

RECORD OF SURVEY

MAP SHEET INDEX:

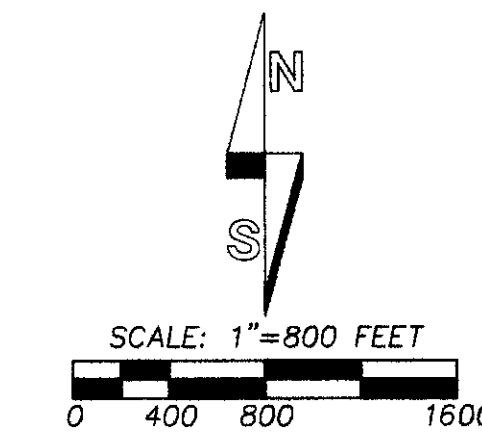
- SHEET 1 OF 4: SURVEY OF "PROPERTY" BOUNDARY.
- SHEET 2 OF 4: DETAIL OF PACIFIC POWER & LIGHT CO. TRANSMISSION LINE, SPECIAL EXCEPTION NO. 16, AND HERMISTON IRRIGATION DISTRICT CANALS SHOWING ON REPRODUCTION OF BUREAU OF RECLAMATION DISTRIBUTION MAP DATED APRIL 1ST, 1917, SPECIAL EXCEPTION NO. 1.
- SHEET 3 OF 4: GENERAL LOCATION OF CERTAIN SPECIAL EXCEPTIONS CONTAINED IN PRELIMINARY TITLE REPORT, DATED NOVEMBER 21, 2005, ORDER NO. 46162, REPORT NO. 3. GENERAL LOCATION OF UNIMPROVED COUNTY ROADS OF RECORD, GENERAL LOCATIONS OF CERTAIN FACILITIES REFERRED TO IN PROPERTY DESCRIPTION.
- SHEET 4 OF 4: SURVEYORS NARRATIVE AND REPORT AND "PROPERTY" DESCRIPTION.

NOTES:

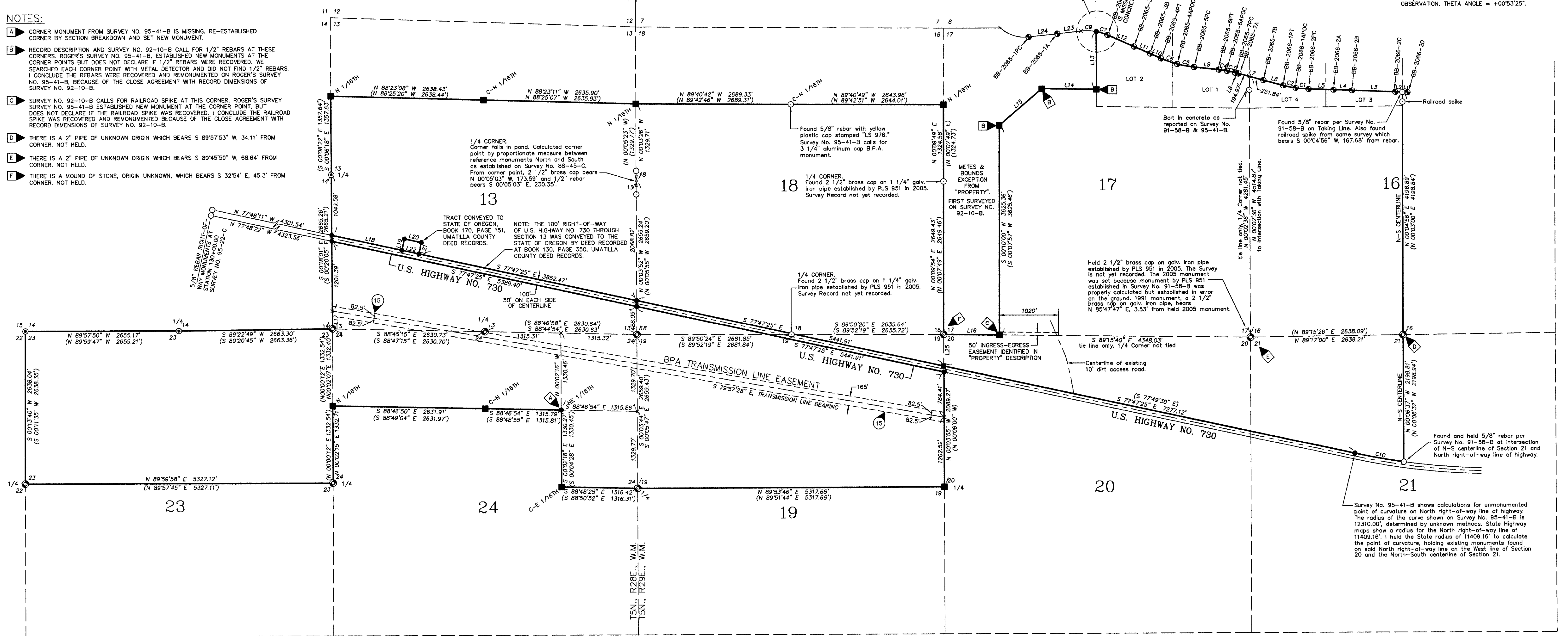
- A** CORNER MONUMENT FROM SURVEY NO. 95-41-B IS MISSING. RE-ESTABLISHED CORNER BY SECTION BREAKDOWN AND SET NEW MONUMENT.
- B** RECORD DESCRIPTION AND SURVEY NO. 92-10-B CALL FOR 1/2" REBARS AT THESE CORNERS. ROGER'S SURVEY NO. 95-41-B, ESTABLISHED NEW MONUMENTS AT THE CORNER POINTS BUT DOES NOT DECLARE IF 1/2" REBARS WERE RECOVERED. WE SEARCHED EACH CORNER POINT WITH METAL DETECTOR AND DID NOT FIND 1/2" REBARS. I CONCLUDE THE REBARS WERE REMOVED OR NOT MONUMENTED ON ROGER'S SURVEY NO. 95-41-B, BECAUSE OF THE CLOSE AGREEMENT WITH RECORD DIMENSIONS OF SURVEY NO. 92-10-B.
- C** SURVEY NO. 92-10-B CALLS FOR RAILROAD SPIKE AT THIS CORNER. ROGER'S SURVEY SURVEY NO. 95-41-B ESTABLISHED NEW MONUMENT AT THE CORNER POINT, BUT DOES NOT DECLARE IF THE RAILROAD SPIKE WAS RECOVERED. I CONCLUDE THE RAILROAD SPIKE WAS RECOVERED AND REMOVED BECAUSE OF THE CLOSE AGREEMENT WITH RECORD DIMENSIONS OF SURVEY NO. 92-10-B.
- D** THERE IS A 2" PIPE OF UNKNOWN ORIGIN WHICH BEARS S 89°57'53" W, 34.11' FROM CORNER. NOT HELD.
- E** THERE IS A 2" PIPE OF UNKNOWN ORIGIN WHICH BEARS S 89°45'59" W, 68.64' FROM CORNER. NOT HELD.
- F** THERE IS A MOUND OF STONE, ORIGIN UNKNOWN, WHICH BEARS S 32°54' E, 45.3' FROM CORNER. NOT HELD.

NOTES ON U.S. TAKING LINE:

- THE SOUTHERLY RIGHT-OF-WAY LINE OF THE OREGON-WASHINGTON RAILWAY AND NAVIGATION COMPANY AND THE U.S. TAKING LINE FOR LAKE WALLULA, ARE THE SAME LINE THROUGH SECTIONS 16 AND 17, T5N., R29E., W.M.. SEE SURVEYORS NARRATIVE AND REPORT.
- CURVES DEFINED BY MONUMENTS ON THE U.S. TAKING LINE ARE NON-TANGENT CURVES. CORPUS OF ENGINEERS MAPS DO NOT SPECIFY A CURVE RADIUS. I CALCULATED THE RADIUS OF THE CURVES ON THIS SURVEY BY FITTING A UNIFORM ARC BETWEEN CURVE MONUMENTS DEFINING THE PC, POC AND PT OF EACH CURVE.
- GOVERNMENT LOTS 1 AND 2 OF SECTION 17 AND GOVERNMENT LOTS 3 AND 4 OF SECTION 16 EXTEND NORTH OF THE U.S. TAKING LINE FOR LAKE WALLULA AND TERMINATE AT THE ORIGINAL HIGH WATER LINE OF THE COLUMBIA RIVER, PRIOR TO FLOODING BY MAN MADE DAM STRUCTURES.



BASED ON BEARINGS, MAP BEARINGS ARE ROTATED TO TRUE NORTH AT THE WEST 1/4 CORNER OF SECTION 13, BASED ON G.P.S. GEODETIC OBSERVATION. THETA ANGLE = +0°03'25".



