

# PARTITION PLAT No. 2011 - 14

## Morrow County, Oregon LP-S-398

### Township 1 South, Range 24 East, W.M., Sections 22, 23, 25, 26, 27, 33, 34, 35, and 36

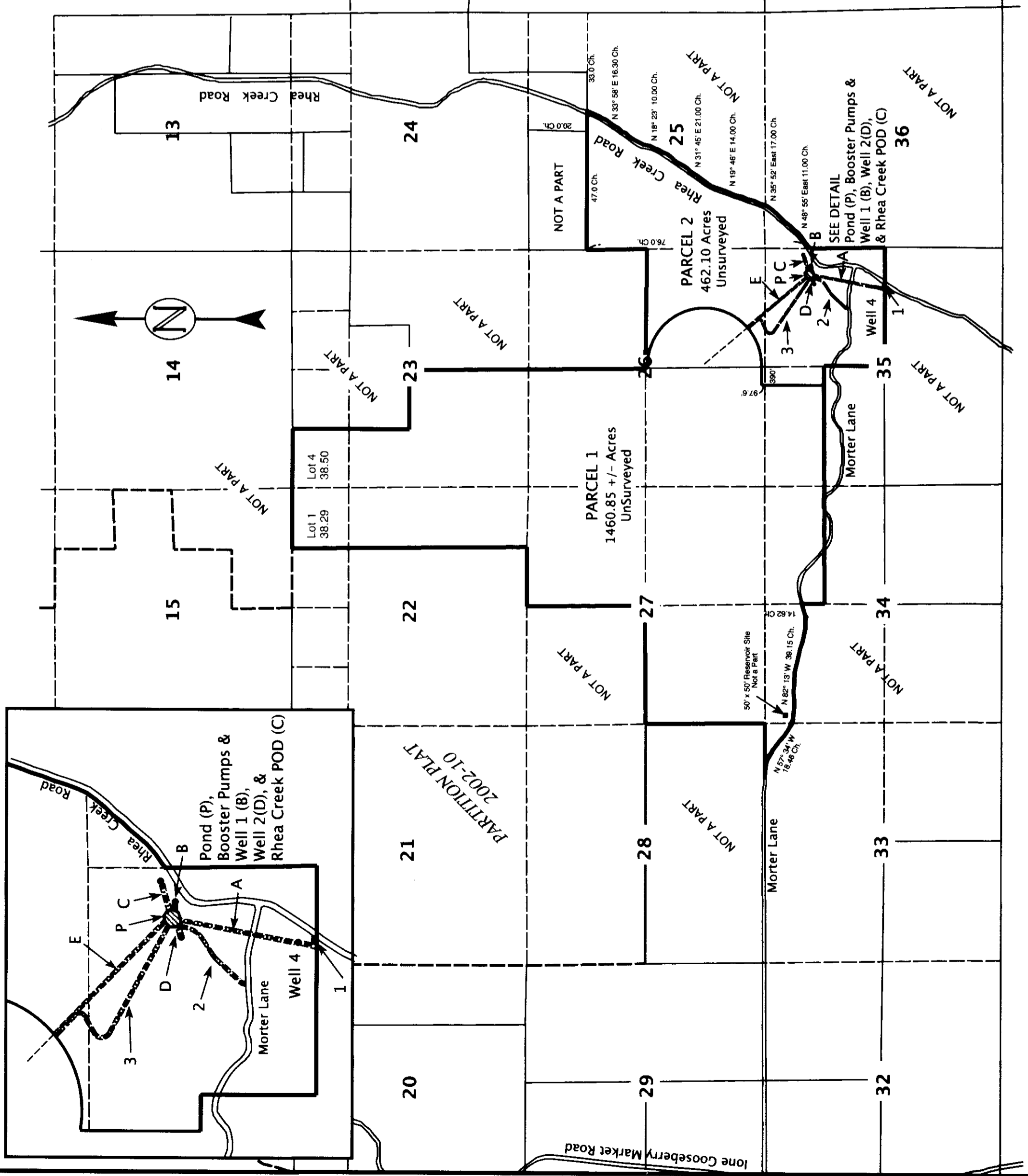
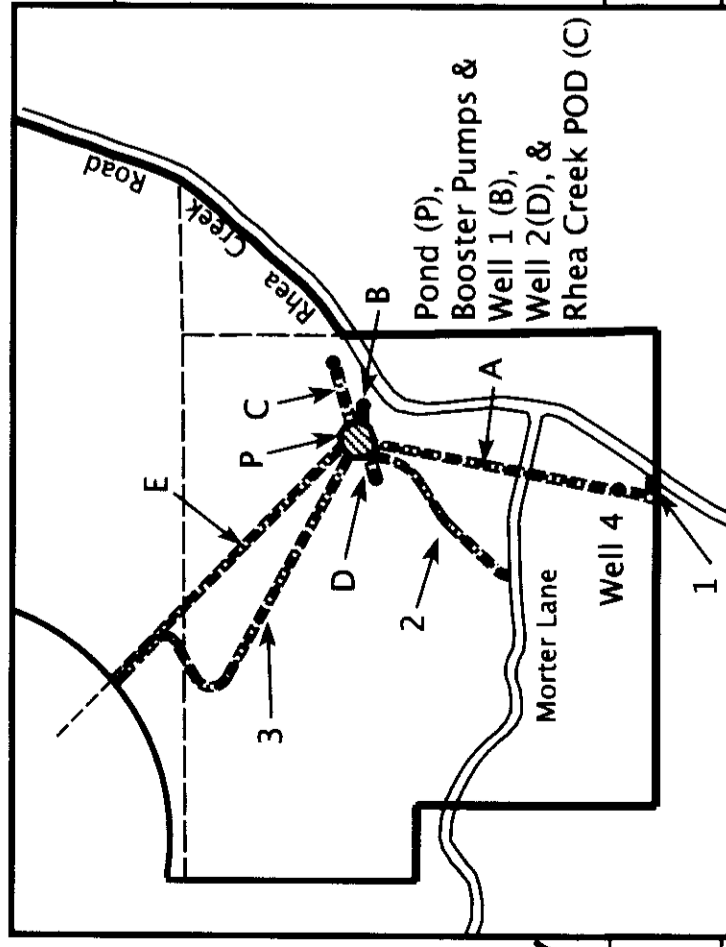
for:

