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Retired:
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James A. McClure (1924-2011)
Raymond D. Givens (1917-2008)

December 30, 2014

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

Re: Moose Creek Investments, LLC

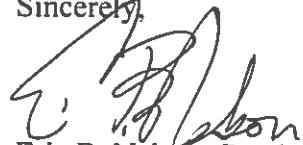
Dear Madam/Sir:

Please find enclosed the following Certificates of Water Right Ownership Update ("Certificate") and the related documents requested in the Certificates including deeds that have transferred the referenced water right permits and the land to which they are appurtenant:

1. Certificate for permit #62253;
2. Certificate for permit #62254;
3. Certificate for permit #G 13286; → *cancelled*
4. Certificate for permit #G 13746. → *cancelled*

If you have questions, please let us know.

Sincerely,



Eric B. Nelson, Paralegal

Enclosures
EBN/abm

CC: Scott Thomson
Michael C. Creamer

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SALEM, OR



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): Bootsma Ranch, LLC an Oregon limited liability company
First Last
 Mailing Address: 745 Campbell St.
Baker City Oregon 97814
City State Zip
 Phone: 541.889.5368
Home Work Other

PROPERTY BUYER INFORMATION

Applicant(s): Moose Creek Investments LLC an Idaho limited liability company
First Last
 Mailing Address: 12673 Highway 75 Po Box 14001-363
Ketchum Idaho 83340
City State Zip
 Phone: 208.720.9064
Home Work Other

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Baker Township: 9 South Range: 40 East Section: 15

Tax Lot Number(s): _____

Street address of water right property: _____

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

Application #: R 68328 Permit #: R 10510 Certificate or Page #: 62253

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

Name of individual completing this form: Scott Thompson Thompson Phone: 208.720.9064

Signature: _____ Date: 7/01/14

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

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Water Right Information Query Results	
Contact Information	Documents View all scanned documents
▼ Current contact information OWNER: ▶ JOHN BOOTSMA 2337 SECOND ST BAKER, OR 97814	▶ Application: R 68328 ▶ Permit: R 10510 document ▼ Certificate: 62253 document , paper map ▶ Signature: 8/31/1989 ▶ Type: Original ▶ View right with Web Mapping ▶ View Places of Use from Water Rights in the Same Area
Water Right Information	
Status: Non-Cancelled County: Baker File Folder Location: Salem Watermaster District: 8	
Point(s) of Diversion	
▶ POD 1 - POWDER RIVER > SNAKE RIVER	
Place(s) of Use Add TRS grouping	
▶ Use - STORAGE (Primary); Priority Date: 4/18/1985	
Water Right Genealogy	
- No genealogy records available for this water right, try the family link below instead.	

[View Water Rights in same Family](#)

[Help understanding and working with the Water Rights Information System](#)

[Report Errors with Water Right Data](#)

[Return to WRIS Query](#)

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STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN BOOTSMA
2337 SECOND STREET
BAKER, OREGON 97814

confirms the right to store the waters of POWDER RIVER, a tributary of SNAKE RIVER, in SMITH RESERVOIR ENLARGEMENT, appropriated under Permit 49402, for the purpose of IRRIGATION.

The right to store these waters has been perfected under Reservoir Permit R-10510. The date of priority is APRIL 18, 1985. The amount of water entitled to be stored each year under such right is not more than 230 ACRE-FEET.

The reservoir is located as follows:

S 1/2 NE 1/4
N 1/2 SE 1/4
SECTION 15
TOWNSHIP 9 SOUTH, RANGE 40 EAST, W.M.

DIVERSION POINT LOCATED: 940 FEET SOUTH AND 1870 FEET WEST FROM NE CORNER SECTION 19, T 10S, R 40 E, W.M.

The dam is to be operated and maintained in accordance with the approved plans and specifications on file with the Water Resources Department.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.

WITNESS the signature of the Water Resources Director, affixed this date AUGUST 31, 1989.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 62253

R-68328.VC

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STATE OF OREGON

County of BAKER "CERTIFICATE NO. 102253"

**PERMIT to CONSTRUCT a RESERVOIR and to STORE
for BENEFICIAL USE the PUBLIC WATERS**

This is to certify that I have examined APPLICATION R-68328 and do hereby grant the same SUBJECT TO EXISTING RIGHTS AND THE FOLLOWING LIMITATIONS AND CONDITIONS:

This permit is issued to John Bootsma of 2337 2nd Street, Baker, Oregon 97814, phone 523-6268, for the construction of the Smith Reservoir Enlargement and storage of water from the Powder River, a tributary to Snake River, to be appropriated under Application 68329, Permit 49402 for supplemental irrigation, and is subject to the installation and maintenance of an outlet pipe, and the dam shall be constructed *

The dam will be LOCATED in the: SW 1/4 NE 1/4 and SE 1/4 NE 1/4, Section 15, Township 9 South, Range 40 East, W4, in the County of Baker.

