



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.

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## PROPERTY SELLER INFORMATION

Applicant(s): Merlyn A. Robinson, Trustee of the Robinson Family Trust FEB 02 2015  
First Last  
 Mailing Address: 64583 Spur Loop SALEM, OR  
Heppner OR 97836  
City State Zip  
 Phone: 541-676-9014  
Home Work Other

## PROPERTY BUYER INFORMATION

Applicant(s): NFC Land & Cattle, LLC a Nevada limited liability company  
First Last  
 Mailing Address: P.O. Box 490  
Winnemucca NV 89446  
City State Zip  
 Phone: \_\_\_\_\_  
Home Work Other

## PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Morrow Township: 2S Range: 27 Section: 30  
 Tax Lot Number(s): 1900, 2800  
 Street address of water right property: 74922 Hwy 74-Lena, Heppner, OR 97836  
 Water Right Information (attach copy of water right permit or certificate & final proof map):  
 Application #: \_\_\_\_\_ Permit #: \_\_\_\_\_ Certificate or Page #: 70269

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

Name of individual completing this form: Krista Price/Mid-Columbia Title Co. Phone: 541-481-2280

Signature: Krista Price Date: 1/28/15

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

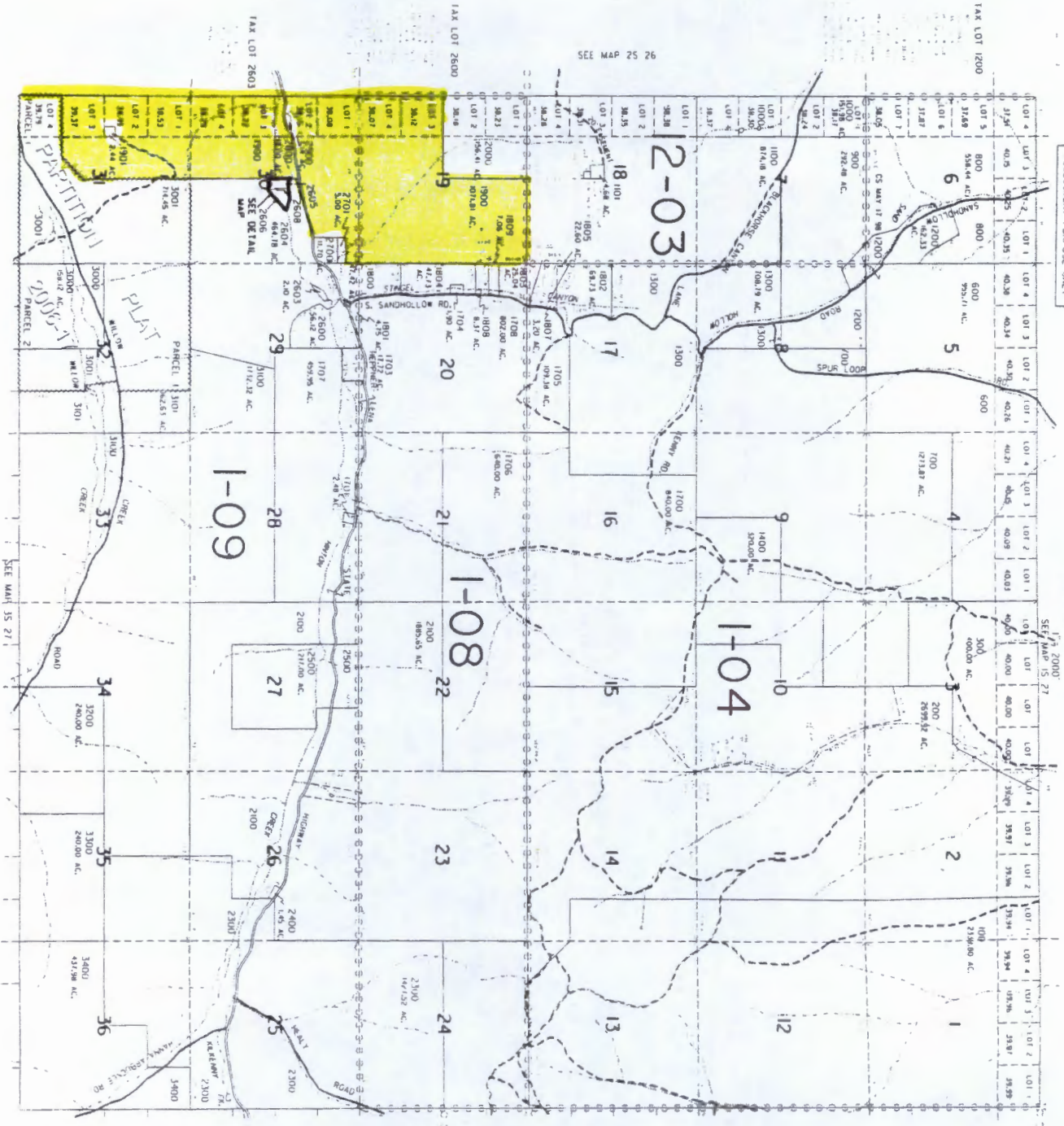
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THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