LOCATIONS OF SURVEY ADDRESSABLE SPECIAL EXCEPTIONS CONTAINED IN PRELIMINARY TITLE REPORT PREPARED BY AMERITITLE, 112 SOUTHEAST COURT AVENUE, PENDLETON, OREGON, DATED NOVEMBER 21, 2005, ORDER NO. 46162, REPORT NO. 3:

SPECIAL EXCEPTION NUMBERS BELOW CORRESPOND WITH NUMBERS SHOWN IN LOCATION SYMBOLS ON MAP SHEETS

15. Transmission Line Easement and Access Road Easement, including the terms and provisions thereof, granted by Charles Kik, et ux, to the United State of America, dated July 18, 1966, recorded July 18, 1966, in Book 285, Page 441, Umatilla County Deed Records. (Affects South Half of the Southwest Quarter of Section 13, North Half of the Northeast Quarter and Northeast Quarter of Northwest Quarter of Section 24, Township 5 North, Range 28 East, and the North Half of the North Half and the Southeast Quarter of the Northeast Quarter of Section 19, and the South Half of the Northwest Quarter of Section 21, Township 5 North, Range 29 East, W.M.).

SURVEYORS NOTE: I HELD THE CENTERLINE OF EXISTING TOWER STRUCTURES TO DETERMINE CENTERLINE OF EASEMENT, IN CONFORMANCE WITH BPA "LOWER MONUMENTAL-JOHN DAY NO. 1" PROJECT MAPS DATED 4-3-64, AND EASEMENT DESCRIBED IN BOOK 285, PAGE 441, DEED RECORDS OF UMATILLA COUNTY.

LEGEND

- SET 5/8" X 30" IRON REBAR WITH 1 1/4" RED PLASTIC CAP STAMPED OR PLS 1106 WA PLS 17372.
- FOUND 3 1/2" B.P.A. ALUMINUM CAP ON 3/4" STAINLESS STEEL ROD FROM SURVEY NO. 95-41-B.
- ⊙ FOUND 2 1/2" BRASS CAP ON GALV. IRON PIPE FROM SURVEY NO. 91-58-B.
- ⊙ FOUND 3 1/2" CORPUS OF ENGINEERS BRASS DISK SET IN CONCRETE FROM MONARY LOCK AND DAM MONUMENTED PROJECT BOUNDARY, PROJECT BOUNDARY MAP SHEET 4L OF 5L, FILE NO. MDG-0-C-0/12, U.S. ARMY ENGINEER DISTRICT, WALLA WALLA, WASHINGTON, MONUMENT NUMBERS SHOWN ALONG U.S. TAKING LINE IN SECTIONS 16 AND 17, T5N., R29E., W.M., ARE STAMPED ON THE BRASS DISKS AND SHOWN ON THE PROJECT BOUNDARY MAP.
- ⊙ FOUND 3 1/2" CORPUS OF ENGINEERS BRASS DISK SET IN CONCRETE.
- MONUMENT FOUND AS NOTED.
- x CALCULATED POINT ONLY. NOT FOUND OR SET.
- (XOX) RECORD DIMENSION FROM SURVEY NO. 95-41-B
- [XOX] RECORD DIMENSION FROM U.S. ARMY CORP OF ENGINEERS MONUMENTED PROJECT BOUNDARY FOR MONARY LOCK AND DAM.
- (XOX)D RECORD DIMENSION FROM DEED DESCRIPTION.
- ◻ GENERAL NOTE, SEE "NOTES", THIS SHEET.
- ◻ INDICATES BOUNDARY OF "PROPERTY".
- LOCATION OF SPECIAL EXCEPTION STATED IN PRELIMINARY TITLE REPORT.
- BPA INDICATES BONNEVILLE POWER ADMINISTRATION.

LINE TABLE

NO.	BEARING	DISTANCE	[RECORD DIMENSION]
L1	N 87°58'24" W	87.75'	
L2	N 87°58'24" W	123.06'	
L3	N 87°55'35" W	749.98'	(N 88°50'25.0" W 749.99')
L4	N 87°54'33" W	318.57'	(N 88°50'25.0" W 318.60')
L5	N 87°55'20" W	431.44'	(N 88°50'25.0" W 431.39')
L6	N 74°54'10" W	355.00'	(N 75°48'55.0" W 355.00')
L7	N 74°53'25" W	446.81'	(N 75°48'55.0" W 446.78')
L8	N 74°59'13" W	57.97'	(N 75°48'55.0" W 57.98')
L9	N 83°47'27" W	431.88'	(N 84°41'07.6" W 431.82')
L10	N 68°09'57" W	205.06'	(N 67°13'50.0" W 204.89')
L11	N 68°22'23" W	302.95'	(N 67°13'50.0" W 302.97')
L12	N 68°18'04" W	500.25'	(N 67°13'50.0" W 500.01')
L13	S 00°03'55" W	999.41'	(N 00°01'40" E 995.55')
L14	N 89°06'24" W	945.50'	(S 89°08'20" E 945.53')
L15	S 83°44'21" W	409.56'	(N 89°23'11" E 972.38')
L16	N 89°15'35" W	968.07'	(N 89°17'55" W 968.00')
L17	N 00°18'01" W	311.86'	
L18	S 77°47'25" E	1237.36'	(N 12°10' E 200'D)
L19	N 12°12'35" E	200.00'	(S 77°50' E 300'D)
L20	S 77°47'25" E	300.00'	(S 12°10' W 200'D)
L21	S 12°12'35" E	200.00'	(N 77°50' W 300'D)
L22	S 77°47'25" E	300.00'	(N 82°48'03.0" E 500.16')
L23	S 83°44'21" W	409.56'	(N 82°48'03.0" E 500.16')
L24	S 83°45'23" W	500.27'	(S 00°06'00" E 545.43')
L25	N 00°04'18" W	545.58'	

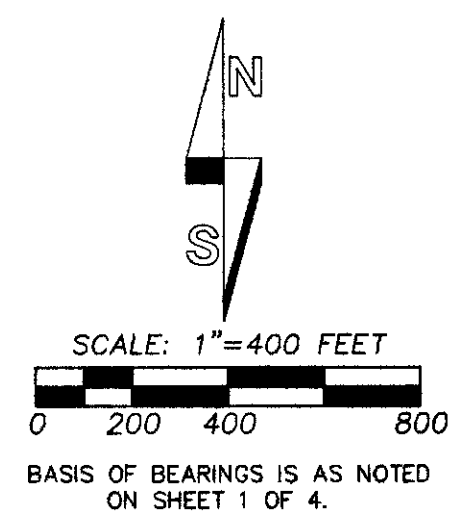
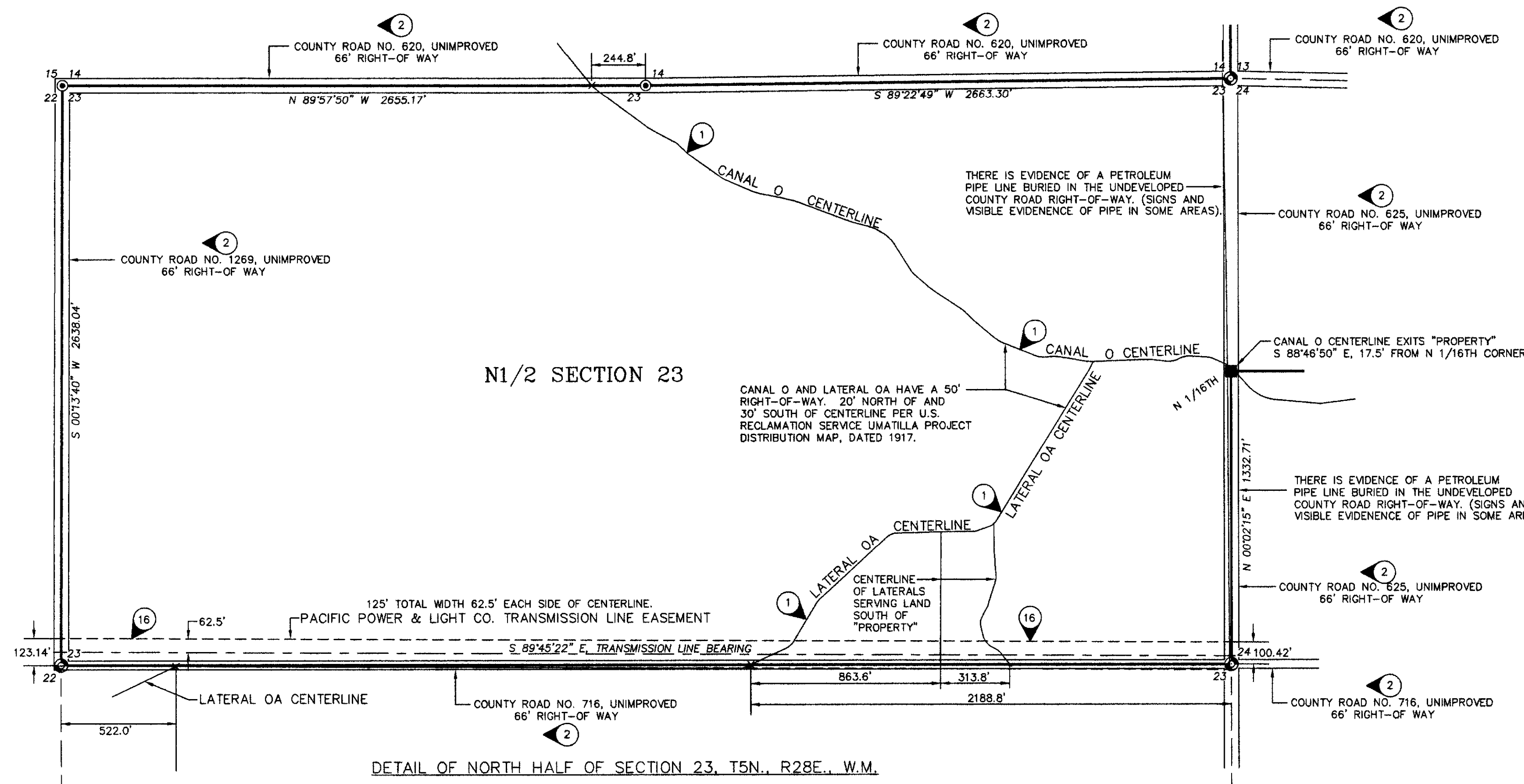
CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD BRG	RECORD LONG CHORD
C1	06°18'00"	2033.60'	223.60'	223.49'	N 84°34'08" W	(N 85°34'25.3" W 223.53')
C2	06°14'55"	2033.60'	221.78'	221.67'	N 78°17'41" W	(N 79°07'13.4" W 221.57')
C3	04°21'31"	1902.24'	144.70'	144.67'	N 78°07'49.8" W	(N 78°07'49.8" W 144.63')
C4	04°18'41"	1902.24'	143.14'	143.10'	N 81°32'00" W	(N 82°28'40.2" W 143.11')
C5	08°36'20"	1989.35'	298.79'	298.51'	N 79°23'46" W	(N 80°19'05.4" W 298.52')
C6	08°34'06"	1989.35'	297.50'	297.22'	N 70°48'33" W	(N 71°42'58.5" W 297.21')
C7	13°02'14"	899.76'	204.73'	204.29'	N 72°52'31" W	
C8	02°00'39"	899.76'	31.58'	31.58'	N 80°23'57" W	
C9	15°05'12"	899.76'	236.92'	236.23'	N 88°56'53" W	(S 89°47'00.0" E 236.29')
C10	04°18'33"	11409.16'	858.07'	857.87'	S 79°56'42" E	
[C10]			11409.16'			