The maximum height will be 26.0 feet above the stream bed or ground surface at the centerline. The top width will be 20.0 feet. The slope of upstream face is 3:1 and the slope of downstream face is 2:1, and height of dam above water line when full 4.0 feet.

The area submerged by the reservoir, when full, will be 54.5 acres, and the maximum depth of water will be 22 feet

* under the supervision of a registered professional engineer,

The dimensions of the spillway are: The bottom width of the spillway will be 50.0 feet. The top width of the spillway will be 82.0 feet. The distance between the crest of the dam and the crest of the spillway will be 4.0 feet.

The location and dimension of the outlet conduit will be: Same outlet works as water right Certificate 51425.

The dam is in the channel.

The dam will be earthenfill construction.

The right hereunder shall be limited to the storage of 230.0 acre-feet

The PRIORITY DATE of this permit is April 18, 1985

Actual construction work shall begin on or before August 9, 1986, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1987.

Witness my hand this 9th day of August, 1985.

/s/ WILLIAM H. YOUNG

WATER RESOURCES DIRECTOR

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

APPLICATION R-68328

PERMIT

R10510

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APR 18 1985

WATER RESOURCES DEPT
SALEM, OREGON

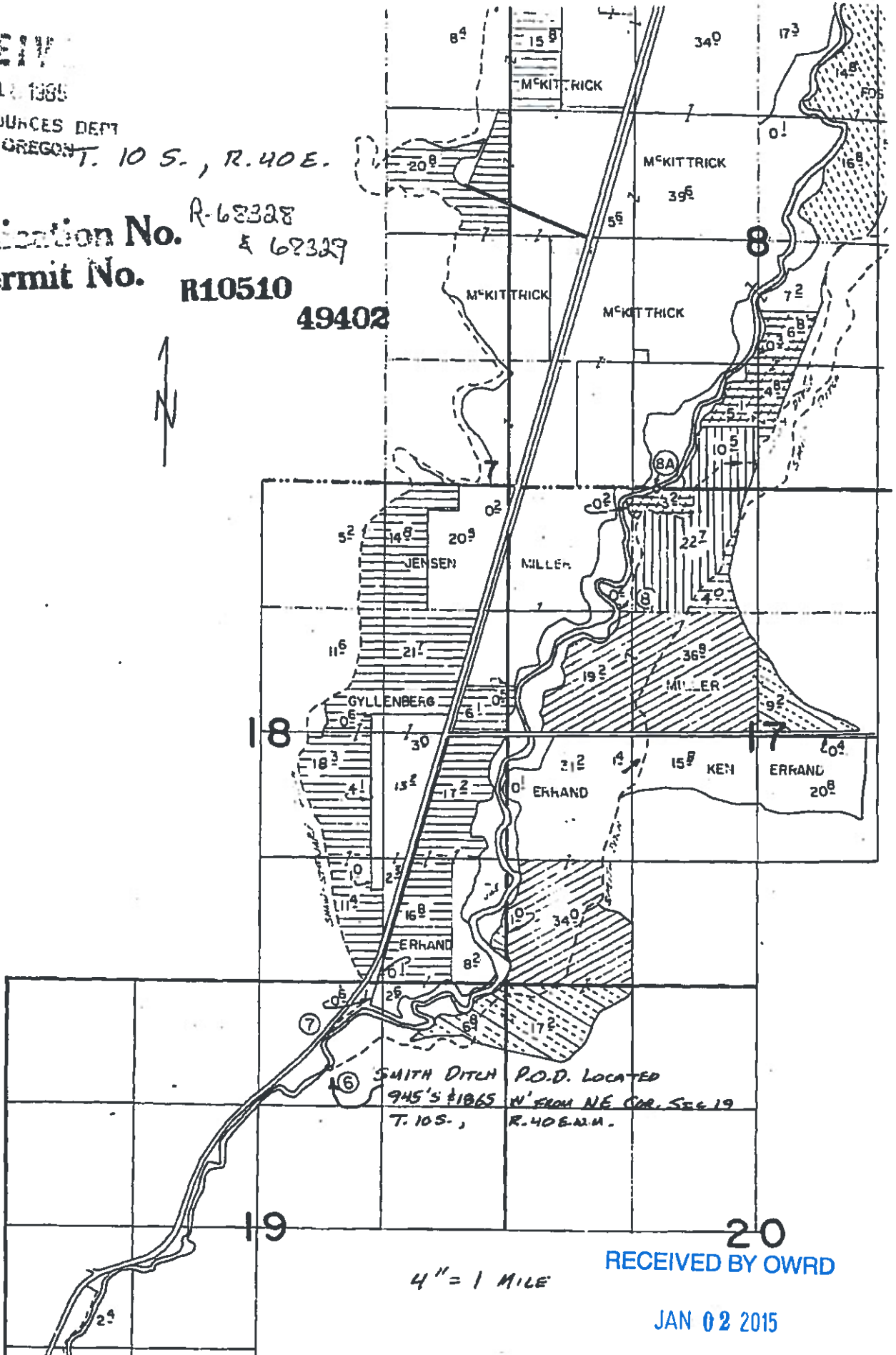
T. 10 S., R. 40 E.

