES CORPORATION, an Oregon corporation, Grantors herein, do hereby grant, bargain, sell and convey unto CLEAVER LAND, LLC, an Oregon limited liability company, Grantees, the following described tract of land in the County of Morrow, and State of Oregon, more particularly described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO.

TO HAVE AND TO HOLD the granted premises unto the said Grantees, its heirs and assigns forever.

And the Grantors do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any, and that they will, and their successors heirs executors and administrators shall Warrant and forever defend the granted premises, against the lawful claims and demands of all persons, except as stated below:

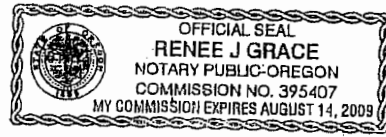
THE TRUE AND ACTUAL CONSIDERATION IS \$972,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352.

Dated this 29th day of AUGUST, 2007

WESTERN EMPIRES CORPORATION, an Oregon corporation

By: Dennis B. Logan
DENNIS B. LOGAN, President



STATE OF OREGON
COUNTY OF MORROW

This instrument was acknowledged before me this 29 day of August, 2007 by Dennis B. Logan as President of Western Empires Corporation, an Oregon corporation.

Renee J. Grace
Notary Public for the State of OREGON
My Commission Expires:

RECEIVED

SEP 14 2009

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "A"

Parcel 1:

Township 4 North, Range 26, East of the Willamette Meridian, in the County of Morrow, and State of Oregon.

Section 2: The East Half of the Northwest Quarter lying North of the West Extension Irrigation Canal, EXCEPTING AND RESERVING a 12 foot right of way for an easement for irrigation purposes along the East boundary line of said property together with the right to go upon said land for the purposes of building, operating and maintaining.

Parcel 2:

Township 4 North, Range 26, East of the Willamette Meridian, in the County of Morrow, and State of Oregon.

Section 3: The Northeast Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter, lying North of the West Extension Irrigation District Canal. EXCEPTING THEREFROM that portion Conveyed to Morrow County by Deed recorded July 21, 1955 in Book 59, Page 419, Morrow County Deed Records. ALSO EXCEPTING THEREFROM that portion conveyed to the United States of America in Deed recorded June 26, 1948, in Book 51, Page 356, Morrow County Deed Records.

Parcel 3:

Township 4 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon:

Section 3: The Southwest Quarter of the Southwest Quarter. EXCEPTING THEREFROM that portion lying South of the West Extension Irrigation District Canal. ALSO EXCEPTING THEREFROM that portion conveyed to the United States of America in Deed recorded June 26, 1948, in Book 51, Page 356, Morrow County Deed Records. ALSO EXCEPTING THEREFROM the North 430 feet thereof.

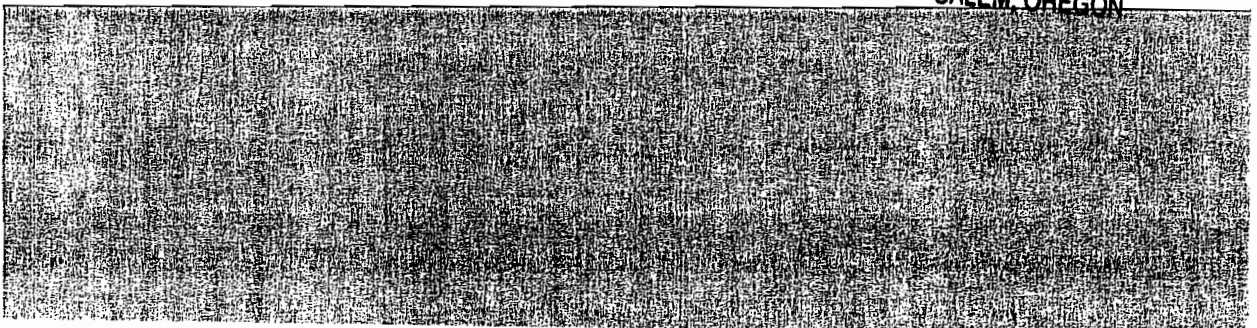
Parcel 4:

Township 5 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon:

Section 36: The East 7.80 acres of the Northeast Quarter of the Southeast Quarter, lying North of the West Extension Irrigation Canal.