SHEET 1 OF 4

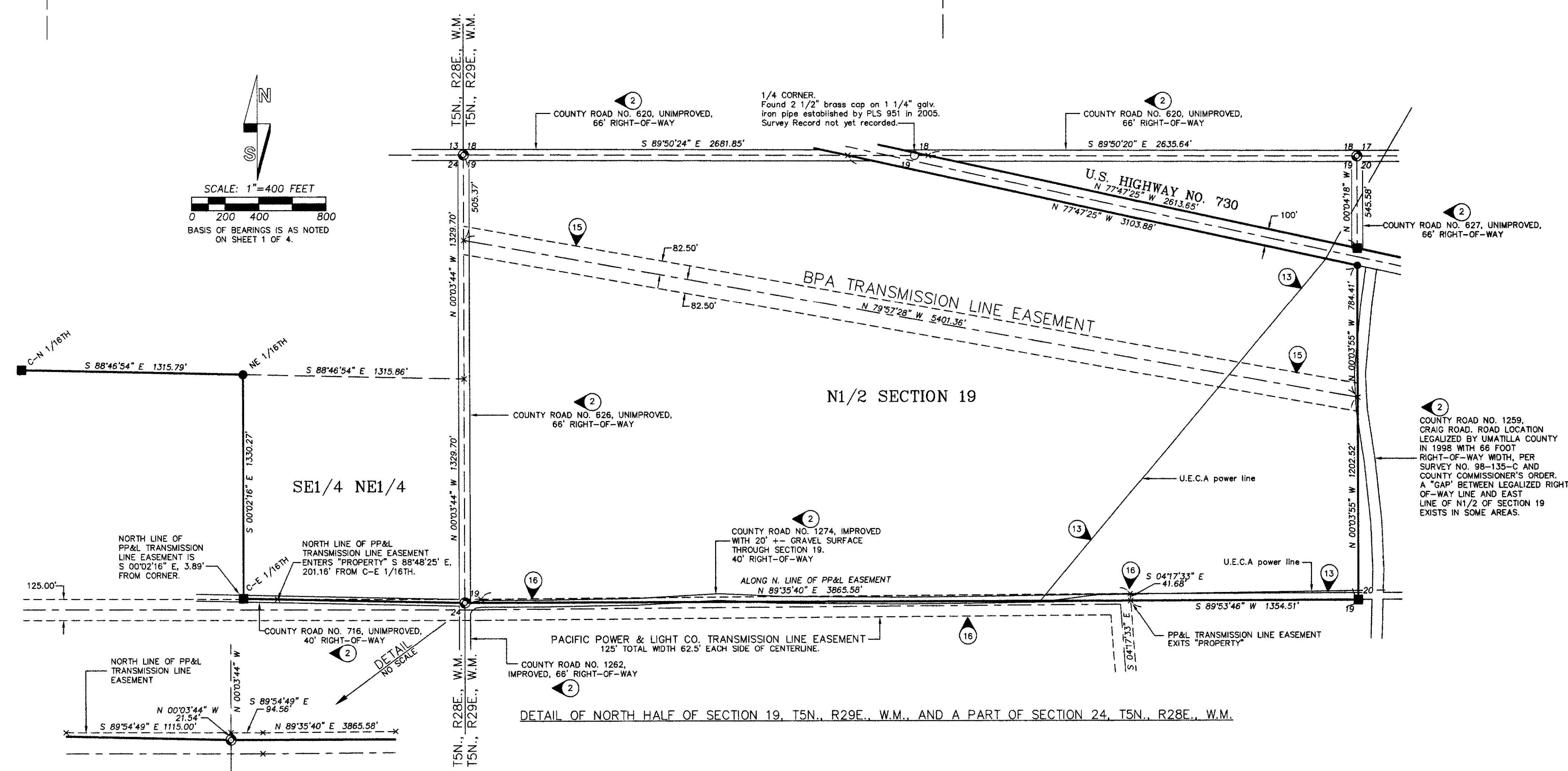
REGISTERED PROFESSIONAL LAND SURVEYOR <i>Will. R. Wells</i> OREGON JULY 22, 1977 WILLIAM R. WELLS 1106 RENEWS 6/30/06	WILLIAM R. WELLS, PLS 2602 N.E. RIVERSIDE PLACE P.O. BOX 1696 PENDLETON, OREGON PHONE: (541) 276-6362	PROJECT: SURVEY FOR: CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION LOCATED IN SECTIONS 13, 23 & 24 T5N., R29E., W.M., AND SECTIONS 16, 17, 18, 19, 20 & 21, T5N., R29E., W.M., UMATILLA COUNTY, OREGON.
	DATE: 02/06 DR BY: JMW CK BY: WRW NO: 06-1049	PROJECT: SURVEY FOR: CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION LOCATED IN SECTIONS 13, 23 & 24 T5N., R29E., W.M., AND SECTIONS 16, 17, 18, 19, 20 & 21, T5N., R29E., W.M., UMATILLA COUNTY, OREGON.

RECORD OF SURVEY



LEGEND

- SET 5/8" X 30" IRON REBAR WITH 1 1/4" RED PLASTIC CAP STAMPED "OR PLS 1106 WA PLS 17372."
- FOUND 3 1/2" B.P.A ALUMINUM CAP ON 3/4" STAINLESS STEEL ROD FROM SURVEY NO. 95-41-B.
- ⊙ FOUND 2 1/2" BRASS CAP ON GALV. IRON PIPE FROM SURVEY NO. 91-58-B.
- ⊙ FOUND 3 1/2" CORPS OF ENGINEERS BRASS DISK SET IN CONCRETE.
- MONUMENT FOUND AS NOTED.
- x CALCULATED POINT ONLY. NOT FOUND OR SET.
- INDICATES BOUNDARY OF "PROPERTY".
- U.E.C.A. INDICATES UMATILLA ELECTRIC COOPERATIVE ASSOCIATION.
- PP&L INDICATES PACIFIC POWER AND LIGHT COMPANY.
- BPA INDICATES BONNEVILLE POWER ADMINISTRATION.
- ⊙ LOCATION OF SPECIAL EXCEPTION STATED IN PRELIMINARY TITLE REPORT.