Application No.
Permit No.

R-68328
& 68329

R10510

49402



SMITH DITCH P.O.D. LOCATED
945'S ± 1865 N' FROM NE COR. SEC 19
T. 10S., R. 40E. & M.

4" = 1 MILE

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MAR 11 1985

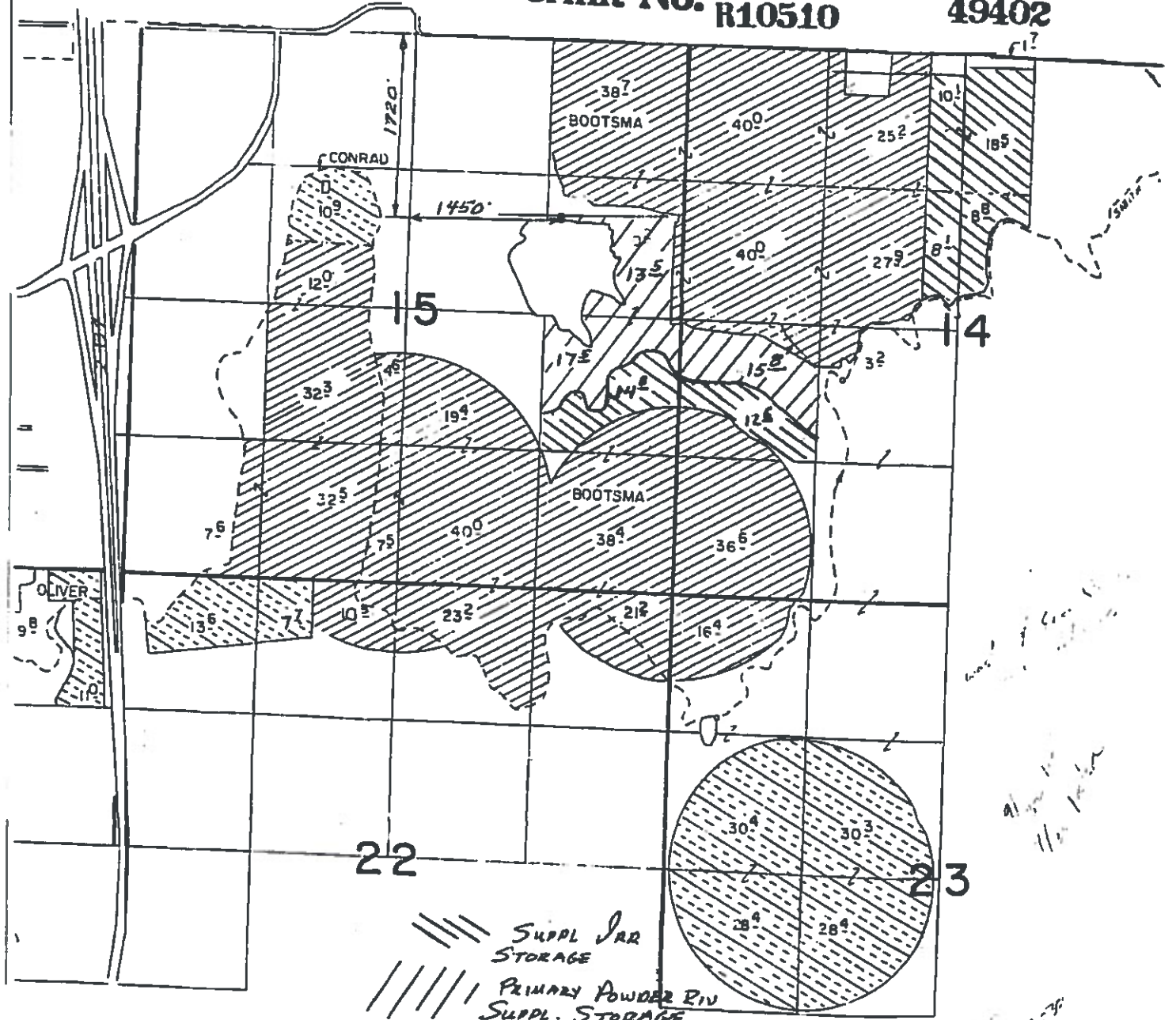
WATER RESOURCES DEPT
SALEM, OREGON



T. 9 S., R. 40 E W 1/4

Application No. R-68328 & 68329

Permit No. R10510

49402



 SUPPL IRR STORAGE
 PRIMARY POWDER RIV SUPPL. STORAGE

4" = 1 MILE

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After recording return to:
Moose Creek Investments, LLC
12673 Highway 75
Ketchum ID 83340

