



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

Certificate of Water Right Ownership Update

NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public (ORS 537.110). In almost every instance, a permit or water right certificate from the Water Resources Department is needed before using, diverting or storing water (ORS 537.130). However, most domestic wells do not require water rights. A certificate of water right stays with the land. In order to keep track of water right ownership, the Department requests that this form be submitted to the Department. *If for multiple rights, a separate form for each right will be required.*

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at 503-986-0900.

Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.

PROPERTY SELLER INFORMATION

Applicant(s): Seth and Carole Kunz, husband and wife
First Last
Mailing Address: 4695 Power Road
Ontario OR 97914
City State Zip
Phone: 541.889.6332
Home Work Other

PROPERTY BUYER INFORMATION

Applicant(s): Farmland Reserve, Inc.
First Last
Mailing Address: 79 South Main Street, Suite 1000
Salt Lake City UT 84111
City State Zip
Phone: T: 801.715.9195 F: 801.715.9108
Home Work Other

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Malheur Township: 17 S. Range: 47 E. Section: 6
Tax Lot Number(s): 1900 (Ptns. of SW 1/4 and SE 1/4 Section 6)

Street address of water right property: 4695 Power Road, Ontario, OR 97914

Water Right Information (attach copy of water right permit or certificate & final proof map):

Application #: 69842 Permit #: 50971 Certificate or Page #: 68773

Will all the lands associated with this water right be owned by the buyer? ☒ Yes ☐ No

Name of individual completing this form: Lawrence E. Martin, Esq., Buyer's attorney Phone: 509.248.6030

Signature: Todd N. Jones Date: 12/4/13

Please be sure to attach a copy of your property deed or legal description of the property.

DEC 12 2013

SALEM, OR

Prepared by and return to:
Lance A. Dugkey
Kirtan McConkie
50 E. South Temple, #400
Salt Lake City, UT 84111

Send Tax Statements to:
Farmland Reserve, Inc.
c/o Tax Division
P.O. Box 51196
Salt Lake City, UT 84151-1196

MCTC
#30079

MALHEUR COUNTY, OR 2013-4413
DVD 10/10/2013 3:47:41 PM
Cnt=1 Pgs=3 Total:\$37.00



00020101201300044130030036

I, Deborah R. DeLong, County Clerk for Malheur
County, Oregon certify that the instrument identified
herein was recorded in the Clerk's records.
Deborah R. DeLong - County Clerk

Ray

1747 #200

SPECIAL WARRANTY DEED

IN CONSIDERATION of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, SETH KUNZ and CAROLE KUNZ, husband and wife, collectively Grantor, with their principal residence located at 4695 Power Road, Ontario, OR 97914, hereby conveys and warrants only against all claiming by, through or under it, to FARMLAND RESERVE, INC., a Utah non-profit corporation, Grantee, with its principal place of business located at 79 South Main Street, Suite 1000, Salt Lake City, UT 84111, the following parcels of real property (the "Property") located in Malheur County, State of Oregon, described on Exhibit "A", which is attached hereto and by this reference made a part hereof.

TOGETHER WITH all and singular the property described on Exhibit A, together with all tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining thereto including, without limitation, all water rights and mineral interests of Grantor or appurtenant to the property, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and also all the estate, right, title, interest, right of dower and right of homestead, possession, claim and demand whatsoever, as well in law as in equity, including any easements and rights-of-way over adjoining property, which easements and rights-of-way are appurtenant to the real property described on Exhibit "A," of, in, or to the property and every part and parcel thereof, with the appurtenances thereto belonging.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and to the successors and assigns of Grantee forever. Grantor does hereby covenant to and with Grantee, that it is the owner in fee simple of said premises and that it will warrant and defend same from all lawful claims whatsoever, of all persons claiming by, through, or under Grantor.

4447-3986-2550.1

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IN WITNESS WHEREOF, the Grantor has executed this Special Warranty Deed this 10 day of October, 2013.

GRANTOR:

Seth Kunz, an individual

Carole Kunz acting in accordance with the Power of Attorney attached hereto as Exhibit B

Carole Kunz, an individual

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

STATE OF OREGON)

) ss

COUNTY OF Malheur

This instrument was acknowledged before me on the 10 day of October, 2013 by Seth Kunz, Carole Kunz acting in accordance with the Power of Attorney ~~attached hereto as Exhibit B~~ and Carole Kunz individually.



Sharon L. Miles
Notary Public for Oregon

My Commission expires: 2-19-16

4847-3086-2550.1

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MALHEUR COUNTY, OREGON

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EXHIBIT A
(To Special Warranty Deed)

DESCRIPTION OF REAL PROPERTY

Real Property Located in Malheur County, Oregon, described as:

In Twp. 17 S., R. 47 E., W.M., Malheur County, Oregon:

In Sec. 6: Government Lots 3 and 4, E1/2SW1/4, NW1/4SE1/4.

Assessor's Account No. 17 47 B, Tax Lot 1900, Code 12, Computer #06545.

