

Are there any existing water rights appurtenant to the land on which the water is to be used? If yes, from what source and under what authority?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
077-069-000-000-00		
Type of System Proposed		
pivot		
Remarks		
TO Irrigate class 6 and high acres		

Signatures

[Signature]
Applicant's Signature

[Signature]
Legal Landowner's Signature

[Signature]
Legal Landowner's Address

For Ecology Use Only

State of Washington }
Department of Ecology } ss.

This is to certify that I have examined the foregoing application together with the accompanying maps and data, and return the same for correction or completion as follows:

.....

.....

In order to retain its priority, this application must be returned to the Department of Ecology with corrections, on or before, 20

Witnessed my hand this day of, 20

Department of Ecology

K. Bit
5019 1-8-12



DAVIS ARNEIL LAW FIRM, LLP
P.O. BOX 2136
WENATCHEE WA 98807
TELEPHONE: (509) 662 3551
FAX: (509) 662 9074

REAL ESTATE EXCISE TAX	
AMT.	12465.00
PEN	
PAID DEC 19 2011 PAID	
AFF	209449
BY	L
DARRYL PHEASANT, TREASURER	

STATUTORY WARRANTY DEED

The Grantor, RPM Fruit, LLC, a Washington limited liability company, for and in consideration of Ten and No/100 Dollars (\$10.00) and other valuable consideration, conveys and warrants to DAVID J. NIDEROST and VICKI NIDEROST, husband and wife, the Grantee, the following described real estate situated in Grant County, Washington:

Farm Unit 69, Irrigation Block 77, Columbia Basin Project, Grant County, Washington, according to the plat thereof recorded February 7, 1956; Together with that certain 1980 GlenR Manufactured Home, Size 66x28, Serial Number C1538X4, which is affixed to subject premises.
TOGETHER WITH all water rights appurtenant to the property.

SUBJECT TO the following:

A Waiver of Claim for Damages and Consent to locate Columbia Basin Highway over a portion of said property, said waiver recorded under Auditor's File No. 223964, records of Grant County, Washington; and

That Agreement and Right of Way Easement to construct, reconstruct, operate and maintain an Electric Distribution Line and Appurtenances, granted to Public Utility District No. 2 of Grant County recorded October 9, 1973 under Auditor's File No. 595919, records of Grant County, Washington; and

LAW OFFICES OF
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P. O. BOX 2136
WENATCHEE WA 98807
(509) 662-3551

15\Statutory Warranty Deed -1-

That Irrigation Power Agreement with the Public Utility District No. 2 of Grant County recorded April 25, 1978 under Auditor's File No. 668128, records of Grant County Washington; and

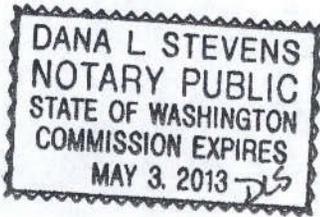
That Oil and Gas Lease and the terms and conditions contained therein where Milbrandt 3 LLC is Lessor and Energy West Corporation is Lessee, recorded June 3, 2006 under Auditor's File No. 1196921, records of Grant County, Washington; and

The laws and regulations of the United States and the State of Washington relative to the Columbia Basin Project; and

Restrictions, reservations, covenants, rights of way, water and water rights and easements apparent or of record.

DATED this 15 day of December, 2011.

RPM Fruit, LLC



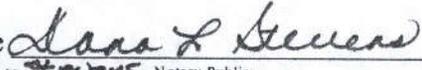
By: 
Jerry C. Milbrandt, Member
"Grantor"

Ref: No. 339589

State of Washington
County of Grant

I certify that I know or have satisfactory evidence that Jerry C. Milbrandt is the person who appeared before me and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as a Member of RPM Fruit, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated December 15, 2011

Signature 
Dana L. Stevens Notary Public
My Appointment Expires 5-3-2013

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(509) 662-3551

15\Statutory Warranty Deed -2-

F:\AG\K-N\ndrst\1031 Exch - Milbrandt\Documents\2011-12-12_SWD_RPM to Niderost-FU 69-339589.wpd
December 12, 2011

1294212 12/19/2011 02:58 PM SWD
Page 2 of 2 R 63.00 Grant Co, WA
CHICAGO TITLE INS CO



SCHEDULE B

Policy No.: 339589-GM

EXCEPTIONS FROM COVERAGE:

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

GENERAL EXCEPTIONS:

- A. Rights or claims disclosed only by possession, or claimed possession, of the premises.
- B. Encroachments and questions of location; boundary and area disclosed only by inspection of the premises or by survey.
- C. Easements, prescriptive rights, rights-of-way, streets, roads, alleys or highways not disclosed by the public records.
- D. Any lien, or right to a lien, for contributions to employee benefit funds, or for state workers' compensation, or for services, labor, or material heretofore or hereafter furnished, all as imposed by law, and not shown by the public records.
- E. Taxes or special assessments which are not yet payable or which are not shown as existing liens by the public records.
- F. Any service, installation, connection, maintenance, tap, capacity or construction charges for sewer, water, electricity, natural gas or other utilities, or garbage collection and disposal.
- G. Reservations and exceptions in United States Patents or in Acts authorizing the issuance thereof.
- H. Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
- I. Water rights, claims or title to water.

END OF GENERAL EXCEPTIONS

SPECIAL EXCEPTIONS:

1. A waiver of Claim for Damages and Consent to locate Columbia Basin Highway over the North 30 feet and the East 30 feet of the Northeast quarter of Section 10, Township 18 North, Range 23 E.W.M., was executed by D. R. Moody, Executor of the Estate of Ida C. Anderson, dated June 8, 1954, filed June 15, 1954, as Auditor's File No. 223964.
2. Agreement and Right of Way Easement to Public Utility District No. 2 of Grant County, a Corporation, dated August 7, 1973, recorded October 9, 1973, under Auditor's File No. 595919, to construct, reconstruct, operate and maintain an Electric Distribution Line and Appurtenances, and providing for a minimum yearly power bill.

The payment provisions of said agreement were fully satisfied and discharged by instrument recorded April 10, 1981 under Auditor's File No. 715441.
3. Irrigation Power Agreement between Ed Berger and Minnie Berger, husband and wife, and Public Utility District No. 2 of Grant County, dated April 19, 1978; recorded April 25, 1978, under Auditor's File No. 668128, providing for a minimum yearly power bill; providing for charges if terminated; and providing that all charges accruing may become a lien against subject premises.



T18N
R23E 201557000
S3

201558000

Road 1 SW

Road 1 SW

Road T SW

201579000

201581000

Road T SW

201580000

T18N
R23E
S10

Road T SW

150386000

150387000