Until a change is requested all tax statements shall be sent to the following address:
Moose Creek Investments, LLC
12673 Highway 75
Ketchum ID 83340

Escrow No. BA-300231P
Title No. 0030023
SWD 1020213

STATUTORY WARRANTY DEED

Bootsma Ranch, LLC, an Oregon Limited Liability Company,

Grantor(s), hereby convey and warrant to

Moose Creek Investments, LLC, an Idaho Limited Liability Company,

Grantee(s), the following described real property in the County of BAKER and State of Oregon free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

The true and actual consideration for this conveyance is other property or value is part of or the whole of the consideration.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

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Escrow No. BA-30023JP

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

2012-2013 Real Property Taxes a lien not yet due and payable.

Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

Facts, rights, interest, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.

Easements, or claims of easement, 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.

Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.

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.

Unpatented mining claims whether or not shown by the public records.

The 2012-2013 Taxes: A lien not yet due or payable.

Taxes deferred, as disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use the property will be subject to additional taxes or penalties and interest.

The property lies within the boundaries of the Baker Valley Irrigation District and is subject to any charges or assessments levied by said District and pipeline easements in connection therewith.

The property lies within the boundaries of the Smith Ditch District Improvement Company and is subject to any charges or assessments levied by said District and pipeline easements in connection therewith.

The rights of the public in and to that portion of the herein described property lying within the limits of public roads, streets or highways.

Right of Way, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Eastern Oregon Light and Power Company, a corporation, its successors and assigns
Recorded: September 7, 1929
In: Book 113, Page 50, Baker County Deed Records

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Eastern Oregon Light and Power Company, a corporation, its successors and assigns
Recorded: February 19, 1931
In: Book 115, Page 193, Baker County Deed Records

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Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: The Pacific Telephone and Telegraph Company, a California corporation, its successors and assigns
Recorded: April 27, 1939
In: Book 127, Page 58, Baker County Deed Records

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Eastern Oregon Light and Power Company, a corporation, its successors and assigns
Recorded: October 20, 1945
In: Book 137, Page 585, Baker County Deed Records

Reservation of 50% of all minerals, oil and gas, including the terms and provisions contained therein, in deed from The Federal Land Bank of Spokane, a corporation.

Recorded: June 7, 1951
In: Book 156, Page 526, Baker County Deed Records

The current ownership of said interest and matters affecting said interest are not shown herein.

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Idaho Power Company, a corporation, its successors and assigns
Recorded: August 20, 1955
In: Book 164, Page 846, Baker County Deed Records
Rerecorded: August 24, 1955
In: Book 164, Page 868, Baker County Deed Records

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Idaho Power Company, a corporation, its successors and assigns
Recorded: November 10, 1958
In: Book 168, Page 932, Baker County Deed Records

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As reserved by: Howard Allen and Katherine Allen, husband and wife
Recorded: August 7, 1959
In: Book 169, Page 1043, Baker County Deed Records

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: California-Pacific Utilities Company, a corporation
Recorded: April 16, 1962
In: Book 172, Page 863, Baker County Deed Records

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Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Conrad Allen and Madeline Allen, husband and wife, their heirs and assigns
 Recorded: July 16, 1964
 In: Book 174, Page 996, Baker County Deed Records

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: California-Pacific Utilities Company, a corporation
 Recorded: August 14, 1972
 As Deed No.: 72 33 019, Baker County Deed Records

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: John Conrad Allen, Sr. and Madeline J. Allen, husband and wife, their heirs and assigns
 Recorded: October 31, 1972
 As Deed No.: 72 44 021, Baker County Deed Records

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: California-Pacific Utilities Company, its successors and assigns
 Recorded: April 7, 1975
 As Deed No.: 75 15 010, Baker County Deed Records

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: California-Pacific Utilities Company, its successors and assigns
 Recorded: April 12, 1976
 As Deed No.: 76 16 025, Baker County Deed Records

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: California-Pacific Utilities Company, its successors and assigns
 Recorded: April 22, 1976
 As Deed No.: 76 17 067, Baker County Deed Records

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As reserved by: John Bootsma and Margaret Bootsma, husband and wife
 Recorded: April 11, 1980
 As Deed No.: 80 16 009, Baker County Deed Records
 Recorded: November 7, 1980
 As Deed No.: 80 45 103, Baker County Deed Records

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: C P National Corporation, a corporation, its successors and assigns
 Recorded: May 1, 1980
 As Deed No.: 80 18 087, Baker County Deed Records

Easement or easements, including the terms and provisions thereof, as contained in instrument recorded May 16, 1980, as Deed No. 80 20 097, Baker County Deed Records.