RECEIVED

SEP 14 2009

WATER RESOURCES DEPT
SALEM, OREGON

Parcel 5:

Township 5 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

Section 36: The Northeast Quarter of the Southeast Quarter lying North and West of Irrigation Canal, EXCEPTING the East 7.80 acres of the Northeast Quarter of the Southeast Quarter of Section 36 lying North of the West Extension Irrigation District Canal.

ALSO that portion of the Southeast Quarter of the Southeast Quarter lying North and West of Irrigation Canal.

Parcel 6:

Township 4 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon, described as follows:

Section 3: The South 1,287.00 feet of the East 1,795.00 feet of the Northeast Quarter.

Parcel 7:

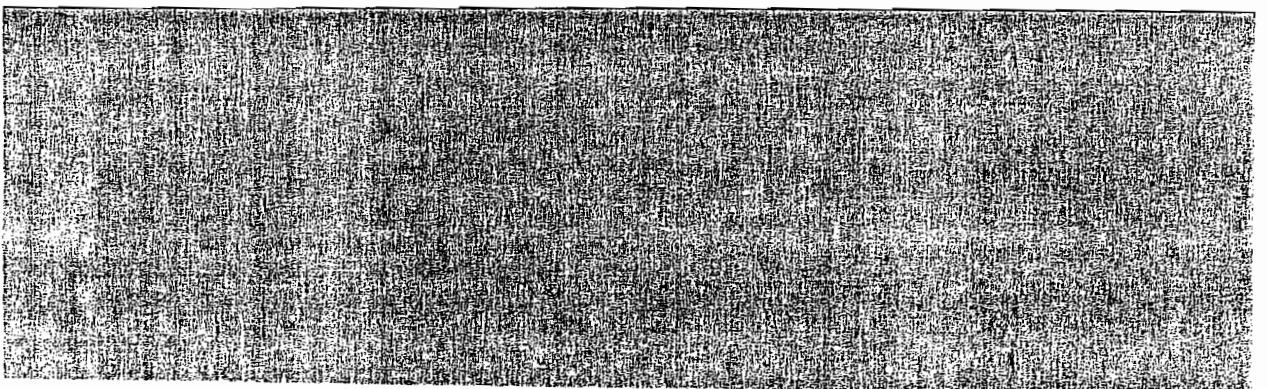
Township 4 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon:

Section 3: The Southwest Quarter of the Southwest Quarter lying South of the West Extension Irrigation Canal.

