

PARTITION PLAT NO. P1996-022

LOCATED IN THE WEST HALF OF SECTION 24 AND ALL OF SECTION 23, TOWNSHIP 7 SOUTH, RANGE 45 EAST OF THE WILLAMETTE MERIDIAN, BAKER COUNTY, OREGON

SURVEYOR'S CERTIFICATE

I, DAVID L. TRAPP, OREGON REGISTERED LAND SURVEYOR NO. 1362, DO HEREBY STATE THAT I HAVE PREPARED THIS MINOR LAND PARTITION IN ACCORDANCE WITH THE DESIRES OF THE PARTITIONERS AND IN ACCORDANCE WITH OREGON REVISED STATUTES, CHAPTER 92, AND THAT THE FOLLOWING DESCRIPTION IS TRUE AND CORRECT:

LAND IN BAKER COUNTY, OREGON IN TOWNSHIP 7 SOUTH, RANGE 45 EAST OF THE WILLAMETTE MERIDIAN: SECTION 14: SW 1/4 OF THE SW 1/4 SECTION 23: NW 1/4; SOUTH 1/2 OF THE NE 1/4, SE 1/4; A PARCEL IN THE N 1/2 SW 1/4 DESCRIBED AS FOLLOWS: BEGINNING AT THE CENTER OF SAID SECTION; THENCE WEST ALONG THE NORTH LINE OF SAID NORTH 1/2 SW 1/4 TO THE CENTER OF PINE CREEK; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE TO THE SOUTHEAST CORNER OF THE NE 1/4 SW 1/4; THENCE NORTH TO THE POINT OF BEGINNING.

SAVE AND EXCEPT: A PARCEL IN THE SW 1/4 NW 1/4 DESCRIBED AS FOLLOWS: BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION; THENCE NORTH 286.3 FEET ALONG THE WEST LINE OF SAID SW 1/4 NW 1/4; THENCE N. 88°15'36" E TO THE CENTER LINE OF PINE CREEK; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE TO THE SOUTH LINE OF SAID SW 1/4 NW 1/4; THENCE WEST ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

SAVE AND EXCEPT: ALL THAT PORTION OF THE SW 1/4 OF THE SE 1/4 LYING SOUTHEASTERLY OF THE CENTER OF PINE CREEK.

SECTION 24: SW 1/4 OF THE NW 1/4; A PARCEL IN THE SW 1/4 SW 1/4 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 990 FEET; THENCE EAST 1320 FEET; THENCE SOUTH 990 FEET; THENCE WEST 1320 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THAT PORTION CONVEYED TO BAKER COUNTY BY DEED RECORDED APRIL 8, 1970 IN DEED 70 14 030.

SAVE AND EXCEPT: THAT PORTION CONVEYED TO STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION, RECORDED JUNE 25, 1973, IN DEED 73 26 018, OVER THE E 1/2 SW 1/4 AND SE 1/4 NW 1/4.

SAVE AND EXCEPT: THAT PORTION CONVEYED TO BAKER COUNTY BY DEED RECORDED FEBRUARY 25, 1970, IN DEED 70 08 033.

DATE 12/10/96 DAVID L. TRAPP, PLS 1362

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO PARTITION A TRACT OF LAND OWNED BY TERRY & SANDRA BIGELOW AND HILLTOP RESOURCES, LLC (FORMALLY KNOWN AS ROGABELLE, LLC) INTO 2 PARCELS. SINCE THE PARCELS CREATED ARE MORE THAN 10 ACRES NO BOUNDARY SURVEY WAS REQUIRED FOR THIS PARTITION WITH THE EXCEPTION OF DETAIL "A" AS SHOWN ON MAP. ALL OTHER DISTANCES SHOWN ARE RECORDED IN DEEDS AS NOTED ON MAP. DETAIL "A" WAS SURVEYED OFF OF THE EAST LINE OF SECTION 23 WHICH IS SHOWN ON MAP. THE BEARINGS AND CURVE DATA SHOWN ALONG THE RIGHT OF WAY OF THE COUNTY ROAD IN DETAIL "A" ARE FROM DEED 70-08-033.

DECLARATION

KNOW ALL MEN BY THESE PRESENTS THAT TERRY AND SANDRA BIGELOW, AND HILLTOP RESOURCES, LLC ARE THE OWNERS OF THE LAND REPRESENTED ON THIS LAND PARTITION PLAT AND MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE DO HEREBY DECLARE THAT THEY HAVE CAUSED THIS LAND TO BE PARTITIONED INTO TWO PARCELS AS SHOWN IN ACCORDANCE WITH O.R.S. CHAPTER 92.