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: California-Pacific Utilities Company, a corporation
 Recorded: June 26, 1980

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As Deed No.: 80 26 068, Baker County Deed Records

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: RuthAnn Heaton, her heirs and assigns
Recorded: April 24, 1981
As Deed No.: 81 16 143, Baker County Deed Records

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Pacific Northwest Bell Telephone Company, a Washington corporation, its successors and assigns
Recorded: July 14, 1988
As Deed No.: 88 28 071, Baker County Deed Records

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Pacific Northwest Bell Telephone Company, a Washington corporation, its successors and assigns
Recorded: July 14, 1988
As Deed No.: 88 28 082, Baker County Deed Records

Roadway Easement Agreement, including the terms and provisions thereof, between John Bootsma and Margaret Bootsma, husband and wife, and Idaho Power Company, an Idaho corporation, their heirs successors and assigns, recorded July 16, 1990, as Deed No. 90 29 027, Baker County Deed Records.

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: John Conrad Allen, Sr., aka Conrad Allen, Trustee of the Conrad Allen Trust, under agreement dated January 17, 1990, his successors and assigns
Recorded: July 14, 1992
As Deed No.: 92 28 049, Baker County Deed Records

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Oregon Trail Electric Consumers Cooperative, a corporation, its successors and assigns
Recorded: May 1, 1997
As Deed No.: 97 17 207, Baker County Deed Records

Roadway Easement and Maintenance Agreement, including the terms and provisions thereof, between John Bootsma and Margaret Bootsma, Trustees of the Bootsma Family Trust, and Ernest W. Hutton and Leona Hutton, husband and wife, their successors, heirs and assigns, recorded October 17, 2003, as Deed No. 0342 0120, Baker County Deed Records.

Reciprocal Grant of Easements and Covenants for Irrigation Works, including the terms and provisions thereof, between John Bootsma and Margaret Bootsma, Trustees of the Bootsma Family Trust, and Michael H. Trindle and Ann Mary Trindle, husband and wife, their successors, heirs and assigns, recorded March 30, 2004, as Deed No. 0413 0263, Baker County Deed Records.

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Ken Tew and Julia Barnes, husband and wife, their heirs and assigns
Recorded: June 8, 2011
As Deed No.: 1123 0183, Baker County Deed Records

Memorandum of Lease/Termination of Prior Leases between Bootsma Ranch, LLC and John Taylor Rohner

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Page 6 - Statutory Warranty Deed - Signature/Notary Page
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Dated this 31 day of August 2012

Bootsma Ranch, LLC

BY: Margaret Lanac Bootsma Jones
Margaret Lanac Bootsma Jones, Manager/Member

BY: Margaret Bootsma
Margaret Bootsma, Manager/Member

State of Oregon
County of BAKER

This instrument was acknowledged before me on Aug 31, 2012 by Margaret Lanac Bootsma-Jones, Manager/Member and Margaret Bootsma, Manager/Member of Bootsma Ranch, LLC.

Julie D Paxton
(Notary Public for Oregon)
My commission expires 8/30/13



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Legal Description
File No. BA-0030023

TRACT ONE:

All that portion of the Southeast quarter of the Southeast quarter of Section 2, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying Southerly of the Southerly right of way line of the Flagstaff Hill Highway.

ALSO the Southeast quarter, and the Southwest quarter of the Northeast quarter of Section 10, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon.

ALSO the Northeast quarter, the North half of the Southeast quarter, the Southwest quarter, the South half of the Northwest quarter, and the Northeast quarter of the Northwest quarter of Section 11, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon.

EXCEPTING THEREFROM all that portion of Section 11, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, conveyed to the State of Oregon, by and through its State Highway Commission, by instrument recorded December 16, 1938, in Book 126, Page 312, Baker County Deed Records.

ALSO EXCEPTING THEREFROM all that portion of Section 11, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, conveyed to the State of Oregon, by and through its Department of Transportation, by instrument recorded June 27, 1994, as Deed No. 94 26 052, and rerecorded October 21, 2002, as Deed No. 0243 0137, Baker County Deed Records.