RECEIVED

SEP 14 2009

**WATER RESOURCES DEPT
SALEM, OREGON**

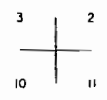
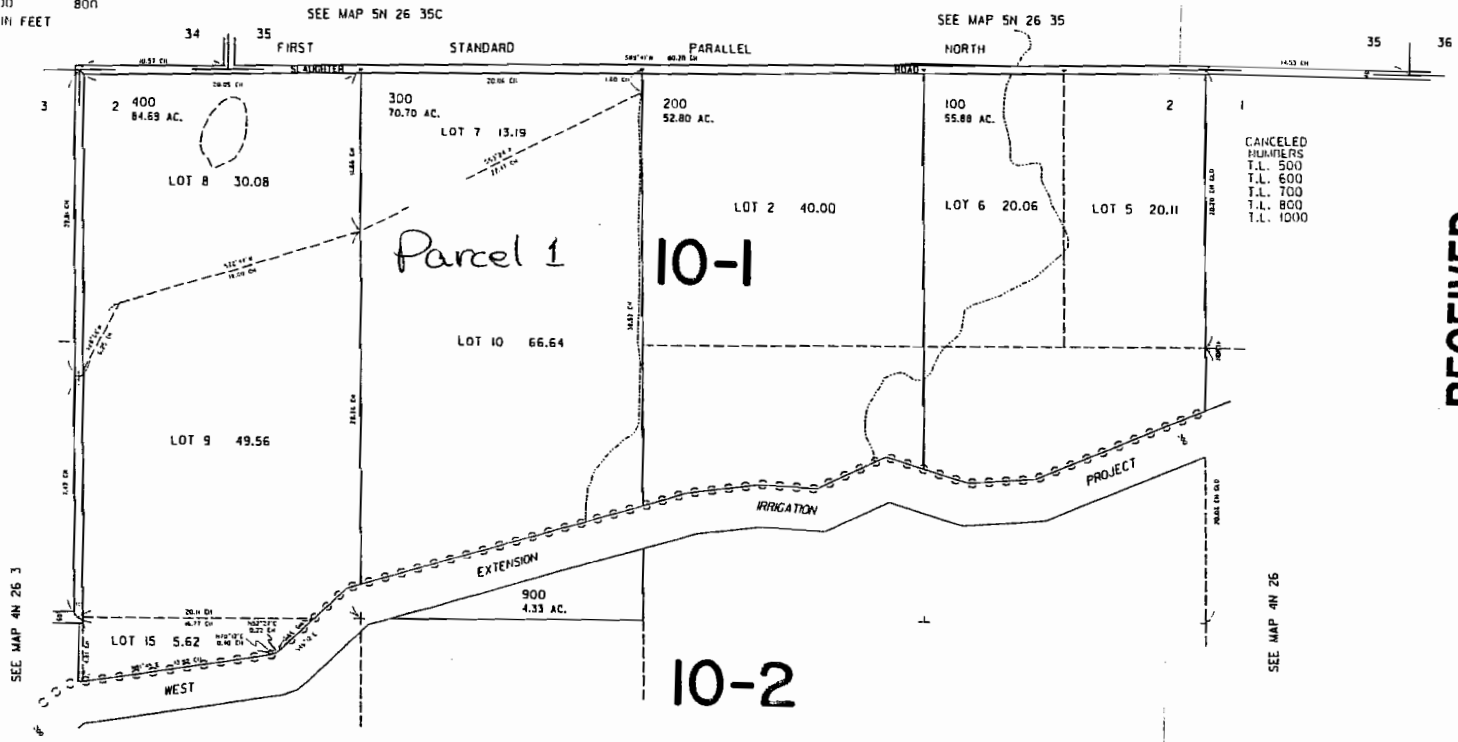
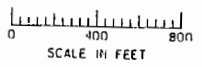


092715

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 2 T.4N. R.26E. W.M.
MORROW COUNTY
1" = 400'