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MALHEUR COUNTY, OREGON

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2013-004413

Recording requested by and
return to:

Name: MATE
Company: #30079
Address:
City:
State: Zip:
Phone:
Fax:

MALHEUR COUNTY, OR 2013-4412
DPOW OF ATTY 10/10/2013 3:45:41 PM
Cnt=1 Pgs=2 Total:\$52.00



I, Deborah R. DeLong, County Clerk for Malheur
County, Oregon certify that the instrument identified
herein was recorded in the Clerk's records.
Deborah R. DeLong - County Clerk

RM

1747 *200

Above this Line for Official Use Only

**SPECIAL POWER OF ATTORNEY
FOR CLOSING REAL ESTATE TRANSACTION**
(Agent for Seller)

STATE OF OREGON
COUNTY OF Malheur

KNOW ALL MEN BY THESE PRESENT, THAT I SETH KUNZ,
whose address is 4695 Power Road, Ontario (City),
Oregon (State), 97914 (Zip), desiring to execute a SPECIAL POWER
OF ATTORNEY, hereby appoint, CAROLE KUNZ, whose address is 4695 Power
Road, Ontario (City) Oregon (State) 97914 (Zip)
Malheur County, Oregon, as my Attorney-in-Fact to act as follows, GRANTING unto my
Attorney-in-Fact full power to:

To do all things necessary to close on the sale of the property described below,
commonly known as
4695 Power Rd. & Bare Ground, Ontario, OR (address), with full power
and authority for me and in my name to execute any and all documents necessary
to effect the sale, conveyance and settlement on said property to any person or
persons of his choosing, including but not limited to, deeds, checks, receipts,
releases, warranties, affidavits, contracts, addenda, settlement statements, loan
commitments and disclosure statements, truth-in-lending statements, all forms of
commercial papers, endorsements to checks, or the like, and any such other
instrument or instruments in writing of whatever kind, character and nature as
may be necessary to complete the sale, financing arrangements, and the settlement
process. FURTHER GRANTING full power and authority to collect and receive
any funds or proceeds of said sale in any manner which, in his sole discretion, he
sees fit.

The legal description of the property is as follows, to-wit:

Land in Malheur County, Oregon, as follows:
In Twp. 17 S., R. 47 E., W.M.:
Sec. 6: Govt. Lots 3 and 4, E1/2 SW1/4 and NW1/4 SE1/4.

I hereby ratify and confirm all that said attorney-in-fact shall lawfully do or cause to be
done by virtue of this Power of Attorney and the rights and powers herein granted.

All acts done by means of this power shall be done in my name, and all instruments and
documents executed by my Attorney hereunder shall contain my name, followed by that
of my attorney and the description "Attorney-in-Fact", excepting however any situation
where local practice differs from the procedure set forth herein, in that event local
practice may be followed. This SPECIAL POWER OF ATTORNEY shall be valid and

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may be relied upon by any third parties until such time as any revocation is recorded in the recorder's office of the county where the land is located.

DATED this the 10th day of October, 2013.

[Signature]
Signature
Print Name: [Signature]

State of Oregon

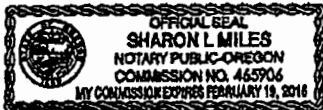
County of Malheur

This instrument was acknowledged before me on October 10, 2013 (date)
by [Signature] (name(s) of person(s))

[Signature]
Notary Public

Print Name: Sharon L. Miles

My Commission Expires:
2-19-16



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HALVERSON NORTHWEST

December 10, 2013

Oregon Water Resources Department

Attn: Mr. Jerry Sauter
725 Summer Street NE, Suite A
Salem, OR 97301-1266

RE: Certificate of Water Rights/ Ownership Update

Dear Mr. Sauter:

Attached to this letter, we are sending a Certificate of Water Rights Ownership Update. Included with that, you will find a copy of our client's Special Warranty Deed, Description of Real Property and Special Power of Attorney for Closing Real Estate Transaction to show the legal description of their property and ownership.

If there any questions or concerns please feel free to contact our office with the information provided in the letter head below.

Truly yours,

HALVERSON NORTHWEST LAW GROUP



Michelle R. Kapuza
Legal Assistant to Mr. Lawrence E. Martin

Cc: Client
Larry Martin

Raymond G. Alexander
Adam K. Anderson
Bjorn E. Boyer
Alan D. Campbell
West H. Campbell
James C. Camody
J. Jay Carroll
Paul C. Dempsey
James S. Elliott
Robert N. Faber
Mark E. Fickes
Carter L. Fjeld
Frederick N. Halverson+
Paul E. Hart+
Kellen J. Holgate
Gary E. Lofland+
Lawrence E. Martin*
Lacey N. Offutt
Rachel B. Saimons
Terry C. Schmalz+
Linda A. Sellers
Michael F. Shinn
Sara L. Watkins*
Stephen R. Winfree

*Also Oregon Bar Member
+Of Counsel

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g:\lem\farmland reserve, inc\kunz or property\litr to oward re ownership update.doc
12/10/2013 10:28 ammf

halversonNW.com

HALVERSON NORTHWEST LAW GROUP P.C.

Yakima Office: 405 E. Lincoln Avenue | PO Box 22550 | Yakima, WA 98907 | p) 509.248.6030 | f) 509.453.6880

Sunnyside Office: 910 Franklin Avenue, Suite 1 | PO Box 210 | Sunnyside, WA 98944 | p) 509.837.5302 | f) 509.837.2465