Terry L. Bigelow Sandra Bigelow

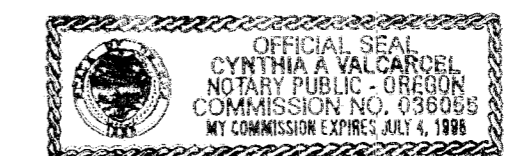
SEE ATTACHED AFFIDAVIT FOR SIGNATURE

JAMES M. HABBERSTAD, HILLTOP RESOURCES, LLC

ACKNOWLEDGEMENT

STATE OF OREGON } S.S. COUNTY OF BAKER } I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS PRESENTED FOR RECORDING ON THE 16th DAY OF Dec 1996, AT 2:44 O'CLOCK P.M., AND RECORDED IN BAKER COUNTY RECORDS AND IS HEREBY APPROVED.

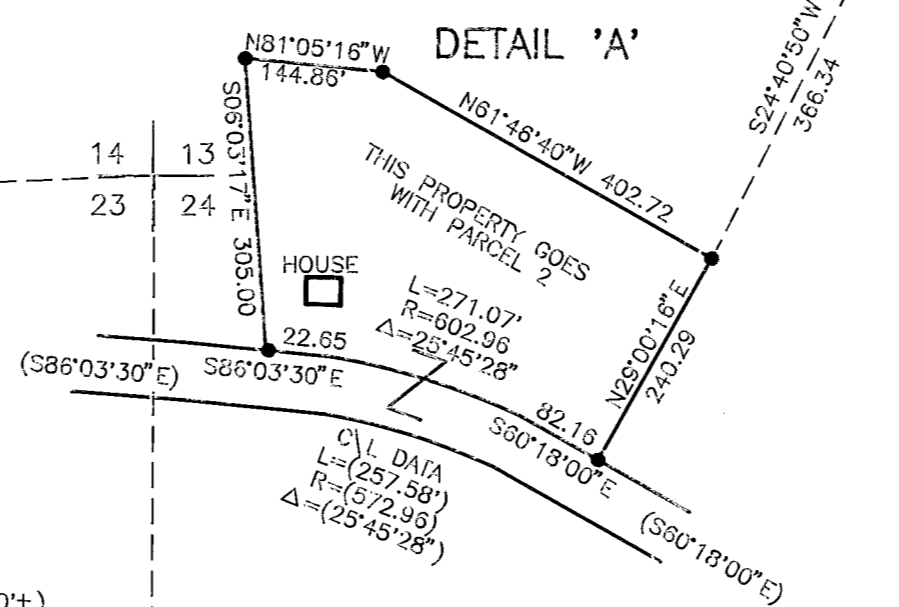
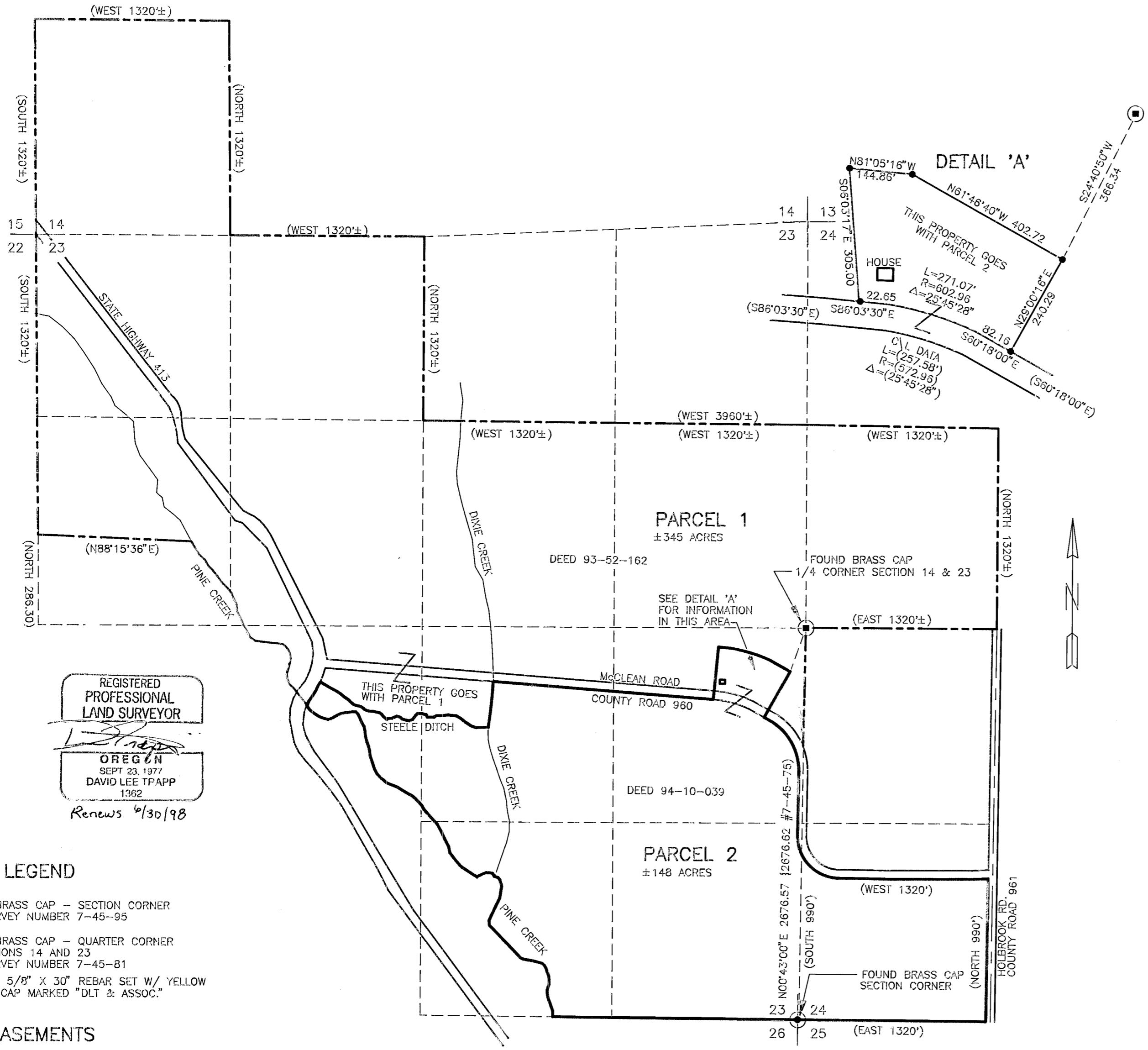
WITNESS MY HAND AND SEAL THIS 14 DAY OF December, 1996 Cynthia A. Valcarlos NOTARY PUBLIC MY COMMISSION EXPIRES July 4, 1998