4N 26 2



SEE MAP 4N 26



RECEIVED

SEP 14 2009

WATER RESOURCES DEPT
SALEM, OREGON

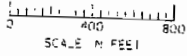
4N 26 2

G-7760

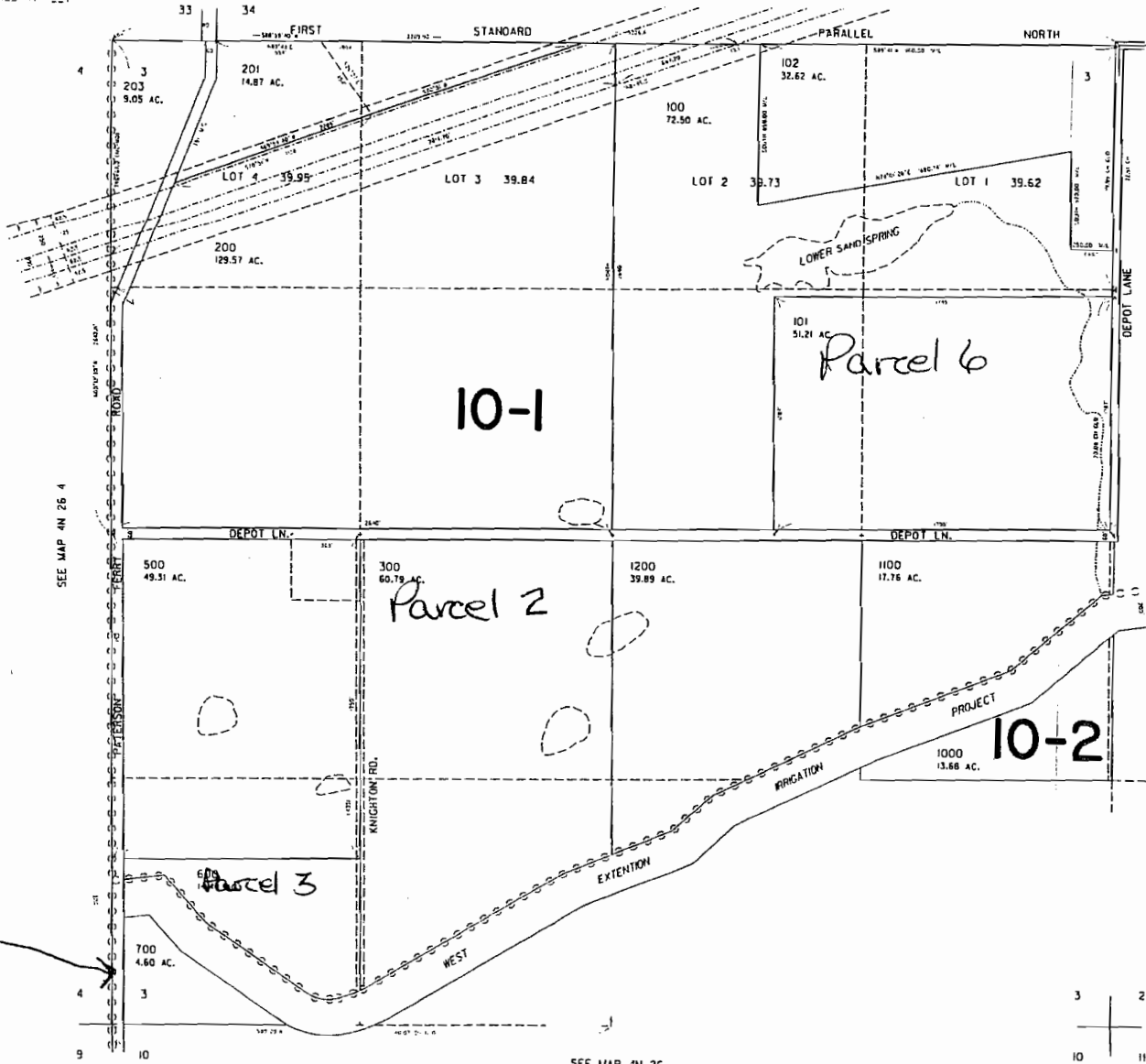
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 3 T.4N. R.26E. W.M. MORROW COUNTY 1" = 400'