**Marvin Padberg**  
64746 Rhea Creek Road  
Ione, Oregon 97843

#### PROPERTY DESCRIPTION:

The Property being Partitioned is Property described in the Morrow County Deed Records Microfilm M 2010-25966 as: Township 1 South, Range 24 EWM, Morrow County, Oregon. Property Legal Description is sited on Page 2 of 2.

**DETAIL**  
Scale 1" = 1000 Ft.



**WELL #4:**  
Originally described by me in COBU for Transfer #T-9443, as: 2435 Feet South and 1015 Feet West of the Northeast Corner of Section 35, in SE 1/4 of NE 1/4 of Section 35 of Township 1 South, Range 24 East, W.M. By Well Log # MORR 51114, the well is described as being 460 feet deep.

**Rhea Creek POD:**  
Described in Permit #S-44568, Certificate #66075 as: 750 Feet South and 140 Feet West of the Northeast Corner of Section 35, in NE 1/4 of NE 1/4 of Section 35 of Township 1 South, Range 24 East, W.M.

#### ACKNOWLEDGEMENT / DEDICATION:

I, the undersigned owner of the Property as shown and described on this Plat, do hereby acknowledge that I have caused this plat to be created, I dedicate the easements both shown on the face of this Plat and described on this Plat to the uses as indicated by this Plat, and I recognize this Plat as the Official Plat and Map of this Partition as filed in the County of Morrow, State of Oregon.

*Marvin Padberg*  
Marvin Padberg

On this 26th day of September, 2011, the above individual, Marvin Padberg, appeared personally before me and is known to me to be the identical individual who executed the plat dedication and acknowledgement and that he did so freely and voluntarily of his own will.

Before me: *Abraham H. H. H. H.*  
Notary Public for Oregon

My Printed Name is Abraham H. H. H. H.  
My Commission No. is 452474  
My Commission Expires Oct. 16, 2014

#### SURVEYOR'S CERTIFICATE & NARRATIVE:

I, Ronald V. McKinnis, being a Registered Professional Land Surveyor of the State of Oregon, certify that I have correctly surveyed and monumented the lands portrayed on this Plat according to ORS Chapter 92 of the State of Oregon.