ALSO EXCEPTING THEREFROM a parcel in the Southwest quarter of the Southeast quarter of Section 2 and in the Northwest quarter of the Northeast quarter of Section 11, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

COMMENCING at the corner between Sections 1, 2, 11 and 12, said township and range, which is a 2 ½" Aluminum Cap on a 1" Galvanized Pipe; thence North 85°35'40" West 1318.98 feet to a No. 5 Rebar with a yellow plastic cap marked PLS699, being a point on the Southerly right of way line of the Oregon State Baker-Homestead Highway No. 86, being the TRUE POINT OF BEGINNING; thence South 82°29'00" West 1342.70 feet along said Southerly right of way line to a No. 5 Rebar with a yellow plastic cap marked PLS699, from which the quarter corner between Sections 2 and 11 bears South 01°43'00" East 14.04 feet; thence South 01°43'00" East 277.17 feet to a No. 5 Rebar with a yellow plastic cap marked PLS699; thence North 88°17'00" East 1335.83 feet to a No. 5 Rebar with a yellow plastic cap marked PLS699; thence North 01°43'00" West 412.85 feet to a No. 5 Rebar with a yellow plastic cap marked PLS699 which is the TRUE POINT OF BEGINNING.

ALSO the North 392.6 feet of the Northeast quarter of the Northwest quarter of Section 14, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon.

ALSO a parcel in the Northeast quarter of the Northwest quarter of Section 14, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

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BEGINNING at a point in the irrigation ditch, as said ditch was described in instrument recorded August 7, 1959, in Book 169, Page 1043, Baker County Deed Records, said point being on the section line and East 162 feet from the West 1/16th corner of Sections 11 and 14, said township and range; thence East 603.4 feet along said section line to a point in said ditch; thence South 1110.91 feet parallel with the West 1/16th line of said Section 14; thence West 765.4 feet parallel with the North line of said Section 14 to the West 1/16th line of said Section 14; thence North 749 feet along the West 1/16th line of said Section 14 to a point in said ditch; thence following the meander line of said ditch downstream to the POINT OF BEGINNING.

TRACT TWO:

The Northwest quarter, the West half of the Southwest quarter, and the West half of the West half of the East half of the Southwest quarter of Section 14, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon.

EXCEPTING THEREFROM a parcel in the Northwest quarter of the Northwest quarter of Section 14 and the Northeast quarter of the Northeast quarter of Section 15, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at a point on the North line of Section 14, said township and range, said point being East 330 feet from the Northwest corner of said Section 14; thence South 330 feet; thence West 660 feet; thence North 330 feet to the North line of Section 15, said township and range; thence East 660 feet along the North line of said Sections 15 and 14 to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM the North 392.6 feet of the Northeast quarter of the Northwest quarter of Section 14, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon.

ALSO EXCEPTING THEREFROM a parcel in the Northeast quarter of the Northwest quarter of Section 14, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at a point in the irrigation ditch, as said ditch was described in instrument recorded August 7, 1959, in Book 169, Page 1043, Baker County Deed Records, said point being on the section line and East 162 feet from the West 1/16th corner of Sections 11 and 14, said township and range; thence East 603.4 feet along said section line to a point in said ditch; thence South 1110.91 feet parallel with the West 1/16th line of said Section 14; thence West 765.4 feet parallel with the North line of said Section 14 to the West 1/16th line of said Section 14; thence North 749 feet along the West 1/16th line of said Section 14 to a point in said ditch; thence following the meander line of said ditch downstream to the POINT OF BEGINNING.

ALSO all that portion of the West half of the Northeast quarter of Section 14, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying Westerly and Northerly of the following described line:

BEGINNING at a point on the South line of the West half of the Northeast quarter of Section 14, said township and range, said point being North 88°21'31" East 544.60 feet from the Southwest corner of the West half of the Northeast quarter of said Section 14; thence North 03°49'18" East 1022.43 feet; thence South 85°02'07" East 453.22 feet; thence North 01°35'45" West 1695.67 feet to intersect the North line of the West half of the Northeast quarter of said Section 14, being the POINT OF TERMINATION OF

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said line, said point of intersection being South 88°05'15" West 254.52 feet from the Northeast corner of the West half of the Northeast quarter of said Section 14.

ALSO a parcel in the East half of the West half of the East half of the Southwest quarter of Section 14, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at the Northwest corner of the East half of the West half of the East half of the Southwest quarter of Section 14, said township and range; thence North 88°21'31" East 156.02 feet along the North line of the East half of the West half of the East half of the Southwest quarter of said Section 14; thence South 21°11'19" West 406.26 feet to intersect the West line of the East half of the West half of the East half of the Southwest quarter of said Section 14; thence North 01°23'41" West 374.43 feet along the West line of the East half of the West half of the East half of the Southwest quarter of said Section 14 to the POINT OF BEGINNING.