T.2S. R.27E. W.M. MORROW COUNTY



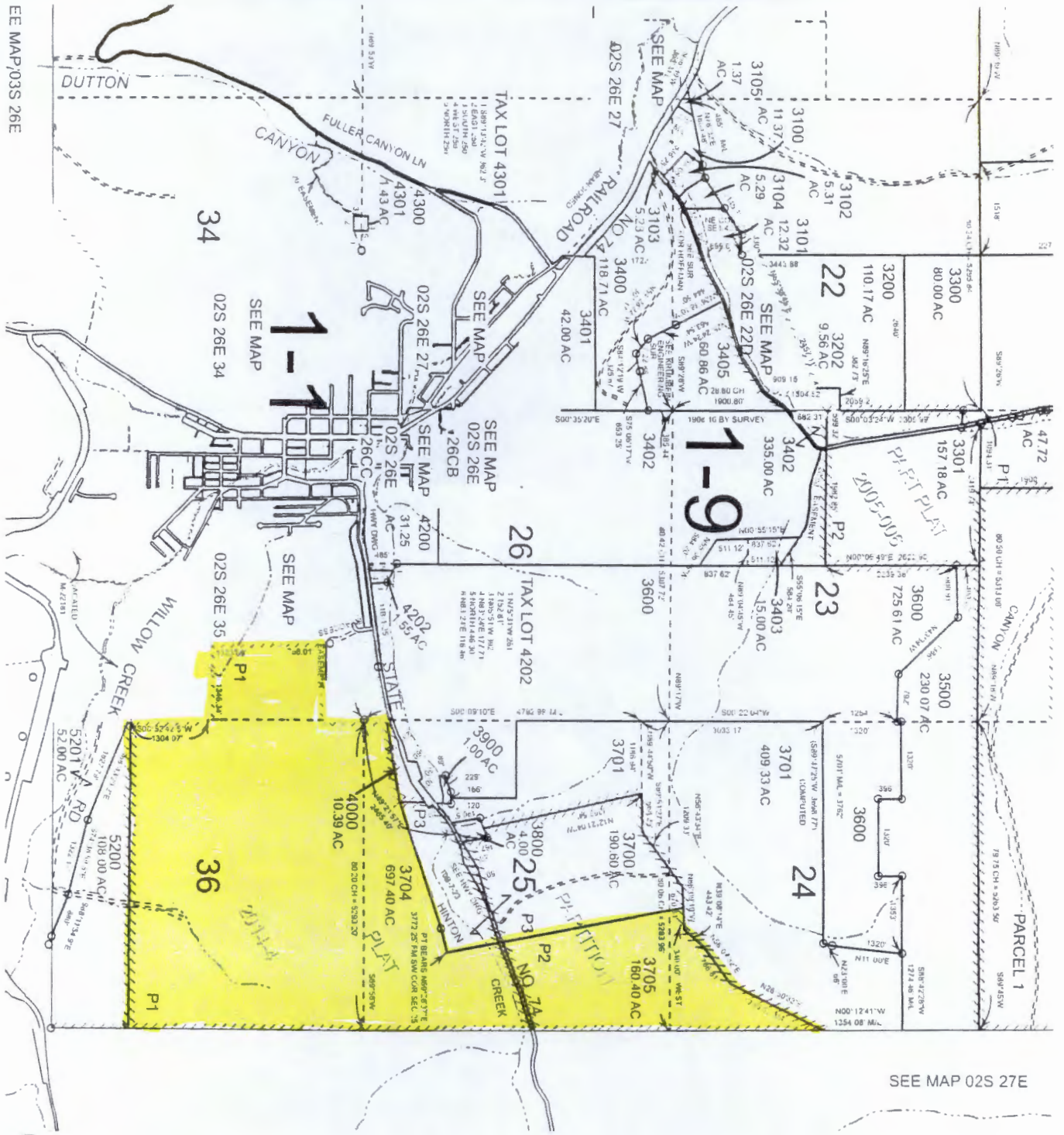
SEE MAP 25 26

SEE MAP 25 28

SEE MAP 25 27

Revised 11/11/2011 DBJ 2S 27

EE MAP/03S 26E