LOCATIONS OF SURVEY ADDRESSABLE SPECIAL EXCEPTIONS CONTAINED IN PRELIMINARY TITLE REPORT PREPARED BY AMERITITLE, 112 SOUTHEAST COURT AVENUE, PENDLETON, OREGON, DATED NOVEMBER 21, 2005, ORDER NO. 46162, REPORT NO. 3.

SPECIAL EXCEPTION NUMBERS BELOW CORRESPOND WITH NUMBERS SHOWN IN LOCATION SYMBOLS ON MAP SHEETS

1. These premises are within the boundaries of the Hermiston Irrigation District, and are subject to the easements thereof, if any.
 2. The rights of the public in roads and highways.
 13. Right-of-Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded August 25, 1960, in Book 259, Page 712, Umatilla County Deed Records. (Affects South Half of the Southwest Quarter of Section 13, North Half of the Northeast Quarter and Northeast Quarter of Northwest Quarter of Section 19, and the South Half of the North Half of the North Half and the Southeast Quarter of the Northeast Quarter of Section 19, and the North Half of the Northwest Quarter of Section 21, Township 5 North, Range 28 East, and the South Half of the Northwest Quarter of Section 21, Township 5 North, Range 29 East, W.M.).
 15. Transmission Line Easement and Access Road Easement, including the terms and provisions thereof, granted by Charles Kik, et ux, to the United States of America, dated July 18, 1966, recorded July 18, 1966, in Book 285, Page 441, Umatilla County Deed Records. (Affects South Half of the Southwest Quarter of Section 13, North Half of the Northeast Quarter and Northeast Quarter of Northwest Quarter of Section 19, and the South Half of the Northwest Quarter of Section 21, Township 5 North, Range 28 East, and the South Half of the Northwest Quarter of Section 21, Township 5 North, Range 29 East, W.M.).
 16. Right-of-Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Pacific Power and Light Company, recorded March 31, 1969, in Book 299, Page 72, Umatilla County Deed Records. (Affects North Half of Section 23, Township 5 North, Range 28 East, and the South Half of the North Half of Section 19, Township 5 North, Range 29 East, W.M.).
- SURVEYOR'S NOTE:** I HELD THE CENTERLINE OF EXISTING TOWER STRUCTURES TO DETERMINE CENTERLINE OF EASEMENT, IN CONFORMANCE WITH BPA "LOWER MONUMENTAL-JOHN DAY NO. 1" PROJECT MAPS DATED 4-3-64, AND EASEMENT DESCRIBED IN BOOK 285, PAGE 441, DEED RECORDS OF UMATILLA COUNTY.
- SURVEYOR'S NOTE:** I HELD THE CENTER OF POLE STRUCTURES AT ANGLE POINTS TO DETERMINE THE CENTERLINE OF EASEMENT, IN CONFORMANCE WITH EXHIBITS CONTAINED IN RIGHT-OF-WAY EASEMENT RECORDED IN BOOK 299, PAGE 72, DEED RECORDS OF UMATILLA COUNTY.

SHEET 2 OF 4

REGISTERED PROFESSIONAL LAND SURVEYOR

William R. Wells

OREGON

JULY 22, 1977

WILLIAM R. WELLS

1108

RENEWS 6/30/06

WILLIAM R. WELLS, PLS

2602 N.E. RIVERSIDE PLACE

P.O. BOX 1698

PENDLETON, OREGON

PHONE: (541) 276-6362

DATE: 02/06 DR. BY: JMW

CK. BY: WRW NO: 06-1049

PROJECT:

SURVEY FOR:

CONFEDERATED TRIBES

OF THE

UMATILLA INDIAN RESERVATION

LOCATED IN SECTIONS 13, 23 & 24

T5N., R28E., W.M., AND SECTIONS

16, 17, 18, 20 & 21, T5N., R29E., W.M.,

UMATILLA COUNTY, OREGON.

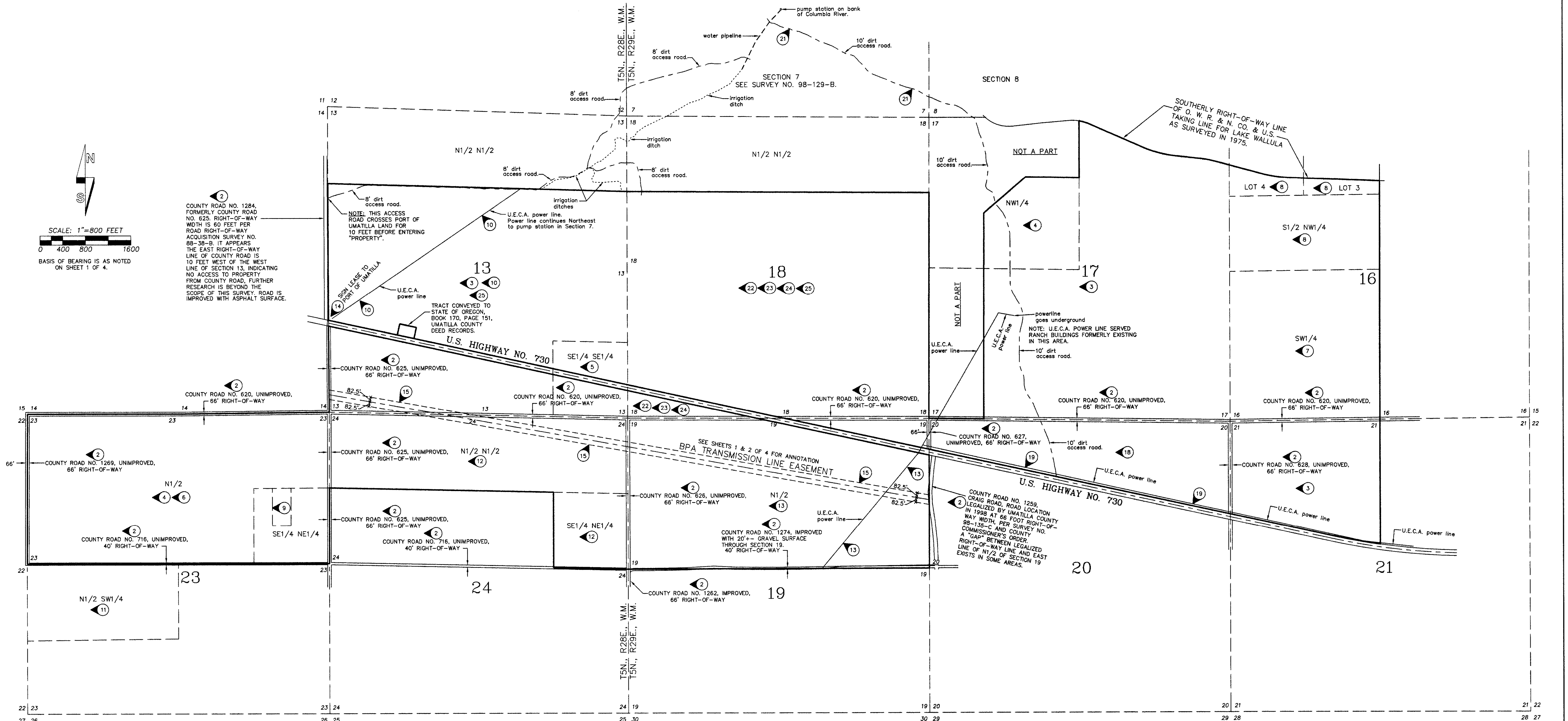
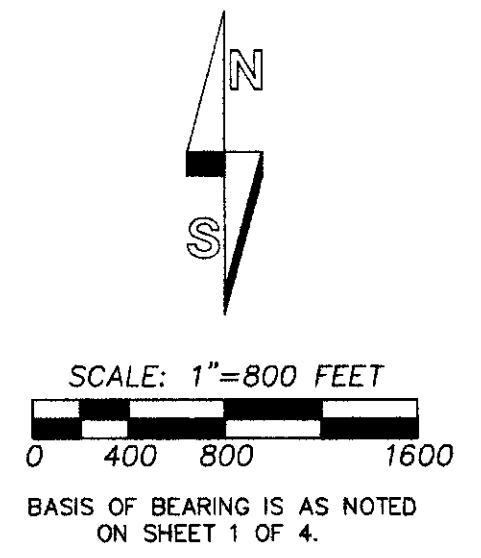
RECEIVED BY

DATE: 3-06

BY: KK

No. 06-38-a

RECORD OF SURVEY



LOCATIONS OF SURVEY ADDRESSABLE SPECIAL EXCEPTIONS CONTAINED IN PRELIMINARY TITLE REPORT PREPARED BY AMERITITLE, 112 SOUTHEAST COURT AVENUE, PENDELTON, OREGON, DATED NOVEMBER 21, 2005, ORDER NO. 46162, REPORT NO. 3.