ALSO the East half, the East half of the Southwest quarter, and the Southeast quarter of the Northwest quarter of Section 15, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon.

EXCEPTING THEREFROM a parcel in the Northwest quarter of the Northwest quarter of Section 14 and the Northeast quarter of the Northeast quarter of Section 15, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at a point on the North line of Section 14, said township and range, said point being East 330 feet from the Northwest corner of said Section 14; thence South 330 feet; thence West 660 feet; thence North 330 feet to the North line of Section 15, said township and range; thence East 660 feet along the North line of said Sections 15 and 14 to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM a parcel in the West half of the Northeast quarter of Section 15, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at a point which is South 01°49'35" East 30 feet from the Northwest corner of the West half of the Northeast quarter of Section 15, said township and range; thence South 01°49'35" East 585.4 feet to the center line of an abandoned irrigation ditch; thence following said ditch the following courses and distances: South 80°32'10" East 294.5 feet; South 41°37'45" East 224.7 feet; South 07°39'10" West 150.1 feet; South 24°31'15" East 267.6 feet; and South 04°06'25" West 467.3 feet to intersect the Westerly extension of the downstream Smith Reservoir dam toe line; thence North 78°47'50" East 670 feet along said extended toe line and the toe line to a point which is West 200 feet from the East line of the Southwest quarter of the Northeast quarter of said Section 15; thence North 02° West 140 feet; thence North 88° East 150 feet, more or less, to a point which is West 50 feet from the East line of the Southwest quarter of the Northeast quarter of said Section 15; thence Northerly along a line which is parallel to and 50 feet West of the East line of the West half of the Northeast quarter of said Section 15 to the South right of way line of a County Road; thence Westerly along the South right of way line of a County Road to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM all that portion of the Southeast quarter of the Northwest quarter of Section 15, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and

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State of Oregon, conveyed to Ernest W. Hutton and Leona Hutton, husband and wife, by instrument recorded October 17, 2003, as Deed No. 0342 0099, Baker County Deed Records.

ALSO EXCEPTING THEREFROM all that portion of the West half of Section 15, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying within the exterior boundaries of Parcel 1 of PARTITION PLAT NO. P2005-011, recorded October 25, 2005, as Deed No. 0543 0223, Baker County Deed Records.

ALSO all that portion of the Northwest quarter of Section 22, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying Easterly of the Relocated Old Oregon Trail Highway, U.S. Highway No. 1-84 right of way conveyed to the State of Oregon, by and through its State Highway Commission, by instrument recorded May 13, 1973, as Deed No. 73 22 039, Baker County Deed Records, and Northerly of the following described line:

BEGINNING at a point on the East line of the Northwest quarter of Section 22, said township and range, said point being South $02^{\circ}15'45''$ East 738.95 feet from the Northeast corner of the Northwest quarter of said Section 22; thence North $82^{\circ}18'48''$ West 367.83 feet; thence South $03^{\circ}02'19''$ West 148.10 feet; thence South $87^{\circ}50'17''$ West 623.64 feet; thence South $86^{\circ}44'20''$ West 1474.71 feet to intersect the East right of way line of said U.S. Highway No. 1-84, being the POINT OF TERMINATION of said line.

EXCEPTING THEREFROM all that portion of the Northwest quarter of Section 22, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying within the exterior boundaries of Parcel 1 of PARTITION PLAT NO. P2005-011, recorded October 25, 2005, as Deed No. 0543 0223, Baker County Deed Records.

ALSO all that portion of the Northeast quarter of Section 22, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying Northeasterly of the following described line:

BEGINNING at a point on the West line of the Northeast quarter of Section 22, said township and range, said point being South $02^{\circ}15'45''$ East 738.95 feet from the Northwest corner of the Northeast quarter of said Section 22; thence South $82^{\circ}18'48''$ East 366.54 feet; thence South $74^{\circ}04'24''$ East 356.32 feet; thence South $58^{\circ}03'36''$ East 435.42 feet; thence North $77^{\circ}08'05''$ East 408.54 feet; thence South $03^{\circ}24'17''$ West 536.18 feet; thence South $61^{\circ}23'52''$ East 347.53 feet; thence South $49^{\circ}17'08''$ East 1179.07 feet; thence South $11^{\circ}09'54''$ East 70.86 feet to intersect the South line of the Northeast quarter of said Section 22, said intersection being South $88^{\circ}20'38''$ West 68.38 feet from the Southeast corner of the Northeast quarter of said Section 22, being the POINT OF TERMINATION of said line.