4N 26 3



SEE MAP 5N 26 34



SEE MAP 4N 26 4

SEE MAP 4N 26 2

CANCELED NUMBERS T.L. 292 T.L. 800 T.L. 1300 T.L. 900 T.L. 400 T.L. 601

RECEIVED

SEP 14 2009

WATER RESOURCES DEPT SALEM, OREGON

Parcel 7

SEE MAP 4N 26

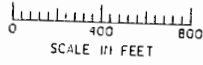


G-17760

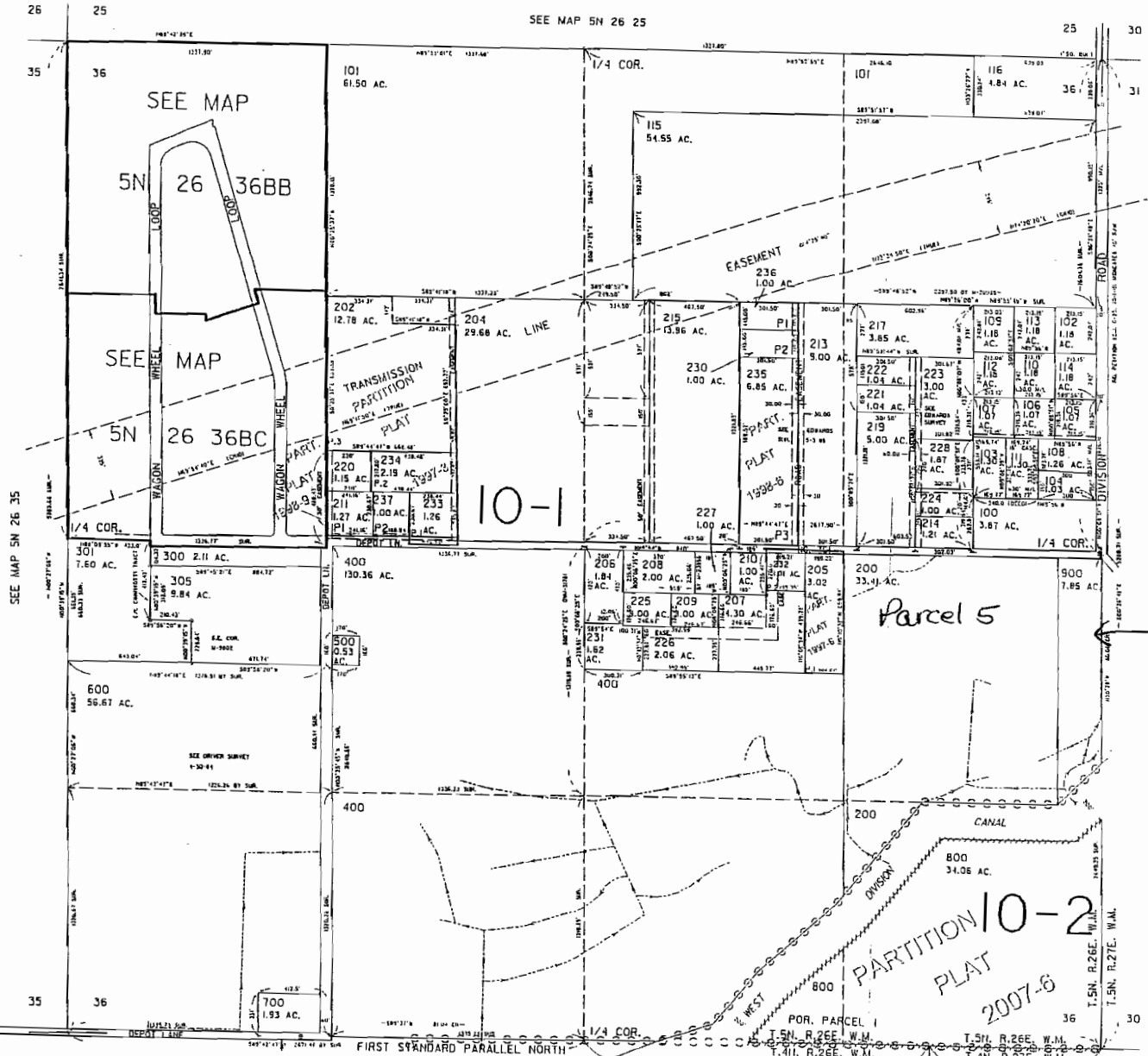
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 36 T.5N. R.26E. W.M. MORROW COUNTY I" = 400'