This survey is based on the Legal Description as sited on Page 2 of 2. The survey was more to describe the Access/Egress and Utility Easements than to divide the Parent Parcel. I used calls in the deed, fence line locations, and Water Rights information to depict the boundaries of the parent parcel and also used that same information to create legal descriptions for both new Parcels as part of an Option Sales Agreement back in 2001 when Padberg sold the South Half of Section 28 to Vanden Brink for the development of a dairy operation. Vanden Brink is now exercising that Option Sales Agreement which requires this Partition action. The new legal descriptions of these created Parcels are sited on page 2 of 2 along with the necessary easements created for Access/Egress and for maintenance of wells and water delivery systems to continue the farming activities on both Parcels. I set no monuments for locations of the Parcels or Property boundaries but have calls in the legal's for various well locations and buried pipelines located within the Parcel Boundaries. I have also described one line between the Two New Parcels based on the physical location of irrigation equipment (Irrigation Pivot) found during my survey. All of the Stipulated Limited Judgment Orders and Adjudged for Case No. 10CV67 are shown and described on the face of this Plat.

The Locations of the Wells and irrigation improvements are:

**WELL #1:**  
Was included in Permit #G-6296 and Certificate #48296; And described by me in COBU for Transfer #T-9443, All as / Corrected to: 1020 Feet South and 300 Feet West of the Northeast Corner of Section 35, in NE 1/4 of NE 1/4 of Section 35 of Township 1 South, Range 24 East, W.M. By Well Log # MORR 37 the well is described as being 1140 feet deep.

**WELL #2:**  
Originally described in the Permit for #G-8701 and was included in the Certificate #66074; Was included by me in COBU for Transfer #T-9443, All as: 1180 Feet South and 620 Feet West of the Northeast Corner of Section 35, in NE 1/4 of NE 1/4 of Section 35 of Township 1 South, Range 24 East, W.M. By Well Log # MORR 36 the well is described as being 400 feet deep.

#### APPROVALS:

I certify that I have examined and approved this Partition Plat on this day of Sept, 2011  
*Ronald V. McKinnis*  
Morrow County Surveyor

I certify that I have examined and approved this Partition Plat on this day of September, 2011  
*Marvin Padberg*  
Morrow County Planning Director

I certify that I have examined and approved this Partition Plat on this day of September, 2011  
*Ronald V. McKinnis*  
Morrow County Tax Assessor

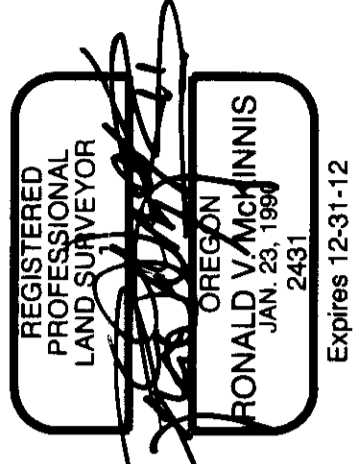
I certify that I have examined and approved this Partition Plat on this day of September, 2011  
*Marvin Padberg*  
Morrow County Tax Collector

**Morrow County Clerk**  
Recording Information

STATE OF OREGON SS }  
County of Morrow

I certify that this instrument was received and recorded in the book of records of said county.  
Bobbi Childers,  
Morrow County Clerk

by: *Sharon Crawford* Deputy.  
DOC #: 2011-3885  
RCPT: 09/26/11 11:19 AM



SCALE 1" = 2000 Ft.  
January, 2009

ENGINEERING - LAND SURVEYING - WATER RIGHTS  
**R. V. MCKINNIS ENGINEERING**  
79980 Prindle Loop Road  
Hermiston, Oregon 97838  
(541) -567-2017

**PARTITION PLAT No. 2011 - 14**

**Morrow County, Oregon LP-S-398**  
**Township 1 South, Range 24 East, W.M.,**  
**Sections 22, 23, 25, 26, 27, 33, 34, 35, and 36**

for:  
**Marvin Padberg**  
**64746 Rhea Creek Road**  
**Ione, Oregon 97843**

**PROPERTY DESCRIPTION:**

The property being partitioned is Property described in the Morrow County Deed Records Microfilm M 2010-25966 as:  
Township 1 South, Range 24 EWM, Morrow County, Oregon