ALSO a parcel in the Southeast quarter of Section 22, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at the Northeast corner of the Southeast quarter of Section 22, said township and range; thence South $88^{\circ}20'38''$ West 68.38 feet along the North line of the Southeast quarter of said Section 22; thence South $11^{\circ}09'54''$ East 223.41 feet; thence South $21^{\circ}57'52''$ East 102.99 feet to intersect the East line of the Southeast quarter of said Section 22; thence North $02^{\circ}25'46''$ West 316.96 feet along the East line of the Southeast quarter of said Section 22 to the POINT OF BEGINNING.

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ALSO all that portion of the Northwest quarter of Section 23, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying Westerly of the following described line:

BEGINNING at the Northwest corner of the East half of the West half of the East half of the Northwest quarter of Section 23, said township and range; thence South $02^{\circ}09'00''$ East 463.74 feet along the West line of the East half of the West half of the East half of the Northwest quarter of said Section 23; thence North $87^{\circ}48'09''$ East 184.45 feet; thence South $02^{\circ}33'22''$ East 749.01 feet; thence South $52^{\circ}36'07''$ East 342.61 feet; thence South $32^{\circ}38'46''$ East 366.03 feet; thence South $29^{\circ}42'43''$ East 325.28 feet; thence South $27^{\circ}28'47''$ East 449.43 feet; thence South $05^{\circ}54'00''$ East 13.00 feet to intersect the East line of the Northwest quarter of said Section 23, being the POINT OF TERMINATION of said line.

ALSO a parcel in the Northeast quarter of Section 23, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at the Southwest corner of the Northeast quarter of Section 23, said township and range; thence North $01^{\circ}58'57''$ West 198.50 feet along the West line of the Northeast quarter of said Section 23; thence South $05^{\circ}54'00''$ East 198.99 feet to intersect the South line of the Northeast quarter of said Section 23; thence South $88^{\circ}07'41''$ West 13.59 feet, more or less, along the South line of the Northeast quarter of said Section 23 to the POINT OF BEGINNING.

ALSO a parcel in the Southeast quarter of Section 23, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at the Northwest corner of the Southeast quarter of Section 23, said township and range; thence South $01^{\circ}58'57''$ East 248.14 feet along the West line of the Southeast quarter of said Section 23; thence North $21^{\circ}53'06''$ East 65.46 feet; thence North $05^{\circ}54'00''$ West 188.69 feet to intersect the North line of the Southeast quarter of said Section 23; thence South $88^{\circ}07'41''$ West 13.59 feet, more or less, along the North line of the Southeast quarter of said Section 23 to the POINT OF BEGINNING.

ALSO all that portion of the Southwest quarter of Section 23, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying Northerly of the following described line:

BEGINNING at a point on the East line of the Southwest quarter of Section 23, said township and range, said point being South $01^{\circ}58'57''$ East 248.14 feet from the Northeast corner of the Southwest quarter of said Section 23; thence South $21^{\circ}53'06''$ West 260.08 feet; thence South $26^{\circ}31'05''$ West 432.17 feet; thence South $49^{\circ}56'27''$ West 678.78 feet; thence South $82^{\circ}14'41''$ West 517.06 feet; thence North $88^{\circ}31'20''$ West 172.98 feet; thence North $78^{\circ}19'37''$ West 193.77 feet; thence North $70^{\circ}22'39''$ West 368.94 feet; thence North $46^{\circ}30'45''$ West 299.77 feet; thence North $39^{\circ}37'47''$ West 216.17 feet; thence North $28^{\circ}14'14''$ West 296.69 feet; thence North $21^{\circ}57'52''$ West 155.23 feet to intersect the West line of the Southwest quarter of said Section 23, being the POINT OF TERMINATION of said line.

The above-described real property is conveyed with all water and water rights, ditches and ditch rights, storage and storage rights or portions thereof, that are appurtenant thereto, including without limitation water rights or appurtenant portions thereof represented by water right certificate nos. 62253 and 62254, permit nos. G-13286 and G-13746 and the rights to the delivery of water held in the name of and/or

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delivered by the Baker Valley Irrigation District, the U.S. Bureau of Reclamation and the Smith Ditch District Improvement Company for beneficial use on the above-described real property.

(The totality of the land herein described as Tract Two is shown as Parcel 2 of PARTITION PLAT NO. P2005-011, recorded October 25, 2005, as Deed No. 0543 0223, Baker County Deed Records.)

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STATE OF OREGON)
COUNTY OF BAKER)
I CERTIFY THAT THIS
INSTRUMENT WAS RECEIVED
AND RECORDED IN THE BOOK
OF RECORDS OF SAID COUNTY
TAMARA J. GREEN, BAKER CO. CLERK
BY *Karen Dallyis* DEPUTY
DOC#: 12350234B
8/31/2012 3:50 PM
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Amr *CHG*