5N 26 36 & INDEX



RECEIVED SEP 14 2009 WATER RESOURCES DEPT SALEM, OREGON



- CANCELLED NUMBERS T.L. 201 T.L. 302 T.L. 303 T.L. 304 T.L. 306 T.L. 307 T.L. 308 T.L. 401 T.L. 229 T.L. 203 T.L. 216 T.L. 218 T.L. 212

2 1

SEE MAP 4H 26

Revised 5/24/2007, DBJ 5N 26 36 & INDEX

STATE OF OREGON

COUNTY OF

MORROW

CERTIFICATE OF WATER RIGHT

This is to certify, That PRUDENTIAL INSURANCE COMPANY
OF AMERICA

of PO Box 3048, Pasco, State of Washington 99302, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
Wells 1C, 3, 4, 5, 6, 7, 8, 12, and 9

a tributary of Columbia River for the purpose of
irrigation of 1086.4 acres

under Permit No. G-4933 and that said right to the use of said waters has been perfected in
accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from
November 5, 1971

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

13.58 cubic feet per second, being 1.55 cfs from 1C, 0.66 cfs from 3, 0.78 cfs
from 4, 1.59 cfs from 5, 1.38 cfs from 6, 1.46 cfs from 7, 1.60 cfs from 8,
2.99 cfs from 12 and 1.57 cfs from 9

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is
located in the

NE 1/4 NW 1/4, Section 33, NW 1/4 NE 1/4, NW 1/4
NW 1/4, Section 34, NW 1/4 NE 1/4, Section 33, SW 1/4 NW 1/4, Section 34,
NW 1/4 SE 1/4, NE 1/4 SW 1/4, Section 33, SE 1/4 NE 1/4, Section 34, T5N,
R26E, WM; Well 1C - 1250 feet South and 1420 feet East from NW Corner,
Section 33; Well 3 - 70 feet South and 1710 feet West from NE Corner, *

The amount of water used for irrigation, together with the amount secured under any other right
existing for the same lands, shall be limited to one-eightieth of one cubic foot per second

per acre, or its equivalent for each acre irrigated and shall be further limited
to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated
during the irrigation season of each year

and shall

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

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

- * Section 34; Well 4 - 40 feet South and 1300 feet East from NW Corner,
Section 34; Well 5 - 1210 feet South and 1410 feet West from NE Corner,
Section 33; Well 6 - 340 feet North and 1040 feet East from W 1/4 Corner,
Section 34; Well 7 - 1460 feet North and 1560 feet West from SE Corner,
Section 33; Well 8 - 1370 feet North and 1430 feet East from SW Corner,
Section 33; Well 12 - 1540 feet South and 1210 feet West from NE Corner,
Section 34; Lot 3 (NE 1/4 NW 1/4), Section 4, T4N, R26E, WM; Well 9 - 900
feet South and 1440 feet East from NW Corner, Section 4

SEE NEXT PAGE

WELL 1C

30.2 acres NE 1/4 NW 1/4
 29.6 acres NW 1/4 NW 1/4
 30.8 acres SW 1/4 NW 1/4
 33.5 acres SE 1/4 NW 1/4
 0.1 acre NE 1/4 SW 1/4
 0.1 acre NW 1/4 SW 1/4
 Section 33
 Township 5 North, Range 26 East, WM

WELL 3

21.2 acres NE 1/4 NE 1/4
 30.8 acres NW 1/4 NE 1/4
 1.0 acre NE 1/4 NW 1/4
 Section 34
 Township 5 North, Range 26 East, WM

WELL 4

30.2 acres NE 1/4 NW 1/4
 32.0 acres NW 1/4 NW 1/4
 Section 34
 Township 5 North, Range 26 East, WM

WELL 5

29.4 acres NE 1/4 NE 1/4
 33.2 acres NW 1/4 NE 1/4
 33.2 acres SW 1/4 NE 1/4
 30.8 acres SE 1/4 NE 1/4
 0.2 acre NE 1/4 NW 1/4
 0.3 acre SE 1/4 NW 1/4
 Section 33
 Township 5 North, Range 26 East, WM

