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## BARGAIN AND SALE DEED — STATUTORY FORM

INDIVIDUAL GRANTOR

Vol M99 Page 25690

State of Oregon, represented and acting by the Director of the Water Resources Department, Grantor,  
conveys to 1999 JUN 29 AM 9:11 Urbach Farms, Inc.  
Grantee, the following real property situated in Klamath  
County, Oregon, to-wit:

The N ¼ SW ¼ and the South 577.5 feet of the S ¼ NW ¼ of Section 35, Township 38 South, Range 11 ½ East of the Willamette Meridian, in the County of Klamath, State of Oregon, together with a 30 foot easement for ingress and egress over the East 30 feet of the S ¼ NW ¼ as described in that certain document recorded on the 15<sup>th</sup> day of May, 1989 at 2:39 p.m. and duly recorded by the Klamath County Clerk in Volume M89 of Deeds Page 8337.

Excepting and reserving to itself, its successors, and assigns, all minerals, as defined in ORS 273.775(1), and all geothermal resources defined in ORS 273.775(2), together with the right to make such use of the surface as may be reasonably necessary for prospecting for, exploring for, mining, extracting, reinfecting, storing, drilling, for, and removing such materials and geothermal resources; provided, however, that the rights hereby reserved to use the surface for any of the above activities shall be subordinate to that use of the surface of the premises deeded herein, or any part thereof, being made by the owner thereof on the date the State of Oregon leases its reserved mineral or geothermal resources; in the event such use of the premises by a surface rights owner would be damaged by one or more of the activities described above, then such owner shall be entitled to compensation from the state's lessee to the extent of the diminution in value of the rights of the owner's interest.

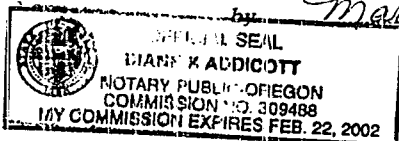
(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The true consideration for this conveyance is \$ 59,950.00 (Here comply with the requirements of ORS 93.030)  
Deed is given in fulfillment of that contract recorded by the Klamath County Clerk  
in Volume M89 of Deeds, Page 8326.

Dated this 14<sup>th</sup> day of June, 1999

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

M. M. M. M. M., Director  
Water Resources Department

STATE OF OREGON, County of M Marion ss.This instrument was acknowledged before me on June 14, 1999.by M. M. M. M. M.

Linda K. Addicott  
Notary Public for Oregon  
My commission expires 2/22/02

## BARGAIN AND SALE DEED

State of Oregon Water Resources Dept.  
Urbach Farms, Inc. GRANTOR  
PO Box 12 GRANTEE  
Dairy, OR 97625  
GRANTEE'S ADDRESS, ZIP

After recording return to:

Urbach Farms, Inc.  
PO Box 12  
Dairy, OR 97625

NAME, ADDRESS, ZIP

Until a change is requested, all tax statements  
shall be sent to the following address:

Urbach Farms, Inc.  
PO Box 12  
Dairy, OR 97625

NAME, ADDRESS, ZIP

SPACE RESERVED  
FOR  
RECORDER'S USE

State of Oregon, County of Klamath  
Recorded 6/29/99 at 9:11 a.m.  
In Vol. M99 Page 25690  
Linda Smith,  
County Clerk Fee \$ 30 - K2