APPROVALS

STATE OF OREGON } S.S. COUNTY OF BAKER } I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS PRESENTED FOR RECORDING ON THE 16th DAY OF Dec 1996, AT 2:44 O'CLOCK P.M., AND RECORDED IN BAKER COUNTY RECORDS AND IS HEREBY APPROVED. Baker County Clerk: Janet Spriet dep. Baker County Surveyor: James D. Humber DATE 12-10-1996 Planning Approval: Bill Seales DATE 12-10-1996 Baker County Tax Collector: Lynn Taylor DATE 12/16 1996 Taxes Have Been Paid To: June 30, 1997

LAND PARTITION LOCATED IN THE W 1/2 OF SECTION 24, ALL OF SECTION 23 T.7S., R.45E., W.M., BAKER CO. FOR: HILLTOP RESOURCES, LLC DAVID L. TRAPP & ASSOCIATES ENGINEERS & SURVEYORS PLANNING DESIGN SURVEYING P.O. BOX 681 BAKER CITY, OREGON PH. (541)523-9180 1/1



REGISTERED PROFESSIONAL LAND SURVEYOR OREGON SEPT 23, 1977 DAVID LEE TRAPP 1362 RENEWS 9/30/98

- LEGEND FOUND BRASS CAP - SECTION CORNER PER SURVEY NUMBER 7-45-95 FOUND BRASS CAP - QUARTER CORNER OF SECTIONS 14 AND 23 PER SURVEY NUMBER 7-45-81 DENOTES 5/8\"/>

EASEMENTS EASEMENT FOR ELECTRICAL TRANSMISSION RECORDED 5-5-42 BOOK 131 PAGE 410 OVER EAST 1/2 OF NE 1/4 OF NW 1/4 OF SECTION 23 EASEMENT FOR ELECTRICAL TRANSMISSION RECORDED 11-1-29 BOOK 113 PAGE 227 OVER SW 1/4 OF SE 1/4 OF SECTION 23 EASEMENTS FOR CHANNEL CHANGE RECORDED JUNE 25, 1973 IN DEED NO. 73-26-018 AFFECTING PINE CREEK IN SW 1/4 OF SECTION 23 POWER EASEMENT RECORDED 1-5-13 IN BOOK 87 PAGE 565 OVER NW 1/4 OF SECTION 23

A 30' DRAINAGE EASEMENT, 15' FEET EACH SIDE OF THE CENTER OF ANY DITCHES WHICH CROSSES ONTO EITHER PARCEL 1 OR 2 AS SHOWN ON MAP. THIS EASEMENT IS CONVEYED TO ANYONE WITH A LEGAL WATER RIGHT FOR IRRIGATION. THIS EASEMENT GRANTS ACCESS TO OBTAIN WATER FROM THE DITCH, TO REPAIR OR MAINTAIN THE DITCH.

STATEMENT OF WATER RIGHTS

THERE ARE WATER RIGHTS APPURTENANT TO THIS PROPERTY UNDER CERTIFICATE NO. 104947, 10292, AND 10302.