WELL 6

0.3 acre SE 1/4 NE 1/4
 Section 33
 2.6 acres NW 1/4 NE 1/4
 8.8 acres SW 1/4 NE 1/4
 6.8 acres NE 1/4 NW 1/4
 0.2 acre NW 1/4 NW 1/4
 37.2 acres SW 1/4 NW 1/4
 32.4 acres SE 1/4 NW 1/4
 5.8 acres NE 1/4 SW 1/4
 16.4 acres NW 1/4 SW 1/4
 Section 34
 Township 5 North, Range 26 East, WM

WELL 7

0.8 acre NE 1/4 SW 1/4
 0.6 acre SE 1/4 SW 1/4
 25.6 acres NE 1/4 SE 1/4
 36.0 acres NW 1/4 SE 1/4

30.2 acres SW 1/4 SE 1/4
 23.2 acres SE 1/4 SE 1/4
 Section 33
 Township 5 North, Range 26 East, WM

WELL 8

32.4 acres NE 1/4 SW 1/4
 32.0 acres NW 1/4 SW 1/4
 31.4 acres SW 1/4 SW 1/4
 31.5 acres SE 1/4 SW 1/4
 Section 33
 Township 5 North, Range 26 East, WM
 0.3 acre Lot 3 (NE 1/4 NW 1/4)
 Section 4
 Township 4 North, Range 26 East, WM

WELL 9

0.6 acre SW 1/4 SW 1/4
 8.0 acres SE 1/4 SW 1/4
 7.0 acres SW 1/4 SE 1/4
 Section 33
 Township 5 North, Range 26 East, WM

25.5 acres Lot 2 (NW 1/4 NE 1/4)
 38.7 acres Lot 3 (NE 1/4 NW 1/4)
 24.0 acres Lot 4 (NW 1/4 NW 1/4)
 10.6 acres SW 1/4 NW 1/4
 11.6 acres SE 1/4 NW 1/4
 Section 4
 Township 4 North, Range 26 East, WM

WELL 12

0.1 acre SE 1/4 NE 1/4
 1.9 acres NE 1/4 SE 1/4
 0.6 acre SE 1/4 SE 1/4
 Section 33
 12.8 acres SW 1/4 NE 1/4
 28.0 acres SE 1/4 NE 1/4
 5.3 acres SE 1/4 NW 1/4
 24.2 acres NE 1/4 SW 1/4
 17.9 acres NW 1/4 SW 1/4
 26.4 acres SW 1/4 SW 1/4
 32.8 acres SE 1/4 SW 1/4
 27.2 acres NE 1/4 SE 1/4
 36.0 acres NW 1/4 SE 1/4
 21.6 acres SW 1/4 SE 1/4
 Section 34
 Township 5 North, Range 26 East, WM
 4.0 acres Lot 3 (NE 1/4 NW 1/4)
 0.5 acres Lot 4 (NW 1/4 NW 1/4)
 Section 3
 Township 4 North, Range 26 East, WM

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

WITNESS the signature of the Water Resources Director, affixed

this date. February 10, 1984

.....William H. Young.....

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46 , page 51821

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

This is to certify, That PRUDENTIAL INSURANCE COMPANY OF AMERICA

of PO Box 3048, Pasco, State of Washington 99302, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Wells 1, 2, 2C, 11 and 1S and 3 and 4

a tributary of Columbia River for the purpose of irrigation of 1170.7 acres

under Permit No. G-4934 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from November 5, 1971

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 14.63 cubic feet per second, being 1.56 cfs from 1; 1.59 cfs, from 2; 2.56 cfs, from 2C; 1.56 cfs, from 11; 5.75 cfs from 1S; 0.81 cfs, from 3 and 0.80 cfs from 4.