SPECIAL EXCEPTION NUMBERS BELOW CORRESPOND WITH NUMBERS SHOWN IN LOCATION SYMBOLS ON MAP SHEETS

1. These premises are within the boundaries of the Hermiston Irrigation District, and are subject to the easements thereof, if any. **SURVEYORS NOTE:** SEE SHEET 2 OF 4 FOR LOCATION OF NAMED HERMISTON IRRIGATION DISTRICT CANALS.
2. The rights of the public in roads and highways.
3. Reservations of minerals, including the terms and provisions thereof, contained in Deed from Northern Pacific Railway Company, to J. Frank Watson, recorded July 17, 1905, in Book 48, Page 115, Umatilla County Deed Records. (Affects those portions lying within Section 13, Township 5 North, Range 28 East, and Sections 17 and 21, Township 5 North, Range 29 East, W.M.)
4. Telephone Right-of-Way Easement, including the terms and provisions thereof, in favor of Pacific Telephone and Telegraph Company, recorded August 16, 1951, in Book 145, Page 552, Umatilla County Deed Records. (Covers lands in Section 23, Township 5 North, Range 28 East, and in Section 17, Township 5 North, Range 29 East, W.M.)
5. Telephone Right-of-Way, including the terms and provisions thereof, in favor of Pacific Telephone and Telegraph Company, recorded August 16, 1951, in Book 145, Page 553, Umatilla County Deed Records. (Southeast Quarter of the Southeast Quarter of Section 13, Township 5 North, Range 28 East, W.M.)
6. Reservation of all minerals, including the terms and provisions thereof, in Deed from Northern Pacific Railway Co. to Alice M. Kik, recorded November 19, 1940, in Book 159, Page 176, Umatilla County Deed Records. (Affects North Half of Section 23, Township 5 North, Range 28 East, W.M.)
7. Reservations, including the terms and provisions thereof, contained in Deed from the State of Oregon, to W. C. Kik, dated July 2, 1947, recorded July 16, 1947, in Book 182, Page 333, Umatilla County Deed Records. (Affects Southwest Quarter of Section 16, Township 5 North, Range 29 East, W.M.)
8. Reservations, including the terms and provisions thereof, contained in Deed from the State of Oregon to Charles Kik, dated July 2, 1947, and recorded July 16, 1947, in Book 182, Page 333, Umatilla County Deed Records. (Affects Lots 3 and 4, South Half of the Northwest Quarter of Section 16, Township 5 North, Range 29 East, W.M.)
9. Right-of-Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded April 28, 1951, in Book 196, Page 505, Umatilla County Deed Records. (Affects portion in Section 23, Township 5 North, Range 28 East, W.M.)
10. Right-of-Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded March 1, 1955, in Book 223, Page 487, Umatilla County Deed Records. (Affects land in Section 13, Township 5 North, Range 28 East, and Section 7, Township 5 North, Range 29 East, W.M., South of Railroad.)

11. Right-of-Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded March 20, 1957, in Book 241, Page 7, Umatilla County Deed Records. (Affects North Half of the Southwest Quarter of Section 23, Township 5 North, Range 28 East, W.M.) **SURVEYORS NOTE:** DOES NOT APPLY TO "PROPERTY".
12. Reservations of Patent, including Telephone Easement to Pacific Telephone Telegraph Company, including the terms and provisions thereof, recorded September 4, 1958, in Book 250, Page 527, Umatilla County Deed Records. (Affects North Half of the North Half and the Southeast Quarter of the Northeast Quarter of Section 24, Township 5 North, Range 28 East, W.M.)
13. Right-of-Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded August 25, 1960, in Book 259, Page 712, Umatilla County Deed Records. (North Half of Section 19, Township 5 North, Range 29 East, W.M.)
14. Lease, including the terms and provisions thereof, between Charles Kik, Lessor, and Part of Umatilla, Lessee, dated June 17, 1964, recorded July 10, 1964, in Book 276, Page 396, Umatilla County Deed Records. The term of said lease is on a year to year basis.
15. Transmission Line Easement and Access Road Easement, including the terms and provisions thereof, granted by Charles Kik, et ux, to the United States of America, dated July 18, 1966, recorded July 18, 1966, in Book 285, Page 441, Umatilla County Deed Records. (Affects South Half of the Southwest Quarter of Section 13, North Half of the Northeast Quarter and Northeast Quarter of Northwest Quarter of Section 24, Township 5 North, Range 28 East, and the North Half of the North Half and the Southeast Quarter of the Northeast Quarter of Section 19, and the South Half of the Northwest Quarter of Section 21, Township 5 North, Range 29 East, W.M.) **SURVEYORS NOTE:** ALSO SEE SHEET 1 OF 4 AND 2 OF 4.
16. Right-of-Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Pacific Power and Light Company, recorded March 31, 1969, in Book 299, Page 72, Umatilla County Deed Records. (Affects North Half of Section 23, Township 5 North, Range 28 East, and the South Half of the North Half of Section 19, Township 5 North, Range 29 East, W.M.) **SURVEYORS NOTE:** SEE SHEET 2 OF 4.
17. Reservations, including the terms and provisions thereof, continued in U.S. Patent to Charles C. Kik, et al, dated May 18, 1969, recorded May 23, 1969, in Book 299, Page 665, Umatilla County Deed Records. (Affects that portion lying in Section 14, Township 5 North, Range 28 East, W.M.) **SURVEYORS NOTE:** DOES NOT APPLY TO "PROPERTY".
18. Reservations in Patent, including but not limited to, all minerals, right-of-way for electric power transmission and access road purposes, including the terms and provisions thereof, recorded June 18, 1969, in Book 300, Page 255, Umatilla County Deed Records. (Affects North Half of Section 20, Township 5 North, Range 29 East, W.M.)
19. Right-of-Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded July 3, 1973, in Book 329, Page 605, Umatilla County Deed Records. (Affects North Half of Section 20, Township 5 North, Range 29 East, W.M.)

20. Lease, including the terms and provisions thereof, between Roger Shelley and Robert Schweigert, partners, dba Mognum Hunting Club, as Lessee, and Robert Conforth, dba Broken Circle Ranch, as Lessor, dated August 9, 1985, recorded September 15, 1987, in Book 158, Page 16, Umatilla County Microfilm Records. **SURVEYORS NOTE:** "BLANKET" EASEMENT AFFECTING "PROPERTY" STATUS UNKNOWN. DESCRIBED BY TAX LOTS. LOCATION IS NOT SHOWN.
21. Reservation of Easement along the now existing roadway, in Section 7, Township 5 North, Range 29 East, W.M., for the purpose of the owners of Section 17, having access to the water pump station, as reserved in Deed from A.L. Conforth, et al, to the Trust for Public Land recorded July 11, 1991, in Reel 208, Page 270, Umatilla County Microfilm Records.
22. Reservation of right of way for ditches or canals constructed by the authority of the United States, as reserved in Patent, recorded May 2, 1969, in Book 299, Page 441, Umatilla County Deed Records. **SURVEYORS NOTE:** APPLIES TO TO SECTION 18, T5N., R29E., W.M.
23. Reservation of all Mineral deposits in accordance with the provisions of Section 4 of the Act of September 19, 1964, as reserved in Patent recorded May 2, 1969, in Book 299, Page 441, Umatilla County Deed Records. **SURVEYORS NOTE:** APPLIES TO SECTION 18, T5N., R29E., W.M.
24. Conveyance of minerals (except oil and gas), including the terms and provisions thereof, in Patent recorded May 15, 1985 in Reel 125, Page 1575, Umatilla County Microfilm Records. **SURVEYORS NOTE:** APPLIES TO SECTION 18, T5N., R29E., W.M.
25. Approval of Umatilla County Land Division Application, together with Covenant Not to Sell Separately, between Umatilla County, Trust for Public Land and Part of Umatilla recorded June 17, 1993 in Reel 237, Page 104, Umatilla County Microfilm Records. **SURVEYORS NOTE:** THIS IS A PLANNING/ZONING INSTRUMENT.
26. Offer to Lease and Lease for Oil and Gas, including the terms and provisions thereof, between U.S. Department of the Interior, Bureau of Land Management and Tyrex Oil Company, dated October 14, 1990, as disclosed by Deed of Trust, Assignment and Security Agreement shown at Exception No. 27, below. **SURVEYORS NOTE:** NOT ADDRESSED.
27. Deed of Trust, Assignment and Security Agreement, including the terms and provisions thereof, between Choctaw Exploration Corporation and Wheeler County Land Title Company, Trustee for Commercial Exchange Bank and Trust Ltd., dated January 20, 1985, recorded February 12, 1985, in Reel 122, Page 702, Umatilla County Microfilm Records, to which reference is hereby made. (Affects Mineral Interests). **SURVEYORS NOTE:** NOT ADDRESSED.

LEGEND

INDICATES BOUNDARY OF "PROPERTY".

LOCATION OF SPECIAL EXCEPTION STATED IN PRELIMINARY TITLE REPORT.

U.E.C.A. INDICATES UMATILLA ELECTRIC COOPERATIVE ASSOCIATION.