Section 22: Government Lot 1, also known as the Northeast Quarter of the Northeast Quarter; the East Half of the Southeast Quarter, the Southeast Quarter of the Northeast Quarter;  
Section 23: Government Lot 4, also known as the Northwest Quarter of the Northwest Quarter; the Southwest Quarter of the Northwest Quarter; the Southeast Quarter;  
Section 26: The Southwest Quarter; The West Half;  
Section 27: The East Half; The Southwest Quarter;  
Section 34: The North Half of the Northwest Quarter;  
Section 35: The Northeast Quarter; The North Half of the Northwest Quarter;

Also the following described property lying in Sections 25 and 36 described as follows:  
Beginning at a point on the West Line of said Section 36 a distance of 24.00 chains North of the Southwest Corner of the Northwest Quarter of Section 36, being a point on the Southeast side of the County Road and the True Point of Beginning of this description;  
Thence North 48° 55' East a distance of 11.00 Chains along the South side of the County Road to a point;  
Thence North 35° 52' East a distance of 17.00 Chains along the Southeast side of said County Road to a point;  
Thence North 19° 46' East a distance of 14.00 Chains along the Southeast side of said County Road to a point;  
Thence North 31° 45' East a distance of 21.00 Chains along the Southeast side of said County Road to a point;  
Thence North 18° 23' East a distance of 10.00 Chains along the Southeast side of said County Road to a point;  
Thence North 33° 58' East a distance of 16.30 Chains along the Southeast side of said County Road to a point lying a distance of 20.00 Chains South and a distance of 33.00 Chains West of the Northeast corner of Section 25;

Thence West along the South line of the North Half of the North Half of Section 25 a distance of 47.00 Chains to a point on the West Line of said Section 25; Thence South a distance of 76.00 Chains to the Point of Beginning.  
Also the following property lying in Sections 33 and 34 described as follows:  
Beginning at the Quarter Corner between Sections 27 and 34, said point being the True Point of Beginning of this description;  
Thence South a distance of 14.62 Chains to a point on the center of County Road;  
Thence North 82° 13' West a distance of 39.15 Chains up the center of the County Road to a point;  
Thence North 57° 34' West a distance of 18.46 Chains up the center of the County Road to a point on the line between Sections 28 and 33;

Thence East a distance of 54.16 Chains along the South Line of Sections 28 & 27 to the Point of Beginning.  
EXCEPTING THEREFROM a tract 50 feet x 50 feet, being more particularly described as follows:  
A Tract of land 50.00 feet by 50.00 feet, the boundary lines running North, East, South and West respectively.  
The Southwest corner of which is South a distance of 8.33 Chains and East a distance of 3.36 Chains from the corner common to Section 27, 28, 33, and 34. Said reservation is to be used for a Reservoir Site.  
EXCEPTING THEREFROM all roads and road rights of way.  
ALL being EWM, Morrow County, Oregon

**NEW EASEMENT DESCRIPTIONS:**  
**IRRIGATION PIPELINES EASEMENTS:** Located on Parcel 2 for the Benefit of Parcel 1  
**EASEMENT "A"**  
A 20 foot wide easement for operating, repairing, and maintaining an Irrigation Pipeline, the centerline of which is described as follows: Beginning at WELL #4; Thence North 15° 45' 30" East a distance of 1290 feet to the Irrigation Storage Pond and terminus of this Irrigation Pipeline Easement.

**EASEMENT "B"**  
A 20 foot wide easement for operating, repairing, and maintaining an Irrigation Pipeline, the centerline of which is described as follows: Beginning at WELL #1; Thence West a distance of 90 feet to the Irrigation Storage Pond and terminus of this Irrigation Pipeline Easement.

**EASEMENT "C"**  
A 20 foot wide easement for operating, repairing, and maintaining an Irrigation Pipeline, the centerline of which is described as follows: Beginning at the Rhea Creek POD; Thence South 78° 10' 20" West a distance of 247 feet to the Irrigation Storage Pond and terminus of this Irrigation Pipeline Easement.

**EASEMENT "D"**  
A 20 foot wide easement for operating, repairing, and maintaining an Irrigation Pipeline, the centerline of which is described as follows: Beginning at the WELL #2; Thence North 73° 45' 00" East a distance of 130 feet to the Irrigation Storage Pond and terminus of this Irrigation Pipeline Easement.

**EASEMENT "E"**  
A 20 foot wide easement for operating, repairing, and maintaining an Irrigation Pipeline, the centerline of which is described as follows: Beginning at Irrigation Storage Pond; Thence North 40° 56' 20" East a distance of 1733 feet to the intersection of the Southeast line of New Parcel 1 and terminus of this Irrigation Pipeline Easement.