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW 1/4 SE 1/4, NW 1/4 SW 1/4, Section 27, NW 1/4 NE 1/4, NW 1/4 NW 1/4, Section 35, SE 1/4 NW 1/4, Section 31, NW 1/4 NE 1/4, NW 1/4 NW 1/4, Section 34, Township 5 North, Range 26 East, WM; Well 1 - 60 feet South and 1350 feet West from E 1/4 Corner, Section 27; Well 2 - 40 feet South and 1300 feet East from W 1/4 Corner, Section 27; Well 2C - 110 feet *

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

and shall

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

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

- * South and 2940 feet East; Well 11 - 610 feet South and 110 feet East both from the NW Corner, Section 35; Well 1S - 490 feet North and 2050 feet East from W 1/4 Corner, Section 31; Well 3 - 70 feet South and 1710 feet West from NE Corner, Section 34; Well 4 - 40 feet South and 1300 feet East from NW Corner, Section 34

SEE NEXT PAGE

WELL 1

31.2 acres SW 1/4 NE 1/4
32.8 acres SE 1/4 NE 1/4
31.6 acres NE 1/4 SE 1/4
29.3 acres NW 1/4 SE 1/4
Section 27
Township 5 North, Range 26 East, WM

WELL 2

30.9 acres SW 1/4 NW 1/4
30.9 acres SE 1/4 NW 1/4
32.7 acres NE 1/4 SW 1/4
32.7 acres NW 1/4 SW 1/4
0.1 acre SW 1/4 SW 1/4
0.1 acre SE 1/4 SW 1/4
Section 27
Township 5 North, Range 26 East, WM

WELL 3

1.7 acres SE 1/4 SW 1/4
0.1 acre NE 1/4 SE 1/4
0.7 acre NW 1/4 SE 1/4
37.2 acres SW 1/4 SE 1/4
25.2 acres SE 1/4 SE 1/4
Section 27
Township 5 North, Range 26 East, WM

WELL 4

33.5 acres SW 1/4 SW 1/4
30.3 acres SE 1/4 SW 1/4
Section 27
Township 5 North, Range 26 East, WM

WELL 2C

25.2 acres NE 1/4 NE 1/4
36.4 acres NW 1/4 NE 1/4
34.0 acres SW 1/4 NE 1/4
24.0 acres SE 1/4 NE 1/4
1.1 acres NE 1/4 NW 1/4
1.5 acres SE 1/4 NW 1/4
41.5 acres NE 1/4 SE 1/4
41.2 acres NW 1/4 SE 1/4
Section 35
Township 5 North, Range 26 East, WM

WELL 11

30.9 acres NE 1/4 NW 1/4
32.9 acres NW 1/4 NW 1/4
31.6 acres SW 1/4 NW 1/4
29.3 acres SE 1/4 NW 1/4
Section 35
Township 5 North, Range 26 East, WM

WELL 1S

31.1 acres NE 1/4 NE 1/4
 32.7 acres NW 1/4 NE 1/4
 39.1 acres SW 1/4 NE 1/4
 32.5 acres SE 1/4 NE 1/4
 6.0 acres NE 1/4 NW 1/4
 10.7 acres Lot 2 (SW 1/4 NW 1/4)
 39.6 acres SE 1/4 NW 1/4
 38.8 acres NE 1/4 SW 1/4
 35.6 acres Lot 3 (NW 1/4 SW 1/4)
 32.0 acres Lot 4 (SW 1/4 SW 1/4)
 27.6 acres SE 1/4 SW 1/4
 31.8 acres NE 1/4 SE 1/4
 38.6 acres NW 1/4 SE 1/4
 32.2 acres SW 1/4 SE 1/4
 31.8 acres SE 1/4 SE 1/4
 Section 31
 Township 5 North, Range 26 East, WM

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

WITNESS the signature of the Water Resources Director, affixed

this date. March 30, 1984

.....William H. Young.....
 Water Resources Director