BPA INDICATES BONNEVILLE POWER ADMINISTRATION.

SHEET 3 OF 4

REGISTERED PROFESSIONAL LAND SURVEYOR <i>William R. Wells</i> OREGON JULY 22, 1977 WILLIAM R. WELLS 1106 RENEWS 6/30/06	WILLIAM R. WELLS, PLS 2602 N.E. RIVERSIDE PLACE P.O. BOX 1696 PENDELTON, OREGON PHONE: (541) 276-6362	PROJECT: SURVEY FOR: CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION LOCATED IN SECTIONS 13, 23 & 24 T5N., R28E., W.M. AND SECTIONS 16, 17, 18, 19, 20 & 21, T5N., R29E., W.M., UMATILLA COUNTY, OREGON.
DATE: 02/06 CK. BY: WRW		DR. BY: JMW NO: 06-1049

RECEIVED BY
 Umatilla County Surveyor
 Date: 3-06
 Initials: KK
 No: 06-38-C

RECORD OF SURVEY

SURVEYORS NARRATIVE AND REPORT:

THIS SURVEY WAS MADE AT THE REQUEST OF LOIS L. BRONCHEAU, LAND ACQUISITION COORDINATOR FOR THE CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION. THE SURVEY WAS MADE FOR THE PURPOSE OF IDENTIFYING THE EXTERIOR BOUNDARY OF LANDS DESCRIBED IN PRELIMINARY REPORT FOR TITLE INSURANCE, DATED AS OF NOVEMBER 21, 2005, PREPARED BY AMERITITLE, 112 SOUTHEAST COURT AVENUE, PENDLETON, OREGON, ORDER NO. 46162, REPORT NO. 3. THE LANDS IDENTIFIED IN THE PRELIMINARY TITLE REPORT ARE REFERRED TO AS THE "PROPERTY".

A LARGE PORTION OF THE BOUNDARY OF THE "PROPERTY" HAD BEEN SURVEYED BY ROGERS SURVEYING, INC. FOR BONNEVILLE POWER ADMINISTRATION, IN 1995, UNDER RECORD SURVEY NO. 95-41-B. THE ROGERS SURVEY WAS PRIMARILY OF THE EXTERIOR BOUNDARY OF THE "PROPERTY" AND DID NOT INCLUDE SURVEY AND MONUMENTATION OF U.S. HIGHWAY NO. 730 OR THE STATE OF OREGON TRACT LOCATED ON THE NORTH SIDE OF HIGHWAY 730 IN SECTION 13, T5N., R28E., W.M.. THE ROGERS SURVEY IDENTIFIED THE APPROXIMATE LOCATION OF THE U.S. TAKING LINE FOR LAKE WALLULA IN SECTIONS 16 AND 17, T5N., R29E., W.M., BUT SHOWED ONLY ONE TAKING LINE MONUMENT RECOVERED ALONG THE ENTIRE BOUNDARY OF THE "PROPERTY" THROUGH SECTIONS 16 AND 17. POSITIONS FOR ALL THE OTHER U.S. TAKING LINE MONUMENTS ARE SHOWN AS CALCULATED ON THE ROGERS SURVEY. THE ROGERS SURVEY IDENTIFIED THE U.S. TAKING LINE THROUGH SECTIONS 16 AND 17 AS THE BOUNDARY OF THE "PROPERTY".

DISCUSSION OF U.S. TAKING LINE FOR LAKE WALLULA AND THE SOUTH RIGHT-OF-WAY LINE OF THE OREGON-WASHINGTON RAILROAD AND NAVIGATION COMPANY.

THE PRELIMINARY TITLE REPORT DESCRIPTION OF THE "PROPERTY" THROUGH THE WEST HALF OF SECTION 16, T5N., R29E., W.M. IDENTIFIES THE NORTH LINE OF "PROPERTY" AS THE "SOUTHERLY RIGHT-OF-WAY LINE OF THE O. W. R. & N. CO." IN THE EAST HALF OF SECTION 17, T5N., R29E., W.M. THE NORTH LINE OF THE "PROPERTY" IS IDENTIFIED AS THE "U.S. TAKING LINE FOR LAKE WALLULA SURVEYED IN 1975". WE RECOVERED ALL MONUMENTS FOR THE U.S. TAKING LINE FOR LAKE WALLULA THROUGH THE WEST HALF OF SECTION 16 AND EAST HALF OF SECTION 17. THE RAILS AND TIES FOR THE RAILROAD HAVE BEEN REMOVED FOR MANY YEARS. PORTIONS OF THE RAILROAD BED REMAIN, NOW BEING USED AS A HIKING PATH. DURING OUR 1998 SURVEY IN SECTION 7, T5N., R29E., W.M., WE FOUND THE U.S. TAKING LINE TO BE THE SOUTH RIGHT-OF-WAY LINE OF THE OLD RAILROAD RIGHT-OF-WAY. THE 1998 SURVEY IS RECORDED AS SURVEY NO. 98-129-B.

I CONTACTED THE REAL ESTATE OFFICE OF THE WALLA WALLA DISTRICT CORPS OF ENGINEERS AND SPOKE WITH THE DISTRICT STAFF SURVEYOR. WE WERE FURNISHED A REAL ESTATE MAP AND DESCRIPTIONS FOR "TRACT BB-2066" IN SECTION 16, T5N., R29E., W.M., AND "TRACT BB-2065" IN SECTION 17, T5N., R29E., W.M.. THE DOCUMENTATION INDICATES THE U.S. TAKING LINE ACROSS THE "PROPERTY" IN SECTIONS 16 AND 17 IS IDENTICAL WITH THE SOUTH RIGHT-OF-WAY LINE OF THE OREGON-WASHINGTON RAILROAD AND NAVIGATION COMPANY, AS NEAR AS COULD BE DETERMINED AT THE TIME OF SURVEY OF THE U.S. TAKING LINE. I CONCLUDE THE SOUTH RIGHT-OF-WAY LINE OF THE OLD RAILROAD IS PERPETUATED BY THE MONUMENTS ON THE U.S. TAKING LINE FOR LAKE WALLULA, AS DETERMINED BY CORPS OF ENGINEERS SURVEYORS AND MONUMENTED ABOUT 1975. I ALSO CHECKED LENGTH OF CURVES, TANGENT LENGTHS AND RADIUS OF ALIGNMENT BETWEEN U.S. TAKING LINE MONUMENTS AND RECORD RAILROAD MAP ALIGNMENT DATA AND FIND A REASONABLE MATCH.

DISCUSSION OF U.S. HIGHWAY 730 RIGHT-OF-WAY LINE DETERMINATION:

THE HIGHWAY 730 RIGHT-OF-WAY THROUGH THE "PROPERTY" IS NOT MONUMENTED. AFTER DETERMINING THE NORTH RIGHT-OF-WAY LINE OF THE HIGHWAY THROUGH SECTIONS 20 AND 21, T5N., R29E., W.M., AS EXPLAINED ON SHEET 1 OF 4, I LAID OUT THE CENTERLINE AND SOUTH RIGHT-OF-WAY LINE OF THE HIGHWAY AND EXTENDED THOSE LINES TO THE WEST LINE OF SECTION 13, T5N., R28E., W.M., ON THE WEST BOUNDARY OF THE "PROPERTY". WE TIED THE PAVEMENT EDGES OF THE HIGHWAY AND FIND A GOOD MATCH WITH THE CALCULATED RIGHT-OF-WAY LINES FOR THE HIGHWAY. WE ALSO TIED 5/8 INCH REBAR MONUMENTS AT HIGHWAY STATION 130+00, ABOUT 4300 FEET WEST OF THE WEST LINE OF THE "PROPERTY". THE MONUMENTS AT HIGHWAY STATION 130+00 WERE ESTABLISHED BY THE STATE OF OREGON HIGHWAY DIVISION IN THEIR MONUMENTATION SURVEY OF HIGHWAY 730 THROUGH THE UMATILLA CITY LIMITS, UNDER SURVEY NO. 95-22-C. MONUMENTS AT STATION 130+00 ARE THE CLOSEST HIGHWAY MONUMENTS TO THE "PROPERTY".

DETERMINING LOCATION OF STATE OF OREGON TRACT DESCRIBED IN BOOK 170, PAGE 151, DEED RECORDS OF UMATILLA COUNTY.

TO LOCATE THE STATE OF OREGON TRACT IN SECTION 13, T5N., R28E., W.M., I FIRST REFERRED TO THE DEED RECORDED IN BOOK 170, PAGE 151, RECORDED IN DECEMBER, 1943. THE CALL TO THE POINT OF BEGINNING FOR THE DESCRIPTION IS BOTH BY HIGHWAY ENGINEER'S CENTERLINE STATION AND BY DISTANCE NORTH AND WEST OF THE SOUTHWEST CORNER OF SECTION 13. FROM EXPERIENCE, I REALIZE DISTANCE CALLS FROM GOVERNMENT CORNERS IN STATE HIGHWAY DEPARTMENT DEEDS ARE GENERALLY UNRELIABLE, ESPECIALLY IN OLD DEEDS. THE CALLS TO GOVERNMENT CORNERS WERE OFTEN CALCULATED. THE MOST RELIABLE MEANS OF LOCATING DESCRIPTIONS PREPARED BY THE STATE HIGHWAY DEPARTMENT IS BY ENGINEER'S CENTERLINE STATION.