**ACCESS/EGRESS EASEMENTS:** Located on Parcel 2 for the Benefit of Parcel 1  
**EASEMENT "1"**  
A 20 foot wide easement for Access/ Egress for operating, repairing, and maintaining Well #4, the centerline of which is described as follows:  
Beginning at a point 830 Feet West and 10 Feet North of the East Quarter Corner of Section 35, Township 1 South, Range 24 East, W.M., said point being on the West Edge of the County Road; Thence West a distance of 185 feet; Thence North 195 feet to WELL #4 and terminus of this Access/Egress Easement.

**New Parcel 1:**  
This Parcel was described in an Option Agreement as found in the Morrow County Deed Records Microfilm M 2001-00797 as: EXHIBIT "A", Option Parcel 1, Irrigated Acreage. A parcel of land located in Township 1 South, Range 24 East, W.M., Morrow County, Oregon being 1460.85 acres, more or less, more particularly described and "Modified" as follows:

Section 22: The East Half of the East Half;

Section 23: The West Half of the West Half and the East Half of the Southwest Quarter;

Section 26: The West Half, EXCEPTING the South 97.6 feet of East 390 feet thereof;

IN ADDITION TO the following portion of the Southeast Quarter:

Commencing at the Center Quarter Corner of Section 26; Thence South 56° 1' feet along the West Line of the Southeast Quarter of said Section 26 to the edge of a 1253 foot radius circle whose center bears S 6° 01' 42" East, said point being the Point of Beginning of this description; Thence along the edge of said 1253 foot radius circle in a South and East direction a distance of 4196.8 feet and through an arc of 192° 03' 24" with a chord bearing South 0° 00' 00" East 2492.5 feet to a point North 97.6 feet of the South Quarter Corner between Sections 26 and 35; Thence North along the West Line of the Southeast Quarter of said Section 26, 2492.5 feet to the Point of Beginning.

Section 27: The East Half; The Southwest Quarter;

Section 34: The North Half of the Northeast Quarter;

IN ADDITION TO: Beginning at the Quarter Corner between section 27 and 34; Thence South a distance of 14.62 Chains to a point on the center of the County Road; Thence North 82° 13' West a distance of 39.15 Chains along the center of the County Road to a point; Thence North 57° 34' West a distance of 18.46 Chains along the center of the County Road to a point on the line between Sections 28 and 33; Thence East a distance of 54.16 Chains along the South line of Sections 28 and 27 to the Point of Beginning, containing 54.47 acres, more or less.

Section 35: The Westerly 2250 feet of the North Half of the Northwest Quarter.

EXCEPTING THEREFROM a small tract 50 feet x 50 feet square, lying in the above named tract; Said reservation is to be used for a Reservoir Site and being more particularly described as follows:

A Tract of land 50.00 feet by 50.00 feet, the boundary lines running North, East, South and West respectively. The Southwest corner of which is South a distance of 8.33 Chains and East a distance of 3.36 Chains from the corner common to Sections 27, 28, 33, and 34.

**New Parcel 2:**

This Parcel was described in an Option Agreement as found in the Morrow County Deed Records Microfilm M 2001-00797 as: EXHIBIT "A", Option Parcel 2, Creek Side Acreage. A parcel of land located in Township 1 South, Range 24 East, W.M., Morrow County, Oregon being 462.10 acres, more or less, more particularly described and "Modified" as follows:

Section 26: The South 97.6 feet of East 390 feet of the Southeast Quarter of the Southwest Quarter.

IN ADDITION TO the following portion of the Southeast Quarter:

Beginning at the Center Quarter Corner of Section 26; Thence South 56° 1' feet along the West Line of the Southeast Quarter of said Section 26 to the edge of a 1253 foot radius circle whose center bears S 6° 01' 42" East; Thence along the edge of said 1253 foot radius circle in a South and East direction, a distance of 4196.8 feet and through an arc of 192° 03' 24" with a chord bearing South 0° 00' 00" East 2492.5 feet to the intersection of the West line of the Southeast Quarter; Thence South along the West Line of the Southeast Quarter of said Section 26, 97.6 feet to the South Quarter between Sections 26 and 35; Thence East along the South line of Section 26 to the corner common to Sections 25, 26, 35, 36; Thence North along the East line of the Southeast Quarter to the East Quarter corner between Section 25 and 26; Thence West along the North line of the Southeast Quarter of said Section 26 to the Center Quarter of said Section 26 and Point of Beginning.