SEE MAP 02S 27E

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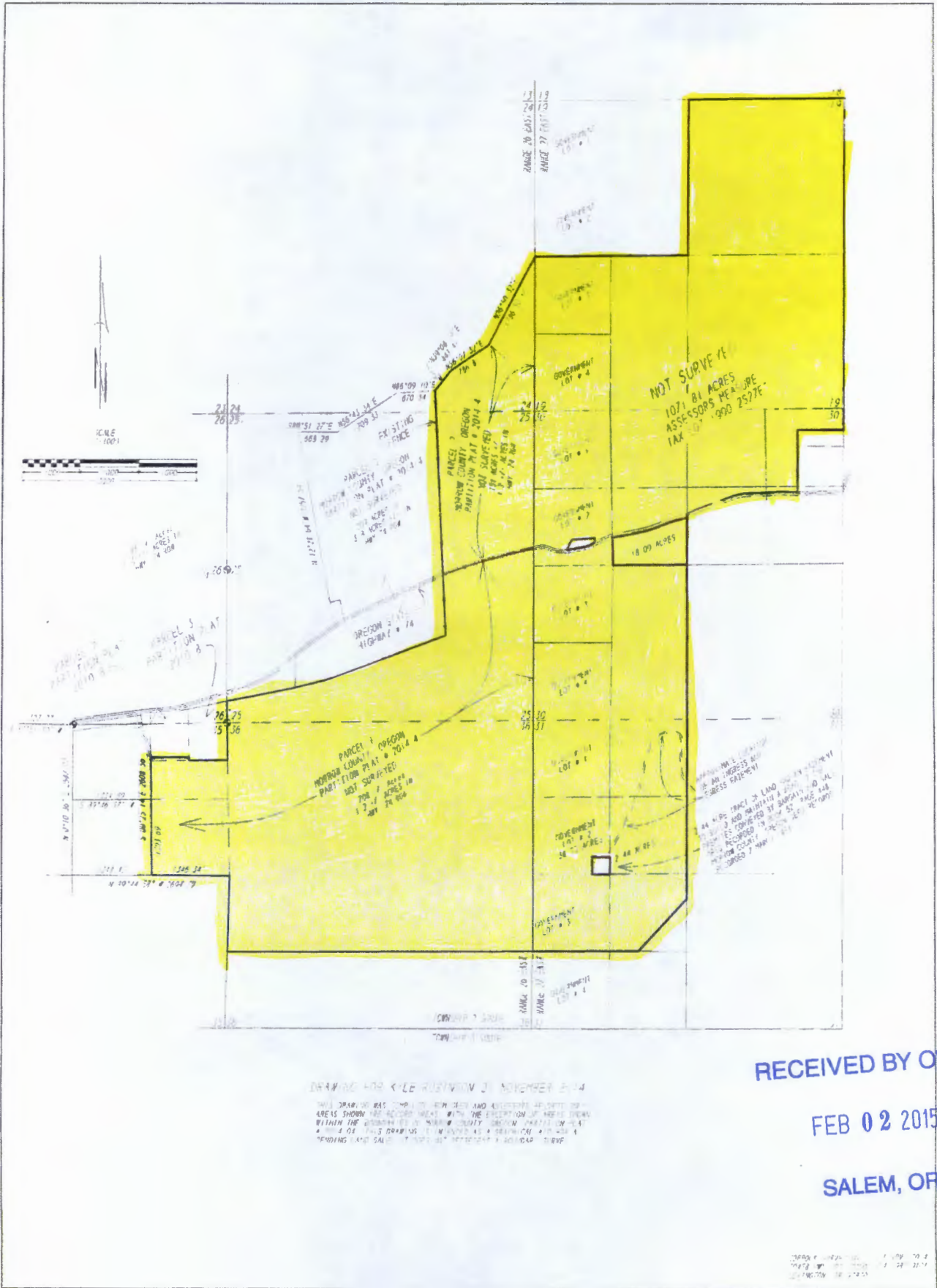
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SALEM, OR