BY INSPECTION OF THE STATE HIGHWAY MAPS FOR THE HIGHWAY, I DETERMINE THE STATE USED TRUE BEARING RATHER THAN STATE PLANE GRID BEARING FOR THE HIGHWAY MAP AND TRACT DESCRIPTION. THE POINT OF BEGINNING FOR THE STATE TRACT IS SPECIFIED AS 1432 FEET NORTH AND 4127 FEET WEST OF THE SOUTHWEST CORNER OF SECTION 13. THE HYPOTENUSE CLOSING THE TRIANGLE IS 4368.38 FEET. INTERSECTING THE DISTANCE OF 4368.38 FEET, MEASURED FROM THE SOUTHWEST CORNER OF SECTION 13, WITH THE NORTH RIGHT-OF-WAY LINE OF THE HIGHWAY IS ONE SOLUTION FOR THE POINT OF BEGINNING FOR THE TRACT. THE DEED CONVEYING THE 100 FOOT HIGHWAY RIGHT-OF-WAY THROUGH SECTION 13 IS RECORDED IN BOOK 130, PAGE 350, DEED RECORDS. THIS DEED REPORTS THE HIGHWAY ENGINEER'S CENTERLINE STATION AT ITS INTERSECTION WITH THE WEST LINE OF SECTION 13 AS 1734+10. THE HIGHWAY ENGINEER'S CENTERLINE STATION OF THE POINT OF BEGINNING OF THE STATE TRACT DESCRIBED IN BOOK 170, PAGE 151, IS STATION 185+50, OR 1240 FEET ALONG THE HIGHWAY CENTERLINE FROM THE WEST LINE OF SECTION 13. THIS IS A SECOND SOLUTION FOR THE POINT OF BEGINNING FOR THE STATE TRACT. THE TWO SOLUTIONS DISAGREE BY 65 FEET.

ON THE STATE HIGHWAY MAP, THE STATE TRACT DESCRIBED IN BOOK 170, PAGE 151 IS SHOWN. THERE IS ALSO A 18 INCH CONCRETE CULVERT SHOWN AT STATION 181+75 AND ANOTHER AT STATION 190+94. I LOCATED THE TWO CULVERTS, DETERMINED THE MIDPOINT ON HIGHWAY CENTERLINE BETWEEN THEM AND HELD THAT MID-POINT AS HIGHWAY ENGINEER'S CENTERLINE STATION 186+34.50. RELATIVE TO THE MID-POINT AT STATION 186+34.50, I LAID OUT THE STATE OF OREGON TRACT WITH THE POINT OF BEGINNING AT STATION 185+50 ON THE NORTH RIGHT-OF-WAY LINE OF THE HIGHWAY AS CALLED IN THE DEED RECORDED AT BOOK 170, PAGE 151, DEED RECORDS.

SPECIAL EXCEPTIONS NOTED IN PRELIMINARY TITLE REPORT:

I ADDRESSED THE VARIOUS "SPECIAL EXCEPTIONS" IDENTIFIED IN THE PRELIMINARY TITLE REPORT. MANY OF THE EXCEPTIONS HAVE "BLANKET" TYPE DESCRIPTIONS WHICH CANNOT BE SPECIFICALLY LOCATED RELATIVE TO BOUNDARY LINES. THE MAJORITY OF GENERAL LOCATIONS FOR SPECIAL EXCEPTIONS SHOW ON SHEET 3 OF 4.

WE LOCATED THE TOWER STRUCTURES FOR THE BONNEVILLE POWER ADMINISTRATION EASEMENT IDENTIFIED AS EXCEPTION NO. 15 AND SHOWED THE SPECIFIC LOCATION OF THE EASEMENT ON MAP SHEETS 1 OF 4 AND 2 OF 4.

WE LOCATED THE CENTERLINE OF POLE STRUCTURES FOR THE PACIFIC POWER AND LIGHT COMPANY EASEMENT IDENTIFIED AS EXCEPTION NO. 16 AND SHOWED THE LOCATION OF THE EASEMENT LINES AFFECTING THE "PROPERTY" ON SHEET 2 OF 4.

SURVEYORS NARRATIVE AND REPORT, CONTINUED:

WE LOCATED THE CENTERLINE OF THE "O" CANAL AND THE "OA" LATERAL CANALS AND SHOWED THE LOCATIONS ON SHEET 2 OF 4. TWO OTHER CANALS WERE OBSERVED AND TIED SOUTH OF LATERAL "OA", WHICH APPEAR TO CONVEY IRRIGATION WATER TO LANDS SOUTH OF THE "PROPERTY". HERMISTON IRRIGATION DISTRICT DISTRIBUTION MAPS SHOW THE "O" CANAL AND "OA" LATERAL CANAL ON THE 1917 BUREAU OF RECLAMATION DISTRIBUTION MAPS. RIGHT-OF-WAY WIDTHS FOR THE TWO CANALS ARE AS NOTED ON MAP SHEET 2 OF 4. MEASUREMENTS TO CANAL CENTERLINES ARE BY SURVEY QUALITY MEASUREMENTS, BUT WE HAVE NOT CALCULATED GEOMETRIC ALIGNMENTS FOR THE CANALS BECAUSE THAT IS OUTSIDE THE SCOPE OF THIS SURVEY.

DISCUSSION OF PERMANENT EASEMENTS FOR EXISTING WATER DELIVERY SYSTEM AND PERMANENT, NON-EXCLUSIVE EASEMENTS FOR ADDITIONAL WATER DELIVERY CANAL AND PIPELINE.

SECOND TO LAST TWO PARAGRAPHS OF THE "PROPERTY" DESCRIPTION CONTAIN REFERENCES TO PERMANENT EASEMENT FOR EXISTING WATER DELIVERY SYSTEM AND FUTURE NON-EXCLUSIVE EASEMENT FOR ADDITIONAL WATER DELIVERY CANAL AND PIPELINE ACROSS THE NORTH HALF OF THE NORTH HALF OF SECTION 13, T5N., R28E., W.M., AND ACROSS THE NORTH HALF OF THE NORTH HALF OF SECTION 18, T5N., R29E., W.M.. WE HAVE LOCATED THE VARIOUS EXISTING VISIBLE DITCHES (CANALS) AND ROADS IN THESE AREAS AND THEY ARE SHOWN ON SHEET 3 OF 4. MEASUREMENTS TO THE DITCHES AND ACCESS ROADS SHOWN ARE BY SURVEY QUALITY MEASUREMENT. WE HAVE NOT DEVELOPED GEOMETRIC ALIGNMENTS FOR THE ROADS AND DITCHES, THAT BEING BEYOND THE SCOPE OF THIS SURVEY.

THE LAST TWO PARAGRAPHS OF THE "PROPERTY" DESCRIPTION CONTAIN REFERENCES TO PERMANENT EASEMENT FOR EXISTING WATER DELIVERY SYSTEM AND FUTURE NON-EXCLUSIVE EASEMENT FOR ADDITIONAL WATER DELIVERY CANAL AND PIPELINE ACROSS PORTIONS OF SECTION 7, T5N., R29E., W.M.. WE HAVE SHOWN CERTAIN VISIBLE EXISTING ACCESS ROADS, PIPELINES AND PUMP STATION IN SECTION 7 ON SHEET 3 OF 4. MEASUREMENTS TO THESE FEATURES ARE ALL BY SURVEY QUALITY MEASUREMENT, BUT WE HAVE NOT DEVELOPED GEOMETRIC ALIGNMENTS, THAT BEING BEYOND THE SCOPE OF THIS SURVEY.

DISCUSSION OF EXISTING RECORD, UNIMPROVED COUNTY ROAD RIGHT-OF-WAYS:

THERE ARE A NUMBER OF RECORD COUNTY ROAD RIGHT-OF-WAYS THROUGH THE PROPERTY WHICH ARE PRESENTLY UNIMPROVED. THAT IS, THERE ARE NOT EXISTING ROADS CONSTRUCTED IN THE RIGHT-OF-WAYS. SOME OF THE RECORD RIGHT-OF-WAYS MAY HAVE EXISTING UTILITIES CONSTRUCTED IN THEM. UMATILLA COUNTY ALLOWS UTILITIES TO BE CONSTRUCTED IN RECORD COUNTY ROAD RIGHT-OF-WAYS. NO INVESTIGATION WAS MADE FOR UTILITIES WHICH MAY EXIST IN THESE RECORD ROAD RIGHT-OF-WAYS. THE RECORD COUNTY ROAD RIGHT-OF-WAYS ARE SHOWN AT RECORD RIGHT-OF-WAY WIDTH, CENTERED ON SECTION OR SECTION BREAKDOWN LINES AS SHOWN IN THE PETITIONS AND ORDERS FOR THE COUNTY ROADS. RECORD COUNTY ROAD LOCATIONS WERE PROVIDED BY UMATILLA COUNTY ROAD DEPARTMENT. SEE SHEETS 2 OF 4 AND 3 OF 4 FOR LOCATIONS.