Sections 25 & 36: Beginning at a point 24 chains North of the Southwest Corner of the Northwest Quarter of Section 36, being a point on the Southeast side of the County Road; Thence North 48° 55' East 11 Chains along the South side of the County Road; Thence North 35° 52' East 17 Chains along the Southeast side of said County Road; Thence North 19° 46' East 14 Chains along the Southeast side of said County Road; Thence North 31° 45' East 21 Chains along the Southeast side of said County Road; Thence North 18° 23' East 10 Chains along the Southeast side of said County Road; Thence North 33° 58' East 16.30 Chains along the Southeast side of said County Road to a point 20 Chains South and 33 Chains West of the Northeast Corner of Section 25; Thence West 47 Chains; Thence South 76 Chains to the Point of Beginning.

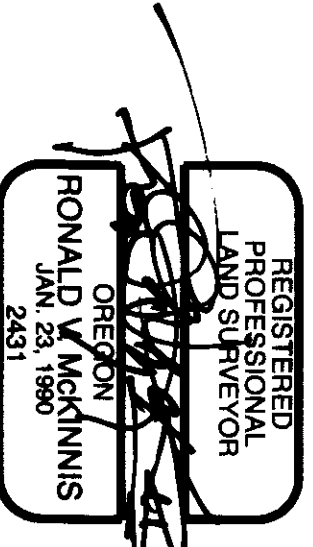
Section 35: The Northeast Quarter and the North Half of the Northwest Quarter. Excepting the Westerly 2250 of the North Half of the Northwest Quarter.

**ACCESS/EGRESS EASEMENTS:** Located on Parcel 2 for the Benefit of Parcel 1.  
**EASEMENT "2"**  
A 20 foot wide easement for Access/ Egress for operating, repairing, and maintaining Well #1, Well #2, Booster Pumps, and Pond, the centerline of which is described as follows:  
Beginning at a point 1732 Feet West and 640 Feet North of the East Quarter Corner of Section 35, Township 1 South, Range 24 East, W.M., said point being on the North Edge of the County Road; Thence Northeast along a 120 foot radius curve to the right through an internal angle of 41° 58' 15" with a chord bearing North 20° 7' 27" East 85.19 feet; Thence North 41° 58' 15" East 360 feet; Thence along a 330 foot radius curve to the right through an internal angle of 16° 0' 30" with a chord bearing North 49° 58' 24" East 91.87 feet; Thence North 57° 58' 45" East 195 feet; Thence along a 330 foot radius curve to the left through an internal angle of 57° 58' 45" with a chord bearing North 29° 11' 15" East 317.89 feet; Thence North 80 feet to the South side of the Irrigation Storage Pond and terminus of this Access/Egress Easement, said terminus being not contiguous with the Beginning of Easement "3".

**EASEMENT "3"**  
A 20 foot wide easement for Access/ Egress from Parcel 1 for operating, repairing, and maintaining Irrigation pipelines & system, the centerline of which is described as follows:  
Beginning at a point 620 Feet West and 1660 Feet North of the East Quarter Corner of Section 35, Township 1 South, Range 24 East, W.M., said point being not contiguous with terminus of Easement "2", and on the Northwest Edge of the Irrigation Storage Pond; Thence North 40° 56' 20" West 1320 feet; Thence along a 120 foot radius curve to the right through an internal angle of 112° 13' 00" with a chord bearing North 15° 07' 35" East 199.12 feet; Thence North 71° 11' 30" East 278 feet; Thence along a 120 foot radius curve to the left through an internal angle of 112° 13' 00" with a chord bearing North 15° 07' 35" East 199.12 feet; Thence North 40° 56' 20" West 278 feet more or less to the intersection of the Southeast line of Parcel 1 and terminus of this Access/Egress Easement.

**SCALE 1" = 2000 Ft.**  
**January, 2009**

PAGE 2 of 2



**R. V. MCKINNIS ENGINEERING**  
ENGINEERING - LAND SURVEYING - WATER RIGHTS  
79980 Prindle Loop Road  
Hermiston, Oregon 97838  
(541) 567-2017

Expires 12-31-12

Rev. 09-24-11