Revised: EB  
08/18/2014

02S26E

OVERVIEW



DRAWING FOR KYLE RUSTON ON 21 NOVEMBER 2014

THIS DRAWING WAS MADE TO SHOW THE LOCATION AND EXTENT OF AREAS SHOWN AS ACCORDING TO THE DESCRIPTION OF THESE AREAS WITHIN THE BOUNDARIES OF SHERMAN COUNTY OREGON PARTITION PLAT # 10144. THIS DRAWING IS INTENDED AS A REFERENCE AND NOT A RECORD. PENDING LAND SALES TO BE MADE BY THE SHERMAN COUNTY BOARD OF COUNTY COMMISSIONERS.

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2014 11 21 10:10 AM  
2014 11 21 10:10 AM  
2014 11 21 10:10 AM

MCTC 9223

**RECORDING COVER SHEET**

(Per ORS 205.234 or ORS 205.244)

This cover sheet has been prepared by the person presenting the attached instrument for recording. Any errors in this cover sheet do not affect the Transaction(s) contained in the instrument itself.

After recording return to:  
**NFC Land & Cattle, LLC**  
**P.O. Box 490**  
**Winnemucca, NV 89446**  
c/o Mid-Columbia Title Company  
P.O. Box 290  
Boardman, OR 97818

MORROW COUNTY, OREGON **2015-35332**  
D-WD  
Cnt=1 Str=23 TC **01/06/2015 02:28:24 PM**  
\$25.00 \$11.00 \$20.00 \$10.00 **\$66.00**



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

1) Title(s) of Transaction(s) ORS 205.234(a)

Statutory Warranty Deed

2) Direct Party/Grantor(s) and address ORS 205.125(1)(b) and ORS 205.160

Merlyn A. Robinson, surviving trustee under the Donald O. & Merlyn A. Robinson Family Trust dated November 20, 1993 and any amendments thereto, whose address is 64583 Spur Loop, Heppner, OR 97836

3) Indirect Party/Grantee(s) and address ORS 205.125(1)(a) and ORS 205.160  
**NFC Land & Cattle, LLC, a Nevada limited liability company, whose address is P.O. Box 490, Winnemucca, NV 89446**

4) True and Actual Consideration ORS 93.030  
\$725,000.00

5) Send Tax Statements to:  
NFC Land & Cattle, LLC, P.O. Box 490, Winnemucca, NV 89446

: If this box is checked, then this Document is being re-recorded pursuant to ORS 205.244 at the request of Mid-Columbia Title Company to correct the document previously recorded as Fee No. 2014-35235 to correct a scrivener's error in the legal description.

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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

Until a change is requested all tax statements should be sent to Grantee at the following address:  
NFC Land & Cattle LLC  
620 Melarkey St.  
Winnemucca, NV 89445  
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, MERLYN A. ROBINSON, surviving trustee under the Donald O. & Merlyn A. Robinson Family Trust dated November 20, 1993 and any amendments thereto, Grantor herein, do hereby grant, bargain, sell, convey and warrant unto NFC LAND & CATTLE, LLC, A NEVADA LIMITED LIABILITY COMPANY, Grantee, 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 \$725,000.00 PAID PURSUANT TO AN IRC SECTION §1031 EXCHANGE ON BEHALF OF THE GRANTEE.**

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

Dated this 9<sup>th</sup> day of December, 2014.