IT APPEARS THE EXISTING WATER DELIVERY SYSTEM IS BEING USED, IN PART, TO FILL PONDS FOR WILDLIFE HABITAT. THE ORIGINAL WATER RIGHT WITH THE STATE OF OREGON (THE PUMPING STATION ON THE COLUMBIA RIVER AND THE DELIVERY SYSTEM), MAY HAVE BEEN FOR OTHER USES. USE OF PUBLIC WATER FOR USES NOT SPECIFIED IN THE WATER RIGHT CERTIFICATE COULD BE GROUNDS FOR REVOCATION OF THE WATER RIGHT. NO INVESTIGATION WAS MADE INTO THE STATUS OF EXISTING WATER RIGHTS REGISTERED WITH THE OREGON DEPARTMENT OF WATER RESOURCES.

NO INVESTIGATION WAS MADE FOR BURIED LINES OR OVERHEAD UTILITIES, OTHER THAN THOSE SHOWN ON SURVEY MAP SHEETS. WE OBSERVED EVIDENCE OF OTHER BURIED AND OVERHEAD UTILITIES WHICH ARE NOT SHOWN. BURIED AND OVERHEAD UTILITIES, NOT COVERED BY "SPECIAL EXCEPTIONS" LISTED IN THE PRELIMINARY TITLE REPORT MAY EXIST. PRIOR TO DEVELOPMENT ON SPECIFIC PORTIONS OF THE "PROPERTY" THE SPECIFIC SITES SHOULD BE THOROUGHLY INVESTIGATED AND DOCUMENTED UNDER CURRENT ALTA/ACSM LAND TITLE SURVEY REQUIREMENTS.

THIS SURVEY WAS MADE DURING THE MONTHS OF JANUARY, FEBRUARY AND MARCH, 2006. THE SURVEY WAS MADE WITH TRIMBLE R7 AND R8 GEODETIC G.P.S. RECEIVERS OPERATED IN REAL TIME KINEMATIC MODE. NEW MONUMENTS WERE ESTABLISHED BY G.P.S. REAL TIME METHODS AND VERIFIED BY REDUNDANT OBSERVATIONS.

"PROPERTY" DESCRIPTION:

TRACT I:

Township 5 North, Range 28 East of the Willamette Meridian, Umatilla County, Oregon:

Section 13: The South Half and the South Half of the North Half;

EXCEPTING THEREFROM that portion conveyed to State of Oregon, by and through its State Highway Commission by Deed recorded in Book 170, Page 151, Umatilla County Deed Records;

ALSO EXCEPTING THEREFROM that portion conveyed to State of Oregon, by Deed recorded May 27, 1931, in Book 130, Page 350, Umatilla County Deed Records.

Section 23: The North Half.

Section 24: The North Half of the North Half; the Southeast Quarter of the Northeast Quarter.

Township 5 North, Range 29 East of the Willamette Meridian, Umatilla County, Oregon:

Section 16: All that portion of the West Half lying Southerly of the Southerly right-of-way line of the O. W. R. & N. Co.

Section 19: The North Half.

Section 20: All that portion lying Northerly of the Northerly right-of-way line of Highway 730.

Section 21: All that portion of the Northwest Quarter lying Northerly of the Northerly right-of-way line of Highway No. 730.

Net area of TRACT I: 1783.95 acres, more or less.

TRACT II:

The South Half and the South Half of the North Half of Section 18, Township 5 North, Range 29 East of the Willamette Meridian, Umatilla County, Oregon.

Net area of TRACT II: 477.16 acres, more or less.

TRACT III:

That portion of Section 17, Township 5 North, Range 29 East of the Willamette Meridian, Umatilla County, Oregon, lying South of the U.S. Taking Line for Lake Wallula as it was surveyed in 1975.

EXCEPTING THEREFROM the following described parcel:

Beginning at the Southwest corner of said Section 17 and running, thence South 89°18'00" East along the South line of said Section 17 a distance of 968.00 feet; thence North 00°07'57" East parallel with the West line of said Section 17 a distance of 3625.46 feet to a 1/2 inch rebar; thence North 49°23'11" East along a fence line and fence line projected 972.38 feet to a 1/2 inch rebar; thence South 89°08'20" East 945.53 feet to a 1/2 inch rebar lying on the North-South centerline of said Section 17; thence North 00°01'40" East along said North-South centerline 998.90 feet to a point on the U. S. Taking line of Lake Wallula; thence Westerly along said Taking Line 1659.00 feet, more or less, to a point on the North line of said Section 17; thence North 89°08'20" West 1030.20 feet to the Northwest corner of said Section 17; thence South 00°07'57" West along the West line of said Section 17 a distance of 5298.21 feet to the point of beginning.

SUBJECT to an Easement for ingress and egress over the East 1020 feet of the West 1988 feet of the South 50 feet of said Section 17.

TOGETHER WITH a permanent easement for an existing water delivery system (which includes a water pump station, ditches and water pipelines) including the right to enter and operate, maintain, repair, upgrade and reconstruct the same, on, over and across the North Half of the North Half of Section 13, Township 5 North, Range 28 East, W.M. and the North Half of the North Half of Section 18, Township 5 North Range 29 East, W.M.

ALSO TOGETHER WITH a permanent non-exclusive easement for an additional water delivery canal and pipeline in a future location to be mutually agreed upon by Grantee and the Port of Umatilla, together with the right to enter and operate, maintain, repair, upgrade and reconstruct the same on, over and across the North Half of Section 13, Township 5 North, Range 28 East, W.M. and the North Half of the North Half of Section 18, Township 5 North, Range 29 East, W.M. The exact location and dimensions of said easement shall be described in an instrument suitable for recording at the time they are agreed upon.

ALSO TOGETHER WITH a permanent easement for an existing water delivery system (which includes a water pump station, ditches and water pipeline) including the right to enter and operate, maintain, repair, upgrade and reconstruct the same, on, over and across Lots 1, 2, 3 and 4, and the South Half of the Southwest Quarter of Section 7, Township 5 North, Range 29 East, W.M. EXCEPTING THEREFROM that portion lying Northerly of the Southerly right-of-way line of the O. W. R. & N. Co.

ALSO TOGETHER WITH a permanent non-exclusive easement for an additional water delivery canal and pipeline in a future location to be mutually agreed upon by Grantee and the Confederated Tribes of the Umatilla Indian Reservation, together with the right to enter and operate, maintain, repair, upgrade and reconstruct the same on, over and across Lots 1, 2, 3 and 4, and the South Half of the Southwest Quarter of Section 7, Township 5 North, Range 29 East, W.M. EXCEPTING THEREFROM that portion lying Northerly of the Southerly right-of-way line of the O.W. R. & N. Co. The exact location and dimensions of said easement shall be described in an instrument suitable for recording at the time they are agreed upon.

Net area of TRACT III: 450.07 acres, more or less.

NOTE:
NET AREAS EXCLUDE RIGHT-OF-WAY FOR U.S. HIGHWAY NO. 730 AND COUNTY ROAD RIGHT-OF-WAYS, WHETHER DEVELOPED OR UNDEVELOPED. RIGHT-OF-WAY FOR IMPROVED COUNTY ROAD NO. 1274, ON THE SOUTHERLY LINE OF THE N1/2 OF SECTION 19, T5N., R29E., W.M., IS CALCULATED BY APPLYING THE RECORD RIGHT-OF-WAY WIDTH OF 40 FEET TO THE CENTERLINE OF THE EXISTING ROAD ON MARCH 1, 2006.

SHEET 4 OF 4

REGISTERED PROFESSIONAL LAND SURVEYOR RECEIVED BY Umatilla County Surveyors Date: <u>3-06</u> File: <u>13-9-88</u> No. <u>06-38-01</u>	WILLIAM R. WELLS, PLS 2602 N.E. RIVERSIDE PLACE P.O. BOX 1696 PENDLETON, OREGON PHONE: (541) 276-6362	PROJECT: SURVEY FOR: CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION LOCATED IN SECTIONS 13, 23 & 24 T5N., R28E., W.M., AND SECTIONS 16, 17, 18, 19, 20 & 21, T5N., R29E., W.M., UMATILLA COUNTY, OREGON.
OREGON JULY 22, 1977 WILLIAM R. WELLS 1106 RENEWS 6/30/06	DATE: 02/06 DR BY: JMW CK BY: WRW NO: 06-1049	