**DONALD O. & MERLYN A. ROBINSON FAMILY TRUST DATED NOVEMBER 20, 1993, and any amendments thereto**

By: *Merlyn A. Robinson*  
Merlyn A. Robinson, Surviving Trustee

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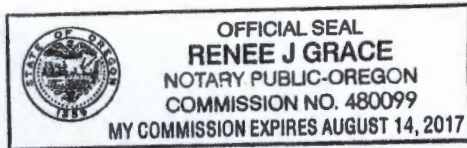
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STATE OF OREGON  
COUNTY OF MORROW

SALEM, OR

This instrument was acknowledged before me this 9 day of December, 2014 by MERLYN A. ROBINSON, as surviving trustee under the Donald O. & Merlyn A. Robinson Family Trust dated November 20, 1993, and any amendments thereto.

*Renee J Grace*  
Notary Public for the State of OREGON  
My Commission Expires: 8.14.17



**LEGAL DESCRIPTION  
EXHIBIT "A"**

**PARCEL 1:**

Parcels 1 and 2 of PARTITION PLAT 2014-4, in the County of Morrow and State of Oregon---

**PARCEL 2:**

**A parcel of land located in Township 2 South, Range 27, East of the Willamette Meridian, in the County of Morrow and State of Oregon:**

**SECTION 19:** Lots 3 and 4, the East Half of the Southwest Quarter, and the East Half.

**SECTION 30:** Lots 1, 2, 3 and 4, the East Half of the West Half, and that portion of the Northeast Quarter lying North of the Oregon-Washington Highway.

**EXCEPTING THEREFROM:** Beginning at a point 360.00 feet South of the Northeast corner of said Section 30; proceeding West a distance of 776.00 feet; thence South a distance of 1,075.00 feet to a point on the Oregon-Washington right-of way; thence North 86°44' East along said right-of-way a distance of 312.00 feet; thence North 54°34' East a distance of 312.00 feet along said right-of-way; thence North 39°42' East a distance of 427.60 feet along said right-of-way; thence North a distance of 600.00 feet to the point of beginning.

**ALSO EXCEPTING THERFROM** a parcel of land lying in the Northwest Quarter of Section 30, Township 2 South, Range 27, EWM, described as: Beginning at a point on the Northerly right-of way line of the Heppner Highway, said point being 30 feet Northerly and at right angles to the centerline of the Heppner Highway at Engineer's Station 123+69, said point also being 430.00 feet East and 2,400.00 feet South of the Northwest corner of said Section 30, thence North 49°54' East a distance of 192.38 feet to an iron pin; thence North 81°59' East a distance of 394.03 feet; thence South 61°38' East a distance of 67.61 feet to the Northerly right-of way line of the Heppner Highway at a point 30.00 feet North from and opposite Engineer's Station 129+55; thence Westerly along said Northerly right-of-way line to the point of beginning;

**SECTION 31:** Lots 1, 2 and 3, the East Half of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter.

**EXCEPTING THEREFROM** Beginning at the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 31, Township 2 South, Range 27, EWM, thence North 10.00 chains; thence Southwesterly\*10.00 chains West of the point of beginning; thence East 10.00 chains to the point of beginning. \*to a point\*

**ALSO EXCEPTING THERFROM** all that portion of land lying within Oregon State Highway 74.

**ALSO EXCEPTING THEREFROM** that tract of land conveyed to the State of Oregon, Department of Transportation in Deed Recorded August 8, 1934 in Book 42, Page 647, Morrow County Deed Records.

**ALSO EXCEPTING THEREFROM** the Southeast Quarter of the Southeast Quarter of Lot 2 in Section 31, Township 2 South, Range 27, EWM as described in Deed recorded February 28, 1958 in Book 62, Page 448, Morrow County Deed Records.

**ALSO EXCEPTING THEREFROM** that tract of land conveyed to the State of Oregon, Department of Transportation, in Deed recorded August 7, 1995 as Microfilm No. M-45741, Morrow County Microfilm Records.

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**Subject to:**

1. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
2. The rights of the public in roads and highways.
3. Easement in favor of the City of Heppner, including the terms and provisions thereof, recorded September 17, 1951, in Book 54, Page 372, Morrow County Deed Records.
4. Mineral, Oil and Gas reservations in favor of J.G. Barratt and Gretchen Barratt, as disclosed in Deed recorded September 18, 1952 in Book 56, Page 47, Morrow County Deed Records.
5. Easement in favor of Richard T. Wilkinson, including the terms and provisions thereof, recorded March 7, 1958 in Book 62, Page 448, Morrow County Deed Records.
6. Easement in favor of Heppner Water Control District, including the terms and provisions thereof, recorded January 3, 1977 as Microfilm No. M-10923, Morrow County Microfilm Records.
7. Easement in favor of Heppner Water Control District, including the terms and provisions thereof, recorded January 3, 1977 as Microfilm No. M-10924, Morrow County Microfilm Records.
8. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded May 18, 1977, as Microfilm No. M-11253, Morrow County Microfilm Records.
9. Right of Way Easement, in favor of the United States of America, including the terms and provisions thereof, dated July 9, 1984 and recorded as Microfilm No. M-23570, Morrow County Microfilm records.
10. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded October 11, 1991, as Microfilm No. M-37377, Morrow County Microfilm Records.
11. Memorandum of Site Lease Agreement, including the terms and provisions thereof, by and between Ronald O. Robinson and Merlyn A. Robinson, husband and wife, and McCaw of the Mid-South, Inc. a Delaware Corporation, dba Cellular One, recorded May 24, 1995 as Microfilm No. M-45044, Morrow County Microfilm Records.

Ratification and Joinder, including the terms and provisions thereof, recorded April 24, 1995 as Microfilm No. M-45045, Morrow County Microfilm Records.

Assignment of Lease, including the terms and provisions thereof, recorded May 28, 1995 as Microfilm No. M-45088, Morrow County Microfilm Records, McCaw of Mid-South, Inc. assigns its interest to Pueblo Cellular Communications, Inc.

Memorandum of First Amendment to Site Lease Agreement, including the terms and provisions thereof, by and between, T10 Unison Site Management LLC, a Delaware limited liability company and New Cingular Wireless PCS, LLC, a Delaware limited liability company, dated May 09, 2013, recorded July 10, 2013, as Microfilm No. M-2013-32582, Morrow County Microfilm Records.
12. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded May 8, 1995, as Microfilm No. M-45161, Morrow County Microfilm Records.
13. Permanent Easement in favor of the State of Oregon, Department of Transportation, including the terms and provisions thereof, recorded November 27, 1995 as Microfilm No. M-46622, Morrow County Microfilm Records.
14. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded November 14, 1995, as Microfilm No. M-46478, Morrow County Microfilm Records.
15. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded December 20, 1996, as Microfilm No. M-49779, Morrow County Microfilm Records.
16. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded December 20, 1996, as Microfilm No. M-49780, Morrow County Microfilm Records.
17. Disclaimer Statement, including the terms and provisions thereof, recorded November 03, 2010, as Microfilm No. 2010-27054, Morrow County Microfilm Records.
18. Access Easement and Road Maintenance Agreement, including the terms and provisions thereof, in favor of Merlyn A. Robinson, Trustee of the Donald O. and Merlyn A. Robinson Family Trust dated November 20, 1993, recorded November 03, 2010, as Microfilm No. M-2010-27055, Morrow County Microfilm Records.



19. Wireless Communication Easement and Assignment Agreement, including the terms and provisions thereof, in favor of Merlyn A. Robinson, surviving trustee under the Donald O. & Merlyn A. Robinson Family Trust, dated November 20, 1993, recorded March 19, 2012, as Microfilm No. M-2012-29806, Morrow County Microfilm Records.

Deed of Trust, Fixture Filing, Assignment of Leases and Rents, Agreement and Financing Statement, including the terms and provisions thereof, Executed by T10 Unison Site Management LLC and T11 Unison Site Management LLC each a Delaware limited liability company, as debtor(s), to First American Title Insurance Company of Oregon, as trustee for Deutsche Bank Trust Company Americas, a New York banking corporation, as Beneficiary, Recorded October 09, 2012, as Microfilm No. M-2012-30995, Morrow County Microfilm Records.

20. Easement Agreement, including the terms and provisions thereof, in favor of New Cingular Wireless PCS, LLC, a Delaware limited liability company, recorded May 08, 2014, as Microfilm No. M-2014-34101, Morrow County Microfilm Records.
21. Easements as shown on the recorded Partition Plat 2014-4.
22. Existing Conservation Reserve Program (CRP) and Conservation Reserve Enhancement Program (CREP) Government Contracts, including the terms and provisions thereof, affecting the portion of said premises for the purposes stated therein.

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